

ENDOGENIZING INSTITUTIONS

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This study provides an agency-centered theoretical framework of institutional change at domestic level. It argues that institutional change should be understood as a conflictual process having two stages: *initiation* and *bargaining*. At the first stage, certain internal and external developments help *change entrepreneurs* mobilize for structural change through mechanisms of power shifts and/or negative feedback (ideational or material). At the second stage, institutional actors simply bargain over alternatives arrangements. However this is a special form of bargaining in the sense that it takes place within an institutionalized setting. Such a bargaining process is not only a strategic competition over material benefits but also *a symbolic contestation* among institutional actors over ideational interests (e.g. legitimacy). This study provides a two dimensional perspective on bargaining within an institutionalized setting by modifying two logics of action: the logic of consequentiality and the logic of appropriateness.

This theoretical framework is illustrated by analyzing recent substantial institutional changes in Turkey in two crucial issue areas: *civil-military relations* and *cultural rights* (i.e. the Kurdish issue). This study shows that the EU's decision of recognition of Turkey as a candidate state for the EU membership in 1999 was the main *trigger* which mobilized change entrepreneurs for initiating structural changes. This decision not only empowered pro-change actors but also increased opportunity costs of institutional status quo. However, an intense bargaining between *pro-status quo* (e.g. nationalists, bureaucratic-military elite) and *pro-change*

actors (e.g. liberals, business groups, and Western oriented domestic groups) preceded these changes. Pro-status quo actors tried to *legitimate* their position by *securitizing reforms* (framing reforms as a threat to national security, national unity). As a response, pro-change actors framed changes as further *democratization* and *Westernization* in Turkey. The winners of this bargaining process were pro-reform groups because pro-status quo veto players such as the military and the ultranationalist MHP simply failed to block reforms since such an action would cause huge damage to their ideational interests (loss of legitimacy, credibility and prestige as a result of being an obstacle to Turkey's century-old Westernization process).

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PREFACE

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1. INTRODUCTION

Since the late 1970s, greater emphasis has been put on institutional factors to understand and explain political behavior. This development was a reaction to the behavioral approach, which was the dominant paradigm in the 1950s, 1960s, and early 1970s (Levi, Cook, O'Brien and Faye 1990:11-14; Thelen and Steinmo 1992:1; Crawford and Ostrom 1995; Hall and Taylor 1996: 936; Hira and Hira 2000; Peters, Pierre and King 2005:1279). Focusing on 'the actual, observable beliefs and behaviors of groups and individuals' (Thelen and Steinmo 1992:4), behavioralism and also public choice theory viewed institutions as epiphenomenal. Institutions, for these approaches, simply represent the aggregation of individual actions, and choices (Lowndes 1996:183). On the other hand, institutionalist approaches, according to March and Olsen (1998:948), pay more attention to "the role of institutions and institutionalization in the understanding of human actions within an organization, social order, or society". Actors, institutionalist approaches suggest, do not interact in a vacuum. Institutions matter, it is argued, because the existing institutional setting has a significant impact on preference formation and consequently on political behavior (Immergut 1998, Steinmo 2001). Thus, compared to the behaviorist paradigm, institutionalist approaches attribute much greater role to 'structural variables' in the analysis of political behavior and outcomes.

If institutional theories are right that institutions have some autonomous impact on political behaviors and outcomes (the author believes that they do), then, variance in institutional settings, not only across space but also within the same institutional setting across time, would produce changes in political behaviors and outcomes. From this perspective, understanding institutional change becomes crucial in terms of understanding stability or instability of political behaviors and political outcomes. Given this, the relative inattention to institutional change in many institutionalist approaches is surprising. As indicated by many scholars, institutionalist approaches pay more attention to the impact of institutions on political outcomes and behavior while neglecting the origins of institutions and institutional changes (see DiMaggio 1988:16; DiMaggio and Powell 1991; Brint and Karabel 1991:343; Zucker 1991; Thelen and Steinmo 1992:15; Genschel 1997:44; Colomy 1998:266; Clemens and Cook 1999:442; Hira and Hira 2000; Gorges 2001:137; Pierson, 2000a and 2004: 103-145; Knight and Sened 2001:1; Lieberman 2002: 698; Lawson 2003; Stacey and Rittberger 2003: 859; Thelen 2004: 25; Haas 2004; Campbell 2004:173; Lecours 2005:11; Harty 2005; Héritier 2007:1). As Pierson rightly observes:

Analysts working from a variety of [institutionalist] perspectives have produced compelling work on the significance of institutional arrangements for political and social outcomes. By contrast, we have made far less progress in treating institutions as themselves important objects of explanation. The origins of institutions, as well as the sources of institutional change, remain quite opaque (2000a: 475).

