

A Question of Security and Identity?: The Path Dependence of EU-Turkey Relations 1997-2004

Natalie Martin

PhD candidate,

Department of Politics, International Relations and European Studies (Pires),

Loughborough University, LE11 3TU.

n.j.martin@lboro.ac.uk

Abstract

This paper asks why Turkey is in accession talks with the EU. Why, if it is a large, relatively poor and Muslim country which struggles to meet the accession criteria, is it an accession candidate at all? The underlying premise is that Turkish accession talks which began in October 2005 are a function of the changing security environment in Europe since the end of the Cold War. Theoretically, I will draw on Historical Institutionalism to argue that the decision to grant candidacy to Turkey in 1999 was strategic and a critical juncture which sparked a path dependent process of Turkish domestic reform, deepening of the Turkey-EU relationship and rhetorical entrapment of the member states. The conclusion is that by 2004 this had left the member states ideationally “locked-in” and this, coupled with ongoing security concerns, left them with little choice but to offer a date for accession talks to begin.

Keywords: European Union, Turkey, security, identity, enlargement, Historical Institutionalism, path dependence.

Introduction

It took Turkey 40 years from the date its application was lodged to when candidacy was granted and a further six years for the accession process to begin. When, and indeed whether, it will finish is outside the scope of this paper which will instead look at how and why, after such a long wait, it has come to be in accession talks at all.

It is important not to conflate Turkey's relationship with "Europe" since World War Two with that of its security relationship with the "West" since the same date and particularly the North Atlantic Treaty Organisation (Nato). This paper will concentrate on the Turkish relationship with "Europe".

Turkish aspiration to join "Europe" in 1959 was a continuation of the Kemalist "civilisational" ideal of the 1920s and 1930s and was submitted two weeks after that of Greece (Erdogdu: 2002). However, the relationship with "Europe" took major setbacks with the periodic military coups which have peppered domestic Turkish politics since WW2. These setbacks allowed Greece to overtake Turkey and thereafter have the ability to influence EU policy towards Ankara.

At the time of the initial Turkish application, "Europe" was primarily an economic institution. Whilst it had started as a security unit after the Second World War, since the collapse of the "European Defence Community" in 1954

the security element of its make-up had become “taboo” and was not to return until the Common Foreign and Security Policy (CFSP) and the Maastricht Treaty (Stivachtis 2007: 43; Gariup 2009:2).

Thus, for the first three and a half decades in which Ankara was an applicant, Turkey and the EU worked towards economic and trade integration culminating in the Customs Union of 1995. Whilst this relationship was problematic in terms of different economic modelling (Kahraman 2000: 3) as Rumford (2000: 331) has argued, Turkey saw its value to Europe as a trading partner.

In the meantime – and arguably as early as the Birkelback report in 1962 - the nature of what was, by then, the EU had expanded. Whilst still an economic organisation, it had also taken on a “civilian” or “normative power” identity (Duchene 1972, 1973; Manners 2002) based on the upholding of human rights and the encouragement of liberal democracy.

This was problematic for Ankara which demonstrably did not have an exemplary record on democracy or human rights. To compound the problem, as Onis has argued, in the late 1980s and early 1990s, the Turkish political elite had not noticed this “tremendous change that had taken place in the nature and direction” of European integration (Onis 2000:6). In other words Turkey was working to meet the *wrong* criteria. Its questionable liberal democracy and human rights record would not meet “Europe’s” revised criteria – even if its shift to a neoliberal market economy under Turgut Ozal

could meet the original pre-requirements. This is without considering the other obstacles to Turkish membership of the EU – demography, economics and religion. Such a fundamental mutual misunderstanding meant the Turkish government was very disappointed by the policy outlined in Agenda 2000 whilst Europe appeared to be surprised by the Turks' disappointment.

Thus in 1997 there was a virtual impasse in Turkish-EU relations and yet, in 1999 Brussels reversed course and offered candidacy to Turkey and in October 2005 accession talks began. Thus it begs the question – what changed? Turkey was still large, relatively poor, Muslim and with a questionable record of human rights and democracy. Why was Ankara a candidate then when just two years before it had not been?

