

THE EU NORMATIVE POLICY TOWARDS THIRD STATES: TURKEY AS A CASE STUDY

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ABSTRACT

Since 1980s, promotion of principles of democracy has been a main element of the EU's external policy in dealing with third countries. This research analyses the EU's external policy regarding the support of democratic and human rights principles, as well as it explores the extent to which the EU is considered to be a promoter of normative principles towards 'third countries' in general and Turkey in particular. It attempts to provide an academic answer to the question of 'To what extent does EU foreign policy have an impact upon the promotion of democracy and human rights in Turkey? It argues that the EU has used the conditionality approach and Copenhagen Criteria as the basis for exerting impact on the Turkish reform process in guaranteeing democracy, human rights and fundamental freedoms in line with the EU standards. It concludes that despite the fact that the EU could have used more effective measures in order to produce a better outcome with respect to the Turkish reform process; the EU has played an important role in stimulating political and legal changes in Turkey since 1999.

KEYWORDS: European Union, Turkey, Foreign Policy,, Normative Power, Promoter of Democracy and Human Rights

INTRODUCTION

This research is an attempt to examine the European Union's (EU) foreign policy regarding the promotion of normative principles, such as democracy and human rights principles, as well as to explore the extent to which the EU is considered to be a normative power or a promoter of normative principles towards the 'third countries' in general, and Turkey in particular. In light of this, the issue of the EU's foreign policy in promoting democracy, human rights and normative values in Turkey will be examined as a case study. Since the early 1990s, the argument that the EU is a 'normative power' or a 'civilising power' seeking to promote democracy and universal norms has gained a considerable attention, and much literature from various perspectives have been presented on this issue.

It has been determined that the EU has sought to disseminate its main norms internationally. Advancement of principles of democracy has regarded as the cornerstone of the EU's external policy. Indeed, it is a primary requirement in order for new members to become full members of the EU (Wetzels, 2011), and it has been introduced

into most external trade and aid agreements (Lavenex and Schimmelfennig, 2011). The relationship between Turkey and the EU has developed through a long history of mutual interests and objectives. Since the outset of the formation of the EU, Turkey has made efforts to join the EU's various political, military and economic organisations, and has repeatedly applied to become a member of the EU, but has so far been unsuccessful.

This research is specifically confined to the period from 1999 to 2009. This is because the Helsinki Process of 1999 triggered a new development in EU-Turkey relations: the outcome of the Helsinki Summit was that, on the basis of the 1993 Copenhagen criteria, Turkey became a candidate for EU membership. In addition, it is a commonly held view that the Helsinki decision was the cause of impressive packages of legal and constitutional reforms in Turkey, which were carried out in particular from 2001-2005, a time which has been described as a golden period in Turkey's reforming process (Hale, 2011). Thus, this is often considered to be a genuine turning point in the EU-Turkey relationship, which signalled a shift in the EU's approach towards

Turkey: from passive to active leverage (Ozbudun and Genckaya, 2009). Nonetheless, the EU-Turkey relations have faced various stumbling blocks which have frustrated Turkey's ambitions: not only its poor democracy and human rights record (Yildiz and Muller, 2008), but other reasons, such as economic and cultural matters.

This research will examine whether Turkey actually did make substantial changes towards meeting the EU requirements, and whether or not the Turkish reforms took place because of the EU's pressure and influential policies. The aim is to address the question to what extent the EU has influence upon the progress of normative principles in Turkey. Was the process of Turkish full membership triggered by the EU requirements? Or were the internal improvements in Turkey influenced by domestic factors and supported by external criteria? And can the EU be considered as a real proponent of normative principles?

Following this introduction, this research will first analyse the EU as a normative power in general: providing different normative perspectives on the European external identity; discussing the EU's enlargement policy, the motivations behind it and its conditional premise; discussing the EU's instruments of democracy and human rights promotion; and finally analysing the driving factors of the EU policy, namely whether it is driven by a value-based approach or a strategic interests-based one.

It then examines the EU's foreign policy and its impact upon the promotion of normative norms in Turkey. First of all, there will be discussion of EU-Turkey relations in general, particularly following the Helsinki Process of 1999. There will also be an analysis of the Turkish political, legal and constitutional reforms, focusing in particular on the issues of the revocation of the death punishment, freedom of expression, minorities' rights and the role of the military in civil life, as well as an analysis of the factors lying behind these reforms.

1. THE EU AS A NORMATIVE POWER: A THEORETICAL PERSPECTIVE

This section is a theoretical perspective of the EU as a normative power. It examines to what extent the EU is a real promoter of democracy and human rights protection or whether it acts as a normative power when implementing its various policies in the international arena. In doing so, it will be divided into three parts. The first part will

be devoted to introducing the concept of the normative power and its criteria. The second part will then analyse the EU's enlargement policy as one of the most powerful tools in its external policies. The final part will explore the EU instruments from which it adopts its external policies and to what extent these methods fit into the normative power model. It will also examine the driving factors behind the EU external policies, whether based on self-interests or value-based.

The Notion of Normative Power

Linguistically, normative implies describing or establishing standards or rules of behaviour, or making people obey rules, especially rules of behaviour (Oxford Dictionary, 2006: 995). Normative power implies power which works through ideas and opinions, rather than being military or purely economic (Manners, 2002: 239). It takes a form of power that is idealistic rather than material or physical (Manners, 2012: 194). In addition, Aggestam (2008) argues that the idea of normative power is not based on the use of military force, but rather on the use of non-coercive normative forms of power in the promotion of international norms. Therefore, the distinctive feature of the notion of normative power is that it refers to the 'power over opinion' or 'ideological power' (Scheipers and Sicurelli, 2008: 609), or the ability to shape conceptions of 'normal' in international relations (Manners, 2002: 240).

Accordingly, normative power should primarily be seen as legitimate in terms of promoting principles; it should be perceived as credible in relation to the actions taken to promote such principles; it also must involve persuasion, argumentation and the conferral of prestige or shame; and it should essentially be perceived as a socializing force in terms of the impact of the actions taken to promote such principles (Manners, 2011). In this sense, the normative power of Europe means that the EU promotes a series of normative values such as democracy, human rights, freedom, sustainable peace, rule of law, good governance, etc. that are generally acknowledged, within the framework of the United Nations (UN) system, to be universally applicable (Manners, 2008). It also relies on normative approaches to diffuse these norms, rather than geographical expansion or military superiority (Diez, 2005: 613).

Based on the aforementioned arguments of the concept of normative power, it is widely agreed that the EU is a normative power and it is understood that the EU seeks to spread its core norms, such as human rights, democracy, and rule of law in international relations through practising this normative power (Scheipers and Sicurelli, 2008). The EU, as Manners (2002: 241) has argued, is “founded on and has as its foreign and development policy objectives the consolidation of democracy, rule of law, and respect for human rights and fundamental freedoms.” There are also other founding principles such as liberty, the centrality of peace, anti-discrimination, social solidarity, sustainable development and good governance which all comprise the *acquis communautaire* and *acquis politique*. He further states that the notion of the EU normative power suggests that not only is the EU constructed on a normative basis, but significantly, this enables it to function in a normative way internationally (2002: 252).

Furthermore, the EU considers itself as the most influential normative power in the world, and the principles of democracy and human rights have become a defining feature of its external policies since the late 1980s. Article 2 of The Treaty on European Union states:

The Union is founded on the values of respect for human dignity, freedom, democracy, equality, the rule of law and respect for human rights, including the rights of persons belonging to minorities. These values are common to the Member States in a society in which pluralism, non-discrimination, tolerance, justice, solidarity and equality between women and men prevail (Treaty on European Union, 2008).

The EU, moreover, has a duty to bring the same values to its external relations. Article 21 of The Treaty states:

The Union's performance on the international scene shall be guided by the principles which have inspired its own creation, development and enlargement, and which it seeks to improve in the wider world: democracy, the rule of law, the universality and indivisibility of human rights and fundamental freedoms, respect for human dignity, the principles of equality and solidarity, and respect for the principles of the United Nations Charter and international law (Treaty on European Union, 2008).

Lerch and Schweltnus argue that the EU, since the end of the Cold War, has seen a dynamic

development in respect of both its internal constitutional framework and its external promotion of human rights (2006: 304). Thus, the EU has clearly put the promotion and protection of liberal democracy, human rights, the democratic peace and multilateral collaboration as its primary purpose (Pace, 2007: 1045). The European Council (1997) reaffirmed that “respect for and the promotion and safeguard of human rights constitute an essential factor in international relations and one of the cornerstones of European co-operation and of relations between the European Union and third countries.”

