THE EU–TURKEY STALEMATE

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DETECTING THE ROOT CAUSES OF THE DYSFUNCTIONAL RELATIONSHIP



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- Accepting Turkey's EU candidacy in 1999, with strong emphasis on the 'open- ended' nature regarding the result, was an uneasy compromise reached between those opposing and those supporting full membership among the EU members.
- Through its conditionality towards Turkey, the EU has expected structural reform and democratization without wholly committing to full membership for the country.
- The AKP government, which was supposed to push through the EU reforms, has used the reforms instrumentally and represents the anti-Western political Islamist movement with no European vocation.
- Both parties are guilty of the 'politics of pretending' in the EU negotiations, resulting in a dysfunctional relationship, now crucially exposed in the context of the refugee deal and Turkey's failed coup attempt.
- The time has come for the difficult task of re-evaluating the strained Turkey-EU relationship, with three main options at hand, each having their own shortcomings: ending the negotiations altogether; continuing with the current dysfunctional model; or seriously pushing for a 'special partnership' in one form or another.

Introduction

In many ways, the European Union's relationship with Turkey has entered its most difficult period ever, characterized by a profound mutual distrust and even animosity. What was once thought to be the climax of Turkey's decades-long attempt to become part of Europe, has transformed into an unconstructive political deadlock, where Turkey's EU membership negotiations seem to jeopardize rather than consolidate all cooperation between the two actors.

This paper will analyze the increasingly strained EU-Turkey relationship by concentrating on three key themes: How to best define the EU's position on Turkey's EU accession process as it has developed from 1999 to the present? What are the main characteristics of the current Turkish regime? Regarding the nature of the current Turkish regime, how should the EU define its relationship with Turkey in the foreseeable future?

EU enlargement and Turkey

After having embarked on a radical modernization and Westernization project with the establishment of a secular republic in 1923, Turkey was further drawn into the Western camp during the Cold War, especially by joining NATO in 1952. More specifically in terms of European integration, Turkey and the then EEC signed the so-called Ankara Agreement in 1963, aiming towards the accession of Turkey to the European Economic Community. By the end of the 1990s, as the existing EU member states engaged in hard bargaining regarding the Eastern Enlargement, which eventually took place in 2004, Turkey also finally acquired its official EU candidate status, thus allegedly accepting not only the rights but also the obligations that this status explicitly requires.

In order to understand the EU's side in the increasingly thorny Turkey accession process, one needs to look at the arguments supporting and opposing Turkey's membership at the time of the crucial decision in the 1999 Helsinki European Council, when Turkey was granted official candidate status. First of all, within the EU member states, a new understanding had emerged regarding the geopolitical context of the EU. Increasingly, countries that had until recently opposed Turkey's candidacy, such as Greece and Germany, became more favourably disposed and started to see Turkey's EU membership as a solution to the Cyprus question, while in Germany in particular, the Social Democrats and Green Party disregarded religious and cultural factors often used as an argument against Turkey's bid, emphasizing economic and political reforms as the relevant accession criteria instead.[1]

On the other hand, the argument according to which Turkey should not become a member remained a significant factor among German conservatives. This German discussion was also observable in many other key member states, such as France and the Netherlands. In contrast, member states like Great Britain and the Scandinavian countries often perceived Turkey as an expanding market area and trading partner, as well as a potential bridge between Europe and the Islamic Middle East, especially as there seemed to be a prospect of a future Turkey which, due to its liberalizing economy and democratizing political system, would be able to function as a role model for the rest of the Middle East.

It was with these highly contradictory hopes, concerns and expectations that Turkey was granted its candidacy in 1999. What must be underscored is that the candidate status was a compromise reached between these various positions, and that the 'open-ended' nature of Turkey's negotiations was also written into all official documents. Accordingly, Turkey's full membership required not only painstakingly fulfilling all the official criteria but was also conditional upon the EU's accession capability. After acquiring official candidacy, Turkey's quarrelling coalition government, composed of centre-right conservatives (ANAP), social democrats (DSP), and far-right nationalists, (MHP) embarked on the first EU reform package in 2001–2002, which was then continued by the Justice and Development Party (*Adalet ve Kalkınma Partisi*) from 2002 onwards.

