

# So far, not so good

Is Turkey an example of the EU's failing democratization conditionality?

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I hereby declare that, in line with the Faculty of Arts' code of conduct for research integrity, the work submitted here is my own original work and that any additional sources of information have been duly cited.

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## 1. INTRODUCTION

The EU-Turkey relations date back to the mid-20<sup>th</sup> century and it started when Turkey applied for associate membership in 1959, making the country one of the early applicants that wanted to become a member of the European Economic Community (EEC).<sup>1</sup> With the signing of the Ankara Treaty in 1963 Turkey was now an associate member and on April 14, 1987, it applied for full membership.<sup>2</sup> In 1997, Turkey was declared to be eligible to join the EU. The accession negotiations with the European Union (EU) started on October 3, 2005, and the process has yet to come to a conclusion, in fact, we can argue that it has never been this far away from coming to a conclusion.

Currently, there are 35 negotiation chapters to be discussed and handled in order for each candidate country to complete the accession process. These chapters focus on different areas of the *acquis* and they suggest necessary reforms in these areas. In order to meet the accession conditions, candidate countries are required to make reforms in their national legislation until it is parallel to the EU legislation as well as to adapt their institutions and administrative infrastructure to the level of EU standards.<sup>3</sup>

These negotiation chapters and candidate countries adapting their legislation with reforms to achieve the requirements of the *acquis* are necessary to meet the EU's conditionality, namely the democratization conditionality. For a candidate country to become a member, it has to fulfill the Copenhagen criteria which focus on three main areas of focus:

- ✓ 'political criteria: stability of institutions guaranteeing democracy, the rule of law, human rights and respect for and protection of minorities;
- ✓ economic criteria: a functioning market economy and the capacity to cope with competition and market forces;
- ✓ administrative and institutional capacity to effectively implement the *acquis* and ability to take on the obligations of membership'.<sup>4</sup>

However, the whole process is not as simple in practice, and sometimes it can have a reverse effect on the candidate country. In this paper, I will be discussing how the democratization conditionality of the EU can fail to fulfill its destiny, and on the contrary, how it can lead to de-democratization in some cases. With regards to that, the main research question of this paper is 'whether Turkey is an example of the EU's failing democratization conditionality', and 'why Turkey is/can be considered a failing example'. The sub-questions are 'Has EU's hesitant and changing approach towards Turkey estranged it from Europe & 'European values' and damaged the EU's credibility for Turkey, to what extent does the dialogue with the EU affect Turkey's foreign policy, meaning its cooperation alternatives with other regional powers, such as Russia, and can these alternatives actually be long-term, reliable alternatives to cooperation with the EU?'

By analyzing both what the EU as a whole and as individual Member States (MS) think about Turkey's accession, in terms of whether Turkey actually belongs to the European Continent and the Union, and how the relationship between Turkey and some MSs influence the whole accession scenario will help us understand how political othering and States' political-dynamics can affect a supranational entity and its formation.

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<sup>1</sup> Delegation of the European Union to Turkey, EU and Turkey's History, <https://www.avrupa.info.tr/en/eu-and-turkeys-history-711>.

<sup>2</sup> Meltem Müftüleri-Bac (2000) Through the looking glass: Turkey in Europe, *Turkish Studies*, 1:1, 21-35.

<sup>3</sup> European Commission, Neighbourhood Enlargement Policy, [https://ec.europa.eu/neighbourhood-enlargement/policy/glossary/terms/chapters\\_en](https://ec.europa.eu/neighbourhood-enlargement/policy/glossary/terms/chapters_en)

<sup>4</sup> European Commission, European Neighbourhood Policy And Enlargement Negotiations, Accession Criteria, [https://ec.europa.eu/neighbourhood-enlargement/policy/glossary/terms/accession-criteria\\_en](https://ec.europa.eu/neighbourhood-enlargement/policy/glossary/terms/accession-criteria_en)

Another question, which is whether there are alternatives to the EU for Turkey, such as Russia and Iran, is also important to answer so that we can visualize Turkey's hesitation and lack of trust to the EU, especially when it comes to the territorial integrity of Turkey and its security.

In light of everything discussed above, I hypothesize that the democratization conditionality is failing in terms of Turkey's accession, because, not having the desired progress with the EU in terms of membership, and regarding the changing attitudes and statements of some of the EU Member States' leaders, such as Angela Merkel proposing a privileged partnership with Turkey rather than a full EU membership or previous French President Nicholas Sarkozy opposing to Turkey's membership and, instead, proposing an alternative Mediterranean Union, which Turkey would have been a part of, damaged Turkey's faith both in the EU, and in the future of its membership. There are promises to be met given by the EU to Turkey and some privileges the Turkish part is expecting to gain as a candidate member, while some countries, that are neither in the European continent, nor in an *acquis* process, are already benefiting those promises and privileges promised to Turkey, which consequently damage the credibility of the EU for Turkey.

Secondly, the EU and the Member States have failed to show their support and togetherness to Turkey in terms of situations threatening Turkey's security concerns. Turkey's terror problem within and surrounding its borders, namely with the PKK, has not received much understanding and sympathy, which left Turkey alone in its fight for internal security. On March 29, 2018, the French President Macron stated that France would support northern Syrians, namely the Kurdish militia, that also consists of YPG militants.<sup>5</sup> As for Turkey, YPG is the Syrian counterpart of the PKK, therefore is a terrorist group threatening Turkey's territorial integrity. France supporting YPG at a time Turkish army operating in Northern Syria against the Kurdish militia raises the question 'How much can Turkey trust Europe when it comes to its territorial integrity and its fight against terrorism?'

As a result of the never-ending accession process, of unstable relations both with the EU and MSs, of having surrounded by a war-zone neighborhood and having been fighting against terrorism both inside and outside, as well as the ups and downs of the Turkish politics inside, Turkey is losing its desire to fulfill the conditionality. In fact, the whole conditionality puts pressure on the government and it backfires as making the way for de-democratization, as a result, for an authoritarian regime.

## 2. METHODOLOGY

When it comes to the methodology used in this research, it consists of two parts: the theoretical chapter and the analytical chapter. Since it is important to introduce ourselves with the concept of democratization conditionality and what we mean by this term, we will start the theoretical chapter with the concept of democratization conditionality; what it means, what it promotes and what the potential obstacles of this concept are. For example, one of the arguments to be discussed is that if the candidate country's social and political situation does not allow the application of what it promotes, it becomes an obstacle for the accession.<sup>6</sup> On the other hand, the EU can become the obstacle for its own conditionality for the sake of a quicker enlargement, and arguably may not be following up the Copenhagen criteria for the same sake.

I used the qualitative research method, which is the most used methodology in social sciences, in my thesis. There are a lot of describing the relation of EU-Turkey and reasoning attempts to answer the research question on why the conditionality is failing in the Turkish case. The article also has elements of interpretive method since my evaluation of the EU-Turkey relations include my interpretations as

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<sup>5</sup> John Irish and Marine Penetier, March 29, 2018, France's Macron vows support for northern Syrians, Kurdish militia, *Reuters*, <https://www.reuters.com/article/us-mideast-crisis-syria-france/frances-macron-vows-support-for-northern-syrians-kurdish-militia-idUSKBN1H52V1>

<sup>6</sup> Schimmelfennig, Frank & Engert, Stefan & Knobel, Heiko. (2003). Costs, Commitment and Compliance: The Impact of EU Democratic Conditionality on Latvia, Slovakia and Turkey. *Journal of Common Market Studies*. 41. 495-518.

a researcher. I am arguing the reasons of failure in conditionality by combining both of my academic and personal background and I intend to propose solutions according to the ‘mistakes’ or ‘inadequacies’ I believe clog the process.

As for the sources to be used in this research, both primary and secondary literature sources were used throughout the thesis. These consist of academic articles written by both Turkish and Foreign academics such as Meltem Müftüler-Bac, Kalypso Nicolaidis and Frank Schimmelfennig, as well as up-to-date newspaper columns from *Reuters*, *the Guardian* and *Deutsche Welle Türkçe*, official speeches of Sarkozy, Macron, Erdoğan, etc, interviews that were conducted either with state leaders or with MEPs, reports published by the Commission and the Turkish Ministry for EU Affairs, and press releases of EU institutions such as the Varna Summit Press Release.

While the academic articles provide us with how the effectiveness of democratization conditionality is assessed within the discussion of conditionality by scholars of the field, the newspaper articles, as well as official press releases and statements, provide us with recent tensions and tendencies. In order to catch up with the latest news on the EU-Turkey relations, use of media has been very convenient. Due to the limited time and lack of availability of possible interviewees, I was unfortunately not able to conduct an interview on my own in this thesis, but existing interviews are used and referred to where seen fit.

### **3. THEORETICAL CHAPTER: DEMOCRATIZATION CONDITIONALITY**

#### **3.1. The concept of democratization conditionality**

The democratization conditionality is commonly described as a strategy the European Union (EU) uses to induce non-member/candidate states to comply with its principles of legitimate statehood, with its human rights and democracy standards.<sup>7</sup> The foreign policy of the EU has focused on democracy promotion both in the Eastern European countries after the fall of the Communism and in the neighboring Eastern and Middle Eastern countries. In order to secure border safety, to have broader impact and political authority, to spread the normative power of the Union across the borders of the EU, it is crucial that the conditionality works effectively. By promoting human rights, democracy, market economy, minority rights, and rule of law, the conditionality is the way the EU spreads its values and dominates not only within its borders but also within the neighboring lands as the normative power it has always claimed itself to be. How does it work then? How does the EU get non-EU states to comply with its conditionality principle?