Consequently, according to the EU, as the President of the EU Commission, Jose Manuel Barroso, argued, it is “one of the most important, if not the most important, normative powers in the world... It is in fact the EU that sets the standards for others much of the time.” (Bickerton, 2011: 28). Manners also states that “the EU has been, is, and always will be a normative power in world politics” (2008: 45). The reason for this is that the EU has a normative identity which emanates from the structure of its hybrid policy and its treaty-based legal order (Manners, 2002). This firm belief is the consequence of academic writing on the issue of the promotion of democracy and human rights as a security strategy since the violation of them threatens security and stability within, and between, countries (Smith, 2003: 98).

Nevertheless, this also reflects the belief, shared by the EU's Member States (MSs) and institutions, that the EU should advance these normative principles internationally to serve their own interests (Smith, 2003). Furthermore, the normative nature of the EU's structure does not necessarily mean that the EU always acts in a normative way, or that the norms it seeks to promote are necessarily or always compatible with its internal principles. For instance, apart from some significant achievements, such as the abolition of the death penalty, several practical studies tend to be pessimistic about the notion of normative power in Europe (Shen, 2011: 116).

Enlargement Policy: Motivations and Objective

The enlargement policy is one of the most significant and powerful methods in spreading prosperity, promoting normative principles, guaranteeing security, strategic and economic interests and shaping the post-cold war European order. Smith (2011: 300) has pointed out that the primary idea of this policy has been the diffusion of the EU's main principles in its neighbouring

countries. It refers to a programme designed in such a way that the applicant has to meet certain requirements in order to get accession.

During the preparation for the accession, the applicant's progress is to be monitored in light of certain strategies designed as an accession term. This process is carried with it the promise to provide a large amount of influence and institutional support in the candidate countries (Arıcan, 2006: 9). In its conclusions on the enlargement process, the European Council (2011) confirms the fact the main goal of this policy is to reinforce its norms. In light of this, it is widely believed that the spread of democracy principles has always been at the centre of the EU's agenda and the most significant prerequisites towards new membership (Ozbudun and Genckaya, 2009; Arıcan 2006; European Commission, 2010a). Moreover, to be a member of the EU, candidates must accept the European laws and comply with the Copenhagen Criteria regarding guaranteeing democratic norms and institutional stability (Council of the EU, 1993). As a result, the political requirements have had a definite impact on the candidate countries as the fundamental liberal principle of legitimate statehood constitutes the most significant prerequisite to entry into the EU (Schimmelfennig, 2006, p. 213).

However, to a certain extent, the security challenges, in particular following the Cold War, likewise played a considerable part of the EU's enlargement policy given that secure neighbourhood would provide more security inside the EU (Stewart, 2011: 67). The EU has further reaffirmed that one of the ultimate objectives of Normative Power in Europe is guaranteeing stability and security in and around the EU's frontiers (European Council, 2003). It cannot guarantee security if neighbouring countries increase instability and poverty (Haukkala, 2011, p. 47). In essence, the EU has often used a policy of enlargement as a tool to ensure stability and security in and around its borders.

Furthermore, the EU's strategic and economic interests were vital triggers behind the EU's enlargement policy given trade and economic cooperation with neighbouring countries is of benefit to the EU's MSs, European citizens and businesses (Council of the EU, 2011). It provides substantial financial gains, such as expansion of the EU's single market, growing trade gains, providing cheaper resources and cheaper but

experienced labour which have strengthened European competitiveness on the world market (Schimmelfennig, 2006; Arıcan, 2006). Subsequently, according to some academic scholars, the EU supported the switch procedures in the Central and Eastern Europe Countries (CEECs) because of its own geo-political and economic advantages, rather than a genuine attempt to bring democracy to others (Bickerton, 2012; Noutcheva, 2008).

Within the existing literature on EU external actions, two important strands of the literature on the EU have questioned the EU's influence and effectiveness vis-à-vis third countries. First, the literature on enlargement has demonstrated that the EU was effective in bringing CEECs to comply with the EU demands, largely because of the membership incentives and conditionality (Moravcsik and Vachudova, 2003; Vachudova, 2005; Schimmelfennig and Scholtz, 2008; Börzel, 2010). Second, the literature on external governance has acknowledged that mutual economic reliance between the EU and targeted countries, the internal factors of third countries and the existence of competing actors support or undermine the EU's ability to achieve its goals (Lavenex and Schimmelfennig, 2009; Dimitrova, and Dragneva, 2009; Langbein, 2011; 2013).

The EU's Foreign Policy: Instruments and Driving Factors

To be a normative power, a state must not only seek normative objectives when pursuing a foreign policy, but it must also achieve its goals through normative instruments such as economic and diplomatic means, in comparison to coercive measures (Tocci, 2008: 8). The EU, therefore, has adopted various methods in order to spread its principles and to pursue its foreign policy goals. The EU's construction of its normative power can be demonstrated through different tangible and intangible instruments in order to exert influence and hence achieve its objectives. These include political and economic rewards and punishments which take different forms. Positive methods (i.e. carrots), include financial assistance, granting inclusion within the General Preference System, trade concessions, reducing tariffs, providing aid, guaranteeing high level visits, continuing political dialogue, appointing special representatives, diplomatic recognition, sending election observers (Smith, 2003; Pace, 2007). For instance, the EU has widely used membership incentives towards CEECs (Moravcsik and Vachudova, 2003;

Vachudova, 2005) and trade preferences towards African and other developing countries as effective tools to bring these countries to comply with the EU demands (Grethea, Noltea and Tangermannb, 2005).

They also include negative methods (i.e. sticks), including imposing embargos or boycotts, suspending or denouncing agreement, increasing tariffs, or conducting declarations, imposing diplomatic sanctions, suspending official visits, restrictions on admission and imposing economic sanctions or other restrictive measures (Bretherton and Vogler, 2006; Kotzian, Knodt and Urdze, 2011). For example, economic and diplomatic sanctions have been widely used by the EU towards defiant countries, such as Libya, Iran, Zimbabwe and North Korea (Portela, 2010; 2014).

As a result, the EU's normative principles are diffused either through political, economic, social and diplomatic rewards and punishments or via mechanisms of the EU membership and thus acceptance of the EU's requirements (Storey, 2006: 332). In its policy towards third countries, the EU has widely used conditional policy. Policy conditionality entails the linkage of the EU benefits to third countries with changing behaviour on the part of the third countries concerning issues of concern to the EU. It might be positive; consisting promises benefits to a third country if the latter achieves the EU demands, or negative; involving suspension of benefits of the third country refuses the EU requirements (Smith, 2001: 189). The EU conditional policy has generally based on offering carrots rather than sticks and it rarely imposed punitive measures because of failure of the third country to meet its criteria (Schimmelfennig, 2007: 11; Schimmelfennig and Scholtz, 2008: 190; Youngs, 2001: 192).

Some writers have claimed that the EU's normative conditionality and leverage likely works more through reinforcement by rewards than coercive military instruments (Noutcheva, 2008). They also work because they are less likely to harm public and always act in favour of having and developing political channels with third parties (Tocci, 2008: 10). Moreover, The scholars on EU Europeanisation and EU governance have determined that the substantial incentive such as membership to CEECs has been very effective in promoting the alignment with EU rules, while the absence of such substantial incentive to other neighbouring countries has been the key factor

hindering the effectiveness of the EU (Sedelmeier, 2008: 806; Sedelmeier, 2006: 21; Anastasakis, 2008: 368; Schimmelfennig and Scholtz, 2008: 187; Börzel, 2010: 3).

The EU has confirmed that material incentives comprise the main focus of the EU's policy towards third countries and the most common understanding of the EU's ability to exercise power in international relations (European Commission, 1994). However, the EU has made extensive use of both rewards, when the targets cooperate, safely confess or abide, and punishments, when the targeted state does not cooperate or obey, in its relations with the EU. Although EU conditionality has generally described as 'positive' – that is, is based on incentives rather than punishment (Youngs, 2001: 192), the threat and punishment also has been used by the EU as a necessary, though not sufficient, condition for its ability to achieve its goals (Tocha, 2009: 7).

In order to achieve its normative objectives, the EU has conditioned human rights clauses in most of its economic and trade deals with, and instruments towards, targeted states. For example, the European Initiative for Democracy and Human Rights (EIDHR), which is an independent EU financial tool and backed up by human rights clauses, was adopted as a method to strengthen normative principles (Kotzian, Knodt and Urdze, 2011; European Commission, 2010a).