Thus, within new institutionalism, compared to institutional stability/ persistence, institutional change remains under-theorized, which limits the explanatory power of new institutionalism. As Abbot indicates “the problem of how to theorize stability without

theorizing change remains a central difficulty for new institutionalism” (1992:755). Hira and Hira also address the same difficulty:

By setting up a model that explains institutional constraints on decision makers, the new institutionalism correctly points out the limits of a rational choice framework of economic decision making. However, by failing to explain the sources and modifications of those constraints, the new institutionalism is unable to provide a satisfactory explanation of change. Instead we find a patchwork of exogenous factors, such as technology, culture, and ideology, which feed into institutional change in unclear ways (2000:267).

Lieberman also observes the same bias toward stability in new institutionalist theories. As he states:

...Institutional theories share an emphasis on finding order and stability, comprehensiveness and coherences, patterns and models that elucidate more or less general propositions about a class of political phenomena. Because of their emphasis on eliciting ordered patterns and regularities from observations about politics, institutional theories in general run into trouble in accounting for political change (2002:698)

In general, institutionalist explanations are structural arguments. By treating the structure as ontologically primary factor (Finnemore 1996:334; Hall and Taylor 1998:959; Clark, 1998: 245; Lecours 2005:8), these explanations exogenize structure in the sense that structural variables are treated as independent factors leading to certain political outcomes and behaviors. To put it differently, the causal arrow runs from the ‘structure’ to ‘agency’. As a result, explanation of changes in structures themselves has not been the primary concern for many institutionalist approaches.

However, as Ernst B. Haas rightly observes “in their eagerness to avoid behavioral explanations of social processes, NI [new institutionalism] scholars run the risk of *reifying* (emphasis added) whatever they end up conceding as entities, forces, or influences that shape, constrain, or inspire human agency” (Haas, 2004: XXIX). In the words of Berger and Luckman, reification is:

...the apprehension of the products of human activity as if they were something else than human products- such as facts of nature, results of cosmic laws, or manifestations of divine

will. Reification implies that man is capable of forgetting his own authorship of the human world, and further, that the dialectic between man, the producer, and his products is lost to consciousness. The reified world is... experienced by man as a strange facticity, an *opus alienum* over which he has no control rather than as the *opus proprium* of his own productive activity (cited in Wendt 1999:76)

This reification (treating structures as rigid entities) becomes problematic. As Peters and Pierre suggest, “Structure is not as rigid as it sometimes is made to appear. Structures do change to meet changing demands and changing personnel; that change is often incremental and undramatic, but is nonetheless real.” (1998: 566)

Analysis of institutional change requires a different approach because now the interest becomes the changes in the structure itself. In other words, one needs to *endogenize* the structure. Since structure cannot change by itself, the analysis of institutional change should have a stronger account of agency, which is difficult to find in many institutionalist approaches (Peters, Pierre, and King 2005:1284). As Finnemore observes “...the institutionalists’ inattention to agency leads them into more serious errors. It leads them to misspecify both the mechanisms by which social structure produces change and the content of the social structure itself.” (1996:342)

This relative inattention to institutional change has led to increasing number of studies trying to understand and explain institutional change (for instance see Campbell 2004; Greif and Laitin 2004; Thelen 2004; Streeck and Thelen 2005). As a result, institutional change has become a primary issue on the agenda of the recent institutionalist literature. This study is another attempt to theorize institutional change. The goal of this study is not to show how structural factors (i.e institutions) have an autonomous impact on actor interests and behavior, but to show when and how structural change takes place. In other words, structural change is the dependent variable in this study. This study provides an actor-oriented model of institutional change by analyzing

institutional changes in Turkish civil-military relations and cultural rights in the context of the *Europeanization process*. Thus, this study is not about institutional creation or institutional origin but about *changes in the existing institutional structures in domestic realm*. The following questions are directing this study: What does institution and institutional change means? When and how does institutional change take place?