I will argue the key variable in this equation is security. Security considerations lead to the offer of candidacy in 1999 – rather than domestic change. However, this in turn started a path dependent process which culminated at October 2005. The next three sections will attempt to break down the hypothesis further and offer preliminary evidence. It will begin by looking at the timeframe 1997-99 and establishing the role of security in Turkish candidacy. Then it will examine 1999-2002 encompassing the start of domestic reform in Turkey, the development of Turkey EU relations and ESDP in the run up the Copenhagen conference in 2002. Finally it will look at further reform by the AKP, the build up to Brussels in 2004 and the final acknowledgement of Turkey's accession status.

1. Luxembourg to Helsinki

Luxembourg EU Council December 1997

This section will attempt to make an empirical case that the offer of Turkish EU candidacy was a function of the changing security structure and identity in Europe in the late 1990s. I will argue that this constituted a critical juncture which started a path dependent process leading to Brussels 2004.

The Turkish reaction to the decision by the European Union in 1997 that it should not be included in the latest enlargement round was one of intense disappointment and has since become a “byword for accumulated bitterness” (Robins 2003:108) in Turkey. The bitterness stemmed from a mistrust of the EU’s motives and the decision was denounced by a government spokesman as “...partial, prejudiced and exaggerated” (Robins 2003: 109).

Apart from the obvious disappointment of having been an applicant for nearly forty years with no progress, two issues in particular irked the Turks about the Luxembourg decision. Firstly that Cyprus WAS included and secondly that the countries of Eastern Europe, including those with equally questionable human rights records, were also in the running.

There had been an underlying current of “Christian Club rhetoric” from some European Christian Democrat leaders in the run up to Luxembourg.

“...the European Union is a civilisation project and within this civilisational project Turkey has no place.” (Former Belgian Prime Minister Wilfred Martens quoted by Muftuler-Bac 1998: 245).

Similarly Wim Van Welzen the President of the European Christian Democrats said the EU had “...cultural, humanitarian and Christian values different to Turkey’s.” (Financial Times 5.3.97).¹

Additionally, whilst human rights abuses continued to be documented by both Amnesty International and Human Rights Watch in Turkey². However, as mentioned before at least three of the pre-in CEEC countries – Bulgaria, Romania and Slovakia – also had questionable human rights records. The Amnesty International USA 1997 report on Bulgaria opening paragraph states there were “.....widespread reports of torture and ill-treatment by law enforcement officials. Many of the victims were Roma. At least five people

¹ However, this was matched by the willingness of the then Turkish prime minister and Islamist Necmettin Erbakan to define political identity by religion. His Welfare Party (*Refah Partisi*) was also “culturally opposed” to the application (Hale 2002: 239).

² Amnesty International USA 1997 report on Turkey opening paragraph:

“Hundreds of people were detained as prisoners of conscience. Most were released after short periods of detention, but others received prison sentences. Torture continued to be systematic and resulted in at least 25 deaths in custody. Twenty-three people reportedly “disappeared” in security force custody and scores of people were killed in the mainly Kurdish southeastern provinces in circumstances suggesting they had been extrajudicially executed by members of the security forces. For the 12th consecutive year, there were no judicial executions, although courts continued to pass death sentences and 14 people were sentenced to death during the year. Armed opposition groups were responsible for more than 40 deliberate and arbitrary killings of prisoners and other non-combatants.”

reportedly died as a result of ill-treatment or torture.”³ The same report for Romania said “..at least one prisoner of conscience was held. There were reports of torture and ill-treatment which resulted in at least one death. Shootings by police officers in disputed circumstances resulted in at least two deaths. Many of the victims of human rights violations were Roma.”⁴ I have not quantified or attempted to directly compare these levels of human rights abuses and make no comment on that. I would point to the perception they created for Turkey that it was not being treated fairly.

On the other hand, whilst there was prejudice against the Turkish application in European political elite circles and perhaps inconsistency in treatment between it and the CEECs, Turkey was also culpable (see also Oguzlu 2003: Onis 2000). Turkey’s domestic political scene remained unstable and did not meet the Copenhagen Criteria of liberal democracy. Erbakan himself was the victim in February 1997 when he was subtly removed from power by the secular military in a “post modern coup”. Opponents of Turkish accession were not short of ammunition however unjustified the shots may, or may not, have been.