However, the questions of whether the EU's foreign policy is driven by universal values, or its own and its MSs' interests, and whether it has a coherent normative policy applicable to everyone and everywhere or if its normative policy varies between different places and diverse issues, are contentious ones that have generated with divergent views. On the one hand, it is believed that the EU's external policy is driven by worldwide inspiration to advance normative principles (Kotzian, Knodt and Urdze, 2011: 995-96). Furthermore, these normative principles and objectives are applicable to all states and thus no state should see or object to these EU requirements, as an interference in its internal affairs or threaten its sovereignty (Rumford, 2001: 93). In achieving this objective, the EU has devoted a large part of its budget within EU MSs to the promotion democratic principles (Young, 2004). Consequently, as Smith (2003: 97) has stated, agreement between the EU members on the

importance of promotion of normative values has been relatively uncontroversial.

The example of the revocation of the death sentence is an obvious one from which the EU has depended predominantly on global rights-based arguments, mainly because the abolition norm was securely established internally (Lerch and Schweltnus, 2006: 317). In this case, the European leaders see and present themselves as driven by genuine normative aspirations in their interactions with the world (Pollack, 2012: 200). Furthermore, the EU states that "it will continue to oppose the death penalty in all cases and under all circumstances because it considers the death penalty to be cruel and inhuman punishment" (Council of the EU, 2007).

However, some realists claim that the EU's influence not based on normative principle, rather on real tangible sources of hard power and economic interests (Hyde-Price, 2008). Moreover, the EU is internally and externally incoherent, that it is guilty of double standards, and that there are discrepancies between the EU's commitments and actions (Shen, 2011). Moreover, it has been inconsistent in its insistence on the observance of human rights, as its criticisms of economically or strategically significant states, such as Russia and China, are less condemning; thereby demonstrating that the EU gives more significance to its financial and trade interests than its principles. (Pollack, 2012; Foresberg, 2011; Whitman, 2011). Thus, as stated by Hyde-Price, the EU has been found to ignore ethical considerations when its vital interests are at stake. This is an approach based on the neo-realist theory which is based on its own vital interests rather than normative ones (2008).

Indeed, several instances have indicated that the EU is driven by its economic, commercial and strategic self-interests, rather than by universal normative principles. The EU's commercial and energy interests vis-à-vis Russia, for instance, has limited the EU political pressure on it in order to make necessary normative changes (Tocci, 2008). Furthermore, in China, European economic and strategic objectives have overridden human rights considerations (Hyde-Price, 2008). Lerch and Schweltnus (2006: 317), has also argued that the EU's policy, in the case of minorities protection, has been adopted out of concerns about stability and security, rather than reasons based on questions of principle; namely due to the lack of coherence and of value consensus between the

EU's MSs. In addition, the EU policy towards Africa is another instance in which democracy and human rights have been promoted for strategic reasons and commercial interests (Scheipers and Sicurelli, 2008; Storey, 2006).

With regard to the EU's enlargement policy, Bickerton (2011: 31) argues that the EU was motivated by cultural and historic ties towards CEECs, and thus the normative factors effectively worked through cultural bounds and shared identity. In light of this, it has been argued that the EU's treatment of Turkey has been unfair when compared to its treatment of the CEECs because its policy towards Turkey has not included a firm commitment towards accession (Arıcan, 2006: 74). Indeed, despite the fact that some CEECs had similar political and economic problems as Turkey; the EU's attitude in those states was more flexible than in Turkey. For instance, Bulgaria and Romania did not fully meet the Copenhagen Criteria, even though they joined the EU in 2007 (Smith, 2011: 313). Therefore, it was apparent that the EU in its relations with third states has often used normative instruments in order to achieve a perceptible normative influence. However, the uses of these instruments have not been always consistent. Since the EU has treated targeted countries differently, there are doubts about the extent to which normative principles, such as democracy, human rights, rule of law, etc. are a genuine concern in its foreign policy.

2. The Eu Foreign (Normative) Policy Towards Turkey

This section will examine the extent to which EU policy towards Turkey has an impact upon the promotion of normative principles. To do so, it will first explore EU-Turkey relations, particularly since the late 1990s. It will then examine the Turkish reform process, focusing on the main issues of freedoms, the abolishment of the death sentence, the military's influence in political life and minorities' rights, as well as the driving factors behind these reforms.

The EU-Turkey Relations

Turkey's endeavour to gain full membership has been one of the most controversial topics in its relations with the EU. Turkey's involvement with European integration dated back to 1950s when Turkey began to enhance close cooperation with the European Economic Community (EEC), including the Ankara Association Agreement in 1963. Turkey has therefore had the longest association with the EU, compared to other

candidate countries (European Commission, 1998; Republic of Turkey, 2013; Muftuler-Bac and McLaren, 2003; Hakki, 2006). Indeed, Turkey has shown a keen interest in becoming a member of the EU since the very beginning of its creation. Therefore, it aimed to join all of the European institutions and in fact it guaranteed a membership of some European institutions, such as the Council of Europe (Arıcan, 2006: 56). Moreover, Turkey considers itself as a part of Europe and shares with it common principles and values, and thus its relations with the EU are a strategic aspect of its foreign policy (Republic of Turkey, 2013).

In 1987, Turkey applied to be a member of the European Community (EC), but the European Commission refused Turkey's application (European Commission, 1998: 5). The grounds for refusal included failure to produce sufficient political pluralism, failure to respect and protect human rights, as well as failure to solve problems concerning Cyprus (Buzan and Diez, 1999: 43). In 1997, the EU formally included and started accession negotiations with the CEECs and Cyprus, which had joined in 2004, while pointedly leaving Turkey off its list of candidates even though Turkey had been part of the EU's enlargement policy (Ministry of Foreign Affairs, 1998; Hakki, 2006; Muftuler-Bac and McLaren, 2003). The EU stated that Turkey was excluded because its efforts to accomplish the Copenhagen criteria (necessary to allow accession talks) were unsatisfactory and not mature enough (European Council, 1997). The Copenhagen criteria include political, economic and administrative criteria. The Copenhagen European Council declared that membership candidate countries must have achieved:

Stability of institutions guaranteeing democracy, the rule of law, human rights and respect for and protection of minorities, the existence of a functioning market economy as well as the capacity to cope with competitive pressure and market forces within the Union. Membership presupposes the candidate's ability to take on the obligations of membership including adherence to the aims of political, economic and monetary union (Council of the EU, 1993).

Turkey felt it was offended given particularly other unqualified candidates like Romania and Bulgaria were accepted. This also increased suspicion regarding the EU seriousness to ever consider Turkey's membership (Muftuler-Bac and McLaren, 2003). In response, Turkey criticised the

EU's attitude and determined to break its bilateral relations with the EU, warning the EU that progress in their relations depended upon the EU changing its attitude. Moreover, Turkey had seen the EU's confirmation of Turkey's competence for membership whilst excluding it from the enlargement process as a contradiction, a regression from its commitments, and an act of discrimination (Ministry for EU Affairs, 1998).

However, the Helsinki decision of December 1999 represented a new period in relations between the two parties. The EU indeed considered Turkey a candidate country eligible to be a member of the EU, on the understanding that the accession process would not be opened unless the Copenhagen political criteria had been met (Council of the EU, 1999). It is widely agreed that the 1999 Helsinki decision produced a breakthrough in EU-Turkey relations (Ministry of Foreign Affairs, 2013; Font, 2006), a 'political avalanche of democratisation' (Kubicek, 2011: 914) and a real shifting point from EU passive leverage to EU dynamic leverage (Ozbudun and Genckaya, 2009: 82). The Helsinki Summit also triggered Turkish policy-making to undertake the necessary legal and constitutional reforms (Arıcan, 2006).

However, this decision has also been considered as pathway to normalize relations with Turkey even though Turkey did not undertake any significant reforms between 1997 and 1999 (Kassimeris and Tsoumpanou, 2008). Therefore, it is argued that this decision was part of a containment strategy designed to delay Turkey's likelihood of membership while keeping Ankara close to the EU (Arıcan, 2002; Kassimeris and Tsoumpanou, 2008). Turkey has considered accession negotiations to be one of the fundamental aspects of its relations with the EU and a strategic choice in its policy (Ministry of Foreign Affairs, 2013). The European Commission issued recommendations in October 2004 which concluded Turkey's eligibility for accession talks (Yildiz and Muller, 2008: 24). As a result, the EU negotiations started with Turkey in late 2005, albeit with the geopolitical and cultural interests and outcomes not being guaranteed beforehand, while the economic costs were known, and despite several MSs harbouring doubts about the wisdom of such a decision (Nugent, 2007; Font, 2006).