Arguments: This study builds on the argument that institutions have distributional consequences (Knight 1992; Mahoney 2000; March and Olsen 1989). Given this, a shift from one institutional arrangement to another one implies a shift from one distributional arrangement to another. In other words, institutional change as a process produces distributional consequences, creating gains as well as losses (Luong and Wenthall 2004:149). Boundedly rational institutional actors are generally aware of those distributional consequences and therefore institutional change becomes a conflictual process.

This study argues that this conflictual process should be understood as a *two-stage process*. The first stage of this conflictual process is *initiation*. At this stage, certain internal and external developments (or a combination of both), which create power shifts among institutional actors and/or negative feedback, help pro-change actors mobilize for structural change. The second stage consists of *bargaining*. At this stage, institutional actors bargain, either in tacit or explicit manners, on alternative arrangements. However this is a special form of bargaining in the sense that it takes place within an institutionalized setting. Bargaining over structural change in an institutionalized setting is not only a strategic competition over material benefits but also a *symbolic contestation* among institutional actors over ideational interests. In other words, the bargaining

process is heavily influenced by normative understandings. It involves quite conflictual legitimation/delegitimation processes. Therefore, existing bargaining models, which are uni-dimensional with a focus on actors' materialistic considerations, provide only limited understanding of such bargaining processes. This study provides a two dimensional perspective on bargaining within an institutionalized setting by slightly modifying two logics of action: *the logic of consequentiality* and *the logic of appropriateness*.

This theoretical framework is illustrated by analyzing the Europeanization process in Turkey during the post-Helsinki era (1999 onwards). The study focuses on institutional changes in two sensitive issue areas in Turkish politics: *civil-military relations* and *cultural rights* (i.e institutional changes related to the Kurdish issue). This study shows that the EU's decision recognizing Turkey as a candidate state for EU membership at the Helsinki Summit in 1999 was the main *trigger* which mobilized change entrepreneurs to initiate structural changes at the domestic level. The Helsinki decision not only empowered change entrepreneurs (i.e power shifts) but also increased the opportunity costs of maintaining institutional status quo (i.e created a negative feedback for certain institutional actors). After the change process was initiated by the EU trigger, intense bargaining took place between pro-status quo (e.g nationalists, bureaucratic-military elite) and pro-change actors (e.g liberals, business groups, Western oriented domestic groups). Pro-status quo actors tried to *delegitimize* the positions of pro-change actors by *securitizing* reforms (framing reforms as a threat to national security and/or national unity). As a response, pro-change actors framed changes as further *democratization* and *Westernization* in Turkey. The winners of this bargaining process were the pro-reform groups because the pro-status quo veto players (e.g the military and the ultranationalist

MHP) simply failed to block reforms since such an action would have caused significant damage to their ideational interests (loss of legitimacy, credibility, prestige as a result of being an obstacle to Turkey's century old Westernization process). The outcome of this conflictual two-stage process was *incremental but path-breaking* institutional changes in civil military relations and cultural rights, which dramatically increased democratic standards in Turkey.

1.1 LOCATING THE STUDY IN STRUCTURE-AGENT DEBATE

How can we locate these arguments within the general structure-agent debate, which is one of the fundamental issues in social sciences? This debate is a fundamental issue because there is no definite answer to whether the systemic level or individual level variables are the most important factors in terms of explaining and understanding political and social phenomenon (Peters 1998:111). Using the words of Finnemore, the issue in this debate is “whether, analytically, one treats actors (i.e agents), capabilities, and preferences as given and derives social structures from their interaction, or whether one takes the social structures as given and treats actors, their preferences and powers, as defined by the social system(s) in which they are embedded” (1996b:14). Nevertheless, as Wendt suggests, almost all social scientific theories provides at least an implicit solution to the “agent-structure problem” (Wendt 1987:337).