In summary, whilst the EU had concerns about Turkey and Turkey could not claim to meet the Copenhagen Criteria, Ankara had concerns of standards not being evenly applied. This provided grounds for both genuine grievance in Ankara and beyond but also grist to the mill of politicians playing to popular

³<http://www.amnestyusa.org/annualreport.php?id=0B9C665DC15A5B8080256A0F005BEB7A&c=BGR>

⁴<http://www.amnestyusa.org/annualreport.php?id=90DEB29A59C6BC7980256A0F005BEBD9&c=ROM>

public opinion in a country whose national narrative featured a large element of thick skinned nationalism and Sevres Syndrome (Robins 2003; Rumford 2000).

Ironically, whilst the Luxembourg decision may not have been sensitively handled by the EU it had confirmed eligibility - if not candidacy. It was actually a "not yet" rather than a "never".

"Turkey could have chosen to view the Luxembourg conclusions in a much more positive light and there was a suspicion that Mesut Yilmaz ...had chosen to use the EU's rather clumsy rebuff for his own ends."
(Rumford 2000:333).

"Some commission officials claim that the Luxembourg summit far from having slammed the door in Turkey's face marked a substantial advance in its efforts to join the EU and will prove to have been the launching pad for eventual accession." (Barchard 1998: XXXX)

Such umbrage was legitimised I would argue because of the perception in Turkey that it *had* met the criteria whereas Onis (2000) has suggested that Turkey was focussing on the *wrong* criteria. Ankara was still working towards

the largely trade based Ankara Agreement of 1963 and “had come to believe” good progress had been made on these grounds (Rumford 2000: 331).

Ankara did not fully comprehend the emphasis the EU had come to place on liberal democracy and human rights. Thus, whilst Turkey was perhaps well enough integrated in trade terms it could not claim the same about the political pre conditions of accession.

Similarly the EU did not grasp the Turks’ mistake. This fundamental “mutual misunderstanding” (Onis 2000:3) led to an awkward interlude 1997-99 “characterised by stunted political dialogue and mistrust on both sides” (Rumford 2000: 331).

So whilst it did not offer candidacy, the Luxembourg Presidency Conclusions 1997 confirmed Turkey’s *eligibility* for candidacy and established a strategy to “prepare Turkey for accession by bringing it closer to the European Union in every field”⁵. Ankara was invited to join the European Conference for prospective members in London in March 1998. However, Turkey saw this as a “shoddy consolation prize” and refused to participate. It also failed to attend the Cardiff EU Council in June 1998. “It is ironic that at the same time as the EU was eager to talk about talks, Turkey froze political dialogue.” (Rumford 2000:335)

“In doing so, Ankara retarded its ability to work closely
with the EU even though the UK, one of the leading
EU states which generally enjoys good bilateral

⁵ 1997 Presidency Conclusions:
http://www.consilium.europa.eu/ueDocs/cms_Data/docs/pressData/en/ec/032a0008.htm

relations with Turkey was about to assume the
Presidency of the Council of Ministers.” (Robins 2003:
142)

Thus the Turkey-EU relationship went into a state of mutually resentful stasis. Turkey did not make progress towards meeting the political or economic Copenhagen Criteria between 1997 and 1999. This makes the decision at Helsinki to offer candidacy *prima facie* a surprising one.

Security

This section will argue that the security situation in Europe in the late 1990s was the catalyst for the change in EU policy to Turkey. Unrest in the Balkans led to a fundamental shift in the security architecture of Europe which both highlighted the need for Turkey’s stability and necessitated ensuring Ankara’s co-operation as a member of Nato.

Initial steps towards a European security role were laid down in the Maastricht Treaty which established the Common Foreign and Security Policy (CFSP) and the European Security and Defence Identity (EsdI). Under this proposal the Western European Union – of which Turkey was an associate member – would implement peacekeeping tasks in co-operation with Nato. However the Bosnian wars tested this strategy and the EU became frustrated at its inability to act to stop bloodshed within Europe.

“The delayed Nato intervention in Bosnia and the
incapability of the Europeans to effectively act for the

security of neighbouring populations is often referred to as the external condition which pushed for the development of the ESDP.” (Gariup 2009: 98).