However, despite the accession negotiations having been opened since 2005, which denoted

that the Copenhagen criteria were met, there was doubt that the EU would accept Turkey's membership, particularly because of the consistent opposition to Turkish membership by some states such as France, Germany and Greece and because of slow progress in the country's democratic and human rights records (Kubicek, 2011: 910). Consequently, Turkey believes (and has insisted) that it is an obligation of the EU to carry out membership negotiations solely on the basis of the relevant *acquis*, rather than political reasons and MSs' preferences (Ministry of Foreign Affairs, 2013).

The Credibility of EU Instruments towards Turkey

EU has adopted several instruments in its policy towards Turkey in order to exert influence over it on various issues, especially political ones like democracy and human rights. EU's conditionality tool has been the cornerstone of its democratisation policy towards Turkey. Kubicek argues that the logic of this approach was conditionality – that is, Turkey will not gain access to the EU if it does not sufficiently achieve the conditional criteria (2011: 912). In fact, since Turkey officially requested EU membership, the latter has pursued a stronger position and has attached greater importance to democratisation, protection for human rights and minority issues as prerequisites for closer relations with Turkey and the promise of Turkish membership (Arican, 2006: 136). It is essential to note that all of the Copenhagen criteria are obviously significant; nonetheless, the political criteria are considered the most prominent ones as they were considered essential conditions for democratization and for membership talks. (Kassimeris and Tsoumpanou, 2008: 332)

The political criteria determined some developments that should be achieved, especially concerning the institutional stability, progress in democratic principles democracy and protection of human rights (Council of the EU, 1993). However, the EU failed to provide a sufficient explanation of what exactly meant by achieving the Copenhagen Criteria's components in terms of guaranteeing democracy principles (Kassimeris and Tsoumpanou, 2008). Ikizer argues that the Copenhagen policy has functioned as a driving force for reform in Turkey, and, because of policy of conditionally, various legal and constitutional reforms have been produced in Turkey (2011, p. 13). The EU has also tried to develop democracy

in Turkey through cultivation of civil society and the EU's Civil Society Development Programme (Kubicek, 2011: 916).

Nevertheless, it is also argued that the EU has adopted its conditionality when benefits are greater than the cost of democratisation (Kubicek, 2011). Saatcioglu states that the EU's conditionality policy has been less concerned about Turkey's fulfilment of the EU demands than with the costs of integration (2009: 571). Moreover, the EU has been inconsistent towards exerting influence on Turkey as compared to its policy *vis-à-vis* the CEECs (Arican, 2006). For instance, analysis of the EU's reports shows that conditional policy better applied to other states such as Bulgaria than Turkey (Kubicek, 2011: 922; Muftuler-Bac, 2002).

This inconsistency has weakened the EU's effectiveness and credibility regarding its conditionality policy towards Turkey. This has been accelerated by various obstacles which have arisen throughout Turkey's long journey towards full membership, such as explicit opposition from some MSs (e.g. France, Germany, Greece, Austria) and opposition from public opinion in some EU states; the Turkey-Greece conflict and the Cyprus issue; cultural differences; Turkey's immense size; and the fear of a wave of migrants. For instance, Germany and France have explicitly shown their opposition to Turkish full membership in principle, and have instead suggested a 'privileged partnership' (Hale, 2011; Kubicek, 2011; Yildiz and Muller, 2008; Nugent, 2007; Human Rights Watch, 2008).

Furthermore, the EU has used the Greece-Cyprus barrier to further complicate Turkey's membership, to the extent that even if Turkey fulfilled the political criteria, it will not acquire membership until it solves its territorial disputes (Saatcioglu, 2009: 567). This attitude has contributed to the perception in Turkey that EU members were reneging on their commitment to Turkey's candidacy (Human Rights Watch, 2008: 440); for Turkey, the EU has lost credibility as it failed to honour its commitments and thus Turkey has begun to feel that it is being treated differently under the EU's conditionality policy (Kirisici, 2011; Saatcioglu, 2009; Kubicek, 2011).

Turkish Reforms and the triggered factors

Turkey is considered to be a democracy, but in the past it has been dominated by *coups d'état*, via which the military played a decisive role in its politics, particularly since 1982 when the Turkish

Constitution was drafted by military rulers and backed up by legislations limiting civil and political rights like freedom of expression, association, assembly, forming political parties and minorities' rights (Kubicek, 2011; Smith, 2011).

Accordingly, the EU has identified and concentrated on several key issues that Turkey must undertake essential progress to be able to join the EU, including issues with freedoms, assembly and of political activities, the issues of military role, institutional reforms, respect of rights, the abolishment of death sentence and the issues of torture and inhuman acts, as well as the ratification of international conventions concerning human rights (Hale, 2003; Bac, 2005). The EU, in particular, confirmed that Turkey was expected to do the progress with regard to the revocation of death sentence, the enhancement of human rights, the elimination of the influence of the National Security Council (NSC) in political life and broadcasting, and education rights for minorities, particularly the Kurds (European Commission, 2000; Ikizer, 2011). This benchmark was presented to Turkey as an 'Accession Partnership Document (APD)' that approved by the EU in 2001 (Arican, 2002).

The APD was of considerable significance because it consisted of short-term priorities and mechanisms, which were expected to be fulfilled in 2003/2004, and the medium-term priorities that could take more than one year to fulfil (Council of the EU, 2003; Hale, 2003). It also focused on issues such as the ratification of international conventions concerning human rights the implementation of measures to eliminate torture and ill-treatments by law, and improvements to prison conditions (Council of the EU, 2003: 10–11).

Fundamental Freedoms

Turkey claims to be a democracy and therefore the fundamental freedoms are supposedly granted. However, 1982 Turkish Constitution lacks provision for protection of opinions and expressions that conflict with Turkish national interests and the Kamalist ideology (Kassimeris and Tsoumpanou, 2008: 336). Moreover, statutes such as the Penal Code (e.g. Articles 159 and 312) and the Anti-Terror Law of 1991 (e.g. Articles 7 and 8) have frequently been used to restrict fundamental freedoms (Hale, 2003; Human Rights Watch, 2001; Anti-Terror Law, 1991). The

original wording of Article 159 of the Penal Code states that:

Those who publicly insult or deride the moral character of Turkishness, the Republic, the Grand National Assembly (GNAT) or the Government, or the Ministries, the military or security forces of the State, or the moral character of the judiciary, shall be punished by between one and six years of severe imprisonment (Hale, 2003: 111).

Article 312 of the Penal Code states that "anyone who openly incites the public to hatred and enmity with regard to class, race, religion, religious sect or regional differences shall be punished by between one and three years of imprisonment" (Hale, 2003: 111). Article 8 of the Anti-Terror Law (Law No. 3713) states that:

Written and oral propaganda and assemblies, meetings and demonstrations aimed at damaging the indivisible unity of the Turkish Republic with its territory and nation are forbidden, regardless of the methods, intentions and ideas behind such activities. Those conducting such activities shall be punished with a sentence of between 2 and 5 years' imprisonment and with a fine of between 50 million and 100 million Turkish liras (Anti-Terror Law, 1991).

In the APD, the EU called upon Turkey to pursue and implement reforms in its statutes concerning freedom of expression, freedom of the press, freedom of association and peaceful assembly, and guarantees in both law and practice for the full enjoyment of human rights by all, regardless of their language, race, colour, sex, political views or religion, in line with the EU standards (Council of the EU, 2003).

In 2001, the phrase "no protection shall be afforded to thoughts or opinions contrary to Turkish national interests..." (Turkish Constitution, 1982) was replaced by the phrase "no protection shall be accorded to an activity contrary to Turkish national interests..." (Turkish Constitution, 2001). Moreover, the notion of relativity has been introduced and thus any restriction of protected freedoms should be relative (European Commission, 2001: 19).

In February 2002, the maximum penalty for insulting and threatening the integrity of the country was reduced, which was further repealed in 2003. The scope for criticism was also amended in which the criticism of institutions is not target to penalty (European Commission, 2002; 2003). Article 312 was further amended on February 6, 2002, such that the notion of 'incitement' was not

considered as a crime (Hale, 2003: 114). In addition, from 2005 onwards, judiciary prosecutions and convictions have been greatly reduced as a result of the new amendments, which conditioned the approval of Justice Minister to commence any inquiry (European Commission, 2005; 2008). For instance, out of 369 investigations received by the Minister of Justice in 2010, he granted permission to only ten criminal investigations (European Commission, 2010b).