For a sovereign state to apply with conditionality of another state, or a supranational actor, there should be benefits and privileges it can gain from the application of that conditionality, and for a state or a supranational actor to preserve the effectiveness of conditionality, it should either give something to, or take something from the subject of that conditionality.<sup>8</sup> Considering the relationship between the EU and non-member states engaged in democratization conditionality, the equilibrium is quite simple: It is a reward-punishment system. Non-member states are rewarded with aids, support, and institutional cooperation, for example in the case of candidate Turkey, the EU has given financial support to the NGOs and projects aiming at democratization conditionality, has increased cooperation with the country in terms of security, refugee crisis, and economic endeavors. Cooperation with the EU for security reasons and financial aid received from the EU are the reward Turkey can gain from its EU accession, and the possibility of more rewards such as visa-free travel, becoming a part of the Eurozone in case of membership, etc. is making the EU and complying with conditionality desirable

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<sup>7</sup> Schimmelfennig, Frank & Engert, Stefan & Knobel, Heiko. (2003). Costs, Commitment and Compliance: The Impact of EU Democratic Conditionality on Latvia, Slovakia and Turkey. *Journal of Common Market Studies*. 41. 495-518.

<sup>8</sup> Schimmelfennig, Engert, Knobel. (2003). Costs, Commitment and Compliance: The Impact of EU Democratic Conditionality on Latvia, Slovakia and Turkey. 495-518. (see footnote 8)

for Turkey, which is still a developing, politically not as stable country. In order for EU's conditionality to survive and be effective, it has to protect its attractiveness.

### 3.2. How can democratization conditionality be failing?

The argument of this paper on the fact that the EU's democratization conditionality is failing is based on two points of view: First, the conditionality carries the risk of de-democratization as a result of the state of readiness of the target country, its peoples, and its system. Second, the reason why the conditionality faces failures in the Turkish case is a result of ruptures in the EU-Turkey relations, which causes the EU to lose its attractiveness and credibility for Turkey to comply with the conditionality criteria.

'If conditionality is inconsistently applied or is otherwise weak, targeted states might doubt that policy change has bearing on EU policy and may thus try to obtain rewards without fulfilling EU conditions. If the rules are unclear, targeted states may try to take advantage of ambiguity and reform only partially or, particularly if they perceive that the EU is arbitrarily changing the rules, they may question the sincerity of the EU and lose confidence that they can ever meet EU conditions.'<sup>9</sup>

Jan Zielonka states that in order for the normative power of the EU and its conditionality to be successful, 'civilizing missions' of the EU should preserve its legitimacy both in the metropolis and in the periphery, and for that to happen the targeted countries (post-communist Eastern Europe countries, North Africa and the Middle East) should reach to a level of rationality and modernity.<sup>10</sup> Zielonka continues to argue that the influence of culture and history also plays a crucial role. According to this perspective the democratization can be achieved if the candidate country meets some pre-conditions, then proceeds with several stages. However, '[...] the possible paths proved so diverse and multidirectional that all attempts to formulate generalizations of the steps leading to successful democratization have been challenged'.<sup>11</sup>

I would argue that paths to democratization are diverse, unpredictable (or hard-to-predict), and multidirectional, because of the uniqueness of system of each country and the concept of democracy. Democratization in Albania will surely be different from that of Afghanistan. On the one hand, democratization in Turkey is easier compared to other countries that have not experience the 'Western' democracy, because in Turkey there is a common sense of human rights, fundamental freedoms, equality of men and women, separation of powers, and secularism. On the other hand, old regional and religious traditions, such as local landlords or tribes having power over the neighborhood they live in and the peoples in the Eastern part of Turkey, as well as blood feuds in the same region, inferiority of women derived from interpretations of the Quran, result in challenges.

As traditions are hard to give up on, and rooted deep within the society, a relatively foreign concept of democracy can be threatening to values of peoples, and can be questioning legitimacy and power of social and political systems, which can lead to a reverse effect and bring about de-democratization. Humans, when their lives are under threat, show the instinct to survive, and if the circumstances require one to kill an animal, or even a person in order to save one's own life, he/she would do so. Societies, and governments, I would like to think, function in a similar way and if they are challenged with losing their identity, or power they fight back to survive in a more severe way. A democratic system becomes authoritarian, a democrat becomes a dictator, a leftist become rightist, etc. This is how and why the EU democratization conditionality has a potential to become a de-democratization process. In light of the role the identity plays and given the fact that influence of culture and history

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<sup>9</sup> Paul Kubicek (2011) Political conditionality and European Union's cultivation of democracy in Turkey, *Democratization*, 18:4, 910-931, p. 912.

<sup>10</sup> Jan Zielonka (2013) Europe's new civilizing missions: the EU's normative power discourse, *Journal of Political Ideologies*, 18:1, 35-55.

<sup>11</sup> Anna Jarstad, (2015), Democratization after Civil War: Timing and Sequencing of Peacebuilding Reforms, *Centre for Peace and Research Development(CRPD)*.

are one of the most discussed reasons when it comes to the effectiveness of the conditionality, we should also look at the identity of Turkey. Where does it belong to geographically? How much is the conditionality influenced by the Turkish history and culture? These questions are answered in the following chapters about ‘Europeanness’, ‘clash of civilizations’ and ‘identity issues’ respectively.

On the other hand, according to Schimmelfennig, there are three conditions for conditionality to be successful:

- a) The incentives should attract the target state,
- b) Domestic cost of applying conditionality should be reasonable and acceptable to the target state,
- c) The political conditionality should be credible.<sup>12</sup>

The main focus, then, considering the conditions above, is on the domestic elements of the non-Member state. Interpreting from Schimmelfennig’s conditions of a successful conditionality we can say there are four factors that are crucial: incentives, costs, credibility, and goals.

We will exemplify this argument with the Turkish example. In the scope of democratization conditionality, the ban on wearing headscarves in public institutions such as universities, hospitals, etc. was removed, peace talks aiming to solve the Kurdish problem were initiated, and economy started to recover rapidly and the value of Turkish lira increased. Turkey was becoming stronger, more peaceful, more democratic. As Meltem Müftüler-Bac argues, from 1999 till 2006 democratization reforms were adopted thanks to the EU’s credibility and commitment to Turkey’s accession, and the government’s ability to pass them. A more democratic Turkey, a stronger cooperation with Europe, growing economy, and efforts to bring in peace can be considered as goals, high credibility of the EU (otherwise, there would not be as many efforts for democratization), and incentives that come along with EU *acquis*. After that period, we see a decline in EU’s credibility, and parallel to that, a decline in reforms and with the negotiations almost frozen in 2013 Turkey not only moved further away from the accession, but also it was less desirable for Turkey to become a member.<sup>13</sup>

The reason for this shift was bound not only to the EU and political dynamics within the EU, but also to the internal political dynamics in Turkey. There have been critical voices raised for and against Turkey’s membership to the EU, as well as political interests getting in the way of conditionality principle. From the Turkish side, there have been some crises in the country both political and societal, such as the Balyoz and Ergenekon military cases, Gezi Park protests, 17 December Corruption Scandal involving ministers from the ruling party, and military coup attempt. Where the judiciary reforms became either too demanding, or an obstacle to political gains, or in the disadvantage of the ruling government, they were not applied. Suspension of *acquis* chapters, having received vetoes from EU states such as France and Cyprus, and unmet visa liberalization promise from the EU side contributed to losing its credibility for Turkey. As a result, the conditionality principle is undermined by the loss of attraction and interest. We can indeed say that the EU political conditionality can be effective as long as it stays credible and desirable to the non-Member states.

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<sup>12</sup> Schimmelfennig F. (2005) *The EU: Promoting Liberal-Democracy through Membership Conditionality*. In: Flockhart T. (eds) *Socializing Democratic Norms*. Palgrave Macmillan, London.

<sup>13</sup> Müftüler-Baç, Meltem: *Judicial Reform in Turkey and the EU’s Political Conditionality: (Mis)Fit between Domestic Preferences and EU Demands*, No. 18, January 2016, “Maximizing the integration capacity of the European Union: Lessons of and prospects for enlargement and beyond” (MAXCAP).

### **3.3. Conditionality in enlargement: Lack of consensus among the Member States**

As we have discussed above, democratization conditionality is the key element in the EU enlargement. For enlargement to continue and preserve its efficiency, the credibility of conditionality, hence that of the EU should be solid and promising. However, in the last couple of years we see difference of opinion within the EU when it comes to its enlargement policies. Whether it be because of national, political, or economic interests, some of the Member States (MS) are not willing to expand the EU. This lack of consensus within the EU questions how consistent it is with the enlargement policies, and damages the credibility of conditionality.<sup>14</sup>

The EU added Chapters 23 and 24, which would focus on rule of law and judicial reform, to its enlargement conditionality and these chapters were included in accession negotiations with both Montenegro in 2012 and Serbia in 2014. However, as Cyprus had vetoed, Chapter 23 Judiciary and Fundamental Rights, and Chapter 24 Justice, Freedom and Security could not be initiated for Turkey. What is more is that these chapters are among the six chapters that have been unilaterally blocked by Cyprus<sup>15</sup>, which means EU's conditionality fails to be effective and is limited because of a MS's political dispute with a candidate state.