As there was evidence in 2002–2005 of Turkey's democratization through the EU's conditionality, the Union decided to open official membership negotiations with the country in 2005. However,

1 For this discussion, see Atila Eralp (2009), "The Role of Temporality and Interaction in the Turkey-EU Relationship", *New Perspectives on Turkey*, no. 40, pp. 149–170.

many member states retained their very significant reservations about full membership, and when the reform momentum clearly slowed down after 2006, those countries, such as Austria, Cyprus and France, that had harboured the biggest reservations from the very beginning, were seemingly unwilling to further the negotiations. During this process, the same arguments, ranging from the anxiety shown by European conservatives and Christian democrats regarding Turkey's religious and cultural differences, to the concerns among the European Left regarding the protection of minorities and women in Turkey, all the way to the argument that Turkey was simply too big and poor, influenced the stance of both the European public and political leaders on the issue. Diplomatic cadres in many European countries responded to this by emphasizing that, irrespective of whether Turkey ever really became an EU member or not, the 'process itself' was important because it encouraged democratization, market liberalization and stability in the country.

Detecting the root causes of today's dysfunctional relationship (I): Half-hearted EU commitment and lack of a credible membership prospect

Immediately after Turkey had secured its official EU candidate status in the Helsinki European Council of 1999, it became evident that its case was to be like no other. That is, rather than the existing member states really starting to prepare for a new EU with a nearly 80 million strong Muslim-majority country, the debate concentrated on the question of whether Turkey could ever become a member. This discussion very much implied that it might easily be questioned even if Turkey at some future point managed to fulfill all the official membership criteria. Beneath this rather extraordinary situation lies a particular form of reasoning, one that is a sub-species of the argumentation that underscores the EU's alleged 'transformative power'.

Whereas the public at large in many EU countries concentrated on rather uninformed speculation about the – usually seen as unwanted – consequences of Turkey's membership, the foreign policy elites of the member states as well as the EU Commission officials together constituted an 'epistemic community' within which Turkey's EU candidate status and, from 2005 onwards, official membership negotiations, were justified as a means of encouraging democratic reform and market liberalization, without finalizing these negotiations with full membership.[2]

In this sense, Turkey *de facto* has held a position halfway between the official applicant countries and those states that the EU tried to include in its own extended neighbourhood through the mechanism of the European Neighbourhood Policy (ENP). In this dual system, the countries without an EU membership prospect – from Morocco to Egypt – were given inducement for political and economic reform other than EU membership. On the surface, Turkey was in a very different category as an official EU candidate with a prospect of full membership.

It has been widely argued that the prospect of full membership was a key element securing democratic and economic reform in the post-Soviet states of Central and Eastern Europe, and that this same method was effective in pushing significant democratic reforms in Turkey as well.[3] Turkey, however, was never likely to follow their road. Turkey's case was particular and herein lie the seeds of policy failure when the issue is looked at from the EU's perspective: there was never a true and credible commitment on the EU's side and this was recognized early on by the Turkish side. Thus, although Turkey was officially a candidate for full membership, in reality its position has been much more similar to the countries within the neighbourhood policy, where structural reform is expected to take place without any promise of EU membership.

2 For the continuing reproduction of this argumentation, see Rem Korteweg, "Storm in a Turkish Tea Cup", Centre for European Reform, 16 June 2016, http://www.cer.org.uk/insights/storm-turkish-tea-cup, accessed 29 August 2016.

3 This is how one author put it in 2006: "As the Turkish case reveals, the enlargement process (or just the promise of it) is a much more effective co-operation process through which to export EU norms". Stefania Panebianco (2006), "The constraints on EU as a 'norm exporter' in the Mediterranean", in *The European Union's Roles in International Politics: Concepts and Analysis*, edited by Ole Elgström and Michael Smith, London, Routledge, p. 137.

