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EU CONDITIONALITY IN TURKEY

The instrumentalization of the European Union accession conditionality in Turkey,
between 2005 and 2015.

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Abstract

EU Conditionality in Turkey.

The instrumentalization of EU accession conditionality between 2000 and 2015

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ABSTRACT Despite the fact accession conditionality is not as effective as it was in the period of candidacy between 2000-2005, both the European Union (EU) and Turkey present themselves as committed to the membership negotiations. Why does the EU continue to use conditionality despite the lack of credibility, something that is necessary for effective conditionality -according to other literature? This thesis tries to answer this question not only by looking at criteria that determine effectiveness of conditionality, but also by looking at possible alternative agenda's for the EU and Turkey to keep the negotiation process alive. In that way it becomes clear that conditionality in the case of Turkey, does not necessarily serve as a tool that enables accession to the EU but rather as a foreign policy tool of the EU that works beneficial for both parties as long as they continue the negotiations. The implications of this research are of great importance for future EU policy, because it can change the perceived value of benefits and costs in the negotiation process.

Introduction

"A norm can long exist, perhaps even indefinitely, while being violated." (Michael McFaul 2006, 160)

Ever since its foundation, the European Union (EU) has propagated democracy as one of its core values. If a country wanted to enjoy the economic benefits of the European Community (the EU before enlargement), democracy had to be established. The EU's accession criteria adopted in the 1993 Copenhagen summit explicitly state that 'stable institutions guaranteeing democracy, the rule of law, human rights and respect for and protection of minorities' are essential pre-conditions for candidacy status as well for opening accession negotiations.¹ These criteria for accession fall under the banner of 'democracy promotion'. This concept entails all direct, non-violent, activities that international actors can apply to bring about, strengthen or support democratization in a country.² The importance of international pressure, encouragement or help in the process of democratization has grown out to be one of the central themes in the field of international relations and political history.

By upholding the previously mentioned accession criteria the EU has proven to be a game changer in the democratic transition of several Central and East European countries (CEECs). The policy applied by the EU to promote democracy is called 'conditionality'. Philippe C. Schmitter explains that conditionality is 'the deliberate use of coercion – by attaching specific conditions to recipient countries – on the part of multilateral institutions'.³ A more contemporary case of this type of democracy promotion can be found in the EU's relation with Turkey. The political dialogue about

¹ Meltem Müftüler Baç, "Turkey's political reforms and the impact of the European Union." *South European Society and Politics 10.1* (2005), p. 19.

² Sandra Lavenex, and Frank Schimmelfennig, 'EU democracy promotion in the neighbourhood: from leverage to governance?' *Democratization 18.4* (2011), p. 888.

³ Philippe C. Schmitter, 'The influence of the international context upon the choice of national institutions and policies in neo-democracies', in: Whitehead (ed), *The international dimensions of democratization, Europe and the Americas*, (Oxford 2001), 26-54, p. 30.

Turkey's possible accession to the EU started in 1999, after the Helsinki summit, where Turkey's candidacy was recognized. However, in the last couple of years Turkey has proven to be reluctant to political reform, whether this entails compliance with human rights or democratization.

On November 10th in 2015, the European Commission published its seventeenth official Progress Report on Turkey. In this annual report the Commission discusses the progress made by Turkey in its effort to gain membership of the European Union. Although the report was ready in October, the Commission decided to postpone the publication in relation to the Turkish elections that were held on November 1st. Their argument was that they did not want to disturb these elections. A month before the progress report was published, the European Union (EU) went into negotiations with Turkey in an attempt to control the growing influx of refugees and other immigrants, who have been arriving at the borders of the EU member states. The EU offered the Turkish government an additional \$3.4bn to help Turkey host the Syrian refugees. Besides the offered financial aid, the EU promised Turkey to open negotiations about EU membership if Turkey complied with the admission of -even more- refugees on its territory. It is not the first time that the EU negotiated membership with Turkey, only this time it seems to be the case that -instead of the EU- Turkey has the most leverage at the negotiation table.

As Whitehead states in his work on international aspects on democratization, it is important to look further than just formal declarations of democratic values and see if they are actually being implemented. He wrote that 'official declarations in favour of democracy in the abstract correlated poorly with observable behaviour affecting real interests and international relationships.'⁴ Democracy is stated to be an important value for the EU, which is illustrated by the demanded prerequisites for accession. However, in the context of EU's policy towards Turkey these values can apparently be put aside if that is better for stability within Europe. The development of the EU's dubious policy towards Turkey in the past few years has not only highlighted the weaknesses of conditionality as an effective policy, it has even hampered the

⁴ Laurence Whitehead, *International Aspects of Democratization*, in: Guillermo O'Donnell, Philippe C Schmitter and Laurence Whitehead, *Transitions from authoritarian rule. Comparative perspective* (1986), p. 6-7.

credibility the policy being motivated by the promotion of democracy or the Turkish accession to the EU.

We have to re-think the initial meaning of conditionality to understand the relationship between Turkey and the EU. Many scholars claim that the EU and Turkey dynamics changed as a result of the declining credibility of the offered membership. However, by holding on to this limited vision, other reasons that explain the absence of rule adoption remain unexposed. Therefore this thesis will look at the reasons behind EUs continued use of conditionality towards Turkey, despite the decline of effectiveness and credibility since 2005. The above introduced issue can be formulated into the following research question:

**Why did the EU continue to use conditionality despite the lack of the
necessary credibility after 2005?**

The first chapter of this thesis will deal with the initial success of conditionality. It will look at the EU's role in the adoption of reforms and will introduce the theory that is used to show the effectiveness of conditionality. The second chapter will clarify the presupposition that there is a shortfall of the credibility of accession conditionality after 2005. After gathering arguments to show the ineffectiveness of conditionality after 2005, this chapter will reflect on the credibility of conditionality in the period between 2000 and 2005 that was discussed in the previous chapter.

Although the EU continues to use accession conditionality in the case of Turkey, its goals may not have been the same throughout the process. The third chapter will therefore be devoted to the ways in which conditionality was instrumentalized from a realist perspective, to find the possible alternative agenda behind the EU's conditionality. This thesis claims that credibility was not as important as suggested by other scholars and that therefore, it is essential to look beyond conditionality as a tool for accession. After answering the research question, the conclusion will briefly explain the implications this research has for future policy.

CHAPTER 1 Who to thank, who to blame

Grassroots or external pressure?