Other than the political and national interests of MSs, the willingness of the EU to enlarge also depends on the possible benefits of the newcomers and the economic interests motivate the MSs as well as the EU for the accession of some countries<sup>16</sup>, while it becomes a problem and a dividing point among the MSs if the economic interests are under threat, for example the economic crisis in Greece resulting in difference of opinion in the EU. While Turkey's economic capabilities (17<sup>th</sup> largest economy in the world)<sup>17</sup> is adding to its accession prospects, it also lessens its dependency and desire to the EU to some extent.

## **4. EU-Turkey Relations: A Case Study of Democratization Conditionality Failure**

So far, we have described what the democratization conditionality means, what is the purpose of the EU to induce the conditionality, what attracts countries outside of the EU to comply with this conditionality, and the possibility of democratization conditionality to have a reverse effect. In the analytical chapter, we will focus on two main actors, aka Turkey and the EU, and assess the unstable nature of the acquis. In recent years, the democratization conditionality of the EU seems to backfire and lead to a de-democratization in Turkey, leaving it with a more aggressive government. We will try to analyze what underpins this reversed democratization process in Turkey and what role the EU and the MSs may have played in it, as well as touching upon the last 7-8 years of Turkish politics, which has shaped the regime in the country.

### **4.1. The EU and Turkey: From Identity Issues to Political Debates, 'European Values' to Strategic Partnership**

#### **4.1.1 'Clash of Civilizations'**

The West's impression of Turkey, and by 'the West' I refer to European countries, has been very critical and distant to some extent, especially when it comes to Turkey becoming a member of the EU. Although the Republic of Turkey, founded in 1923, was established as a secular and a democratic constitutional state, going under a very fast and effective modernization and Europeanization process right after its establishment, it was perceived, and still is, as a country whose population is

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<sup>14</sup> Müftüler-Baç, Meltem, The European Union Enlargement: A Preliminary Look into External and Internal Scope Conditions, 18 November 2015, *MAXCAP*.

<sup>15</sup> Republic of Turkey Ministry for EU Affairs, (2017) Current Situation, [https://www.ab.gov.tr/65\\_en.html](https://www.ab.gov.tr/65_en.html).

<sup>16</sup> Müftüler-Baç, Meltem, The European Union Enlargement: A Preliminary Look into External and Internal Scope Conditions, 18 November 2015, *MAXCAP*.

<sup>17</sup> Focus Economics, December 19, 2017, <https://www.focus-economics.com/blog/the-largest-economies-in-the-world>.

predominantly Muslim, who has more Eastern values than Western, because of its preceding state the Ottoman Empire. The religion has had a huge impact on West's approach to Turkey and the Turkish people, not only because of the past, but also because of the failed integration of the Muslim-Turkish populations living in Europe.

In her article named *Turkey's Membership to the EU in Terms of 'Clash of Civilizations'*, Selcen Öner mentions this idea of predominantly Muslim Turkey belonging to the East rather than predominantly Christian Europe by referring to Huntington's article *'Clash of Civilizations'*.<sup>18</sup> In his article, Huntington claims that in the aftermath of the Cold War, the source of conflict will be cultural and '... the 'clash of civilizations' will dominate global politics...'<sup>19</sup>

Huntington puts Turkey into the Islamic world as well as warning against the threats that might come from Islamic states. The West is divided into two: those who associate Turkey's predominantly Muslim identity with suspicions to its democratic identity, and thus have parallel ideas to the 'clash of civilizations', and those who see Turkey's membership as an instrument to prevent the 'clash of civilization'. After the start of accession process of Turkey in 2005, Tony Blair argues that it shows the idea of 'clash of civilizations' is wrong. Nicolaidis argues that by starting the accession process with Turkey, the EU proves its courage to include a predominantly Muslim country as part of the EU. In the article *Turkey is European... for Europe's sake*, she lays out four responses to Turkey's accession:

- 'No to Turkish membership, because it is not European,
- Yes to Turkish membership, in spite of its not being European,
- No to Turkish membership even though it can be considered as European,
- Yes to Turkish membership, because even though there are obstacles it is European'.<sup>20</sup>

Nicolaidis' 'table' of responses to Turkey's accession is important in this chapter as it basically summarizes the factors that are discussed as reasons for the failure, and/or success of the EU conditionality.

#### **4.1.2. Against the full membership, in favor of alternative partnership: France**

According to the 2007 'European Elites Survey', 47 % of the members of the European Parliament and 38% of the general public officials of the EU perceived Islamic fundamentalism as a threat and thus, Turkey's membership would be bad.<sup>21</sup> It is useful to bear in mind that these results were gathered at a time when Turkey's membership process and its adaptation to the EU laws and standards were considered to be ambitious, especially compared to today.

One of the MS opposing to Turkey's full membership to the EU has been France. During an interview, the former President of France, Nicholas Sarkozy was asked why he was opposing for Turkey's full EU membership and he answered saying Turkey is not in Europe but it is Asia Minor and there is no reason for Asia Minor to be a part of Europe and he puts the importance on the stability of Europe. Then he was asked if he believed Turkey would bring destabilization to the region by becoming a member and Sarkozy answers not because of being a Muslim, but it is not a European country and he adds that he is in favor of an agreement with Turkey for a common market.<sup>22</sup> In 2007, Sarkozy angered

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<sup>18</sup> Selcen Öner, "Turkey's Membership to the EU in Terms of 'Clash of Civilizations'", *The Journal of Interdisciplinary Economics*, 2009, Vol.20.

<sup>19</sup> Huntington, S.P. (1993). "The Clash of Civilisations?", *Foreign Affairs*, 72(3).

<sup>20</sup> Kalypso Nicolaidis, (2004), "Turkey is European... for Europe's sake", *Turkey and the European Union: From Association to Accession?*, Ministry of Foreign Affairs, The Netherlands, January 2004, p.3.

<sup>21</sup> Selcen Öner, "Turkey's Membership to the EU in Terms of 'Clash of Civilizations'", *The Journal of Interdisciplinary Economics*, 2009, Vol.20.

<sup>22</sup>Nicholas Sarkozy, <https://www.youtube.com/watch?v=x1PDBCc2nPs>

Turkey by suggesting an alternative to the EU membership: the Mediterranean Union. He was clearly open to alternative cooperation with Turkey, but was a strong opponent of its full membership.

Ten years later, France's stance on the topic does not seem to have changed. On January 5, 2018, Erdoğan and Macron met in Paris and the situation of democracy, rule of law and human rights in Turkey was one of the points discussed. Given to recent developments in Turkey and disagreements of human rights situation in the country, Macron mentioned the importance of protecting the rule of law, raised his concern about the fate of students, teachers and journalists in Turkey, whereas Erdoğan mentioned Turkey was getting tired of waiting for the full membership.<sup>23</sup> Macron, in response, proposed an alternative:

'We should ... see if we cannot rethink this relationship, not in the framework of the (EU) integration process, but perhaps a cooperation, a partnership," he said, adding the main goal must be to keep Turkey a NATO member "anchored" in Europe and its "future ... built looking toward Europe and with Europe."<sup>24</sup>

It is not only the declarations of European leaders that effects the relations, but also the response they give to Turkey's interests. On March 29, 2018, Macron met a Kurdish delegation from Northern Syria including the YPG forces and he promised that France would send troops to the region and back the Kurds up for the sake of stabilizing the region.<sup>25</sup> However, as of January 20, 2018, the Turkish military has launched an operation called 'The Operation Olive Branch', and has been fighting against the YPG and PYD forces, which are listed as terrorist groups by Turkey having links to the PKK terrorist organization. The aim of Turkey's operation is to take Afrin from YPG and PYD forces and create a secured border and a secured Afrin, where the Syrian refugees could be send back once the city has been reconstructed.<sup>26</sup> That is why French President Macron's support to the YPG and PYD forces received condemnation from the Turkish side. While Deputy Prime Minister Bekir Bozdağ commented on the issue on his Twitter account saying '...Those who cooperate with terrorists and attack Turkey will be treated as terrorists,[...] we hope France would not take such an irrational step,'<sup>27</sup>, President Erdoğan accused Macron talking nonsense.<sup>28</sup>

In the aftermath of tensed relations with France, Turkey met Iran and Russia on April 03, 2018 to discuss Syria's future. The criticism from the EU with regards to Turkey's Olive Branch Operation in Syria and the lack of EU's support to Turkey, but to armed forces officially recognized as terrorist groups by Turkey usually pushes Turkey to find alternative allies and the Turkey-Iran-Russia summit is one of the recent examples of that. Even though Russia supports Syria's territorial integrity, and is not in favor of excluding the Kurds from any bringing-peace-to-Syria process, it acknowledges Turkey's national security interests<sup>29</sup> and cooperation with Russia is most likely for Turkey compared to the USA or European countries.