Initial moves were taken within the Amsterdam Treaty of 1997 to integrate the WEU within the EU and in 1998 Tony Blair removed previous objections this policy in his agreement with Jacques Chirac at St Malo. This was a tacit acceptance that the EU needed a European Security and Defence *Policy* rather than just the more nebulous *identity*. Further unrest in Kosovo in early 1999 served to re-inforce this policy such that at the Cologne European Council in June 1999 it was agreed to merge the WEU with the EU and at the Helsinki European Council in 1999, ESDP came into being. EU member states pledged to build a military force capable of St Petersburg Tasks by 2003. However ESDP was still dependent on Nato military capability – just as the WEU had been – and Turkey had a Nato veto (Gozen 2002: 13).

Thus the inauguration of ESDP had the unintended and paradoxical consequences of raising Turkey’s security value at the same time as leaving Ankara feeling politically insecure and vulnerable. In other words, Turkey’s incomplete status within WEU/EU made Ankara anxious of being left out of ESDP and yet the Nato veto Ankara possessed gave Turkey considerable leverage because the EU needed access to Nato military capability

Turkey was concerned it would be left out of the “decision making process” in areas such as Cyprus or the Balkans which bordered its territory. At the Nato Washington Summit of April 1999, Turkey had sought US backing which was

forthcoming although Greece raised objections. As Muftuler Bac has argued, European elites came to realise a "...formula for Turkey's incorporation into the EU had to be found." (Muftuler Bac 2000: 493). In addition there were concerns that Balkan unrest should not spread any further. This was considered a risk if Turkey was not "anchored" to Europe.

"Given the tremendous resentment on Turkey's part to the decision taken at Luxembourg, there was growing recognition on the part of the European political elites during the course of 1998 and 1999 that Europe's own economic and security interest would not be adequately served if Turkey was allowed to drift towards isolation and authoritarianism." (Onis 2000: 9)

By late 1999, changes of government in Greece and Germany meant incumbent politicians looked more favourably on the Turkish bid and the August 1999 earthquake in Turkey in which 30,000 died created a feeling of sympathy and goodwill between Greece and Turkey. This confluence of circumstances accounts for the apparent volte face by the EU (Robins 2003:110).

Thus, for Muftuler-Bac, Helsinki was an instrumental decision to keep Turkey co-operative with ESDP.

“By the end of the 1990s, Turkey’s role as a gatekeeper for Europe had acquired such importance that insisting on this rejection was no longer reasonable...” (2000: 490)

In this section I have sought to establish that security was the key to Turkey gaining candidacy in 1999. Turkey’s failure to gain candidacy in 1997 was at least partly because it was attempting to meet economic criteria and had not assumed the far greater emphasis that was now on liberal democracy and human rights. Furthermore, Turkey did not make significant progress in these fields between 1997 and 1999. What changed to make the EU more sympathetic to Ankara’s cause was the wider security environment. This was two fold. Firstly the EU wanted to maintain a stable Turkey on its borders and secondly, more instrumentally, once ESDP was conceived the EU would need Turkish co-operation in order to have a working relationship with Nato and its military capability.

Thus I would argue that Helsinki 1999 should be seen as a critical juncture. After this point it became increasingly hard for the EU to reverse its policy.

“Before a critical juncture a broad range of outcomes is possible; after a critical juncture, enduring institutions and structures are created and the range of possible outcomes is narrowed considerably.”
(Mahoney 2001: 7)

In the next section I will seek to argue that a process of path dependence both material and ideational can be traced from this point.

2. Helsinki to Copenhagen

Helsinki EU Council December 1999

Having established a premise that the 1999 decision was a function of the changing security environment in Europe, and suggested that this can be seen as a critical juncture for what followed, this section will examine the time period December 1999 to December 2002 and seek to show the posited path dependent process.

The Helsinki decision to offer candidacy was made “...on the basis of the same criteria as applied to the other candidate States.” (Helsinki 1999 Presidency conclusions)⁶. That is, Turkey would have to meet the Copenhagen Criteria before it could progress. The conclusion of the 1999 Regular Report from the Commission on Turkey's progress in October 1999 stated clearly that Turkey did not yet meet the criteria particularly those involving human rights and democracy.

“There are serious shortcomings in terms of human rights and protection of minorities. Torture is not

⁶ http://www.europarl.europa.eu/summits/hel1_en.htm. Section 12.

systematic but is still widespread and freedom of expression is regularly restricted by the authorities.”⁷

Thus candidate status would be meaningless unless it was accompanied by progress towards the Copenhagen Criteria. Moreover, a senior Commission official has suggested that “...candidate status was blown out of proportion...” at this time by both Turkey and the EU.