After the EU granted Turkey the hope of membership at the 1999 Helsinki summit, a ‘political avalanche of democratization’ erupted.⁵ The most outstanding reforms are, for example, the broadening of freedom of expression and minority rights - that especially affected the Kurdish population-, the elimination of torture, the scaling down of the legal influence of the military, and the abolition of the death penalty.⁶ Philippe Schmitter states in his introduction on conditionality that ‘contagion and consent alone are unlikely to be sufficient to bring about democratization – even in conjuncture with favourable domestic forces. Often, regime change will require elements of control and conditionality.’⁷

Literature on democratization in Turkey points at the presence of EU pressure through accession conditionality to explain the democratic reforms that were adopted between 2000 and 2005, because these reforms were in line with the Copenhagen Criteria.⁸ Most literature claims that the stagnation of reforms after 2005 is the result of a decline in credibility of the accession conditionality.⁹ This chapter explains the different views on the role of the EU in the adoption of reforms in Turkey and will look at the effectiveness of conditionality in the “golden age” of conditionality. It will start by answering the question: *Are the political reforms in Turkey between 2000 and 2005 the result of the international context, in this case the EU accession conditionality, or is the political reform a process driven by domestic actors?*

The assumption that the European Union (EU) has played an important role in the period between 2000 and 2005 political reforms of Turkey, is broadly supported by

⁵ Paul Kubicek, ‘Political conditionality and European Union's cultivation of democracy in Turkey.’ *Democratization* 18.4 (2011), 910-931, p. 914

⁶ Kubicek, ‘Political conditionality in Turkey’, p. 915.

⁷ Philippe C. Schmitter, ‘The influence of the international context’, p.35.

⁸ For example: Müftüler Bac (2005), Kubicek (2011).

⁹ For example: Schimmelfennig and Scholtz (2008), Kubicek (2011),

scholars. There is, however, a debate going on about the nature of this role – has the EU been a trigger or an anchor for reform? -. When we are looking at the EU's ability to bring about democracy and therefore focussing on its transformative power, its role is envisioned as a top-down *trigger* for reform. When assuming domestic actors generated the reform process that leads to democracy, the focus shifts towards the stage of consolidation. In this case the EU can be seen as an *anchor* that brings in the necessary "weight" to consolidate bottom-up reforms.¹⁰

There is enough evidence to suggest there were already parties in Turkey that focussed on democratization and human rights protection.¹¹ Therefore, it might be confusing that democratizing reforms in Turkey are often referred to as political or policy "Europeanization", rather than just "democratization". By using this jargon, the presumption that democratization is an absolute result of Turkish European relationships, seems to become inevitable. However, there is an important difference between the *policy* and *political* Europeanization. The first one is an instrumental adaption of democratic rules. The term 'policy Europeanization' is used to describe reform defined by, and confined to, the areas of concern to the EU. Whereas 'political Europeanization', on the other hand, means that policy changes primarily as a response to altered domestic political conditions conducive to reform.¹² The most important variable that decides whether or not Europeanization takes place and reforms are adopted is the cost-benefit calculation.

If the costs are higher than the benefits then the chances of rule adoption decrease. Kubicek states that in the 1990's the costs of compliance, especially on issues such as the rights for the Kurdish minority and the limiting of the military's political role, were perceived intolerably high by the Turkish elite.¹³ According to Kubicek, this attitude changed after the Helsinki summit, when Turkish candidacy was acknowledged. Schimmelfennig states regarding to the size of the reward, that

¹⁰ Nathalie Tocci, 'Europeanization in Turkey: trigger or anchor for reform?' *South European Society and Politics* 10.1 (2005), 73-83, p. 74

¹¹ For example: Kubicek (2005), Lavenex and Schimmelfennig (2011), Schimmelfennig (2009) and Tocci (2005)

¹² Paul Kubicek, 'The European Union and grassroots democratization in Turkey.' *Turkish studies* 6.3 (2005), 361-377, p. 364

¹³ Kubicek, 'The European Union and grassroots', p. 364.

candidacy is the most powerful reward that can be offered. Therefore, this change of attitude Kubicek points at, can be explained by the prospect of membership.¹⁴

According to Meltem Müftüler Baç, the increased adoption of liberal and democratic rules and laws in Turkey since 1999 is a direct result of Turkey's institutional ties with the EU and its hope for membership.¹⁵ However, it was not until 2001 that the first reforms were imposed. Thus the process of rule adoption did not start immediately after the Helsinki summit - when Turkey's applicant status was recognized. Müftüler Baç points out that this is a result of the financial crisis Turkey found itself in at the end of 2000. Furthermore, the ruling government was divided over the political criteria they had to meet.¹⁶ Müftüler Baç finds proof for his statement in the 2002 EU reform package. He explains that the 2002 reform package contained extremely sensitive issues and was met with great opposition in the Turkish society. Despite these difficulties, the package was still promoted by the government¹⁷. According to Müftüler Baç this proves the importance of dynamics with EU. If the candidacy had not been important, he argues, the reform packages would not have been adopted.

In her article 'Europeanization in Turkey: Trigger or Anchor for Reform?', Nathalie Tocci tries to disentangle the link between Turkey's reform process and its path to EU accession.¹⁸ She states that although the accession process is proving to be a key anchor in supporting democratization in Turkey, European conditionality should not be used to explain the democratization as a result of a linear relationship between these two. She states that in 2005 there has not been enough interaction between Turkish actors and the EU institutional framework to bring about a process of social learning or "socialization" with the EU standards. Her main argument is that domestic actors that became visibly active after the Helsinki summit were not the result of conditionality, but were exposed because of the momentum created by the conditionality.

¹⁴ Frank Schimmelfennig and Ulrich Sedelmeier. 'Governance by conditionality: EU rule transfer to the candidate countries of Central and Eastern Europe.' *Journal of European public policy* 11.4 (2004), 661-679, p. 665.

¹⁵ Müftüler Baç, 'Turkey's political', p. 18.

¹⁶ Müftüler Baç, 'Turkey's political reforms', p. 22.

¹⁷ Ibidem, p. 24-25.

¹⁸ Tocci, 'Europeanization in Turkey', p. 74)

Tocci does not deny European interference but states that ‘change occurred and is occurring not simply because it is imposed from the outside, but also because it interacts with domestic developments on the inside.’¹⁹ Three observations can provide support for this argument. The first one is the re-alignment of domestic politics. The AKP, the Justice and Development party, received a lot of support for their progressive program that was aimed at modernization and stronger ties with the EU. The AKP symbolically dubbed the Copenhagen Criteria as Ankara Criteria to show that the reforms that were adopted were a ‘domestic product’, rather than obeying the international order.²⁰

Secondly, the groundwork that domestic civil society movements prepared before the EU nominated Turkey for candidacy, appeared to be the foundation for the later reform. Tocci refers to the example of the Law on Associations, in which the lobbying of civil societies played a crucial role in the swift adoption of the rule.²¹ Tocci’s third and final argument to explain that the EU was rather an anchor than a trigger for reform lays in the role of the military. Before the ‘interference’ of EU policy, the military in Turkey had come to the conclusion their role in society failed to provide stability and had already opted to ‘give politics a chance’.²² The constraining of the military power should therefore not be looked at as the result of EU’s conditionality alone.

Although the factors Tocci mentioned do not necessarily play down the EU’s role in the political reforms, it is important to take her argument into account. It shows that at the time of candidacy, Turkey’s domestic conditions were favourable and thus ‘ready for reform’. Besides the debate on the exact function of the EU in the reforms, all authors state that the possibility of EU membership was an essential factor in the reforms that were adopted between 2000 and 2005. Tocci highlighted the importance of domestic forces that were overlooked by other authors. Other scholars see the role of the grassroots as negligible. This can be explained by the fact that domestic actors did not manage to create momentum for political change. With all due respect for the

¹⁹ Tocci, ‘Europeanization in Turkey’, p. 79-78.