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<sup>23</sup> Catherine Hardy, 05 January 2018, 'Turkey is worn out with waiting for EU accession' – Erdogan, *Euronews*, <http://www.euronews.com/2018/01/05/a-tense-visit-to-france-for-the-turkish-president>

<sup>24</sup> France24, 05 January 2018, Macron suggests 'partnership' with EU for Turkey, not membership,

<http://www.france24.com/en/20180105-french-president-macron-suggests-partnership-deal-turkey-eu-not-membership-erdogan>

<sup>25</sup> John Irish, and Marine Pennetier, 29 March 2018, France's Macron vows support for northern Syrians, Kurdish militia, *Reuters*, <https://www.reuters.com/article/us-mideast-crisis-syria-france/frances-macron-vows-support-for-northern-syrians-kurdish-militia-idUSKBN1H52V1>

<sup>26</sup> En Son Haber, 23 January 2018, Afrin harekatı hakkında bilinmesi gerekenler, <http://www.ensonhaber.com/afrin-harekatı-hakkında-bilinmesi-gerekenler.html>

<sup>27</sup> Bekir Bozdağ, 30 March 2018, *Twitter*,

[https://twitter.com/bybekirbozdog/status/979624489473527809?ref\\_src=twsrc%5Etfw&ref\\_url=http%3A%2F%2Fwww.dw.com%2Ftr%2Fmacrona-ypg-tepkisi-destek-garantisi-ter%25C3%25B6r-%25C3%25B6rg%25C3%25BCtleri-ile-dayan%25C4%25B1%25C5%259Fmad%25C4%25B1r%25Fa-43192916&tfw\\_site=dw\\_turkce](https://twitter.com/bybekirbozdog/status/979624489473527809?ref_src=twsrc%5Etfw&ref_url=http%3A%2F%2Fwww.dw.com%2Ftr%2Fmacrona-ypg-tepkisi-destek-garantisi-ter%25C3%25B6r-%25C3%25B6rg%25C3%25BCtleri-ile-dayan%25C4%25B1%25C5%259Fmad%25C4%25B1r%25Fa-43192916&tfw_site=dw_turkce)

<sup>28</sup> Hakime Torun, 30 March 2018, Erdoğan'dan Macron'a PYD tepkisi!, *Sözcü Gazetesi*,

<https://www.sozcu.com.tr/2018/gundem/erdogan-konusuyor-153-2320028/>

<sup>29</sup> Sputnik News, 04 April 2018, Türkiye, Rusya ve İran'dan Suriye zirvesi sonrası ortak açıklama,

<https://tr.sputniknews.com/turkiye/201804041032907423-turkiye-rusya-iran-suriye-ortak-aciklama/>

#### 4.1.3. Against the full membership, in favor of alternative partnership: Germany

Germany is another MS that has raised questions about Turkey's joining the EU, and rather proposed alternatives to its full accession. Before coming to that, it is important to emphasize here that Turkey-Germany relations have always had a huge impact on the EU-Turkey relations. Because of millions of immigrants of Turkish origin living in Germany, deep trade relations, crucial contribution of Germany to tourism in Turkey, etc., Germany can be considered as the European country Turkey has the most dialogue with. There has been a pattern where we see a decline and a deadlock in EU-Turkey relations when Germany opposes to Turkey's accession, and an increase and smoothness in EU-Turkey relations when Germany supports the membership.<sup>30</sup>

The German Chancellor Angela Merkel, like the French presidents, has not been in favor of a full membership given to Turkey. In 2006 she gave her opinion on the matter saying:

‘Turkey has been promised EU accession negotiations by a former German government, and that is why these accession negotiations are now being continued. [...] Negotiations are open-ended, but are being led in a fair manner. While the CDU and I personally prefer a privileged partnership of Turkey to membership, we are still reliable partners.’<sup>31</sup>

In 2013, she again spoke about the matter:

‘I believe that we still have a long way to go. We are negotiating without fixed expectations regarding the results. Although I am skeptical I have agreed to continue the accession negotiations. They have become somewhat bogged down recently, and I would be in favor of opening a new chapter now in these negotiations so that we can move forward. I think that I will also discuss this with the Turkish government during my visit.’<sup>32</sup>

During a televised debate before the German elections in 2017, both Merkel and Schulz discussed Turkey's accession. Responding to her rival, who said if he became the Chancellor, he would propose to the European Council to end the accession talks with Turkey and promised to be stricter on the matter, Merkel said she was ready to cut down on the financial accession aid given to Turkey and she would make the effort to come to a joint position within the EU in order to end the accession talks.<sup>33</sup>

Her comments echoed in Turkey and received a backlash. Merkel was accused of populism and the spokesman İbrahim Kalın said ‘Whatever party wins the election in Germany clearly has little significance, because now it's clear which mindset will win.’, on the other hand, a month ago, before the televised debate, President Erdoğan declared Merkel's CDU and Schulz's SPD and the Greens as the ‘enemies of Turkey’ and advised Turkish nationals not to vote for them.<sup>34</sup>

#### 4.1.4. Accession Problems between the EU and Turkey: What gets in the way?

Voices critical of Turkey and opposing to the accession have also been raised quite often. One of the most critical figures towards Turkey is the Dutch Member of the European Parliament (MEP) Kati Piri. In an interview in 2017, Piri criticizes EU leaders saying ‘You cannot just sit around, wait, and talk nice with President Erdoğan while you see that the situation inside Turkey is only further and

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<sup>30</sup> Knaus, G. and Altfuldisch, C. (2013), The Pivotal Relationship: German Doubts and the Turkish-EU Accession Process, *Global Turkey in Europe*.

<sup>31</sup> Angela Merkel on ZDF TV, 28 September 2006. See ESI, “The German Turkey Debate Under the Grand Coalition”, ESI Discussion Paper, October 2006, [http://www.esiweb.org/index.php?id=156&document\\_ID=94](http://www.esiweb.org/index.php?id=156&document_ID=94)

<sup>32</sup> Knaus, G. and Altfuldisch, C. (2013), The Pivotal Relationship: German Doubts and the Turkish-EU Accession Process, *Global Turkey in Europe*.

<sup>33</sup> Reuters, 03 September 2017, In shift, Merkel backs end to EU-Turkey membership talks, <https://www.reuters.com/article/us-germany-turkey-merkel/in-shift-merkel-backs-end-to-eu-turkey-membership-talks-idUSKCN1BE15B>

<sup>34</sup> The Guardian, 04 September 2017, Turkey hits back after Merkel says EU should scrap accession talks, <https://www.theguardian.com/world/2017/sep/04/turkey-hits-back-angela-merkel-eu-axe-accession-talks>

further deteriorating. The EU has to speak out and that is what this Parliament is doing'.<sup>35</sup> While admitting the fact that Turkey is a very important partner in migration and terrorism, she adds that the EU is cooperation on these issues with many other countries that are not involved in accession talks, which may be interpreted as her suggesting cooperation with Turkey does not require the accession process, and it can be eliminated if necessary.

When it comes to the approach of the EU towards Turkey, Turkey feels it is discriminative in many ways. As an associate member of the EU as of 1963, and having applied for a full membership to the EU in 1987, Turkey had high expectations from the Luxembourg Summit in 1997. However, the Summit ended up providing Turkey with a special status, while it gave 'candidate' status to eleven countries one of them being Cyprus, which also received criticism from the Turkish government, as well as anti-European tendency from the Turkish political elites.<sup>36</sup> In addition to that Croatia's becoming an EU member before Turkey, although it applied for the membership in 2003 and gaining the MS status in 2013 made Turkey feel inferior and out casted.

One of the most controversial issues when it comes to Turkey's accession is the Cyprus issue. The dispute on the island, despite many attempts both from the EU and Turkey, has not been resolved and in order for Turkey to close the opened chapters, and open the new ones for accession, it has to be resolved, not only for the sake of the accession, but also for the sake of the stability of the island. What is interesting here is that Cyprus managed to enter the EU without solving the issue, which has been there since 1974.

'The exclusion of the Republic of Cyprus, therefore, could not be accepted just because of the settling issue on the island. The Republic of Cyprus had fulfilled the values that the EU required and anything else should not have mattered. However, the EU asked the Central and Eastern European countries to settle their minority and border disputes through the Balladur Stability Pact before accession while settling the Cyprus problem was not a condition that the Republic of Cyprus had to fulfill.'<sup>37</sup>

The EU may have made a sloppy mistake to accept Cyprus into the Union, or maybe at the time the inclusion of the island into the Union was more important than the principles of conditionality, but still it damages the EU's credibility, as well as its neutrality.

