

TURKEY-EU RELATIONS AND DEMOCRACY IN TURKEY: PROBLEMS AND PROSPECTS

Turkey's integration with Europe is not a painless process. The reluctance of the important EU politicians to make concessions on central issues concerning the Turkish accession process is the basic problem. However, the Turkish government and people need to become more aware of the fact that in spite of all these difficulties, the Turkish accession process has been valuable as a lever for democratization in Turkey.

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The EU has been able to forge successful institutions, regulations and policies to promote democracy, particularly in the Central and Eastern European countries (CEECs), over the course of the last decade. The EU continues to play the role of “democratizer” in the Western Balkan states through the European democratic conditionality. Macedonia and Croatia have already been granted official candidate status, the latter having started accession negotiations with the EU.

Turkey, for a long time, has sought to be recognized as “European” by main European states. These attempts have become even more pronounced since it first applied for EU membership in 1987. However, since then, the EU has been reluctant to accept Turkey as a part of Europe. The EU did not admit Turkey’s application in 1989 on the grounds that Turkey was not yet ready for membership, both in political and economic terms. The 1999 Helsinki Summit however, proved to be the real turning point in the relationship. The EU offered clear membership prospects to Turkey on the condition that Turkey met the Copenhagen criteria.

Problems of Democracy in Turkey

Though Turkey made her transition to a multi-party democracy in 1950, democracy in Turkey has not been adequately consolidated. Turkey has a long history of both democratization and a series of democratic breakdowns. There are many problems concerning democracy and human rights in Turkey. Despite democratic progress since 2002, there is a long way to go in improving institutional and democratic structures in Turkey.

The military interventions, whether “soft” or not, distorted democracy in Turkey. In addition, the non-democratic, semi-authoritarian constitutional and legal characteristics of the Turkish polity, the non-institutionalized party system, a weak and non-democratic civil society are among the key problems that should be weeded out for a democratic and European Turkey.

Turkey-EU Relations and Turkish Democracy in the pre-Helsinki Period

When the EU did not accept Turkey’s membership application in 1987, the potential of the EU to function as an influential external actor in Turkey’s democratization dropped substantially. While the EU did not support Turkey to fulfill democratizing reforms, the Turkish governments also did or could not take the risk of eliminating the permanent problems standing in the way of Turkey’s integration with the EU, with the exception of some partial improvements.

The EU had been modestly influential in the realization of some democratizing amendments to the 1982 Constitution and legal codes during the Özal period. The EU's impact in this sense was largely restricted to the constitutional/legal dimensions of consolidation, and can be considered to be quite humble in scope. The reforms were not aimed at altering the basic character of the political regime. The political reforms that were implemented during the Özal period, including the removal of the ban against usage of Kurdish language and Article 141, 142 and 163, as well as the recognition of the competence of the European Commission of Human Rights to hear individual applications, the compulsory jurisdiction of the European Court of Human Rights, the accession to the European and United Nation Conventions to combat torture and inhuman behaviors, could be partially attributed to Özal's desire for EU membership.

Turkey-EU Relations, the post-Helsinki Period and Turkish Democracy

The Helsinki European Council, at which the EU decided to give a membership perspective to Turkey, could be regarded as an initial point for the EU in terms of its ability to exert leverage in Turkish democracy. The decisions reached in Helsinki were historic in the sense that the Turkish government started seriously to believe that Turkey would become an EU member if it met the Copenhagen political criteria.

The Turkish governments have since carried out various constitutional amendments as well as nine harmonization packages. Although the package of the constitutional amendments to the 1982 Constitution accepted in 2001 was modest by its very nature, it signaled a process by which comprehensive political changes would take place. The third harmonization package was an especially challenging one, because for the first time the Turkish state recognized the existence of Muslims whose mother language was not Turkish (i.e. Kurds) and granted them broadcasting rights in their native language. Furthermore, they were permitted to teach their languages in private schools.

The Turkish governments have implemented these reforms through many constitutional amendments and reform packages during the post-Helsinki period. Constitutional amendments adopted and implemented during this period include several laws, circulars and regulations while some of the political reforms can be listed as follows: the transformation of the National Security Council (NSC) into a civilian and advisory body and elimination of its executive powers; permission to examine all expenses of the military; the end of emergency rule in the South-East of the country; lifting of the ban on the teaching of non-Turkish ethnic languages including Kurdish and allowing public broadcasting in these languages; adoption of a new association law, civil code and a new press law;

abolition of the death penalty; the easing of purchase of tangible assets by non-Muslim communities and restrictions on the opening of places of worship; broadening the rights of demonstration; substantial improvements on elimination of torture and mistreatment; abolishment of the State Security Courts (SSCs); and retrial of the cases if they are found to be in dispute with rulings of the European Convention for Human Rights (ECHR).

When the Justice and Development Party (AK Party) started to govern the country, the speed of reforms accelerated significantly. A number of significant constitutional amendments as well as legal and administrative improvements have been carried out. The Turkish state has similarly participated in various international conventions of human rights and allowed for stronger international monitoring in this regard. Lastly, there is now a TV channel in Turkey that broadcasts in Kurdish.