²⁰ Ibidem, p. 80.

²¹ Ibidem, p. 81.

²² Ibidem, p. 82.

domestic actors in Turkey, the temporal conclusion points at the pivotal role the EU had in the reforms in Turkey between 2000 and 2005.

The conditions of conditionality

After the first paragraph of this chapter, it became clear that the EU conditionality played a big role in the political reforms between 2000 and 2005. In 2004, Schimmelfennig and Sedelmeier suggested that there are conditions for conditionality to be effective. In their external incentives model they specified conditions under which EU external governance is likely to produce rule adoption.²³ According to Schimmelfennig and Sedelmeier, conditionality reveals a rationalist bargaining model, in which the actors involved are interested in an outcome that is most profitable for their own power and welfare. Therefore, their first proposition is that ‘a state adopts EU rules if the benefits of EU rewards exceed the domestic adoption costs.’²⁴ They state that the calculation of this cost-benefit balance depends on four factors that are discussed below. To clarify the conditions specified by Schimmelfennig and Sedelmeier, some examples about the conditionality between 2000 and 2005 will be added. In that way this chapter gives some examples to support the accepted idea that conditionality worked effectively until 2005.

The first variable that influences the likeliness of rule adoption is that of determinacy of the condition. Determinacy refers both to the clarity and the formality of a rule. If a rule is not presented as a condition for reward, EU rules will not be adopted. On the one hand, determinacy is important to inform the target governments of what actions have to be undertaken to deserve the reward. On the other hand, determinacy increases credibility because it shows there is no reward without adoption costs and it binds the EU to commit to its side of the arrangement. At the start of the ‘golden age of reform’, it was completely clear to Turkey what goals it had to obtain to open accession negotiations. This was because of the Copenhagen Criteria. In 2002 the European Council envisioned accession negotiations in 2005 if

²³ Schimmelfennig and Sedelmeier, ‘Governance by conditionality’ p. 667.

²⁴ Ibidem p. 664.

Turkey, indeed, managed to fulfil the criteria. In 2004, when the Commission recommended accession negotiations in 2005, it became clear that the predictions that were made before were credible and consistent. The commencement of the accession negotiations in October 2005 showed that the EU committed to its conditionality in the same way its target country had to.

The second factor that has an impact on rule adoption is the size and speed of the rewards. Schimmelfennig states that membership is the most powerful reward the EU can offer when looking at size of the reward. Therefore, candidate countries are most responsive to EU pressure.²⁵ However, if the reward that is to be received by the target country is not paid directly after complying with the conditions, the incentive to comply decreases. The reward Turkey was working for between 2000 and 2005, was the commencing of the negotiations regarding EU membership. As described above, these negotiations were promised to begin as soon as Turkey complied with EU demands. Therefore, the *speed* of the rewards also increased the effectiveness of the conditionality.

The third and most discussed condition of effective conditionality is the credibility of threats and promises. Credibility lays in the asymmetry between the actors, the consistency of rewarding, and the absence of cross-conditionality. Credibility depends on the asymmetry between the actors, since the external agency has to be superior for threats to be credible, and the certainty that the external power has the capacity to reward the target country after it complies with the conditions.²⁶ In the case of the EU-Turkey relationship, the credibility was reinforced by EU's earlier decisions to deny Turkey the candidate status in 1989 and in 1997 based on economic, democratic and human rights reasons.²⁷ Economically, the EU had the upper hand, not only because of its own wealth and stability at the time, but also because of the economic crisis in Turkey in 2000.²⁸ Therefore, the necessary asymmetry for credible threats and promises was present at the beginning of the 2000's. The annual EU

²⁵ Schimmelfennig and Sedelmeier, 'Governance by conditionality', p. 665.

²⁶ Ibidem, p. 665.

²⁷ Edgar Lenski, 'Turkey (including Northern Cyprus).' in: S. Blockmans and A. Lazowski (eds.) *The European Union and its neighbours: a legal appraisal of the EU's policies of stabilisation, partnership and integration*. (2006), 283-313, p. 297

²⁸ Müftüler Baç, 'Turkey's political reforms', p. 22.

progress reports gave an account of the progress in Turkey, and of what measures were taken by the EU to provide accession negotiation in case Turkey continued to comply with the Copenhagen Criteria. In that way it was clear that the progress, and thus the process towards the rewards, would be monitored.

Secondly, credibility is dependent on the consistency of the rewards by external actors. Schimmelfennig and Sedelmeier state that '[i]f the EU were perceived to subordinate conditionality to other political, strategic, or economic considerations, the target state might either hope to receive the benefits without fulfilling the conditions or conclude that it will not receive the rewards at any rate. In both cases, the target state will fail to adopt EU rules.'²⁹ Internal conflicts over conditionality are another important factor that can influence the credibility of (accession) conditionality. The credibility of the reward will naturally decline if not all member states of the EU are willing to provide it. The last point that has an impact on the credibility of conditionality, according to Schimmelfennig and Sedelmeier, is that of *cross-conditionality*.³⁰ If other actors can offer the same benefits at lower adoption costs, the threats of the external actor to exclude the target country have little impact. These points about credibility, especially the consistency of the rewards, will become more important to analyze in the next chapters.

The fourth and final point that affects the effectiveness of conditionality is the size of the adoption costs. These costs can take various shapes. In some cases, the target country has to let go of formerly made arrangements to comply with the external actor's demands or abandon the future perspective of alternative rewards by other actors. These costs are referred to as 'opportunity costs'.³¹ In some cases, rule adoption is accompanied by welfare- or power costs. The prospect of losing a part of the advantages can explain why elites are not always interested in democratization packages. If the elites do not want to comply, they can become veto-players of the reforms. Veto players are 'actors whose agreement is necessary for a change in the status quo.'³² Schimmelfennig and Sedelmeier use this theory to describe veto-players

²⁹ Schimmelfennig and Sedelmeier, 'Governance by conditionality', p. 666.

³⁰ Ibidem, p. 666.

³¹ Schimmelfennig and Sedelmeier, 'Governance by conditionality', p. 667.

³² Ibidem, p. 666-667.

on the side of the target country that are not interested in reforms because the adoption costs are considered to be too high.