Another problematic area is the visa requirements, which provides a strong incentive to become a member for Turkey. In 1996, the Customs Union entered into force and the good now could circulate freely. However, Turkish citizens are required to obtain visa in order to enter an EU territory, and this creates a paradox where on the one hand goods can circulate freely, and on the other hand the producers and owners of these goods cannot.<sup>38</sup> While countries like Albania, Argentina, Georgia, Ukraine, Malaysia, and so on are visa waiver countries, Turkey, who has a long history of cooperation, accession talks and strategic partnership, is still subject to visa obtaining process. The visa free travel has been promised to Turkey within the Refugee Deal between the EU and Turkey, and while Turkey says it meets the 72 criteria for visa liberalization, the EU wants to see more improvement and claims there are 'remaining benchmarks'.<sup>39</sup>

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<sup>35</sup> European Parliament News, 05 July 2017, Kati Piri: "You cannot sit and wait while situation in Turkey is deteriorating", <http://www.europarl.europa.eu/news/en/headlines/world/20170630STO78719/kati-piri-you-cannot-sit-and-wait-while-situation-in-turkey-is-deteriorating>

<sup>36</sup> Samuel Doveri Vesterbye and Dr. M. Sait Akman, A Modernized EU-Turkey Customs Union, *European Neighborhood Council Perspectives*, <http://sam.gov.tr/wp-content/uploads/2012/01/Atila-Eralp.pdf>.

<sup>37</sup> Baştürk, Melike (2011) "The Issue of Cyprus in the EU Accession of Turkey," Claremont-UC Undergraduate Research Conference on the European Union: Vol. 2011.

<sup>38</sup> Ihsan Karatas (2016), The EU-Turkey Customs Union: Towards a Revision of the Legal and Institutional Framework?, University of Gent, Faculty of Law, [https://lib.ugent.be/fulltxt/RUG01/002/304/294/RUG01-002304294\\_2016\\_0001\\_AC.pdf](https://lib.ugent.be/fulltxt/RUG01/002/304/294/RUG01-002304294_2016_0001_AC.pdf).

<sup>39</sup> Suzan Fraser and Lorne Cook (February 7 2018), Turkey 'has met EU criteria for visa-free travel'

, *The Independent*, <https://www.independent.ie/world-news/turkey-has-met-eu-criteria-for-visafree-travel-36578580.html>

On March 26, 2018 President Erdoğan and the European Council President Donald Tusk came together for the Varna Summit in Bulgaria. After the Summit, the leaders issued a press statement. ‘Our meeting today demonstrated that while our relationship is going through difficult times, in areas where we do cooperate, we cooperate well. We reconfirm our readiness to keep up the dialogue and consultations and to work together to overcome current difficulties with a view to unleashing the potential of our partnership’<sup>40</sup>, said Tusk, while Erdoğan stated that Turkey expects the promises made by the EU to be delivered, such as the visa liberation, updating the Customs Union and a stricter approach and more support against terrorism, and that it would be a terrible mistake if Europe left Turkey outside its enlargement policy.<sup>41</sup>

European Commission President Juncker also released a statement and while stating sympathy, and understanding towards Turkey’s fight against terrorism after the attempted coup, he said “We would ask Turkey to have a new look on at the imprisoning of journalists. Turkey is a big nation, a strong power inside the country and outside the country, and so I think that even as far as the Greek soldiers are concerned, efforts should be undertaken to resolve this problem in normal times.”, and concluded his statement with ‘To sum up, this was a Summit of mixed feelings but not of mixed messages. It was a good meeting, because – as this is the normal principle between big democracies – we were able to talk in all frankness and openness’.<sup>42</sup>

The last comment of Juncker, as well as Donald Tusk’s evaluation of the Summit indicates that there are some problems waiting to be solved between the EU and Turkey. Other than the issues of migration and terrorism, the parties do not seem to have reached a proper conclusion, nor a proper cooperation plan and this does not help lower Turkish President Erdoğan’s tone towards Europe, hence the relations to cool down.

Both Germany and France, as well as the EU have raised their concerns over the imprisoned academics, journalists, political leaders, NGO workers, abiding the human rights and rule of law, Turkey’s Syria politics (especially the Olive Branch Operation in Afrin), whereas Turkey hit back with accusing/reminding the West that they support terrorists (namely the PKK militants), they let Turkey and Turkish people down with the ongoing accession talks, and they do not deliver their promises to Turkey (visa liberation promised with the Refugee Deal). The hardened discourse, the accusations, and the unmet promises are clearly damaging the trust for cooperation, the accession process, and Turkey’s willingness to commit to the democratization conditionality. The more distant and critical Europe is towards Turkey, the less enthusiastic and more aggressive Turkey is about its commitment to Europe.

#### **4.1.5. Identity Issues: Where does Turkey belong to? The West, or the East?**

The perceived identity of Turkey belonging to the East rather than the West, and questioning how European Turkey really is that it should become a member is also one of the main elements that shape committing to the conditionality. One of the official foreign policy objectives of the newly founded Republic of Turkey, established in 1923, was the recognition of Turkey as a European country. From 1923 to 1938 many reforms took place in the country, such as the abolition of the caliphate (1924), adoption of the civil code (1926), the shift to the Gregorian calendar (1926) and to the Latin alphabet (1928), adopted to create the modern Turkish state.<sup>43</sup> The founder of the Republic of Turkey Mustafa Kemal Atatürk indeed was leading the country towards the West as it represented democracy,

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<sup>40</sup> Donald Tusk, 26 March 2018, Remarks by President Donald Tusk following the EU-Turkey leaders' meeting in Varna, *European Council*, <http://www.consilium.europa.eu/en/press/press-releases/2018/03/26/remarks-by-president-donald-tusk-after-the-eu-turkey-leaders-meeting/>

<sup>41</sup> BBC Türkçe, 26 March 2018, Cumhurbaşkanı Erdoğan Varna'daki AB zirvesinin ardından konuştu: AB'nin Türkiye'yi genişleme politikasının dışında bırakması vahim bir hata olur, <http://www.bbc.com/turkce/haberler-turkiye-43544932>

<sup>42</sup> European Commission, 26 March 2018, Remarks by President Juncker at the joint press conference with President Tusk, Prime Minister Borissov and President Erdoğan following the EU-Turkey Leaders' Meeting in Varna, Bulgaria, [http://europa.eu/rapid/press-release\\_SPEECH-18-2607\\_en.htm](http://europa.eu/rapid/press-release_SPEECH-18-2607_en.htm)

<sup>43</sup> Meltem Müftüler Baç (2005) Turkey’s Political Reforms and the Impact of the European Union, *South European Society and Politics*, 10:1, 17-31.

equality, intellectuality, and a better example for a country that had long fought against the sultanate regime, the obstructive mentality of those using religion for political gains, and illiteracy on the one hand, and the invading external powers on the other.

Although from the Ottoman times until today has Turkey come a long way in terms of Europeanizing, the EU conditionality says it has yet to reach to the needed level in terms of human rights, rule of law, segregation of powers, and the freedoms to mention a few. Here, Alper Kaliber makes a distinction between EU-ization and Europeanization:

“...In my distinction, EU-ization refers to a more concrete and restricted sphere of alignment with the EU’s body of law and institutions. It is a formal and overwhelmingly technical process of adjustment, the most radical impacts of which are manifested during the accession negotiations...It denotes more or less a process of progression, albeit open to deviancies, easier to measure and leading to the convergence of the domestic and the EU-level laws, institutions, and policies. On the other hand, Europeanization, rather than being a process, refers to a context or a situation ‘where certain effects can be shown to have occurred’.”<sup>44</sup>

Given Kaliber’s distinction, the EU conditionality creates EU-ization, rather than Europeanization in the case of Turkey. After all, if Europe or even the EU, sometimes both terms are used to describe one another, to be described as a league of predominantly Christian MSs whose borders are all in the Continent Europe, then it would be hard to Europeanize a predominantly Muslim country whose more than 70% of the land is in Asia Minor.

The religious and geographic differences bring us to another dimension of Turkey’s European identity. In a survey conducted by Lahav Gallya in 2002 among the MEPs, Turks were the least wanted immigrants in the EU.<sup>45</sup> In terms of public opinion, Turkey again scored the lowest amount of support from Europe.<sup>46</sup> In the Commission Staff Working Document *Issues Arising From Turkey’s Membership Perspective* it is stated that “If Turkey can pursue a path of democracy that combines secularism with a Moslem social and cultural environment, it could offer a good example for other countries in the region...The successful inclusion of Turkey in the European integration process would give clear evidence to the Moslem world that their religious beliefs are compatible with the EU’s values.”<sup>47</sup> Mentioning the majority religion of the country here might be interpreted as suggesting that by hypothesizing Turkey’s ‘successful’ inclusion would prove/show ‘Muslim majority countries can also have a place within the EU’.

In 2002, Valéry Giscard D’Estaing strongly opposed the Turkey’s accession, because it was not a European country, and this non-European state with a huge Muslim population would bring an end to the EU.<sup>48</sup> As mentioned earlier former French President Sarkozy was also opposing to the accession since there was no reason for an Asia Minor state to become a MS to the EU. In times of elections, the leader-candidates of MSs include the elimination of Turkey’s accession to the EU in their political agenda, the public opinion in favor of the accession seem to diminish down to very low levels in countries like France, Germany, and Austria, and the European media, sticking to stereotypes, does not help. In fact, Reuters’ European affairs editor Paul Taylor says “On television, Turkey means minarets, headscarves and the Bosphorus bridge... In the newspapers, a ‘secular state with a predominantly Muslim population’ gets edited down to a ‘Muslim country’”<sup>49</sup>

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<sup>44</sup> Alper Kaliber, (2012) Contextual and Contested: Reassessing Europeanization in the Case of Turkey, *International Relations*, 27(1) 52–73.