“It is an adjective you might give to a country but I am not sure about the value of it.”⁸

According to this official the Commission was keen to include Turkey for strategic reasons and saw candidacy was a means to encourage internal reforms within Turkey which may take it towards eligibility for accession talks.

The Commission felt it was in the EU’s interest to have a stable Turkey and therefore they could not refuse candidacy. However at the same time, it was a way of putting the accession ball into Turkey’s court. The accession criteria were clear and it was up to Turkey to take steps to meet them. The EU could not be blamed if Turkey did not meet the Copenhagen Criteria.

“...if candidate status does not work it is not our fault.”⁹

⁷ 1999 Regular Report on Turkey. EU Commission. Section 1.4. Pg 15.
http://ec.europa.eu/enlargement/archives/pdf/key_documents/1999/turkey_en.pdf.

⁸ EU official A interviewed March 2009

⁹ EU official A interviewed March 2009.

However, elsewhere within the Commission the perception was that the Turks "would not make it" to the Copenhagen Criteria. The Commission had belatedly grasped the "strategic importance" of Turkey. This meant both keeping Turkey stable and ensuring Ankara's co-operation with ESDP. However, it was not considered likely that Turkey would make improvement enough in civil military relations and treatment of the Kurdish minority to be a viable "candidate". There is evidence to argue therefore that candidacy was granted *at that time* on strategic grounds (Robins 2003:111) and with no real expectation of it coming to fruition. As Font has put it:

"...very few in the EU trusted Turkey's capacity to improve its democratic credentials and even fewer perceived Turkey's membership as being a real option." (Font, 2006:198)

ESDP

The 1999 Helsinki Presidency Conclusions also announced formally the intention to create a European military capability.

"The European Council underlines its determination to develop an autonomous capacity to take decisions and, where NATO as a whole is not engaged, to launch and conduct EU-led military operations in response to international crises. This process will avoid unnecessary duplication and does not imply the

creation of a European army.” (1999 Presidency Conclusions¹⁰).

The conclusion outlined plans to have “...military forces of up to 50,000-60,000 persons capable of the full range of St Petersburg tasks.” available for deployment within 60 days by 2003.

It addressed the issue of those states who were members of Nato but not members of the EU:

“...appropriate arrangements will be defined that would allow, while respecting the Union's decision-making autonomy, non-EU European NATO members and other interested States to contribute to EU military crisis management.” 1999 Presidency Conclusions¹¹.

At the Feira Council in June 2000 these arrangements were clarified as “decision shaping” rights for Turkey (and Norway) but not decision *making*. Turkey in particular felt that as many of the potential flashpoints were on its borders – most sensitively Cyprus – it should be *making* decisions and not *shaping* them (Cayhan 2003: 46). Turkey continued to make contributions to ESDP, in terms of troops and hardware, but also problems for it in terms of

¹⁰ http://www.europarl.europa.eu/summits/hel1_en.htm. - Section 28

¹¹ http://www.europarl.europa.eu/summits/hel1_en.htm. Section 28

institutional co-operation. This led to what Grant (2001) termed “the problem of Turkey” and Missiroli (2002) it’s “peculiarity”. Turkey threatened to veto use of Nato assets by ESDP unless it was given decision making status.

Turkey had been distrustful of its EU candidacy even before the deal was done. Only careful diplomacy by Javier Solana had persuaded Bulent Ecevit to go to Helsinki at all and Ankara continued to believe that the offer was for the EU’s own strategic self interest rather than Ankara’s or even a genuine desire to have Turkey as a member (Robins 2003: 111).

Thus the decision shaping issue and ESDP in general became a sticking point. “Ankara’s security culture, its nationalistic tendencies and its mistrust of the EU led it to the conclusion that the ESDP represented a wilful determination to marginalise Nato and exclude non EU members.” (Park 2005: 134)

On the other hand, if Turkey was a candidate why shouldn’t Ankara expect to have its security concerns taken into account? However, as the Commission official A has stated “candidacy is overblown”. In EU accession the crucial factor was meeting the Copenhagen Criteria. At that stage Turkey had not met the Copenhagen Criteria and there was considerable scepticism in the EU about whether it would be able to do so. From this view for the EU to allow Turkey to have decision making powers may have seemed premature and would have been very difficult to pass through a European Council which included Greece - and Cyprus by proxy.