Non-violent opinions have been commonly used by the State Security Courts (SSCs) to prosecute and imprison people; these were abolished in June 2004. In November 2005, Human Rights Watch reported that zero imprisonment with regard non-violent expressions (2006: 405). Moreover, the new law on freedom of association was passed by the Grand National Assembly of Turkey (GNAT) in July 2004 is considered to be the most liberal one in over 20 years. The most notably liberal aspects of it are that associations are no longer required to inform government officials of, or invite them to, the date and location of their meetings; obtaining prior permission from the authorities for foreign funding or activities is no longer required; and security forces are no longer allowed into the premises of associations without a court warrant (Ozbudun and Genckaya, 2009: 75). Furthermore, the European Commission reported that the scope of freedom of gathering was compatible with the EU criteria, and, in many cases, the security forces or the authorities do not interfere or restrict this right (2007: 15). It was therefore apparent that Turkey undertook different reforms under the EU influence with regards to fundamental freedoms in order to meet the EU criteria.

The Abolishment of the Death Sentence

European Union has often requested Turkey to abolish the death penalty in line with Protocol No.6 of the Convention for the Protection of Human Rights and Fundamental Freedoms of 1951. In the APD, the EU clearly called on Turkey first to maintain the *de facto* moratorium on the application of the death penalty and then to abolish it, as well as to ratify the protocol No. 6 (Hale, 2003: 118). Article 2 of Protocol No.6 stated that:

A state may make provision in its law for the death penalty in respect of acts committed in time of war or of imminent threat of war; such penalty shall be applied only in the instances laid down in

the law and in accordance with its provisions (Council of Europe, 1983).

Consequently, Article 38 was amended as a part of the package of constitutional amendments passed in October 2001, in such a way that “the death penalty shall not be imposed except in cases in time of war, imminent threat of war and terrorist crimes”; until that time, the death penalty may still be applied in certain cases of homicide and some ‘felonies against the state’ (Hale, 2003; Ozbudun and Genckaya, 2009). This amendment, therefore, restricted the cases in which the death penalty could be imposed in peacetime. However, if Turkey wants to meet the EU requirements, the death penalty must be eliminated entirely, except possibly in times of war or imminent threat of war in line with the European Convention on Human Rights (ECHR) standards (Hale, 2003: 119; European Commission, 2001: 21).

Article 38 also permitted the extradition of Turkish citizens on account of offences related to the jurisdiction of the International Criminal Court (Ozbudun and Genckaya, 2009: 66). Nevertheless, the abolition of the death penalty in peacetime was welcomed by the Council of the EU in 2002, although it still required Turkey to abolish it for terrorist crimes, in line with Protocol No.6 (Council of the EU, 2002).

In August 2003, the Turkish Parliament voted to abolish the death penalty and consequently all sentences of 87 convicts facing the death penalty were changed to lifetime incarceration (Human Rights Watch, 2003: 365). In fact, in accordance with the EU requirements, the death penalty was formally abolished in all circumstances according to Protocol No 13 to the ECHR, which Turkey signed in January 2004 (Commission of the European Communities, 2004). Accordingly, it is widely agreed that the EU was the most influential external factors in bringing pressure to bear upon Turkey to repeal the death penalty (Manners, 2002: 250). Therefore, it can be said that the EU was effective in bringing Turkey to abolish the death penalty in accordance with the EU's standards.

The Military Influence in Political Life

The military influence in Turkish political life was another major obstacle to the progress of democratisation. Indeed, the military was considered as the protector of Turkish identity and Kamalist visions. During the last century, it has undertaken four military coups and intervened in and dominated Turkish political life: 1960, 1971,

1980 and 1997 (Kassimeris and Tsoumpanou, 2008: 338).

The EU has constantly denounced the robust political role of martial procedures and acts and thus this role has to be diminished if Turkey were ever to be considered as part of the EU and as a state that promotes democratic principles. In the APD, it was required from Turkey to align the functioning of the NSC and military with practice in accordance with European standards (Accession Partnership, 2003: 11), as well as to actively suspend polity of emergency in the country, in particular in Kurdish area (Hale, 2003: 120).

The military wields its power largely through the NSC, which derived its role from the Turkish Constitution. The NSC, as established by the 1961 constitution, is formally an advisory body and its recommendations are not legally binding. In reality, however, the NSC's point of view is more significant than simple consultation, and has a robust impact upon state's decisions. In addition, according to constitution, there is no objection that military carry out an important function in political activities (European Commission, 1998, Turkish Constitution, 1982, Article 118). Accordingly, the NSC has expressed its opinions and intervened in many issues such as political, social and foreign policy matters and the process of reform in response to the EU's requirements, especially cultural rights and Kurdish issues, in which it played an influential role (European Commission, 2002). Moreover, the majority of NSC members were military personnel (Turkish Constitution, 1982, Article 118). According to the original text of Article 118, the NSC:

Shall be composed of the Prime Minister, the Chief of the General Staff, the Ministers of National Defence, Internal Affairs, and Foreign Affairs, the Commanders of the Army, Navy, and the Air Force, and the General Commander of the Gendarmerie, under the chairmanship of the President of the Republic (Turkish Constitution, 1982).

The majority of members, therefore, are military ones. It also stated that the NSC's views on 'taking decisions' regarding national security policy shall be submitted to the council of ministers. The council thus "shall give priority consideration to the decision of the NSC concerning the measures that it deems necessary for the preservation of the existence and independence of the State, the integrity and indivisibility of the country, and the peace and

security of society" (Turkish Constitution, 1982). It is essential to bear in mind that national security policy is understood to include almost all domestic and foreign issues.

From 2001, importantly some reforms were adopted in this regard. Article 118 of the constitution was amended in October 2001, in several ways: first, some political and ministerial positions were added to the list of members, and therefore civilians constituted the majority; second, the phrase 'taking decisions' was replaced with the phrase 'the advisory decisions that have been taken', thereby emphasising the advisory nature of the NSC, and finally, it restricted its role to merely evaluation of the decisions (Hale, 2003; Ozbudun and Genckaya, 2009). Moreover, Article 27 was amended in such a way that allows civilian personnel to be appointed for Secretary General; prior to this amendment, this position was dedicated only for military officers (European Commission, 2004; Bac, 2005).

Another vital issue concerns was the competence of the SSCs to try civilians. These courts had repeatedly tried civilians on charges limiting free expression (Human Rights Watch, 2002). The European Courts have frequently accused Turkey of violating ECHR in cases involving the SSCs given military persons were not independent (Ozbudun and Genckaya, 2009: 46).

On 7 May 2004, an amendment to Article 145 abolished the SSCs, and Article 131 eliminated the military members from the Board of Higher Education (Bac, 2005). Additionally, in 2006, an amendment that prohibited civilian trials before SSCs, except if a crime was committed by both military and non-military persons (European Commission, 2006: 7). The position of the military has been further restricted since 2009, via measures which include the repeal of a provision in the constitution regarding impunity for crimes committed by military and public officials during and after the 1980 military coup (Human Rights Watch, 2011). Also, crimes against state security and the constitutional order will be dealt with by civilian courts, thus aligning Turkey with EU practices (European Commission, 2010b).

Respect of and Protection for Minorities' Rights

The situation of minorities in Turkey is problematic, since the rights are not granted to national minorities, but merely to religious groups. Turkey has never ratified the EU convention for

the protection of national rights (Hale, 2003), and therefore the Turkish Constitution does not, for example, recognise Kurds as an ethnic minority, but simply as Turks and thus they are politically discriminated. Moreover, according to different governments, especially the military institutions, any reforms on Kurdish issues were considered as a threat to Turkey's national security (Hale, 2003; Kirisci, 2011). The situation of minorities' rights in Turkey used to attract harsh criticism from the EU. Therefore, the EU called on Turkey to guarantee political, economic and social rights to national minorities, in particular Kurds (Accession Partnership, 2003), as well as to suspend legal and political barriers restricting minorities' rights and abolish the emergency state. Moreover, it required from Turkey to peacefully resolve the Kurdish issue (Arican, 2002; Ikizer, 2011).

In fact, since early 2000s, some reforms have been undertaken by Turkish governments in this regard. For instance, the ban on publishing in non-Turkish language was removed from the constitution (European Commission, 2001; Turkish Constitution, 2001, Article 28), and replaced by 'freedom of the press' (Ozbudun and Genckaya, 2009).