<sup>45</sup> Meltem Müftüleri-Bac (2000) Through the looking glass: Turkey in Europe, *Turkish Studies*, 1:1, 21-35.

<sup>46</sup> Meltem Müftüleri-Bac (2002) Turkey in the EU’s Enlargement Process: Obstacles and Challenges, *Mediterranean Politics*, 7:2, 79-95.

<sup>47</sup> Commission of the European Communities, (2004), Commission Staff Working Document, *Issues Arising From Turkey’s Membership Perspective*.

<sup>48</sup> John Casey, 10 March 2016, Turkey is not part of Europe – as the history of our continent shows, *Independent*, <https://www.independent.co.uk/voices/turkey-is-not-part-of-europe-as-the-history-of-our-continent-shows-a6923486.html>

<sup>49</sup> Katinka Barysch, (2007), What Europeans Think About Turkey and Why, *Centre for European Reform*.

Such discriminative approach towards Turkey from the EU, not just politically, but also scholarly and publicly, has sure had an impact on the relations as well as on the public opinion in Turkey. There is no doubt that Turkey and other European countries have their differences in terms of traditions, values, and way of living, and these also vary within the MSs, such as the Mediterranean countries vs. West European countries vs. Baltic countries. Instead of using the identity of the country and its differences as a reason to exclude Turkey from the accession, the EU should remember its slogan 'Unity in Diversity', and not contradict its foundation values. Otherwise, the EU and the MSs are actually helping the Turkish government to point to the West as the bad boy who does not care or respect the Turkish values, and that Turkey is alone in global politics, that the country is not seen as an equal because of its identity, and many more populist discourses that eventually help the so-called authoritarian regime to gain more votes, hence more power, hence more de-democratization in the country.

Another insight to Turkey's Europeanization is that the country is the least likely to be Europeanized because of its political and economic power, and because the EU conditionality does not hold its former power on Turkey.<sup>50</sup> What is more intriguing is Meltem Müftüler-Bac's hypothesis on the EU conditionality. She asks the question whether it could be EU's democratization conditionality that unexpectedly brought about the anti-democratic tendencies and tensions in Turkish politics. Asking the '...what happened in the process of democratic consolidation in Turkey? How was a promising case of democratic development reversed in a matter of years? Specifically, how did a candidate country negotiating for EU accession experience serious violations of rule of law? Is it because the accession process lost its credibility in the eyes of the Turkish government, leading to a loss of momentum for legal changes, or is it because the process of political transformation led to a backlash of authoritarian forces?', she argues it was this conditionality of the EU that served to the political and social ambitions of the government in the beginning, ignoring the conflict between religious conservatives and secularists, and that brought the country to where it stands today.<sup>51</sup>

In their article *Lost in Europeanisation: The Western Balkans and Turkey*, Gergana Noutcheva and Senem Aydın-Düzgüt discuss the 'absorption capacity' of the EU and the fact that for a country as big as Turkey in terms of size and population, and culturally different, full accession would not be as easy as for other 'European' countries.

'[...] the credibility of EU conditionality towards Turkey has been considerably weakened. Triggered by the rejection of the proposed Constitutional Treaty in France and the Netherlands, the EU's 'absorption capacity' quickly became a key element of the debate on Turkey's accession during 2005 (Emerson *et al.* 2006). The debate focused upon Turkey's size, its population, its culture and its unpopularity with EU citizens and conveyed the message that, unlike the Eastern enlargement, complying with the formal criteria alone might not be sufficient for Turkey's full accession to the Union. The concept was subsequently incorporated into the Negotiating Framework for Turkey (European Commission 2005) that highlighted 'absorption capacity' as part of the Copenhagen criteria and introduced the possibility of permanent safeguard clauses in areas such as free movement of people, structural policies and agriculture. This coincided with the election of Sarkozy and Merkel to power and their wide-reaching statements on the undesirability of Turkish accession.'<sup>52</sup>

However, even in times when the EU credibility has weakened, its conditionality has been applied in a way it would benefit the interests of the government. Some of the reforms conducted by the Turkish government would be justified by the EU conditionality, and legitimized for the sake of accession

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<sup>50</sup> Börzel, Tanja A./Soyaltın, Dıgdem 2012: Europeanization in Turkey. Stretching a Concept to its Limits? KFG Working Paper Series, No. 36, February 2012, Kolleg-Forscherguppe (KFG) "The Transformative Power of Europe" Freie Universität Berlin.

<sup>51</sup> Müftüler-Bac, M. (2016) "Turkey's ambivalent relationship with the European Union: to accede or not to accede", *Uluslararası İlişkiler Dergisi*, Vol.13, No.52, 89-103 (SSCI).

<sup>52</sup> Gergana Noutcheva & Senem Aydın-Düzgüt (2012): *Lost in Europeanisation: The Western Balkans and Turkey*, *West European Politics*, 35:1, 59-78.

process. Gergana Noutcheva and Senem Aydın-Düzgit seem to agree with Meltem Müftüler-Bac on the effect of EU conditionality:

‘[...]despite the weakening EU anchor, the relative strength of the government has facilitated the pursuit of further reform in some areas, most notably in strengthening civilian control over the military, which largely stands in opposition to the government (Gürsoy 2011). However, the relative weakness of the opposition and the dwindling of the EU anchor have also led to more selective democratic reform, dependent on the interests of the government. For example, while civil–military relations are being reformed, the government still chooses to retain some of the infamous remnants of the 1980 coup, such as the High Education Board (YÖK) through which it exercises significant control over the universities.’<sup>53</sup>

Whether one call it ‘Europeanization’ or ‘EU-ization’, examples like Hungary, Poland, Greece, Spain, or Slovakia show that there is no one type of Europeanness. If the EU wants to fantasize about there being one ideal type of European country, and most of the time the ideal Europe and European is associated with the Western Europe, then it is doomed to fail, just like it is failing in its dialogue with Turkey.

#### **4.1.6. Why is Turkey’s partnership important to the West? : The EU depends on Turkey as much as Turkey depends on the EU**

If the *acquis* is not progressing, if Turkey is moving further and further away from the EU, then why the EU has not closed its doors to Turkey in terms of membership yet? The answer is the geopolitical importance of Turkey. It is also the reason why those who agree on the fact that Turkey is not European, but still says *Yes* to its membership. In 1998, General Nezihi Çakar, who was a senior advisor to the President of Turkey at the time, listed the factors making Turkey a crucial actor in world’s politics:

- ‘Turkey stabilizes the Black Sea region,
- it controls the Straits,
- it serves as the southeastern anchor for NATO,
- it balances Russia in the entire southeastern zone, which includes the Caucasus,
- it acts as a model for the newly independent countries in the region and helps them to protect their independence and entrance into the international community,
- it plays an important role as an energy bridge between the rich natural resources of the Caspian basin and Central Asia, and the Western world,
- it serves as a springboard for the progressive expansion of Western values deeper eastward,
- it acts as an active geo-strategic player in the region, particularly eastward, with the ability to affect existing volatile geopolitical states of affairs,
- it acts as a pivotal country in Balkan and Middle Eastern affairs,
- with its secular regime, it offers a dynamic alternative to fundamentalism’.<sup>54</sup>

As can be concluded from the list, Turkey owes its political power mostly to its geopolitical position. Turkey is always on the map when TV anchors deliver news on the Iraq War, the Syrian War, Russia’s

<sup>53</sup> Gergana Noutcheva & Senem Aydın-Düzgit (2012): Lost in Europeanisation: The Western Balkans and Turkey, *West European Politics*, 35:1, 59-78.

<sup>54</sup> Nezihi Çakar, (1998), A Strategic Overview of Turkey, *Perceptions Journal of International Affairs*, Volume 3, Number 2.

annexation of Crimea in Ukraine, the Cyprus Issue, the Refugee Crisis, etc. Turkey's cooperation is fundamental not only to the EU, but also to the US and Russia, especially in the Middle East, and it provides Turkey with a leverage over these countries. One example would be the Incirlik Air Base. In 2016, the German Parliament recognized the so-called Armenian Genocide, in return to which Turkey replied by denying German politician entry to the Incirlik Air Base. After Germany prevented AKP politicians to organize events with regards to the upcoming referendum in 2017, German politicians were denied entry to the base and Turkey accused the federal government for acting like the Nazis.<sup>55</sup> The dialogue between the two states escalated, and Germany voted to withdraw its armed forces from the Incirlik Air Base, as well as relocating its reconnaissance aircraft to somewhere else.

Germany had an alternative for its military purposes in the region other than Turkey. However, in terms of the refugee crisis the EU could not overlook the fact that it needs Turkey's cooperation and cannot replace it with another country. Hence, the Refugee Deal was signed on March 18 2016 to end the irregular migration from Turkey to the EU.<sup>56</sup> In one year, the number of irregular migration from Turkey to the EU dropped 97%.<sup>57</sup> Europe's biggest challenge is to find a solution to the refugee crisis and the deal with Turkey has proven effective, regardless of the living conditions of the refugees in Turkey.