In terms of the structure-agent debate, three distinctive approaches can be identified in the literature: *a) structure-based approach, b) agency-centered approach, c)*

structuration approach (Wendt 1987; Clark 1998).¹ There are significant ontological and methodological differences between these orientations (see Table 1). As Clark (1998) rightly suggests, ontologically, the first approach gives primacy to structures (e.g. institutions) and treat agents as being constituted by them. Many variants of institutionalist theory should be defined in this category. The second approach, however, attributes ontological primacy to agents and treats structures as creations of utility-maximizing individuals. A typical rational choice theory is based on this approach. Structuration approach, on the other hand, rejects this duality and emphasizes both structure and agent. In other words, the structuration approach avoids attributing ontological primacy to either one.

In terms of causal link between structure and agent, the first two approaches assume a non-recursive relationship as the third approach highlights the mutual (recursive) relationship between these two. Giddens suggests that:

Analyzing the structuration of social systems means studying the modes in which such systems, ground in the knowledgeable activities of situated actors who draw upon rules and resources in the diversity of action contexts, are produced and reproduced in interaction. Crucial to the idea of structuration is the theorem of the *duality of structure* (emphasis added)... According to the notion of the duality of structure the structural properties of social systems are both medium and outcome of the practices they recursively organize. Structure is not 'external' to their activities in a Durkheimian sense. (1984:25)

Structuration approach, then, is cautious about structural reification or the reductionist tendencies in individualism by emphasizing the recursive relationship between structure and agents. Structures generate agents but agents, conceptualized as *conscious, intentional* entities, also shape structures. Therefore structure becomes both medium and outcome of practices (duality of structure). Using the words of Wendt, "Just

¹ It is more appropriate to label these arguments as approaches since they are more analytical perspectives on structure-agent relationship rather than substantive theories (Wendt 1987:355)

as social structures are ontologically dependent upon and therefore constituted by the practices and self-understandings of agents, the causal powers and interests of those agents, in their own turn, are constituted and therefore explained by structures” (Wendt 1987:359).

With respect to methodological differences, agency-centered approaches employ more deductive reasoning, as structure-based approaches are closer to inductive reasoning and more likely to employ tools of historical-sociology and traditional political science (Clark 1998:246). Finally, there are also significant differences between these approaches with respect to preference formation. Agency-centered approaches tend to treat preferences as exogenous and constant but structure-based approaches endogenize preferences. Structuration approaches, on the other hand, treat preferences either as endogenous or exogenous.

Table 1: Three different approaches on structure-agent debate

	Ontological Emphasis	Structure-Agent Relationship	Methodology	Actor Preferences
Structure-based	<i>Structure</i>	<i>Non-recursive</i>	<i>Inductive</i>	<i>Endogenous</i>
Agency-centered	<i>Agents</i>	<i>Non-recursive</i>	<i>Deductive, abductive (retroductive) reasoning</i>	<i>Exogenous</i>
Structuration	<i>Equal ontological status</i>	<i>Recursive (mutual constitution, codetermination)</i>	<i>Various methods</i>	<i>Both</i>

As an attempt to theorize institutional change, the dependent variable in this study is ‘changes in structure’. Thus, this work endogenizes the structure. In order to explain institutional change, this study provides an actor-oriented approach and emphasizes the role of shifts in power structures among institutional actors and negative feedback

mechanisms as explanatory factors. However this study avoids methodological individualism, which treats actors as primary and structures as mere products of human agency, in the sense that this study is also informed by a *structuration approach*. In other words, unlike methodological individualism, this study recognizes a recursive relationship between structure and agency and suggests that this recursive relationship holds even during the process of institutional change.

However, a clarification is necessary on this point. One difficulty with the structuration approach is that since this approach recognizes a constant dialogue between structure and agent (a recursive relationship), the application of this approach to a specific theory posing a causal relationship becomes a challenging task. In other words, the cyclical relationship between structure and agent makes it difficult to analyze a structural change initiated by an agent because the idea of duality of structure implies that the structure is both dependent and independent factor. If that is the case then there is an endogeneity problem. One way of dealing with this difficulty might be designing models which includes different time periods characterized by different developments. For instance, at t_1 agents move and at t_2 structure moves. This study conceptualizes institutional change as a two stage process. At the first stage, certain factors motivate agents of change to initiate a structural change (t_1). At the second stage, actors bargain over alternatives but actors do not interact in a vacuum during this bargaining process. Rather, existing institutional structures shape actors' strategies and goals during competition over alternative arrangements (t_2). Thus at the second stage, existing structural factors have some impact on the agent. Since change should be initiated by some factors other than structure itself, this study starts with the agency side of the