CHAPTER 2 The collapse of credibility

Forgotten promises

Contrary to what one might think, the effectiveness of conditionality decreased after the official start of accession negotiations. After a period of optimism on both the side of Turkey and the EU, the start of accession negotiations makes the prospect of membership look unexpectedly grim. The reform packages that were adopted in the stage towards membership negotiation were stuck between adoption and implementation. Despite the adoption of rules that should protect human rights and promote democracy, a wave of attacks against minorities occurred in Turkey. Radical nationalist groups attempted –sometimes successfully– to silence critical writers by accusing them of supporting terrorism or in any other way insulting Turkish-ness, which was forbidden through the Penal Code (art. 301). Furthermore, a number of assassinations took place. Some were even performed by the Turkish gendarmerie, such as the one in the town Şemdinli, known for its majority Kurdish population.³³

Progress Reports by the EU about Turkish progress on its way to accession lacked optimism in 2006-2007, and became even harder in their assessments by 2008. In 2014 Turkish EU minister Bozok rejected an EU progress report ‘without reading it’, because it contained a number of subjects that he had formerly addressed as ‘unacceptable’.³⁴ The most important taboo-subjects were the definition of the mass killings of Armenians in 1915 as ‘genocide’, declassifying the outlawed Kurdistan Workers’ Party (PKK) as a terror group and any suggestion of an end to the EU’s economic contributions to Turkey.

Up until 2013, the EU was willing to negotiate Turkish membership, but developments in 2014 and early 2015 have hampered the accession process

³³ European Stability Initiative, ‘A very special relationship. Why Turkey’s EU Accession Process Will Continue’ (2010) p. 18.

³⁴ Republic of Turkey, Office of the prime minister, directorate general of press and information. ‘Turkey rejects EU parliament Report’ (6 December 2015)

considerably.³⁵ In 2014, a Turkish law limited the freedom of expression on the internet, and temporarily blocked YouTube and Twitter after Turkish civilians used these online platforms to call for protests against an increasing authoritarian regime. The unrest started in 2013, when the police violently shut down a sit-in protest against urban development plans in the Taksim Gezi park, Istanbul.

Throughout the country, supporting protests took place based on a discontent for a broad range of issues such as the freedom of press, freedom of speech and freedom of assembly.³⁶ During the protests, 11 people were killed and about 8000 harmed. By blocking YouTube and Twitter, the government tried to play down the intensity of the protests and the aggressive way they were shut down. In December 2014, several police raids overran and closed down a number of media that are closely linked to opponents of president Erdogan. The law adopted in March 2015, that allows police officers to shoot at protesters, invoked a negative response from the EU. Despite the fact it was strongly condemned, it did not result in sanctions. The 2013 Progress Report did use the protests as a reason to highlight the issues that urgently need to be tackled.³⁷

This second chapter will clarify the presupposition that there is a shortfall of credibility of EU's threats and promises, and will look at the other factors that may have affected the effectiveness of conditionality. In the first chapter the conditions under which EU external governance is likely to produce rule adoption were specified. As we have seen, when Turkey was still a candidate for accession negotiations, the conditionality worked effectively. Schimmelfennig and Sedelmeier identified the determinacy of the condition, the size and speed of the reward, the credibility of threats and promises, the adoption costs, and veto-players as variables for the effectiveness of conditionality. The same four factors will be used to analyze the period after 2005, in which Turkish progress stagnated. In this way, this chapter tries to sketch the relation between the ineffectiveness of EU conditionality and the failing

³⁵ EC Turkish accession, Parliamentary Documentation Centre – Leiden University, 23 November 2015.

³⁶Tayfun Atay, "The Clash of 'Nations' in Turkey: Reflections on the Gezi Park Incident." *Insight Turkey* 15.3 (2013), p. 39-44.

³⁷ European Commission, 'Progress Report 2013', (2013) p. 2.

of democratic consolidation in Turkey. It will do so by answering the question: *Why did conditionality fail to produce rule adoption after 2005?*

The external incentives model applied

Schimmelfennig and Sedelmeier stated in their external incentives model, that for conditionality to be effective, the benefits of reward have to exceed the domestic adoption costs. They also came to the conclusion that membership is seen as the highest reward, or at least, that this promise led to the most effective rule adoption. According to the EU, the card is still on the table, but the question remains whether or not it is - or seems- feasible?

The first condition for effective conditionality was the determinacy of conditions, which refers both to the clarity and the formality of a rule. Paul Kubicek states that conditionality was not applied rigorously and consistently in the case of Turkey, and that other candidates had to deal with a much stricter conditionality policy than Turkey.³⁸ This has an impact on the way a country perceives the necessity to adopt reform. On the other hand, he adds that while through the progress reports from 2000 onwards “one can get the impression that each year the EU adds more and more to the Turks’ to-do list, with the final goal – how strong must ‘democracy’ and the ‘rule of law’ and other criteria be in order to gain membership – being decidedly unclear.”³⁹ These statements seem contradicting but have a similar outcome: the determinacy of conditions feels unclear to the Turkish government. The same goes for the debate around the recognition of the Armenian genocide, which will be further elaborated on under the fourth point: size of adoption costs.

The second factor is the size and speed of rewards. The perceived size of reward changed after the German and French president publically expressed their preference for a “privileged partnership” over membership. The referenda that were held in France and the Netherlands in 2005 showed that the majority of people living

³⁸ Kubicek, Paul. ‘Political conditionality and European Union’s cultivation of democracy in Turkey.’ *Democratization* 18.4 (2011), 910-931, p. 922.

³⁹ Kubicek, ‘Political conditionality in Turkey’, p. 922.

in these countries were against further enlargement.⁴⁰ Even though the framework of the accession negotiations stated that ‘the shared objective of the negotiations is accession’, the so called ‘Sevres syndrome’ made the Turks reluctant to believe they were invited for membership, and thought instead that the EU wanted to steal their land. This ‘syndrome’ is the result of the 1920 Treaty of Sevres that showed that western powers are inclined to support hostile neighbours and ethnic minorities rather than the Turks.⁴¹ Even if the reward of membership was still on its way, the next reward was predicted for years later, the accession date unknown and unclear. The only certainty is that it would not be before 2014, because the Commission would have to revise the EU’s financial perspectives again.⁴² Not only back then, but also right now, the timing of the reward is unclear. Recent remarks by Jean-Claude Juncker, President of the European Commission, summarize what has become a common stance among many European policymakers and bureaucrats: ‘[...] under my Presidency of the Commission [...] no further enlargement will take place over the next five years. As regards Turkey, the country is clearly far away from EU membership. A government that blocks twitter is certainly not ready for accession.’⁴³

The credibility of threats and promises is the third factor that has an impact on the effectiveness of conditionality. This might be the most problematic aspect of the EU-Turkey relationship. When the membership talks began, the EU designed a negotiation framework with a couple of extra conditions specifically for Turkey. In this framework the European Commission explained that:

The shared objective of the negotiations is accession. These negotiations are an open-ended process, the outcome of which cannot be guaranteed beforehand. While having full regard to all Copenhagen criteria, including the *absorption capacity* of the Union, if Turkey is not in a position to assume in full all the obligations of membership it must be ensured that Turkey is fully anchored in the European structures through the strongest possible bond.⁴⁴ [Emphasis added]

⁴⁰ Kubicek, ‘Political conditionality in Turkey’, p. 922.

⁴¹ Tocci, ‘Europeanization in Turkey’, p. 76.

⁴² Tocci, ‘Europeanization in Turkey’, p. 78.