Detecting the root causes of today's dysfunctional relationship (II): Turkey under the AKP has no European vocation

This EU approach would probably have been problematic even in a situation where Turkey was ruled by a genuinely European-oriented centre-right/centre-left coalition representing the emerging middle classes and Turkey's booming business elites. But it has become a disaster at a time when Turkey has been ruled by an anti-Western Islamist party that has embarked on a project of state transformation completely at odds with what the EU is representing. In a bitter way, the March 2016 refugee deal and the spiral of mutual animosity after Turkey's failed coup attempt suddenly exposed all that is wrong with the current approach.

Many analysts have referred to the first ten years of AKP rule in Turkey as a 'silent revolution', indicating that the culturally conservative Anatolian middle class emerged as the driving force in Turkey from 2002 to 2012. However, one can argue that from the 2010 constitutional amendments onwards, the positively framed 'silent revolution' has been replaced by a radical and ideological state transformation project that has re-created the authoritarian state in a form never seen before. With the army occupying decision-making powers through its constitutional prerogatives and the official state ideology restricting freedom of expression, Turkey was never a liberal democracy before the AKP era. However, in terms of foreign policy behaviour and overall patterns of cultural and ideological orientation, Turkey was firmly in the Western camp.

Now, with the Islamist AKP, Turkey is neither liberal-democracy nor ideologically Western-oriented. It is instead a revisionist state (that is, strongly criticizing the post-World War I status quo in the Middle East) promoting anti-Western, pan-Islamist cause where the basic rights of citizens are constantly and severely repressed. While American and European political leaders have stubbornly supported the AKP regime in Turkey – with the assumption that it represents 'Muslim democracy' – Bernard Lewis, Professor Emeritus of Near East Studies at Princeton (and often pejoratively described as an old-school 'orientalist', namely somebody allegedly reproducing an unchanged Middle East where Islam is always the defining element), painted a much more realistic picture of Turkey under the AKP as early as 2011:

"In Turkey, the movement is getting more and more toward re-Islamization. The government has that as its intention—and it has been taking over, very skillfully, one part after another of Turkish society. The economy, the business community, the academic community, the media. And now they're taking over the judiciary, which in the past has been the stronghold of the republican regime."[4]

Preceding Lewis, back in 2009, Bassam Tibi – another well-informed scholar of the Islamic world who is also stigmatized as 'orientalist' – was well able to observe where Turkey was heading under the Islamist AKP:

"With reform and accommodation, Islam can be compatible with democracy, but Islamism cannot. In the world of Islam, Islamism aims at reversing the process of cultural modernization. Today, acculturation and secularization are reversed into re-traditionalization, de-acculturation, and de-secularization. The ongoing de-Westernization in Turkish society is clear."[5]

At the time they were written (2009 and 2011), these evaluations by two prominent experts were taken as unnecessarily alarmist expressions of an outdated orientalist approach to Turkey and the Middle East. However, there is very little doubt that they neatly synthesize the driving force of the AKP as a political movement. This reality should now be finally accepted, and the leaders in the EU member states should move forward to seriously contemplate how the EU should arrange its relationship with an authoritarian and Islamist Turkey. A question directly related to these very fundamental issues – how a country ruled by an anti-Western political Islamist regime can maintain its official EU membership negotiations for over a decade – was posed to EU diplomatic cadres over and over again during the previous five years. Within the above-mentioned discourse underscoring that the process

4 B. Weiss, "The Tyrannies are Doomed", *The Wall Street Journal*, 2 April 2011, http://www.wsj.com/articles/SB10001424052748703712504576234601480205330, accessed 29 August 2016.

5 B. Tibi (2009), "Islamists Approach Europe: Turkey's Islamist Danger", *The Middle East Quarterly*, Winter 2009, pp. 47–54, http://www.meforum.org/2047/islamists-approach-europe, accessed 29 August 2016.

was nevertheless important – which reflected the uneasy compromise of 1999 – this question was always resolutely ignored.