The EU is already dealing with MSs who do not want to deliver their share of responsibility towards the refugees and it is dependent on its deal with Turkey concerning Syrian refugees, and cannot risk to take more effective and more rigid actions, but settles for condemnations of the recent so-called authoritarianism of the Turkish government. The EU also has failed in delivering its promises to Turkey within the scope of the refugee deal. 'The promise of visa-free travel for Turkish nationals has been a major cause of dispute. Turkish officials have repeatedly warned that Ankara will back out of the agreement with the EU if Brussels does not deliver the promised visa-free travel for Turks in return,'<sup>58</sup> writes Laura Batalla Adam in her article evaluating the EU-Turkey deal.

Whatever fall out the EU may have with the Turkish government, whether it be about human rights violations, imprisoning academics, journalists, the executive interfering the judiciary, and showing a tendency to an authoritarian regime, the EU needs Turkey by its side and sometimes such interests of the EU drive it to overlook the violation of its values in a partner country. Turkey, too, need the EU as a strong partner, and even though at times of dispute and tension Turkey tends to cooperate more with Russia, Iran and Middle Eastern countries, Turkey's relations with these states are mostly complementary and cannot be considered as an alternative to its relations and cooperation with the EU and Europe. What is more is that Turkey knows the importance of its geographical location and what it means to have Turkey as a partner for the EU, and the government does not hesitate to use this power at times to threaten the EU for political reasons.

## **4.2. Recent Years in Turkish Politics and the 2013 & 2018 Turkey Progress Reports**

Turkey's accession to the EU gained momentum with the conservative-democratic claimed Justice and Development Party (AKP) governing the country. Founded in 2001, the party won the parliamentary elections in 2002, 2007, 2011, and 2015.

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<sup>55</sup> CNN Türk, 12 March 2017, Krizin ardından Almanya'dan İncirlik açıklaması, <https://www.cnnturk.com/dunya/dw/krizin-ardindan-almanyadan-incirlik-aciklamasi>

<sup>56</sup> European Council, 18 March 2016, EU-Turkey statement, <http://www.consilium.europa.eu/en/press/press-releases/2016/03/18/eu-turkey-statement/>

<sup>57</sup> European Commission, 17 March 2017, EU-TURKEY STATEMENT ONE YEAR ON, [https://ec.europa.eu/home-affairs/sites/homeaffairs/files/what-we-do/policies/european-agenda-migration/background-information/eu\\_turkey\\_statement\\_17032017\\_en.pdf](https://ec.europa.eu/home-affairs/sites/homeaffairs/files/what-we-do/policies/european-agenda-migration/background-information/eu_turkey_statement_17032017_en.pdf)

<sup>58</sup> Laura Batalla Adam (2017) The EU-Turkey Deal one Year On: A Delicate Balancing Act, *The International Spectator*, 52:4, 44-58.

In the 16 years of governing, there have been important turning-point incidents occurred. On May 27 2013 the Gezi Park Protest started, which was a protest against the government's plan to turn the Gezi Park in Taksim, one of the few green fields left in Istanbul, into barracks. The protests, then, included protesting the media censorship (ban on social media), alleged gerrymandering in elections, use of excessive force by the police, violation of democratic rights, mainly, imprisonment due to social media posts, tens of journalists, academics, legal experts in jails. What started out as a peaceful protest in Istanbul spread over the whole country and the excessive response of the police forces resulted in many casualties.

In 2013 the Corruption Scandal involving 4 ministers (Minister of Interior, Minister for EU Affairs, Minister of Economy, and Minister of Environment and Urban Planning) of the government broke out. In 2014, Turkey woke up to the National Intelligence Organisation (MİT) Scandal, which was brought up on the headlines of Cumhuriyet Newspaper, claiming the trailer trucks that were supposed to bring humanitarian aid to the Turkmen in the war zone Syria were in fact transporting arms to the jihadist groups in Syria.<sup>59</sup>

On July 15, 2016 the infamous *coup d'état* attempt occurred, whose aftermath left thousands of civil servants without right to work, caused the declaration of state of emergency, which is still in act, and has led to espionage among the public. The Gulen Movement is accepted to be behind this military coup and those who are allegedly involved in the Movement are being prosecuted.

What does this have to do with the EU-Turkey relations, then? In the 2013 Turkey's Progress Report, The Commission evaluated the Parliament's 4<sup>th</sup> Judicial Reform Package as positively comprehensive, in compliance with the EU standards, praised the President's efforts in Peace Talks aiming to end the terrorism and violence in Southeastern Turkey, and concluded that the commitment to the democratization and political reforms.<sup>60</sup> Of course there were recommendations and concerns regarding the human rights violations, the rule of law, and other areas of evaluation. However, the 2013 report failed to foresee what was coming and now the Commission would change its tone towards Turkey in its 2018 report.

On April 17 2018, the European Commission released its 2018 Turkey Progress Report, a report that is, so far, the most critical one on Turkey's Progress. Although it is stated that Turkey remains an important strategic partner to the EU and the dialogues regarding territorial security and refugee crises are to be continued, the Commission strongly emphasized its concerns over what has happened since the declaration of state of emergency in Turkey.

'...Since the introduction of the state of emergency, over 150 000 people were taken into custody, 78 000 were arrested and over 110 000 civil servants were dismissed whilst, according to the authorities, some 40 000 were reinstated of which some 3 600 by decree. [...] The Turkish legal framework includes general guarantees of respect for human and fundamental rights, which have however been further challenged and undermined by a number of emergency decrees. The serious backsliding on the freedom of expression continued, [...] criminal cases against journalists – more than 150 of them remain detained – human rights defenders, writers, or social media users, withdrawal of press cards, as well as the closure of numerous media outlets or the appointment by the government of trustees to administer them, are of serious concern and are mostly based on selective and arbitrary application of the law, especially provisions on national security and the fight against terrorism. The Internet Law and the general legal framework continue to enable the executive to block online content without a court order on an inappropriately wide range of grounds. There was also serious backsliding in the areas of freedom of assembly, freedom of

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<sup>59</sup> Kemal Göktaş, (2015) *Cumhuriyet Gazetesi*, "MİT araçları cihatçılara çalışıyor", [http://www.cumhuriyet.com.tr/haber/yazi\\_dizileri/388855/MiT\\_aracлари\\_cihatçılara\\_calisiyor.html](http://www.cumhuriyet.com.tr/haber/yazi_dizileri/388855/MiT_aracлари_cihatçılara_calisiyor.html)

<sup>60</sup>European Commission, Turkey 2013 Progress Report, [https://ec.europa.eu/neighbourhood-enlargement/sites/near/files/pdf/key\\_documents/2013/package/tr\\_rapport\\_2013\\_en.pdf](https://ec.europa.eu/neighbourhood-enlargement/sites/near/files/pdf/key_documents/2013/package/tr_rapport_2013_en.pdf)

association, procedural and property rights. Freedom of assembly continues to be overly restricted, in law and practice. Measures adopted under the state of emergency also removed crucial safeguards protecting detainees from abuse thereby augmenting the risk of impunity, in a context where allegations of ill-treatment and torture have increased.’<sup>61</sup>

In recent years Turkey has been criticized mostly on the issue of human rights, and democracy. In the 2018 Report, we see that the Commission raised her tone of criticism and touched upon every problematic area of concern; from the situation in the Southeast, where there have been reportedly many human rights violations happened and where there is an ongoing fight against terrorism, to the state of emergency and backslide in the functioning of the judiciary.

Especially after the attempted military coup, the EU and the MS leaders have criticized and condemned Turkey for human rights violations, discussing the possibility of bringing back the death penalty, purging thousands of people including public employees, academics, judicial authorities, journalists and even NGO representatives, Amnesty International being one of those NGOs. While the purging has been condemned by the international community as ‘witch hunt’ and as a tool for shutting down opposition, the reasons for such purging and imprisonment have been said to root from terrorist activities, or involvement in terrorist organizations, such as the Gulen movement.<sup>62</sup>

Journalist and legal expert Özgür Mumcu criticizes Europe for not taking the violations of human right in Turkey just a few years back. In an interview he gave to Deutsche Welle Turkey in 2016, he says ‘Europe was late to realize the suppression of freedoms in Turkey. Although the reasons are open to discussion, years ago when the government and the Gulen Movements were allies, we told Europe the freedoms were under threat and they treated us like were spoiled, nonsense-talking kids. It seems like at the moment they also have come to the realization of the situation, yet where we are at is almost the end.’<sup>63</sup>

With freedom of speech under threat, social media and private life monitoring in action, and reported torture allegations within police custody Turkey has never received such harsh criticisms from the rest of the world, especially from the EU. However, while condemning Turkey, the EU refrains from opening the Chapter 23 Judiciary and Fundamental Rights, and Chapter 24 Justice, Freedom and Security. These chapters are among the six chapters that have been unilaterally blocked by Southern Cyprus<sup>64</sup>, but if the EU is sincere in its concerns over human rights and democracy values, the values which the EU promotes as ‘European values’, then it should take the necessary initiatives and open these chapters to give Turkey a stronger push, and to prove the EU is playing all its cards in order to support the survival and protection of these values, abiding by its democratization conditionality.