⁴³ EC President Jean-Claude Juncker, ‘My Foreign Policy Objectives’, (April 2014)

⁴⁴ European Commission, ‘Negotiation Framework for Turkey’, (12 October 2005)

After the EU enlargement from 2000 until 2004, a so called ‘enlargement fatigue’ set in. Many Europeans were tired of immigration and unemployment and attributed the cause of these subjects to the EU enlargement. EU policy dealt with this fatigue in the publication of the Commission’s 2005 Enlargement Strategy. In this document, the EU explained the potentiality of refusal for countries that were, at that point, candidates for EU membership. According to Constantine Arvanitopoulos and Nikolaos Tzifakis the introduction of absorption capacity into European discourse on enlargement was a response to the standing Turkish candidacy⁴⁵. The commission stated that ‘[t]he Union has to ensure it can maintain its capacity to act and decide according to a fair balance within its institutions; respect for budgetary limits; and implementation common policies that function well and achieve their objectives.’⁴⁶

After a lot of criticism, the commission suggested the replacement of ‘absorption capacity’ for ‘integration capacity’. However, even in this more neutral way of expressing the limits of enlargement, the use of integration capacity in the accession discourse still threatens the reward of membership for the Turks. In that way, accession becomes less credible. Although surprisingly, little literature is devoted to the impact of the financial crisis on the use of conditionality - the weakening of the European economy in 2008 certainly influenced the Turkish attitude and expectations. Not only is it less attractive to be part of an organization that has a weak economy, the likeliness of EU fulfilling its promises declines as the economy shrinks as a result of an ‘instable rewarder’. Suat Kiniklioglu, a leading AKP deputy, stated in 2010 that Turkey’s economy “is strong enough to do without a union that is struggling with its own financial problems”.⁴⁷ The final factor that had an impact on the credibility is the presence of cross-conditionality. Several scholars state that Turkey is increasingly

⁴⁵ Constantine Arvanitopoulos and Nikolaos Tzifakis. ‘Enlargement Governance and the Union’s Integration Capacity.’ *Turkey’s Accession to the European Union* (2009), 9-19, p. 15

⁴⁶ European Commission, 2005, p. 3

⁴⁷ European Stability Initiative, ‘A very special relationship. Why Turkey’s EU Accession Process Will Continue’ (2010) p. 18 / website.

‘turning east’ and that the foreign policy under the AKP is seeking greater engagement with the Muslim world.⁴⁸

The fourth aspect that influences the likeliness of rule adoption is the size of adoption costs. Diba Nigar Göksel states that after 2005 many Turks thought that Turkey’s membership “would not be worth the investment of political capital and ‘national pride’.”⁴⁹ Besides the fact that the European leaders of France and Germany were replaced by ‘Turkey-sceptics’, the general debate in Europe had treated Turkish religious identity as an insurmountable problem. Furthermore, the European attempts to get Turkey to acknowledge the Armenian genocide was a cause of distrust towards the EU. It is no longer a condition to accession, but the Turks know that the EU would like to see them ‘coming into terms with history.’⁵⁰ In the case of the Cyprus issue, the EU does have demands. While is Cyprus a full member of the EU, Turkey refuses to recognize this country. In 1974 Turkey invaded the Republic of Cyprus and occupied the north ever since. To become a member it is necessary to recognize the Member States as full-fledged nations. Although the recognition of member states is a clear condition of the EU that applies for all candidates, the Turks experienced this condition as illegitimate pressure to interfere with Turkish foreign affairs.⁵¹ In 2007, it became visible how important the Cyprus issue is in the accession negotiations. The commission stated that:

Turkey should fulfill the commitments related to full non-discriminatory implementation of the Additional Protocol to the Association Agreement in accordance with the Council conclusions of 11 December 2006, and until Turkey does so, eight chapters will not be opened.⁵²

⁴⁸ Stated by: Kubicek, ‘Political conditionality in Turkey’, p. 923.

⁴⁹ Diba Nigar Göksel, ‘Turkey and Europe: The importance of predictability.’ In Constantine Arvanitopoulos Nikolaos Tzifakis (eds.) *Turkey’s Accession to the European Union. An unusual candidacy.* (2009), 31-44, p. 34.

⁵⁰ Dilaver Arıkan Açar and İnan Rüma. ‘External Pressure and Turkish Discourse on “Recognition of the Armenian Genocide”.’ *Southeast European and Black Sea Studies* (2007), 449-465.

⁵¹ Narbone, Luigi, and Nathalie Tocci. ‘Running around in circles? The cyclical relationship between Turkey and the European Union.’ *Journal of Southern Europe and the Balkans Online* 9.3 (2007), 233-245, p. 243.

⁵² European Commission, ‘Enlargement Strategy 2006-2007’, p. 18.

Another factor that accounts for the size of adoption costs in Turkey is the perceived role of the EU in supporting the Kurdish Workers' Party's (PKK's) separatism. Müftüler Baç explains that Turkish nationalists saw the early reform packages on freedom of expression and cultural rights as "giving in to the terrorists", because the EU demands were similar to those on the PKK wish-list⁵³.

The last factor that has an impact on the size of adoption costs is the presence of veto-players. An increase in the perceived adoption costs, resulted in the weakening of support for the EU accession. As expectations regarding Turkish membership decreased, the opposition became more vocal and active in sharing their point of view⁵⁴. The AKP, that claimed to have EU membership on their agenda, became less active in promoting the necessary reform. This might not be what Schimmelfennig and Sedelmeier meant when they introduced the concept of veto-players. However, the AKP was in the position of veto player in the entire period of stagnation of reform.

Beken Saatcioglu argues that AKP's pro-EU reform agenda is not the result of wanting to comply with the EU, but a way to get and stay in power. After EU conditionality paved the way to expanding freedom of religion, and helped to reduce the power position of the army, the AKP stopped complying with EU demands. Saatcioglu points out 'that the extent to which the AKP believed in conditionality did not matter for its compliance. Rather domestic political calculations seem central to the party's reform commitment.'⁵⁵ The AKP's agenda can be seen in the attempt to criminalize adultery in 2004, which obviously did not match the Europeanization agenda⁵⁶. The final argument that explains the absence of rule adoption after 2005 is thus the domestic political sphere.

⁵³ Müftüler Baç, 'Turkey's political reforms', p. 25.

⁵⁴ Mehmet Ugur, "Open-Ended Membership Prospect and Commitment Credibility: Explaining the Deadlock in EU-Turkey Accession Negotiations." *JCMS: Journal of Common Market Studies* 48.4 (2010): 967-991, p. 981.

⁵⁵ Beken Saatcioglu, "Revisiting the role of credible EU membership conditionality for EU compliance: The Turkish case." *Uluslararası İlişkiler [International Relations]* 8.31 (2011): 23-44, p. 31.

⁵⁶ Kubicek, 'Political conditionality in Turkey', (2011) p. 915.