The characteristics of the current EU–Turkish stalemate – and the crucial questions left unanswered

The combination of an authoritarian anti-Western, Islamist Turkish regime maintaining its official EU candidate status, and an approach whereby the EU expects structural reform induced by a membership perspective which, in reality, lacks credibility, can be defined as the 'politics of pretending'. From the EU's viewpoint, the worst outcome of this failed policy has clearly been seen in the context of the EU-Turkey refugee deal, during which an authoritarian Islamist regime was allowed to bring Turkey's visa-free entry to the EU's Schengen area and EU negotiations to the table at a time when basic freedoms and rights have been gravely suppressed, the rule of law crushed, and the independence of the judiciary dissolved.[6] After this, one should duly admit that dragging out the artificial membership negotiations, and at the same time repeating the policy according to which the 'process itself is important', can no longer be an option.

Having said that, there are signs that this counter-productive approach will also continue in the future. Due to successful enlargement to southern Europe during the 1980s and then to central and eastern Europe in the 2000s – with both cases securing democratization and strengthening the rule of law principles in the applicant countries – belief in the EU's transformative power is still strong and in many respects forms part of the collective psyche among the EU institutions. This has the tendency to perpetuate the accession negotiations with Turkey, almost irrespective of their negative consequences. On the other hand, the political Islamist regime in Turkey – although essentially opposing Turkey's Westernization – has no real desire to end the negotiations either. They serve certain purposes, such as keeping domestic and foreign investors on board, and by giving Turkey a considerable amount of leverage in international arenas.

Nothing good, however, is expected from the continuation of the present unconstructive *status quo* in EU-Turkish ties. One could argue that the never-ending membership negotiations have become an obstacle to workable cooperation. This became evident during the refugee deal, as the unnecessary mixing of EU negotiations with the handling of the refugee deal has created a poisonous spiral of mutual suspicion. Thus, after the souring of the relationship, one could hope that some of the most essential questions will finally be addressed: what is the nature of the European integration project in its post-Lisbon phase; what is the rationale for continuing membership negotiations with a regime that explicitly rejects the idea of Turkey's European/Western identity; how could it be possible – even in theory – for the EU to accommodate a country engaged in a long-term authoritarian Islamic-conservative state transformation project; why should the EU maintain the façade of Turkish full membership in a context where several key member states (France, Germany, the Netherlands, and Austria) are highly unlikely to ever accept it?

As some key studies on the subject have clearly demonstrated, Turkey has never been comparable to other applicant countries.[7] In this sense, it is highly questionable to argue that the same process of democratic consolidation and 'Europeanization' induced by the membership prospects witnessed in other cases during the previous enlargement rounds would also occur in the Turkish case. Further, Turkey itself has taken an approach that is completely unique in comparison to other applicant countries. As observed by Chris Munford as early as 2002, Turkey has never accepted that its EU membership would mean the internalization of the EU's value-based approach and questions of collective identity. For Turkey, the EU is still the free-trade area of the 1980s, rather than the political union of

6 "EU-Turkey Agreement: Questions and Answers", European Commission Press Release Database, Brussels, 19 March 2016, http://europa.eu/rapid/press-release_MEMO-16-963_en.htm, accessed 29 August 2016.

7 See, for example, Nathalie Tocci (2007), "Unpacking European Discourses: Conditionality, Impact and Prejudice in EU-Turkey Relations", in *Conditionality, Impact and Prejudice in EU-Turkey Relations*, edited by Nathalie Tocci, Instituto Affari Internazionali, July 2007, pp. 7–32.

the 2000s.[8] This was the case even before the AKP came to power, but the uncompromising attitude against acceptance of norms and values has gained an altogether different meaning as the AKP has pushed Islamic identity politics to the very core of Turkey's state identity. If, for the Kemalists, the EU was a threat to the nationalist state ideology, for the AKP Islamists the EU is a Christian club functioning as the 'Other' of the 'new Turkey' that defines its national identity through the concept of a universal Muslim community (*umma*).