Institutionalisation

A significant consequence of the 1999 Helsinki decision to offer candidacy was the establishment of the Accession Strategy for Turkey. The previous lack of such institutionalisation was, as Rumford has argued, what had placed Turkey at a disadvantage compared to the CEECs. They were in the “EU network” and Turkey wasn’t. After Helsinki, Turkey had its foot in the door of the network even if it wasn’t over the threshold. This increasing institutionalisation of its relationship helped to “anchor” Turkey within the EU and provide incentive for domestic reform. The accession strategy also provided an imperative for the EU to justify itself annually as to why Turkey couldn’t accede. As Turkish legal reform progress was relatively quick this justification became increasingly difficult.

As Nugent (2007:498) has argued, after 1999 there was an “incrementalist upgrading” of the Turkish application. As Turkey made progress towards the Copenhagen Criteria the offer of candidacy became a “conditional promise” (Nugent 2007: 498). Turkey started to make this progress because it had the offer of candidacy (Font 2006: 198). Increased institutionalisation of the Turkey-EU relationship sparked by the candidacy offer served to re-inforce the incentive of the need to make domestic reforms. Thus Ankara began to work towards meeting the Copenhagen criteria and passed a series of reform packages including the abolition of the death penalty, improvement of minority rights and freedom of expression (Ulusoy 2005: 4). This was recognised by the Presidency Conclusions of the Laeken December 2001 and in June 2002, at

Seville, the Presidency Conclusions said a decision on accession talks "could be taken" at Copenhagen depending what happened in the meantime.¹²

The member states were split over the best way forward with Turkey. The UK, with some support, proposed accession talks should start in January 2005 whilst France and Germany, with some support, were in favour of delaying the process. At this time Giscard D'Estaing – former French President and member of the European Convention made his infamous remarks that Turkey was "not a European country".¹³

Another factor¹⁴ was 9/11 which had served to highlight Turkey's value as a potential Islamic and democratic role model. After his election in November 2002 the new Turkish Prime Minister Recep Tayyip Erdogan embarked on intensive lobbying to make the Turkish case for accession talks to begin in 2003. Erdogan offered concessions on the ESDP "problem" in exchange for a date for accession talks to begin. The Turks were seen as "very pushy"¹⁵ for a date for talks to begin. Whilst that was a step too far for the Commission in terms of Copenhagen Criteria and public and elite opinion outside of the Commission, in the event a compromise was reached. The Copenhagen Council welcomed Turkey's continuing reforms and urged more:

"If the European Council in December 2004 on the
basis of a report and a recommendation from the

¹² http://www.consilium.europa.eu/ueDocs/cms_Data/docs/pressData/en/ec/72638.pdf Seville Presidency Conclusions, section 25.

¹³ *Le Monde*, 8.11.2002

¹⁴ EU official B interviewed March 2009.

¹⁵ Conversation with senior Commission official April 2009

Commission decides that Turkey fulfils the Copenhagen political criteria, the European Union will open accession negotiations with Turkey without delay.”¹⁶

Accession was used as an incentive for Turkey to continue reform but no firm date for talks was conceded. Instead Brussels was laid down as the date for talks about talks.

Turkey had played brinkmanship with its Nato veto. Indeed George Bush phoned the Danish Prime Minister Anders Fogh Rasmussen on the eve of the summit to make the Turkish case (Nugent 2007:497). Missiroli (2003:352) has argued this hardball tactic could have alienated European sympathies and “buried the country’s hopes of joining any time in the near future” (See also Park 2003, Bilgin 2003 and Robins 2003). Instead the AKP was elected on a ticket of EU accession with a clear mandate to continue reforms and by hard diplomacy managed to secure the date for talks about talks from the Copenhagen Council.

Whilst this was less than they had hoped for it upgraded the Turkish case. Implicit in the Conclusion was that if Turkey made more progress – and sufficient progress – towards the Copenhagen Criteria it would be eligible for accession talks. Thus if Turkey made this progress the EU – Commission

¹⁶ http://www.consilium.europa.eu/ueDocs/cms_Data/docs/pressData/en/ec/73842.pdf
Copenhagen Presidency Conclusions, section 19.

and member states – would find it hard to say no particularly given the heightened security environment.