Measureability of effectiveness

Most of the authors that were previously discussed, celebrate the influence of the EU on Turkish democratization. This thesis does not want to fight the effectiveness of EU pressure between 2000 and 2005, because based on this literature there is no reason to question EU's role or the effectiveness of conditionality. There is, nevertheless, an important implication connected to the outcome of their research. Research about the period 2000-2005 *presumes* that the accession conditionality in Turkey was *credible* at the time and research about subsequent stages points at the lack of credibility to explain the absence of rule adoption. Although the EU accession conditionality created great momentum for domestic actors between 2000 and 2005, the credibility of the accession conditionality in this era should be looked at with a similarly critical eye. This was also observed by some scholars that wrote on the subject of conditionality during the period 2000 until 2005.

Gamze Avci, for example, explains in her article "Putting the Turkish Candidacy into Context" that public opinion in Europe towards enlargement was generally critical, and that the case of Turkey received the least support among EU member states.⁵⁷ According to Gamze, who wrote her article during the so-called "golden age of reform", the focal points of the public European discussion on the Turkish application are about the political and economic nature of the applicant country. Behind closed doors though, the most important barriers are cultural and religious differences.⁵⁸ Nathalie Tocci adds that initially, the decision to include Turkey in the accession process was mainly a symbolic gesture.⁵⁹

Nuria Font writes in 2006 that at the time of the Helsinki summit (1999) 'national governments and EU institutions were not at all confident of Turkey's abilities to substantially improve its democratic performance in the medium term.'⁶⁰ She states that the 1999 Regular Report was very pessimistic about Turkey's ability to reconcile democratic values. The arrest and sentencing of PKK leader Abdullah Öcalan was

⁵⁷ Gamze Avci, 'Putting the Turkish EU candidacy into context.' *European Foreign Affairs Review* 7.1 (2002), 91-110, p. 91.

⁵⁸ Avci, 'The Turkish into context', p. 91.

⁵⁹ Tocci, 'Europeanization in Turkey', p. 76.

⁶⁰ Nuria Font 'Why the European Union gave Turkey the green light.' *Journal of Contemporary European Studies* 14.2 (2006), 197-212, p. 206.

publically condemned and added to the feeling that Turkey would not commit to the improvement of human rights and democratic values. Font states that under these circumstances, EU recognition of Turkey's candidacy in 1999 did not seem to contain a true commitment to making it a member.⁶¹ Müftüler Baç also stated that member states at the time did not take the Turkish application seriously, since they did not expect Turkey to be able to fulfil the Copenhagen criteria. He also states that the 2002 reform package came as a surprise for the EU member states.⁶²

Apparently, these critical notions about Turkish accession in the EU were not enough to disturb the effectiveness of the EU conditionality, since in the period between 2000-2005 several reforms were adopted that are in line with the Copenhagen Criteria. Ignoring other incentives for this change, this would suggest that the EU conditionality must have been effective between 2000 and 2005. It would be specious though, to presume accession conditionality was also *credible*.

This chapter looked for arguments that explain why conditionality failed to produce rule adoption after 2005. Therefore, it did not focus on the progress that is made, but only on the negative aspects that cause an unfavorable environment for effective conditionality. We can wonder if credibility - or the effectiveness of conditionality in general - is a precondition for democratic reform. Effective conditionality as a result of credibility is an argument that can be manipulated, since it is not objectively measurable. Although the theory proposed credibility consists of 3 elements (asymmetry, consistency and cross-conditionality), the "weight" of these elements remains unclear. Despite the lack of a completely credible accession offer, political reform still occurred between 2000 and 2005. Therefore, the external incentives model apparently may not show the full picture.

The focus on the effectiveness of conditionality is a natural result of the presence of this conditionality in itself. However, to answer the question *why* the EU continued to use conditionality despite its ineffectiveness in political reform, the focus should shift to the role or function that conditionality fulfilled in the relation between the EU and Turkey. Conditionality, as this thesis will claim in the next chapter, was

⁶¹ Font, 'Why green light', p. 206.

⁶² Müftüler Baç, 'Turkey's political reforms', p. 25.

instrumentalized, with a goal that was less linear than trading democracy for membership.

CHAPTER 3 The instrumentalization of conditionality as a foreign policy

Spill-over of former decisions

Nuria Font explained in her article “Why the European Union gave Turkey the Green light”, that we should not exclusively see the start of membership negotiations as a result of a ‘rationalist EU’ that makes decisions based on maximizing profit or interest. Her main argument is that Turkish accession is costly, and that member states were aware of the high costs and relatively low benefits of Turkish accession.⁶³ To further explain EU’s decision to accept Turkey for membership negotiation she refers to the Helsinki agreement. Instead of looking at the membership negotiations as a result of interest-based decisions, Font looks at the acceptance of Turkey as a spill-over of the acceptance for candidacy in 1999. Not only did this acceptance spark Turkey’s will to adopt high-cost reforms, it also placed the EU in a position that made it hard to ignore the progress that was made. This is because candidacy obliged them to review the Turkish effort.

EU’s policy makes it practically impossible to halt the accession process, even if EU member states would want to. In that way Font tries to turn away from the rational perspective of Turkey’s admission. Schimmelfennig supports Font’s argument by his entrapment hypothesis. He explains that despite the opposition against Turkish accession, the EU still allowed Turkey to start the accession negotiations as a result of the fundamental norms of the EU.⁶⁴ Seeing developments as a spill-over of formerly made policy is a typical argument from the neo-functional theory in European Integration studies. This can be used as a first argument to explain why conditionality continued after losing its credibility, but is not a satisfying answer.

In her article, Font also states that EU members were not convinced Turkey would be able to improve its democratic performance enough to be considered for

⁶³ Font, ‘Why green light’, p. 200.

⁶⁴ Frank Schimmelfennig, ‘Entrapped again: The way to EU membership negotiations with Turkey.’ *International Politics* 46.4 (2009), 413-431, p. 415.

membership.⁶⁵ Comparable criticism was mentioned in chapter two, where the effectiveness of EU conditionality in the 'golden age' of conditionality was discussed. Several authors claimed that the EU did not consider the Turkish adoption of the Copenhagen Criteria as feasible. As a result of that attitude, this thesis proposes to look at the use of accession conditionality not as a means to reach actual accession, but rather as an instrument that illustrates an alternative agenda. Arvanitopoulos and Tzifakis claim that the EU uses enlargement as a foreign policy tool. They state that the process of enlargement does not only influence the immediate policies of third countries, but is intended to have an impact on long-term attitudes as well.⁶⁶

This last chapter will first sum up the reasons to presume both parties are no longer interested in actual accession. Since Turkey and the EU are keeping the accession negotiations alive, it is also important to look at 'what is in it' for both parties. This might point at a rational agenda behind EU's *accession* conditionality. This part will gather arguments for an economic, strategic, and democracy promotion agenda. This final part of the thesis will try to give an alternative answer to the question why conditionality was still used after 2005.