Conclusion – The difficulty in contemplating a more constructive base for the EU–Turkey relationship

With each passing day, it becomes increasingly difficult to come up with convincing arguments as to why the EU should continue its current, highly unconstructive approach to Turkey. But it seems that it is just as difficult to define what, exactly, the recommended alternative should be. The increasingly difficult EU–Turkey relationship became even more complicated after the failed coup attempt that took place in Turkey on the night of 15 July. The AKP government is convinced – with not unfounded arguments – that the coup plotters were part of the Gülen movement, an influential Islamic brotherhood which, for almost a decade, functioned as the AKP's crucial civil society partner in shaping a new Islamic-Conservative Turkish state identity. As the crackdown on the alleged coup perpetrators has morphed into a massive purge of critical journalists and academics, the EU and the USA have both expressed their severe anxiety regarding the rule of law and civil liberties in the country, especially after the Turkish government declared a three-month State of Emergency that gives the authorities wide-scale competences to limit basic civil rights.

This external criticism is taken by the AKP regime as an indication of the West's half-hearted condemnation of the coup, while more antagonizing circles within the Turkish Islamist ruling block directly accuse the USA of organizing the coup itself.[9] In these circumstances, it is increasingly difficult to avoid the conclusion that both Turkey–US and Turkey–EU relations are on a dangerous course of perpetual mutual antipathy. In this situation, the whole EU–Turkey relationship is reduced to 'factory settings', to very foundational questions of meaning and the 'horizon of expectations'. For decades, there has been a widespread argument according to which no matter what happens, and no matter how far Turkey moves away from any genuine European vocation, the membership process must be kept alive due to its symbolic meaning as a guiding light towards which Turkey's progressive democratic forces can reach out in the middle of the threatening darkness. There is no doubt that this is still – in many ways – a powerful argument. However, there is also no escaping the conclusion that an increasing number of European political leaders see the membership negotiations as the 'politics of pretending', where the process is kept alive only because nobody wants to take responsibility for finally bringing it to an end.[10]

What has been overlooked in most European analyses of Turkey is that there is a constant struggle over the state in the country. Thus, whenever a political party becomes powerful enough, it attempts to staff all state institutions with its loyal supporters. The state is not 'ours' in that sense – it is 'mine' because then it cannot be 'yours'. This is the project that the AKP tried to accomplish by engaging in EU reforms in 2002–2008. It purged the secularist forces from the state institutions, and replaced them with its own members as well as those of the Gülen movement, who then started their own fight over state ownership. These battles rage on, and the AKP's Islamic-conservative project (which is now by far the most successful contender) requires

8 See Chris Mumford (2002), *The European Union: A Political Sociology*, Blackwell, Oxford, p. 241: "The EU's frustrations with Turkey as both a candidate and a prospective member stem from Turkey's inability to grasp the nature and importance of EU-style human rights and respect for minorities."

9 See, for example, the news stories recently published in pro-government newspapers: "FETÖ'nün darbe girişiminde CIA'nın rolü deşifre oldu", Yeni Şafak, 18 July 2016, http://www.yenisafak.com/dunya/fetonun-darbe-girisiminde-cianin-rolu-desifre-oldu-2495712, accessed 29 August 2016.

10 For this discussion, see Laurence Norman, "In Europe, Some Contemplate a New Kind of Relationship with Turkey", *Wall Street Journal*, 4 August 2016, http://www.wsj.com/articles/in-europe-some-contemplate-a-new-kind-of-relationship-with-turkey-1470345981?mod=djemalertEuropenews, accessed 29 August 2016.

authoritarian methods. The EU should now decide how to respond to this situation – it is thus very doubtful that the EU membership negotiations are the best way to arrange relations with contemporary Turkey.

In this situation it would be wise for the EU countries to honestly scrutinize the consequences of the uneasy compromise reached in 1999. There is a need for a re-evaluation, and there seem to be three alternatives: for the first time ever in the EU's history, calling a complete halt to a country's membership negotiations; continuing with the current dysfunctional model, hoping that a better future will somehow emerge; concentrating on building a 'special partnership' in one form or another.

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