Conclusion

It seems clear from evidence so far that when candidacy was granted in 1999 neither the Commission nor the member states expected Turkey to meet the Copenhagen Criteria anytime soon. Candidacy was granted out of rational self interest consideration for Turkish strategic importance and a more nebulous desire to provide incentive for Turkish domestic reform and stability.

However, and whilst candidacy may have been “overblown”, it worked in the sense of anchoring Turkey to Europe and kick starting the domestic reform process.

Turkey made considerable progress between 1999 and 2002 and was encouraged by the EU for its efforts. This in turn was self reinforcing. The AK Party was elected in November 2002 with a mandate to take reforms further. It is a moot point at this stage whether the attempts by the previous government in Ankara to use its Nato veto on the ESDP issue helped or hindered this process. I would argue that it was a reason why Turkish demands had to be accommodated which in turn entrenched the institutionalisation of the relationship. The next section will look at the process 2002-04 and ask how Turkish efforts to reform impacted on EU policy.

3. Copenhagen to Brussels

So far I have attempted to show that the offer of candidacy at Helsinki was a critical juncture in a path dependent process which led to the 2004 Brussels Council. It incentivised domestic reform in Turkey and institutionalised the relationship. Coupled with wider security considerations I will argue that these factors limited the room for manoeuvre of the Commission and the member states in the run up to Brussels 2004.

The election of the AKP in December 2002 with a large majority and a mandate for reform meant it could pass laws quickly. The reforms were designed to bring Turkey closer to the Copenhagen Criteria seen as the pre requisite for membership of the EU. They sought to curb military power, establish the rights of ethnic minorities and assert human rights such as freedom of expression and the abolition of torture and the death penalty. As Tepe (2005) has argued the reforms themselves may not have been as convincing or as consequential as they seemed however the speed with which they were passed made them appear to be.

The mindset within the Commission also changed between 2002 and 2004. There was partly a feeling that Ankara deserved to be rewarded for its efforts and also a feeling that the EU could take the credit with providing the incentive for Ankara's pace of reform. Additionally the security situation was working in Turkey's favour. By this time the legacy of 9/11 was apparent and the Commission was keen to both downplay the Christian Club rhetoric of

Giscard D'Estaing and Austria's Wolfgang Schussel ¹⁷ and encourage Ankara to be a beacon of Islamic democracy.

“We thought it would be nice if we could bring in our own interests in the Middle East which is relevant to the peaceful development of Europe. With Turkey we could increase our standing in this important area.”¹⁸

There was a distinction between the views of the Commission and the member states. The Commission felt Turkish efforts so far deserved reward and that Turkish stability was in the long term benefit of the EU.

“The EU felt it could not ignore that progress and that...if we say no it would be worse than before for Turkey's domestic stability.”¹⁹

However member states felt they had been “wrong footed” into accepting accession talks for Turkey. In other words they felt they had no choice but to accept the Commission's recommendations because Turkey had made such progress and the EU's accession premise was to meet the Copenhagen Criteria.

The actual situation was of course more complicated. In the run up to 2004 the member states were split over Turkey. Ankara had “important sponsors” in the form of France, Germany and the UK who were lobbying on Ankara's

¹⁷ Conversation with Commission official April 2009.

¹⁸ Commission official 2 - interview April 2009.

¹⁹ Commission official B – interview April 2009.

behalf primarily on security grounds. Austria's Schussel was opposed to Turkish accession on cultural grounds. Most other member states felt they had run out of reasons to say no.²⁰

Schussel's objection's were tempered by Austria's sponsorship of the Croatian application. To object too strongly to Turkey's record of human rights and democracy would have been a hostage to fortune in the Croatian case whose record was no better. Thus the Enlargement Commissioner Gunther Verheugen was able to smooth the process past Schussel's objections by including the phrase "...this is an open ended process whose outcome cannot be guaranteed beforehand..."²¹

I am suggesting that this tight negotiating position had been created by the speed of reforms in Turkey and the wider security context. This gave the Commission a strong hand and limited the member states' room for manoeuvre. Moreover, arguably, the reforms would not have been as extensive if there had been no incentive or "anchor" from Europe. The process was self reinforcing and as Nugent (2007) has argued incremental. The accession strategy initiated by the Helsinki 1999 decision started the process of annual reports. These were in turn influenced by other variables such as the wider security environment and the speed of reform in Turkey. Thus the reports moved from initially being reasons why Turkey was a

²⁰ Commission official B – interview April 2009

²¹ October 2004 – Commission recommendations on Turkish accession.
<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=COM:2004:0656:FIN:EN:PDF>
accessed April 2009.

candidate but could not join and changed to being a need to justify why Turkey could not join.