Unfortunately, there is no research that reveals secret deals, or of the record discussions on how to proceed with the accession conditionality without striving for actual accession. Public statements by the EU even show determinacy to keep the accession negotiations alive. EU Commissioner for Enlargement and European Neighborhood Policy, Štefan Füle states in an article that was published together with the 2012 progress report that:

[...] while there are stumbling blocks in our relationship, there is also a lot that is going in the right direction. This allows me to say today, just as I said when I first came to Turkey as EU Commissioner nearly three years ago: I believe Turkey can become a member of the European Union. We have a joint commitment toward this goal.⁶⁷

⁶⁵ Font, 'Why green light', p. 206.

⁶⁶ Constantine Arvanitopoulos, and Nikolaos Tzifakis. 'Enlargement Governance and the Union's Integration Capacity.' *Turkey's Accession to the European Union* (2009), 9-19, p. 17.

⁶⁷ Stefan Füle, 'Turkey and the EU: common challenges, common future' *Speech European Commission*, (10 Oct. 2012)

Despite the discourse used by the EU, there are some reasons to presume both parties are no longer interested in accession, but rather in staying in the project to gain all benefits that derive from being in the negotiation stage. Despite the fact that summing up these benefits does not *prove* that these factors are more important than the accession, it should open the possibility of thinking about the accession conditionality in more realist terms.

The well-known expression that is used to describe the point of view of the opponents of Turkish accession is that Turkey is 'too big, too poor and too Muslim'. This refers to the fact that if Turkey would be a member state, the newcomer would have more seats in the European Parliament than France or Germany because the amount of votes a country receives is dependent on the size of its population. First of all we should take into account that the Turkish accession is not very popular among the citizens of the EU member states⁶⁸. This is an obstacle that the EU should be able to overcome, since it is not the first time that candidate state had little popular support, but became a member state after all. However, the crucial difference in this case, is that the popular support for the EU itself is also declining.⁶⁹ Acting against the will of the EU civil society at this point, would give more support to anti-EU politicians and could have a negative impact on the future of the EU. An explanation for the loss of interest by member states is to be found not only in the shrinking popular support of their civilians, but also in the attention that politicians give to the fear of "Islamization" of society. Although Christian identity was turned down as a principle condition for membership, the fact that it was debated shows the importance of the matter.⁷⁰

On the Turkish side they are well aware of the arguments of the sceptics, and that this is a possible problem in the accession. First of all, there is a decrease in support of Turkish civilians from 73 percent in 2004, to 38 percent in 2010. By 2014 the

⁶⁸ Barometer 2010, 'Turkish accession not popular among the citizens EU', (2010) p.62.

⁶⁹ Barometer 2014, 'Popular support for the EU itself also declining', (2014) p.6, 7 and 8. Note: In 2014 and 2015 the public opinion regarding the European Union got a little brighter. However, "the image of the European Union", "the trust in the European Union", and "My voice in the European Union" all score below average, meaning that over 50 percent of the questions were answered negatively. http://ec.europa.eu/public_opinion/archives/eb/eb82/eb82_first_en.pdf

⁷⁰ Mustafa Aydin and Sinem A. Acikmese. "Europeanization through EU conditionality: understanding the new era in Turkish foreign policy." *Journal of Southern Europe and the Balkans Online* 9.3 (2007) 178-179

number of people who said they 'distrust the EU in Turkey' has increased from 57 to 66 percent, while those who 'trust the union' decreased from 25 to 18 percent.⁷¹ As mentioned before, the costs of a couple of EU's conditions are perceived to be too high for the Turks. The concessions that have to be made in relation to Cyprus have stood in their way for ten years already. Changes that have to be made in the rule of law that might prevent the persecuting of PKK members are most likely to stand in the way of accession, because the Turks fear that could benefit the PKK. As mentioned before, the Turks are not as interested in the economic benefits of the EU membership. Therefore, this is no longer a benefit that can exceed these high adoption costs.

Stay on the road

This may sound like the end of Turkish candidacy. However, there are also a number of reasons to stay in the accession negotiations. The first reason not to step out of the membership negotiations is that it is economically beneficial to stay in the process. Especially for Turkey, the Pre-Accession funding is of great assistance. Annually, Turkey receives around 2,300 million euro development aid from European institutions⁷². In 2015, 505 million of that money was meant as accession support. Although the EU money has to go to organizations that help building a stable democracy, implementing the rule of law and taking care of socio-economic and regional development, it is the Turkish government that decides what specific organizations this funding goes to.⁷³

The EU on the other hand, sees the development aid as an investment. Therefore, it must be taken into account that there are so called "*sunk costs*".⁷⁴ Instead of small amounts of money, the EU has been investing many millions of euros. If the EU would take its hands off Turkey, the long made preparations would be a lost investment. Besides, the EU hopes to find its way into the market of the "Middle

⁷¹ Barometer 2010, in: Zeki Sarigil, 'Public Opinion and Attitude toward the Military and Democratic Consolidation in Turkey.' *Armed Forces & Society* 41.2 (2015), p. 282-306.

⁷² European Commission, 'Turkey - financial assistance under IPA II', (2015) website.

⁷³ European Commission, 'Turkey - financial assistance under IPA II', (2015) website.

⁷⁴ Term by Schimmelfennig and Sedelmeier (2004)

East”.⁷⁵ Cutting off the aid that is constructing the bridge to the Middle East -Turkey- does not seem like the next step to extend the international market. From an economic perspective, it would be beneficial for the EU to integrate the Turkish market, as it is number 18 on the list of fastest-growing economies in the world. However, the pre-accession assistance is already opening the Turkish market to Europe and actual membership is not necessary to contain an economically beneficial relationship with Turkey, because of the trade agreements they have outside of the negotiation framework.

A second important argument that is used in favor of the Turkish accession negotiations, but will lead to complications in the case of actual accession, is that Turkey’s membership can have a geostrategic function. As was stressed in the 2014 European progress report:

Turkey is a candidate country and a strategic partner for the European Union. Its dynamic economy provides a valuable contribution to the prosperity of the European continent. The very serious developments in the region, in particular in Syria and Iraq, render cooperation on foreign policy issues even more crucial. Turkey’s strategic location also underlines the importance of further cooperation in the areas of migration policy and energy security. The value of such cooperation is even clearer in light of the considerable challenges posed by recent developments in our joint neighbourhood, including the Ukraine crisis.⁷⁶

Indeed, by maintaining a good relationship with Turkey, the EU has the possibility to play a bigger role in the neighborhood. In the Negotiation Framework, the EU stressed the importance of “Turkey’s unequivocal commitment to good neighborly relations and its undertaking to resolve any outstanding border disputes”.⁷⁷ Turkey’s representatives and Turkish scholars on the other hand, have been reminding the

⁷⁵ Parliamentary Documentation Centre – Leiden University, ‘Turkish Accession to the EU’, (2015) Website.

⁷⁶ European Commission, ‘Progress Report Turkey 2015’, (2015) p. 1.