Restrictions on radio/TV broadcasting in minorities' languages have changed progressively since 2004. January 2009 witnessed the launch of a Kurdish-language state television channel, TRT 6, and restrictions on private channels broadcasting in minorities languages have been limited (Human Rights Watch, 2010; Kirisci, 2011). Moreover, private and official language courses were presented in Turkey to teach Kurdish. For instance, Kurdish is studied as a separate language in Mardin Artuklu University, a state university, under its 'Living Language' institution (Ikizer, 2011: 17). Moreover, the emergency rule was lifted over all 13 Kurdish provinces in November 2002. This emergency rule had been in place since 1978 (Human Rights Watch, 2003). However, although there was an impact of the EU's requirement on Turkish reforms, it was argued that there was a lack of EU adequate instruments to assure the protection of minorities' rights (Tocci, 2008: 79); in particular, the APD shied away from using the term 'minority'. It is also said that the EU had a limited effect on the Kurdish issue as its policy was ineffective (Arican, 2006). Therefore, it can be said that the EU was not adequately effective to

bring Turkey to respect and protect minorities' rights, in particular with political aspects.

In sum, it is crucial to bear in mind that Turkey has undergone different political reforms since the beginning of the 2000s. Large-scale reforms have been realised and many laws have been adopted and brought into force. It can be said that the EU candidacy and pressure was, to a great extent, a driving factor for reforms in Turkey. However, the EU could exert more pressure on Turkey and extract more reforms, in particular with regards to fundamental freedoms and minorities' rights.

CONCLUSION

This study has examined the question of to what extent the EU can be considered as a normative power or a promoter of democratic principles in its policy towards Turkey. It has argued that the promotion of normative human rights principles has been a cornerstone of EU policy, in particular following the Cold War era. The abolition of death sentence has been a clear instance in which the EU has depended predominantly on global rights-based arguments and has adopted a universal policy towards the abolition of the death punishment held by all MSs.

It was also argued that the EU's relations with Turkey have been historically problematic and are based upon a long history of mutual interests and objectives. Since the announcement of the EC/EU, Turkey has shown its willingness for full membership despite all the obstacles put in its path. The EU has regularly identified various issues of the concern to the EU that Turkey must undertake essential progress to be able to join the EU. Since late 1990s, the EU has used the 'Copenhagen Criteria' as a framework for exerting influence on the Turkish reform process in guaranteeing normative and democratic principles in accordance with the EU norms. It required Turkey to undertake certain reforms with regard to the abuse of fundamental rights and freedoms, the impact of NSC in political life and the abolishment of death sentence.

In response, since 1999, Turkey has consistently passed various reform packages and adopted new laws in areas relating to different issues in line with the APD quest and thus aligning Turkey with the EU standards, including the abolishment of death sentence and the SSCs, improving the situation of minorities and

fundamentals rights and freedoms, restricting the influence of military and its interference in politics, and ratifying relevant international and European conventions with respect to human rights. Taking into the consideration that most important reformed areas in Turkey have frequently been identified by the EU and its progress reports on Turkey since 1998 as the major political problems needing to be improved by the Turkish government, one can undeniably claim that the EU has been the catalysing external factor in these reforms.

However, it was apparent that the EU has not been consistent in its normative policy towards everyone or in all cases. The economic and strategic interests of the EU and its MSs also played an important function in shaping its policies and have sometimes overridden human rights considerations: for example, the EU's strategic interests (such as commercial and energy interests) have sometimes restricted the EU political pressure to make necessary normative changes.

The EU's enlargement policy, conditionality principle and Copenhagen Criteria have been the most influential methods in promoting its normative principles in its policies towards candidate countries, including Turkey. Nevertheless, the EU's strategic and economic interests have also constituted vital triggers for the EU's enlargement policy. Furthermore, the EU containment policy towards Turkey has lessened the effectiveness and credibility of its normative approach in influencing political developments in Turkey, and the EU could have exerted more pressure and used more effective measures in order to produce a better outcome with respect to the Turkish reform process. Thus, this policy might raise uncertainty about genuine normative concern of EU's policy vis-à-vis Turkey.

However, it is undeniable that the EU's conditionality approach and its Copenhagen policy have been the most influential stimulant behind reform-driven developments in Turkey. As a consequence of the pro-EU reform processes, considerable reform has been achieved since 1999 in relation to various issues, mainly in expanding fundamental freedoms, abolishing death penalty, restricting military influence, and protecting minorities' rights. Given that these issues have frequently been identified by the EU and its progress reports on Turkey since 1998 as the major political problems needing to be tackled by

Turkey, one can certainly claim that the EU has been the catalysing external factor in these reforms.

In sum, it is plausible to argue that the EU-Turkey's candidacy process has been the most important factors behind Turkish reforms, especially between 2001 and 2005, which produced many reforms packages and laws, in several areas of the EU's concern regarding normative and democratic principles. These reforms could not have been produced without the pressure from the EU as an influential external factor. Its conditionality approach has been the most powerful incentive and primary driving force that triggered many reforms packages in Turkey. Thus it can certainly be asserted that the EU, to a great extent, has had an impact on producing a better situation in Turkey regarding human rights and democratic principles.

Bibliography

- Aggestam, L. (2008) Introduction: ethical power Europe?. *International Affairs*, 84(1), 1-11.
- Amnesty International (2013) *Annual Report: Turkey*. Retrieved February 25, 2018, from www.amnesty.org/en/region/turkey/report-2013.
- Anastasakis, O. (2008) The EU's Political Conditionality in the Western Balkans: towards a more Pragmatic Approach, *Southeast European and Black Sea Studies*, 8(4), 365-377.
- Arican, H. (2002) A Lost Opportunity? A Critique of the EU's Human Rights Policy Towards Turkey. *Mediterranean Politics*, 7(1), 19-50.
- Arican, H. (2006) *Turkey and the EU: An Awkward Candidate for EU Membership?*. 2nd Edition. Hampshire: Ashgate Publishing Limited.
- Bac, M. M. (2005) Turkey's Political Reforms and the Impact of the European Union. *South European Society and Politics*, 10(1), 17-31.
- Bickerton, C. J. (2011) Legitimacy Through Norms: The Political Limits to Europe's Normative Power. In R.G. Whitman (eds), *Normative Power Europe: Empirical and Theoretical Perspectives*. Hampshire: Palgrave Macmillan.
- Börzel, T. A. (2010) The Transformative Power of Europe Reloaded: The Limits of External Europeanization, KFG Working Paper 11, Berlin: Kollege-Forschergruppe, FreieUniversität Berlin.
- Bretherton, C. and Vogler, J. (2006) *The European Union as a Global Actor*. 2nd Edition. London: Routledge.
- Buzan, B. and Diez, T. (1999) The European Union and Turkey. *Survival: International Institute for Strategic Studies*, 41(1), 41-57.
- Commission of the European Communities (2004) Communication from the Commission to the