Basic Problems in Turkey-EU Relations

Although Turkey was declared a candidate in 1999 and accession negotiations between Turkey and the EU started in 2005, the EU's policies towards Turkey's membership have been quite ambiguous. Although Turkey was in line for EU membership before the CEECs, Bulgaria and Romania (and even Croatia at present) have jumped ahead of Turkey in the queue for EU membership. It seems that the EU is not in a hurry to accept Turkey's membership. This reluctance has diminished the EU's influence to make transformation of Turkey's political regime easier. The following points have also restricted the EU's influence on Turkey in the post-Helsinki period through the nourishing of anti-European sentiments and ideas on public levels and hence discouraged the pro-EU governing elites to fulfill bold political reforms in Turkey:

Turco-scepticism in Europe

Various European politicians have often mentioned cultural and religious factors to justify the exclusion of Turkey. The "Europeanness" of Turks has often come into question. A number of influential European leaders, including the German Chancellor, Angela Merkel, the Prime Minister of Austria, Wolfgang Schüssel, the leader of the conservative Christian Social Union in Germany, Edmund Stoiber, and the President of France, Nicholas Sarkozy, continue to openly oppose Turkey's EU membership. The Turkish people's normative, cultural and religious characteristics have frequently been cited as non-European particularly by Christian Democrats. Such rhetoric has stimulated anti-European feelings at both elite and public levels in Turkey and thus has made compliance with EU political conditions more difficult. These leaders have been arguing that Turkey-

EU relations should continue on a path that would not end in membership, but rather something that is from time to time referred to as ‘privileged partnership’.

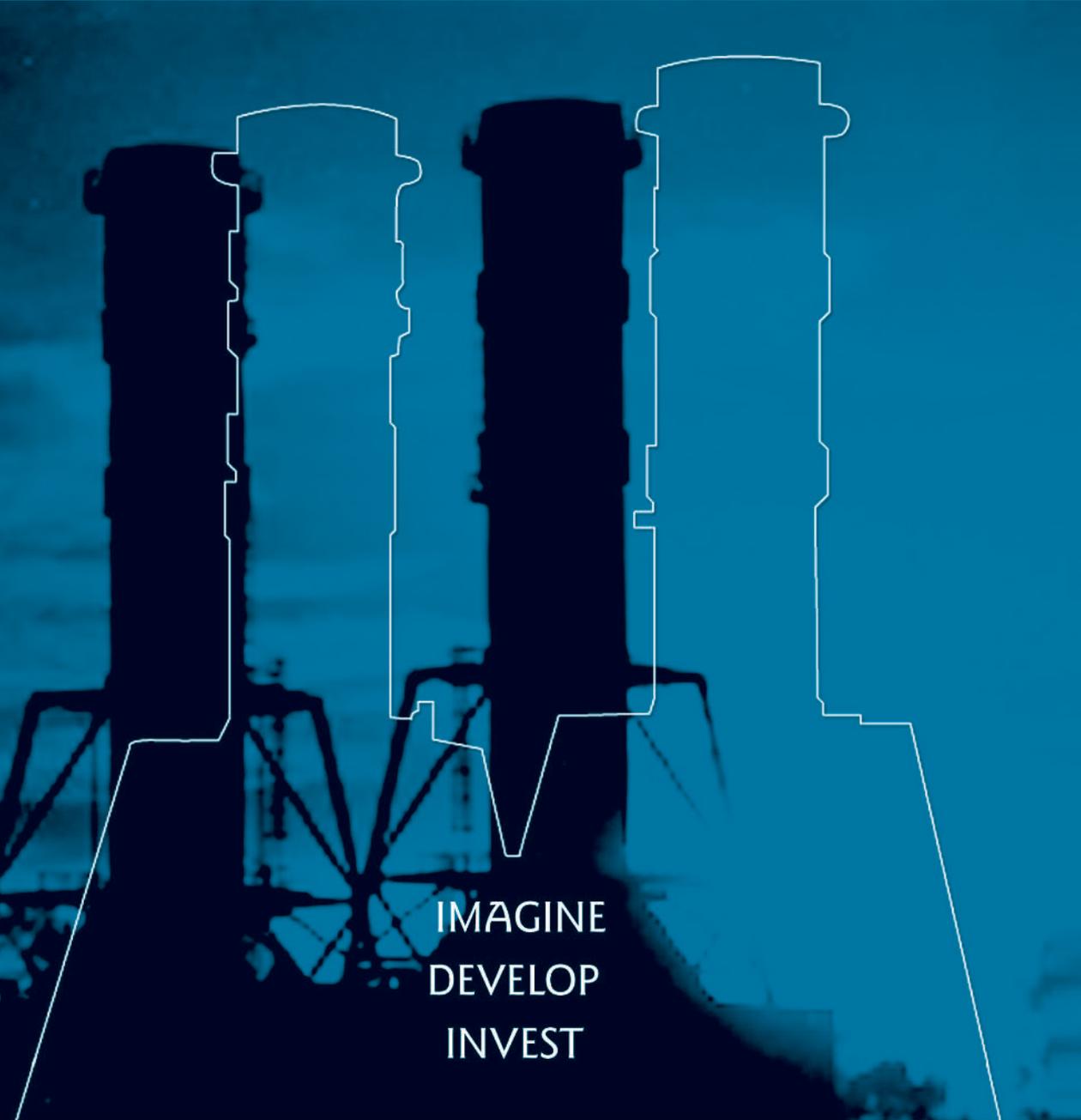
The EU should be an Honest-broker in the Cyprus Issue