⁷⁷ European Commission, ‘Negotiation framework Turkey’, (2005) p. 7

West that Turkey's contribution is of pivotal importance for Europe's security.⁷⁸ The question remains whether membership or membership perspective is a condition for security. Turkey is already part of NATO. By staying in the negotiations, Turkey can show its strategic importance for Europe without having to comply with EU rules and history concerning their foreign affairs.

However, allowing Turkey into the EU would not only bring the EU closer to the markets of the Middle East, but also bring the EU borders closer to those of conflict regions. This argument has been seen by some as an advantage and by others as a disadvantage of Turkish accession. If Turkey would join the EU, there would be more borders to protect, specifically those with Syria, Iraq and Iran seem like the most troubling new neighbors. It also brings a lot more responsibility for the EU in the resolving of the "refugee-crisis". Thomas Silberhorn claims that although Turkey is seen as geostrategic interface between Europe and its eastern neighbors, full integration into the EU will not enable it to fulfill this function. He points at the fact this is only possible when Turkey expands his political, economic and cultural relations with the Caucasus and the Middle East, instead of only focusing on deepening the relation with the EU.⁷⁹

The final reason to continue conditionality without striving for accession is the EU's democracy promotion. This is a very ambiguous argument, since the Turkish politicians in power do not seem to help this process. Politically, the EU's conditionality helped the AKP to stay in power. The AKP does not call itself a religious party, but does fight for bigger religious freedom. By devoting itself to achieving EU membership, they were able to raise the AKP's legitimacy and shed its Islamist past. By committing to the Europeanization, the AKP ensures the role of the military stays limited. This is an important condition for them to stay in power when looking at the legitimacy the military still enjoys. The majority of the Turks see the military as the most trustworthy

⁷⁸ Can Buharalı, 'Is Turkey Still an Asset for European Security?.' In: Constantine Arvanitopoulos Nikolaos Tzifakis (eds.) *Turkey's Accession to the European Union: An Unusual Candidacy* (2008), 87-93, p. 88.

⁷⁹ Thomas Silberhorn, 'Tertium Datur: Turkey's Application for EU Membership.' In Constantine Arvanitopoulos Nikolaos Tzifakis (eds.) *Turkey's Accession to the European Union. An unusual candidacy.* (2009), 45-52, p. 51.

institution in Turkey.⁸⁰ For the EU it is important to ensure civilian oversight of the security forces. The EU and Turkish goal is compatible in that sense. The AKP seemed to be helpful in the adoption of political reform in the period of candidacy, but that does not mean that as long as they are in place the EU agenda stays on the table. Contradictory, the EU is in that way keeping a government in control whose behavior is internationally condemned as (semi-) authoritarian.

However, as long as the accession is still a possibility, Turkish organizations that work on democratization and human rights protection are in the position to get funding. The Copenhagen Criteria, the Negotiations Framework and the Ankara Agreement offer a roadmap towards “good behavior” and even when this in the end does not lead to accession to the EU, the conditionality facilitates progress. Conditionality is in that way also a facilitator for growing linkage between Turkish and EU institutions that helps domestic actors to fund their projects. Levinsky and Way claim that in contrast to leverage, linkage is seen as a legitimate way of international democracy promotion.⁸¹ Future research will tell if this growing linkage will prove to be an important factor in the democratization of Turkey.

Using conditionality as a foreign policy tool brings a rationalist perspective on the concept, since conditionality is no longer used to increase the possibility of accession. This last paragraph showed conditionality as a performance, in which both actors hope to ensure the most beneficial outcome. These incentives to stay in the negotiation process have to be taken into account when thinking about the effectiveness of conditionality. At the time conditionality was used for the CEECs, there was still a period of optimism that led to relatively smooth positive democratic transitions.⁸² Turkey has been a difficult candidate from the beginning because of its size, economy and identity. However, that is not necessarily the cause of Turkey’s position today. Repeated human rights violations, external disputes and problematic relations with the minorities in Turkey, have blocked the proceeding of membership negotiations

⁸⁰ Zeki Sarigil, ‘Public Opinion and Attitude toward the Military and Democratic Consolidation in Turkey.’ *Armed Forces & Society* 41.2 (2015), 282-306, p. 291.

⁸¹ Steven Levinsky and Lucan A. Way, ‘Linkage versus Leverage. Rethinking the International Dimension of Regime Change’, *Comparative Politics* (2006), 379-400, 396.

⁸² Pantelis Sklias, ‘The Political Economy of Turkey’s Accession to the EU: A Comparative Analysis.’ In Constantine Arvanitopoulos Nikolaos Tzifakis (eds.) *Turkey’s Accession to the European Union. An unusual candidacy.* (2009), (2009), 195-209, p. 194.

with the EU. This shows the complicated context of European integration and democratization.

Conclusion

“Why did the EU continue to use conditionality despite the lack of the necessary credibility after 2005?”

Despite the fact accession conditionality is not as effective as it was in the period of candidacy between 2000-2005, both the EU and Turkey present themselves as committed to the membership negotiations. The first chapter looked at the EU's role in the political reform and showed that although there are grassroots democratizers that were important for the preparation of subsequent reforms, the EU's use of conditionality was, indeed, essential to create momentum for rule adoption. The external incentives model was introduced to explain the effective rule adoption in the first stage of conditionality.

The second chapter showed the ineffectiveness of conditionality after 2005, using Schimmelfennig and Sedelmeier's external incentives model. Similar to other research on the EU's enlargement, the credibility was shown to be an important indicator for the (in)effectiveness of conditionality. However, if the same critical eye is used in the first stage of conditionality, it is possible to find evidence that discourages the idea that accession conditionality was credible between 2000 and 2005. Therefore, the relation between credibility and effectiveness might not be as strong as presumed by other scholars. While indeed the effectiveness, and especially the credibility of conditionality seemed to explain the decreasing commitment to rule adoption by Turkey, the last chapter of this thesis looked at the possible agenda that the EU and Turkey have to proceed with the negotiations, other than complying for accession.

Chapter three showed how conditionality is used by the EU as an instrument to maintain an economically beneficial relationship, as a strategic tool and as an instrument to continue the democratization in Turkey. Therefore this thesis went beyond the external incentives model and looked further than conditionality that is used to strive for accession. By using conditionality, the European Union is setting a norm, while knowing this norm will be violated for some time before actual progress

can be made. Although the progress is decreasing and the possibility of accession is losing its credibility, staying in the process of conditionality facilitates the proceeding democratization and growing stability in Turkey (although at a slow pace).

Whether or not this semi-functioning conditionality, in the end is beneficial for domestic actors, is not predictable by looking at the credibility of the accession process, because – as chapter three illustrated - for both parties, there are other incentives than the actual accession to consider reform. The relevance of looking at this process as the result of two rationalist parties that try to maximize their benefits, lays in the implication that this knowledge increases predictability of future choices. If historians continue to celebrate the credibility of conditionality, future policy makers and politicians will adapt their policy on that presumption. Although credibility does play a role in the effectiveness of conditionality, it is not necessarily a condition for rule adoption. If we keep in mind that accession might not be the card that Turkey and the EU strive for, we should re-evaluate the value of offering it.

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