## 5. CONCLUSION

We started out by asking ourselves: ‘How can the democratization conditionality be failing, and how can the failure be explained?’ In light of what has been touched upon so far, one argument could be that the democratization conditionality fails because the EU itself is not following its principles, that the EU acts rationally for their interests but not for the sake of the norms and principles. A second argument could be that the EU may simply not be attractive to Turkey, and other countries where we can argue the existence of failing conditionality, and the conditionality principle is undermined by the loss of attraction to the EU. Lastly, in the case of Turkey, it could be argued that the EU contribute to the failing conditionality in Turkey by not talking at the right moment and not asking for more,

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<sup>61</sup> European Commission, Turkey 2018 Report, <https://ec.europa.eu/neighbourhood-enlargement/sites/near/files/20180417-turkey-report.pdf>.

<sup>62</sup> CNN, Judith Vonberg, Lauren Said-Moorhouse and Kara Fox, (2017), “47,155 arrests: Turkey's post-coup crackdown by the numbers”, <http://edition.cnn.com/2017/04/14/europe/turkey-failed-coup-arrests-detained/index.html>.

<sup>63</sup> Değer Akal, (28.11.2016) Mumcu: Batı, her şey bittiğinde fark etti, *Deutsche Welle Türkçe*, <http://www.dw.com/tr/mumcu-bat%C4%B1-her-%C5%9Fey-bitti%C4%9Finde-fark-etti/a-36563330>

<sup>64</sup> Republic of Turkey Ministry for EU Affairs, (2017) Current Situation, [https://www.ab.gov.tr/65\\_en.html](https://www.ab.gov.tr/65_en.html).

playing a means to end for the government to achieve constitutionalism as discussed by Meltem Müftüleri-Bac.

In the analytical chapter, we were introduced to the EU-Turkey relations throughout the years with a focus on the last 8 years of accession. There are some Member States that are very influential when it comes to Turkey's accession; mainly Germany and France. Tensions and good relations with these countries and their governments have directly or indirectly been shaping Turkey's position within the EU and the accession dialogues. Hence, we first analyzed the attitudes of these countries towards Turkey and discussed whether the exchange of politics and political discourses of individual countries between Turkey on the one hand and the Member States on the other have hampered EU's conditionality to Turkey, and contributed to EU's losing its charm for Turkey.

We continued our analysis with some, what I call, deadlocks in Turkey-EU relations: Visa liberalization issue, double standards, and lack of consensus within the EU. Whereas Turkey is still waiting for visa liberalization, some countries (Argentina, Georgia, Malaysia, etc.) that are not as much of a crucial strategic partner as Turkey, and nor are they in acquis process, already travel to Europe visa-free. This creates frustration from Turkey's part and damages the EU credibility.

One of the main deadlocks for Turkey's accession is the Cyprus issue. Most of the acquis chapters either cannot be opened due to the lack of a solution on the issue or cannot be closed for the same reason, resulting in an even slower accession process.<sup>65</sup> To comply with the Copenhagen criteria, it is logical that in order for Turkey to enter the EU, it has to solve the ongoing conflict in the region. What makes the situation treated with double standards is that the EU requires Turkey to solve the Cyprus Issue, yet Cyprus, the other actor in the conflict, entered the EU in the existence of the same problem. As a result, Turkey might question to what extent the conditionality is normative of the EU, hence damage the trust, and sincerity of intentions.

Lastly, on the EU's part, we gave a critical analysis of the EU not opening the Chapters 23 Judiciary and Fundamental Rights, and Chapter 24 Justice, Freedom, and Security yet. Turkey has never been further away from the EU than it is at the moment, because of the severity of human rights, and rule of law violations as well as anti-democratic practices we see in the last few years of the AKP government. Chapter 23 and 24 could pressure the government to comply with these values and diminish the amount, and severity of violations. In addition to that, the EU could actually prove that when it comes to promoting human rights and democracy in Turkey, it does everything it can to support those under violations, and those who fear that the country would grow more authoritarian.

In the last part of the analytical chapter we focused on the recent years in Turkish politics, discussed whether it has blocked the democratization process, and if so, how? Since the democratization conditionality can only be effective as long as the political and social dynamics, and features of the candidate country allow it to be, it is important for this thesis to analyze these dynamics in Turkey. In recent years there have been some disruptions in the country, such as; protests against the government, corruption scandals, and a military coup attempt, which either were results of lack of freedoms, and democracy and corruption, or resulted in violations of human rights and anti-democratic practices. Either way, these disruptions were all threatening to the AKP government and its hegemony, which resulted in an authoritarian regime, where the media is under strict control, the separation of powers is damaged, freedom of speech and right to assembly is hard to practice. In other words, Turkey, who is still subjected to the democratization conditionality of the EU as a candidate country, is moving further away from the possibility of EU membership. In this case, the conditionality has not been achieved, and may have had a reverse effect on Turkey.

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<sup>65</sup> Republic of Turkey Ministry for EU Affairs, Directorate for Accession Policy, (2017) Current Situation, [https://www.ab.gov.tr/current-situation\\_65\\_en.html](https://www.ab.gov.tr/current-situation_65_en.html)

Compared to its first years of acquis, Turkey is shifting away both from its commitment to the democratization conditionality, and from its membership dreams. There are several reasons why the acquis has come to be so. As a candidate country, Turkey has never been fully embraced neither by the EU nor by the MSs, as it was either considered to be non-European, and more Middle-Eastern, a threat to the European values and culture as well as a potential power that would be among the top countries in the EU in terms of its population. While this was one of the reasons why the government, as well as the public opinion have had doubts of ever becoming good enough to be a part of the EU, political interests of the government have shifted in recent years as well. Against the critics and protests, corruption and attempted coup, it has become more important for the government to fight against opposition and stay in power. To do so, it has become more and more oppressive and aggressive, not only in terms of practices but also in terms of political discourse and language. Judiciary was now under the influence of the executive and it was the most used tool to silence opposition coming from the media, from the public, and from politicians. When survival became more important and it required the use of arbitrary power which contrasts to democratization conditionality, the Turkish government simply lost its attraction and desire to be democratic, as it was not going anywhere desired by the Turkish part in terms of membership anyways.

As it has been discussed, the application and success of democratization conditionality depend on crucial factors, namely the credibility, incentives, goals, and costs that come with the accession and membership both for the Union and the candidate/member State. When the costs of conditionality outweigh the goals and incentives, when the credibility is damaged and there is lack of trust, conditionality is doomed to fail. This is why it is failing in the Turkish case. Westernization, stronger market economy, visa liberalization, possibility of becoming a member of the Eurozone, and the idea of a more prosperous Turkey were the incentives and aims of Turkey to comply with the conditionality. However, the low speed of accession talks, the lack of consensus among the MSs and the estranged identity of Turkey in Europe, 'double standards' of the EU towards the country, etc. have damaged the EU's credibility. On the other hand, the political atmosphere of Turkey in recent years, such as the Corruption Scandal involving former ministers, the Gezi Park protests, and the military coup attempt in 2016 have played an important role in Turkish governments priorities. What is meant by that is the government was facing 'terrorism' and 'attempts to take down the government', so in order to secure the prosperity and peace at home, the requirements of conditionality, such as the rule of law, were to be disregarded. It was more important to provide Turkey with stability than to induce democratization conditionality, and after all the accession was not moving any further.

This is of course one interpretation of the reality of Turkey, but is for sure effective in the success/failure of the conditionality. However, neither Turkey, nor the EU should give up on each other as they both require each other's cooperation and partnership. We would like to see a less biased, and a more incentive, supportive EU for Turkey and a more promising, enthusiastic Turkey, complying with democratic values, for the EU. There is so much potential Turkey can have once there is democratic stability in the country, and the EU should remember why it started the accession of Turkey in the very beginning, and it should come up with useful solutions to improve the relations between two parts, instead of deconstructive criticism and alienating remarks towards Turkey. If EU is really consistent and candid with inducing democratization conditionality in Turkey, incentives such as visa liberalization should be worked on, the image the EU has in Turkey should be improved, the institutions, peoples and politicians that work for and promote democracy in the country should be supported. The Chapter 23 Judiciary and Fundamental Rights, and Chapter 24 Justice, Freedom and Security should be open as soon as possible.

Turkey, on the other hand, should first start with ending the state of emergency that has existed since the coup attempt on July 15, 2016. The concept of justice and the legislative power in the country have been losing their credibility and validity in the eyes of the public, violations of freedoms and rights divide the country more and more. The political tension between the government and the opposition rises, and it is reflected on the daily lives and daily interactions in the public sphere. Turkey

is more polarized than ever, and it can only be solved by guaranteeing the rule of law, political transparency and equal treatment to all.

This paper has tried to answer the question ‘is Turkey an example of the EU’s failing conditionality?’ in order to contribute to the academic discussions of EU conditionality and EU-Turkey relations. Whether one answers this question ‘yes’ or ‘no’, it is evident that both Turkey and the EU have failed to manage the *acquis* process, but that does not mean the relations are at a point where there is no hope. On the contrary, if the EU and Turkey survive this ‘broken’ or ‘damaged’ state of relations, it would bring the parts closer together and we can move on from where we left off with the *acquis*. A stronger Turkey means a stronger European Union. The EU depends on Turkey as much as Turkey depends on the EU when it comes to stability and peace in the region.

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