- Council and the European Parliament, COM (2004) 656 final, 6 October, Brussels.
- Council of Europe (1983) *Protocol No.6 to the Convention for the Protection of Human Rights and Fundamental Freedoms Concerning the Abolition of the Death Penalty*, Strasbourg.
 - Council of the European Union (1993) *Conclusions of the Presidency*, Copenhagen, 21-22 June.
 - Council of the European Union (1997) *Presidency Conclusions*, Luxembourg, 12-13 December 1997, Brussels.
 - Council of the European Union (1999) *Presidency Conclusions*, Helsinki, 10-11 December, Brussels.
 - Council of the European Union (2002) *Presidency Conclusions*, 15-16 June, Brussels.
 - Council of the European Union (2003) *Accession Partnership with Turkey*, 14 April, Ankara.
 - Council of the European Union (2007) *Declaration by the presidency on behalf of the EU on the occasion of the Third World Congress against the Death Penalty*, 31 January, 5863/07, Brussels.
 - Council of the European Union (2011) *Council Conclusions on enlargement and stabilisation and association process*, 3132nd General Affairs Council meeting, 05 December, Brussels.
 - Diez, T. (2005) Constructing the Self and Changing Others: Reconsidering 'Normative Power Europe'. *Millennium- Journal of International Studies*, 33(3), 613-636.
 - Dimitrova, A. and Dragneva, R. (2009) Constraining External Governance: Interdependence with Russia and the CIS as Limits to the EU's Rule Transfer in the Ukraine, *Journal of European Public Policy*, 16(6): 853-872.
 - European Commission (1994) *Report From the Commission to the Council and the European Parliament*, COM (94) 42, 23rd February, Brussels.
 - European Commission (1998) *Regular Report from the Commission on Turkey's Progress towards Accession*, Brussels.
 - European Commission (1999) *Regular Report from the Commission on Turkey's Progress towards Accession*, Brussels.
 - European Commission (2002) *Regular Report on Turkey's Progress towards Accession*, Brussels.
 - European Commission (2005) *Turkey Progress Report*, 9 November, Brussels.
 - European Commission (2006) *Turkey Progress Report*, 8 November, Brussels.
 - European Commission (2008) *Turkey Progress Report*, 5 November, Brussels.
 - European Commission (2010a) *Human rights and democracy in the world Report: Report on EU action, July 2008 to December 2009*. Brussels.
 - European Commission (2010b) *Turkey Progress Report*, 9 November, Brussels.
 - European Union (2008) Consolidated Version of The Treaty on European Union. *Official Journal of the European Union*, C 115/13, 09 May 2008. Retrieved May 5, 2018, from <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:C:2008:115:0013:0045:EN:PDF>
 - Font, N. (2006) Why the European union Gave Turkey the Green Light. *Journal of Contemporary European Studies*, 14(2), 197-212.
 - Foresberg, T. (2011) Normative Power Europe, Once Again: A Conceptual Analysis of an Ideal Type. *Journal of Common Market Studies*, 49(6), 1183-1204.
 - Grethea, H., Notea, S. and Tangermannb, S. (2005) Evolution, Current State and Future of EU Trade Preferences for Agricultural Products from North-African and Near-East Countries, *Journal of International Agricultural Trade and Development*, 1:2, 109-133.
 - Hakki, M. M. (2006) Turkey and the EU: Past Challenges and Important Issues Lying Ahead. *Turkish Studies*, 7(3), 451-471.
 - Hale, W. (2003) Human Rights, the European Union and the Turkish Accession Process. *Turkish Studies*, 4(1), 107-126.
 - Hale, W. (2011) Human Rights and Turkey's EU Accession Process: Internal and External Dynamics, 2005-10. *South European Society and Politics*, 16(2), 323-333.
 - Haukkala, H. (2011) The European Union as a Regional Normative Hegemon: The Case of European Neighbourhood Policy. In R. G. Whitman (eds), *Normative Power Europe: Empirical and Theoretical Perspectives*. Hampshire: Palgrave Macmillan.
 - Human Rights Watch (2001) *World Report 2001: Turkey*, Retrieved April 12, 2018, from www.hrw.org/legacy/wr2k1/europe/turkey.html.
 - Human Rights Watch (2002) *World Report: Turkey*, Retrieved April 10, 2018, from www.hrw.org/legacy/wr2k2/europe19.html.
 - Human Rights Watch (2003) *World Report: Turkey*, Retrieved April 10, 2018, from www.hrw.org/legacy/wr2k3/europe13.html.
 - Human Rights Watch (2006) *World Report*, Retrieved March 25, 2018, from www.hrw.org/sites/default/files/reports/wr2006.pdf.
 - Human Rights Watch (2008) *World Report*, Retrieved March 22, 2018, from www.hrw.org/sites/default/files/reports/wr2k8_web.pdf.
 - Human Rights Watch (2010) *World Report*, Retrieved April 6, 2018, from www.hrw.org/sites/default/files/reports/wr2010.pdf.
 - Human Rights Watch (2011) *World Report*, Retrieved April 5, 2018, from <http://www.hrw.org/sites/default/files/reports/wr2011.pdf>.

- Hyde-Price, A. (2008) A ‘tragic actor’? A realist perspective on ‘ethical power Europe’, *International Affairs*, 84(1), 29-44.
- Ikizer, I. (2011) The EU Conditionality and Some Reforms Concerning Turkey’s Kurdish Question. *Journal of Economic and Social Research*, 13(1), 1-26.
- Kassimeris, C. and Tsoumpanou, L. (2008) The Impact of the European Convention on the Protection of Human Rights and Fundamental Freedoms on Turkey’s EU Candidacy. *The International Journal of Human Rights*, 12(3), 329-345.
- Kirisci, K. (2011) The Kurdish Issue in Turkey: Limits of European Union Reform. *South European Society and Politics*, 16(2), 335-349.
- Kotzian, P., Knodt, M. and Urdze, S. (2011) Instruments of the EU’s External Democracy Promotion. *Journal of Common Market Studies*, 49(5), 995-1018.
- Kubicek, P. (2011) Political Conditionality and European Union’s Cultivation of Democracy in Turkey. *Democratization*, 18(4), 910-931.
- Langbein, J. (2011) Organizing Regulatory Convergence Outside the EU Setting Policy-Specific Conditionality and Building Domestic Capacities, KFG Working Paper 33, Berlin, Kolleg-Forschergruppe, FreieUniversita’t Berlin.
- Langbein, J. (2013) Unpacking the Russian and EU Impact on Policy Change in the Eastern Neighbourhood: The Case of Ukraine’s Telecommunications and Food Safety, *Europe-Asia Studies*, 65(4), 631-657.
- Lavenex, S. and Schimmelfennig, F. (2009) EU Rules Beyond EU Borders: Theorizing External Governance in European Politics, *Journal of European Public Policy*, 16(6): 791-812.
- Lavenex, S. and Schimmelfennig, F. (2011) EU democracy promotion in the neighbourhood: from leverage to governance?. *Democratization*, 18(4), 885-909.
- Lerch, M. and Schweltnus, G. (2006) Normative by nature? The role of coherence in justifying the EU’s external human rights policy. *Journal of European Public Policy*, 13(2), 304-321.
- Manners, I. (2002) Normative Power Europe: A Contradiction in Terms?. *Journal of Common Market Studies*, 40(2), 235-258.
- Manners, I. (2008) The Normative Ethics of the European Union. *International Affairs*, 84(1), 45-60.
- Manners, I. (2011) The European Union’s Normative Power: Critical Perspectives and Perspectives on the Critical. In R.G. Whitman (ed), *Normative Power Europe: Empirical and Theoretical Perspectives*. Hampshire: Palgrave Macmillan.
- Mayer, H. (2008) Is it still called ‘Chinese Whispers’? The EU’s rhetoric and action as a responsible global institution. *International Affairs*, 84(1), 61-79.
- Moravcsik, A. and Vachudova, M. A. (2003) National Interests, State Power, and EU Enlargement, *East European Politics and Societies*, 17(1), 42-57.
- Muftuler-Bac, M. and McLaren, L. M. (2003) Enlargement Preferences and Policy-Making in the European Union: Impact on Turkey. *Journal of European Integration*, 25(1), 17-30.
- Muftuler-Bac, M. (2002) Turkey in the EU’s Enlargement Process: Obstacles and Challenges. *Mediterranean Politics*, 7(2), 79-95.
- Noutcheva, G. (2008) Enlargement Policy towards Central and Eastern Europe, 1989-2007: Normative Intended. In N. Tocci, (ed), *Who is a Normative Foreign Policy Actor? The European Union and its Global Partners*. Brussels: Centre for European Policy Studies.
- Nugent, N. (2007) The EU’s Response to Turkey’s Membership Application: Not Just a Weighing of Costs and Benefits. *Journal of European Integration*, 29(4), 481-502.
- Ozbudun, E. and Genckaya, O. F. (2009) *Democratization and the Politics of Constitution Making in Turkey*. Budapest: Central European University Press.
- Pace, M. (2007) The Construction of EU Normative Power. *Journal of Common Market Studies*, 45(5), 1041-1064.
- Pollack, M. A. (2012) Living in a material world: a critique of ‘normative power Europe’. In H. Zimmermann and A. Dur (eds), *Key Controversies in European Integration*. London: Palgrave Macmillan.
- Portela, C. (2010) ‘European Union Sanctions and Foreign Policy: When and Why do they Work?’. London: Routledge.
- Portela, C. (2014) ‘The EU’s Use of ‘Targeted’ Sanctions: Evaluating Effectiveness’, CEPS Working Document, No. 391, Centre for European Policy Studies.
- Republic of Turkey (1982) *Turkish Constitution*, Retrieved February 12, 2018, from www.ilo.org/wcmsp5/groups/public/---/wcms_127495.pdf.
- Republic of Turkey-Ministry for EU Affairs (1998) *A Strategy for Developing Relations between Turkey and the European Union proposals of Turkey*, July 17. Retrieved January 23, 2018, from www.mfa.gov.tr.
- Republic of Turkey (2001) *Turkish Constitution*, Retrieved January 17, 2018, from <http://www.anayasa.gov.tr>.
- Republic of Turkey (2004) *Statement by Abdullah Gul, Deputy Prime Minister and Minister of Foreign Affairs at the “New Tactics in Human Rights International Semposium”*, 29 September, Ankara.
- Republic of Turkey-Ministry of Foreign Affairs (2013), Retrieved December 25, 2017, from www.mfa.gov.tr/reasons-between-turkey-and-the-european-union-en.mfa.