The other important problem in the Turkey-EU relations is the EU’s direct involvement in the Cyprus problem. Cyprus-related problems have continued to loom as crises in the relationship. The EU has forged a direct connection between Turkey’s EU membership and the Cyprus problem. EU officials have declared on various occasions that unless this issue is settled, Turkey will not be allowed to join the Union. This perceived “pro-Greek” position of the EU is not fair and serves to further increase anti-European sentiment among the Turkish people.

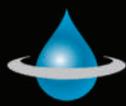
After the EU declared that negotiations with Turkey would begin in October 2005, it also introduced an additional protocol in June 2005 that asked Turkey to extend the 1963 Ankara Agreement, which is the basic agreement between Turkey and the Union, to the new ten EU members including “the Republic of Cyprus”. This in practice means opening Turkey’s harbors, airports and air spaces to Greek-Cyprus. The Turkish government, in order not to sever the EU process, signed the additional protocol, however, declared unilaterally that Turkey does not recognize the current Republic of Cyprus as the Republic that Turkish and Greek Cypriots established together in 1960. The EU, then, declared again on 21 September 2005 that it recognizes only one government in Cyprus and that Turkey should open its harbors and airports to “the Republic of Cyprus”.

Turkey argued that it would open its harbors, airports and airspace if the EU kept its promise to abolish all isolationist measures against the Turkish Cypriots. The EU had already accepted the “Direct Trade Regulation” and “Aid Regulation” on 26 April 2004, after the Turkish Cypriots had approved the Annan Plan in the referendum held on 24 April 2004. Although the EU leaders, after the referendum, accepted the abolishing of isolationist measures against the Turks on the island, Greece and Greek-Cyprus, after it became a member in March 2004, stalled the implementation of the regulations and the above-mentioned isolationist measures have continued up to the present time.

Since Turkey has not complied with the requirements of the additional protocol, the eight chapters related to the Customs Union are not opened. These chapters are: free movement of goods (chapter 3), right of establishment and freedom to provide service (chapter 9), financial services (chapter 11), agriculture and rural



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development (chapter 13), fisheries (chapter 14), transport policy (chapter 29), customs union and external relations (chapter 30). Thus, the Council decided in December 2006 to punish Turkey and Turkey's accession process has been partially suspended.

It would be very difficult for Turkey to open harbors and airports without abolition of the isolationist measures against Northern Cyprus. Thus, the Cyprus problem seems to have the potential of causing deterioration to the relationship. In this regard, the EU has not been an "honest broker" by allowing the Greek Cypriots to become an EU member without a political solution. This has made any possible solution more difficult. EU's pro-Greek attitude is not common when looking at the similar disputes between candidate and member states.

Therefore, increasing EU pressures will probably increase anti-European sentiments and decrease the popularity of the EU in Turkey. The Cyprus problem is influencing the speed of negotiations because the Greek Cypriots continue to hinder the opening of further chapters in the accession negotiations between Turkey and the EU.

The EU Should Pay More Attention to the Problems of Conservative People in Turkey

The EU has not sufficiently helped to create a favorable atmosphere in providing more freedoms for conservative Turkish people, on issues such as the headscarf and/or educational matters. These "pressures" on conservative Turkish people have not been mentioned in the progress reports, the Accession Partnership document or other EU documents. The EU did not even criticize the February 28th process, which is clearly anti-democratic in nature. This "double standard" of the Union should end.

Conclusion

Turkey's integration with Europe is not a painless process. The reluctance of the important EU politicians to make concessions on central issues concerning the Turkish accession process is the basic problem. Former Turkish president Turgut Özal stated when he applied for membership in 1987 that Turkey's accession process is "a long and narrow path surrounded by various problems." However, the Turkish government and people need to become more aware of the fact that in spite of all these difficulties, the Turkish accession process has been valuable as a lever for democratization in Turkey. The accession process, in particular since the historic Helsinki Summit, has exerted constructive influence on the development of Turkish democracy. It is clear that the Turkish governments

could not have carried out a range of significant political reforms in Turkey if the EU factor had not been present.

Furthermore, the opposition of certain dominant EU politicians with regard to Turkey's EU membership bid could be offset by a surge of democratization in Turkey. If Turkey could realize a genuine democratic transformation, EU leaders would be forced to drop the excuse of Turkey's undemocratic nature that they use to exclude Turkey.