“The statements can be seen as moving the European Council and hence the EU from its preferred policy of being close to Turkey – but stopping short of giving it a definite membership to a conditional promise of the opening of accession negotiations.” (Nugent 2007: 499)

The “conditional promise” limited the options of the member states. The decades old reasons for saying no – human rights and democracy - were diminishing as fast as the Turkish reforms were progressing. Yet the member states were inhibited from expressing perhaps their real objections - cultural or religious reasons - for their opposition by the normative commitments of their membership of the liberal democratic EU club. Their only option by 2004 was to say “yes – but”.

Thus whilst by 2004 the Commission was sympathetic to the Turkish cause this normative influence was also strong enough to influence the preferences of member states. There was “lock-in” (Nugent 2007: 499) or what Schimmelfennig has termed “rhetorical entrapment”.

“Once caught in the “community trap” they (member states) can be forced to honour identity and value

based commitments in order to protect their credibility and reputation as club members.” (Schimmelfennig 2001:76)

The European Union – specifically the member states - were trapped within their identity by previous claims to be liberal and fair. They could not reject Turkey purely on the grounds it was “different” - be that poor and with a populace likely to emigrate or Muslim or both – because to do so would not be “liberal”.

“The rhetoric thus produced a near lock-in that any government that might have been tempted to backtrack risked damaging their and their state’s reputation as responsible “club members” “ (Nugent 2007: 499)

Their options were limited even further by wider security considerations. The combination of these factors explains why Turkey is an accession candidate in talks with the EU in 2004/5. This was the first time Turkey had come close to meeting the political pre requirements of the EU and thus the member states had run out of reasons to say no. To do so would be to cause great offence and possible instability in Turkey. This, the member states could see, was not in their interest. Therefore they broadly acquiesced with the crucial “open ended process” get-out clause.

Conclusion

The research question in this paper is how and why Turkey has come to be in accession talks. I have sought to argue that the explanation needs to trace the process back to the 1997 Luxembourg European Council. At this stage there was opposition to Turkish candidacy from both member states and the Commission. In 1999 however candidacy was granted. I have argued this change of heart was the result of security considerations. Firstly, the need to secure Turkish cooperation with ESDP and secondly, the desirability for the EU of keeping Turkey as a stable democracy.

Once candidacy was granted this acted as a critical juncture in a path dependent process. It began a process of institutionalisation which both encouraged and enabled Turkey to implement domestic reform and required the EU – Commission and member states – to justify their views on Turkey. Such institutionalisation also constrained the preferences of the member states at Brussels in 2004.

Thus as the process went on the Commission felt Turkey should be rewarded for its efforts to meet the Copenhagen Criteria and the member states ran out of reasons to veto accession talks. Turkey's geopolitical location and geostrategic status as a Muslim democracy helped to make its case in both quarters.

The process has been incremental. At each stage security considerations have nudged the EU further along a spectrum of conditionality such that by

2004 it had run out of reasons to say no and therefore had to say yes, albeit conditionally.

Theoretically this draws on a broadened definition of Historical Institutionalism which takes ideational factors into account (Steinmo 2008). Thus it also follows the work of Schimmelfennig (2001) on EU eastern enlargement.

EU norms were based on its identity "...the belief in and adherence to liberal human rights are the fundamental beliefs and practices that constitute the community." (Schimmelfennig 2001: 58). This identity was set as the entry bar to the EU in the form of Copenhagen Criteria. Once Turkey moved to meet these criteria options to refuse Ankara again were limited without appearing illiberal. This would have damaged credibility as members and thus the member states were "rhetorically entrapped".

This explains why the EU has allowed Turkey to start accession talks. However I would argue that security considerations must also be taken into account. Firstly the EU was conscious of the need for a stable Turkey – especially after 9/11. Thus Ankara had done enough to deserve to be further encouraged. Secondly, the EU had already bent the rules for the CEECs and thus had set a precedent which Turkey could exploit. Such umbrage about not been treated fairly could also be counter productive for EU neighbourhood security in the long run.

Ends

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