- Rumford, C. (2001) Human Rights and Democratization in Turkey in the Context of EU candidature. *Journal of European Area Studies*, 9(1), 93-105.
- Saatcioglu, B. (2009) How Closely Does the European Union's Membership Conditionality Reflect the Copenhagen Criteria? Insights from Turkey. *Turkish Studies*, 10(4), 559-576.
- Scheipers, S. and Sicurelli, D. (2008) Empowering Africa: normative power in EU-Africa relations. *Journal of European Public Policy*, 15(4), 607-623.
- Schimmelfennig, F. (2006) The process of enlargement: problems, interests, and norms. In J. Richardson (ed), *European Union: Power and Policy-making* (3rd ed.). Oxon: Routledge.
- Schimmelfennig, F. (2007) Europeanization Beyond Europe, *Living Rev. Euro. Gov*, 2(1), Retrieved December 7, 2017, from <http://www.europeangovernance-livingreviews.org/Articles/lreg-2007-1/>.
- Schimmelfennig, F. and Scholtz, H. (2008) EU Democracy Promotion in the European Neighbourhood: Political Conditionality, Economic Development and Transnational Exchange, *European Union Politics*, 9(2), 187-215.
- Sedelmeier, U. (2006) Europeanisation in New Member and Candidates States, *Living Rev. Euro.Gov*, 1(3), Retrieved December 3, 2017, from <http://www.europeangovernance-livingreviews.org/Articles/lreg-2006-3/download/lreg-2006-3Color.pdf>.
- Sedelmeier, U. (2008) After Conditionality: Post-Accession Compliance with EU Law in East Central Europe, *Journal of European Public Policy*, 15(6), 806-825.
- Shen, W. (2011) Imperialistic endeavour or empty rhetoric? Analysing the EU's promotion of human rights in China since 1989 through a 'normative power' perspective. In J. E. Wetzel (ed), *The EU as a "Global Player" in Human Rights?*. New York: Routledge.
- Smith, K. E. (2001) The EU, Human Rights and Relations with Third Countries: 'Foreign Policy' with and Ethical Dimension? in, Light, M. and Smith, K. E. (eds) *Ethics and Foreign Policy* (pp. 185-203). Cambridge: Cambridge University Press.
- Smith, K. E. (2003) *European Union Foreign Policy in a Changing World*. Cambridge: Polity Press.
- Smith, K. E. (2011) Enlargement, the Neighbourhood and European Order. In C. Hill and M. Smith (eds), *International Relations and the European Union*. Oxford: Oxford University Press.
- Stewart, E. J. (2011) Mind the Normative Gap? The EU in the South Caucasus. In R. G. Whitman (ed), *Normative Power Europe: Empirical and Theoretical Perspectives*. Hampshire: Palgrave Macmillan.
- Storey, A. (2006) Normative Power Europe? Economic Partnership Agreements and Africa. *Journal of Contemporary African Studies*, 24(3), 331-346.
- Tocci, N. (2008) Profiling Normative Foreign Policy: The European Union and its Global Partners. In N. Tocci (ed), *Who is a Normative Foreign Policy Actor? The European Union and its Global Partners*. Brussels: Centre for European Policy Studies.
- Tocha, M. (2009) The EU and Iran's Nuclear Programme: Testing the Limits of Coercive Diplomacy, *EU Diplomacy Papers*, no. 1, Prugge: College of Europe.
- Turkish Anti-Terror Law (1991) *Law to Fight Terrorism*, Retrieved December 28, 2017, from www.obdw.org/nat_imp/leg_reg/turkey/anti-terror.pdf.
- Ulusoy, K. (2007) Turkey's Reform Effort Reconsidered, 1987-2004. *Democratization*, 14(3), 472-490.
- Vachudova, M. (2005) *Europe Undivided: Democracy, Leverage, and Integration after Communism*. Oxford: Oxford University Press.
- Wehmeier, S. (ed.) (2006) *Oxford Dictionary*. Oxford: Oxford University Press.
- Whitman, R. G. (2011) Norms, Power and Europe: A New Agenda for Study of the EU and International Relations. In R. G. Whitman (ed), *Normative Power Europe: Empirical and Theoretical perspectives*. Hampshire: Palgrave Macmillan.
- Yildiz, K and Muller, M. (2008) *The European Union and Turkish Accession: Human Rights and the Kurds*. London: Pluto Press.
- Youngs, R. (2001) *The European Union and the Promotion of Democracy: Europe's Mediterranean and Asian Policies*. Oxford: Oxford University Press.
- Young, R. (2004) Normative Dynamics and Strategic Interests in the EU's External Identity. *Journal of Common Market Studies*, 42(2), 415-435.

بوخته

هه ر ژ دوماهيا سالين ههشتيان ل چه رخی بيستئ، په ره پيدانا ديموكراسيه تئ و مافين مروفي و سه روه ريا ياسايئ و پره نسيپين دن فاكته ره كئ سه ره كي بو دناف سياسه تا ده ره كي يا ئيكه تيا نه وروپي هه مبه ري ده وله تين سيئ. نه ف ليكولينه شروقه كرنا سياسه تا ده ره كي يا ئيكه تيا نه وروپا ده كه ت سه باره په ره پيدانا پره نسيپين ديموكراسيه تئ و مافين مروفي وه ره و سا هه تا چ راده ئيكه تيا نه وروپي هانده ره بو پيشكه فتننا فان پره نسيپيا هه مبه ري ده وله تين سيئ و بتاييه ت توركي ا. نه ف ليكولينه پيكولي ده كه ت به رسقا ئي برسپاري بده ت: هه تا چ راده سياسه تا خارجي يا ئيكه تيا نه وروپا كارتتيكرن هه بوو لسهر چاكسازيپن ديموكراسي و مافين مروفي ل توركي ا؟ نه ف ليكولينه گه نكه شي ده كه ت كو ئيكه تيا نه وروپا سياسه تا بشه رت و پره نسيپين كو بنهاگن ب كارئينانه وه ك بنه ما بو كارتتيكرنئ لسهر پروسيسا چاكسازيئ لتوركي ا سه باره ت ديموكراسيه تئ و مافين سه ره كي بين مروفي. نه ف ليكولينه گه هشتي ئي ئي ده ره نه جامي كو سه ره را ئي وئ راستيئ كو ئيكه تيا نه وروپا دشيا نامرازين كاربيگه ر تر بكار بينيت هه مبه ر توركي ا نه نجا باشتر كارتتيكرن لسهر توركي ا كر با بو پروسيسا چاكسازيئ، ئيكه تيا نه وروپا روله كئ گرنك ديت و كارتتيكرنه كا ئاشكه را هه بوو لسهر وان چاكسازيپن لتوركي ا رويدايين ژ سالا ١٩٩٩ سه باره ت پره نسيپين ديموكراسيه تئ و مافين مروفي.

الخلاصة

منذ أواخر ثمانينيات القرن العشرين، كان تعزيز الديمقراطية وحقوق الإنسان وسيادة القانون والمبادئ المعيارية الأخرى عنصراً سياسياً في السياسة الخارجية للاتحاد الأوروبي تجاه بلدان ثالثة. هذا البحث يحلل السياسة الخارجية للاتحاد الأوروبي فيما يتعلق بتعزيز مبادئ الديمقراطية وحقوق الإنسان، كما يستكشف المدى الذي يعتبر فيه الاتحاد الأوروبي مروجاً للمبادئ المعيارية تجاه "البلدان الثالثة" بوجه عام وتركيا على وجه الخصوص. هذا البحث يحاول تقديم إجابة أكاديمية لمسألة "إلى أي مدى أثرت السياسة الخارجية للاتحاد الأوروبي في تعزيز الديمقراطية وحقوق الإنسان في تركيا؟" يستنتج الباحث بأن الاتحاد الأوروبي قد استخدم النهج المشروط ومعايير كوبنهاجن كأساس للتأثير على عملية الإصلاح في تركيا فيما يتعلق بضمان الديمقراطية وحقوق الإنسان والحريات الأساسية بما يتماشى مع معايير الاتحاد الأوروبي. ويخلص البحث إلى أنه على الرغم من حقيقة أن الاتحاد الأوروبي كان يمكن أن يستخدم تدابير أكثر فعالية من أجل التوصل إلى نتيجة أفضل فيما يتعلق بعملية الإصلاح في تركيا؛ لعب الاتحاد الأوروبي دوراً مهماً في تحفيز التغييرات السياسية والقانونية في تركيا منذ عام ١٩٩٩.