relationship and asserts that certain factors motivate agents to initiate structural change at t_1 . At t_2 , bargaining, which is shaped by the structure, takes place. Since this study is concerned with explaining structural change rather than structural impact on actors, this study is not interested in developments in following stages. Thus, in order to avoid difficulties caused by cyclical relationship between structure and agency, this study provides a snapshot view of the first two stages of this cyclical relationship. It should also be emphasized that this theoretical framework combines micro and macro level dynamics because both agency and structure shape change process (Campbell 2004:174). Ideational and material expectations motivate institutional actors to support or oppose structural changes but these interests are shaped by structural factors. Thus there is a dynamic dialogue between structure and agency in change process.

1.2 METHODOLOGY

This study uses case study as the primary research method. As an extensive qualitative analysis of a single unit, case studies tend to be small-N, inductive, context-sensitive. Such a research method is useful especially for uncovering causal mechanisms. Therefore, a case-oriented approach is well suited for concept formation and theory generation (Peters 1998:138; Ragin 2004:126-127; George and Bennett 2004; Gerring 2004:350; McKeown 2004:153) or for refining a theory, concept or a model (Vaughan 1992:175).

There are, however, various types within this method of research. This study conducts a *plausibility probe* of the impact of shifts in power structures and negative

feedback mechanisms on institutional change. George suggests that: “[in case of plausibility probe], investigator employs a case study at a preliminary stage of inquiry before he is ready to undertake a more rigorous testing of general hypotheses. The purpose of a plausibility probe is to enable the investigator to judge whether the potential validity of those hypotheses is great enough to warrant his making a major investment in more thorough, hopefully more decisive hypothesis-testing studies” (1979:52). Thus, this study is not a theory testing but a theory developing attempt and employs plausibility probe as a research method.

In general, case studies use ‘process tracing’, which is defined as a “technique in which the analyst attempts to locate the causal mechanisms linking a hypothesized explanatory variable to an outcome” (Mahoney 2000:409). Process tracing is quite appropriate for systematically identifying processes, events, and interactions among actors that lead to certain outcomes (institutional change in this study). Since the primary goal of this study is to contribute to the efforts to theorize processes of *institutional change* and *Europeanization* at the domestic level, case study and process tracing would be appropriate research techniques.

1.2.1 Case: Europeanization of Turkish Politics as a Laboratory for Institutional Change

The cases analyzed to illustrate the arguments above are derived from the post-Helsinki reform process in Turkey. Thus, in this study the unit of analysis, which is defined as “the groups of cases” (Gerring 2004:342), is a specific country. However, this study focuses on two cases within that unit: *civil military relations* and *cultural rights*

issues (the Kurdish issue). Before discussing these cases, it is necessary to justify the selection of the *unit* of analysis.

The reform process in Turkish Republic, the unit of analysis, is important for theorizing two processes: *institutional change* and the *Europeanization process*. The acceleration of the European integration process and large scale Europeanization efforts in Central and Eastern European countries in the 1990s increased academic interest in the ‘Europeanization’ process as a widespread political phenomenon. However as Knill and Lehmkuhl argue “...notwithstanding a growing number of studies explicitly concerned with the Europeanization of domestic institutions, we still lack consistent and systematic concepts to account for the varying patterns of institutional adjustments across countries and policy sectors” (1999:1). Olsen also addresses the deficiencies in Europeanization studies, stating that ‘...most studies of Europeanization are of recent origin and there have as yet been few systematic attempts to map and compare its different uses. Efforts to account for the dynamics of ‘Europeanization’ are scarce and the evidence is uneven and often contested.’ (2003: 334). It appears that one source of these weaknesses is that this literature does not provide a strong theoretical framework of institutional change that can travel across different contexts and issue areas. What we need for a better understanding of the Europeanization process in general is a model of institutional change rather than a specific theory of the Europeanization process.

In this study, ‘Europeanization’ refers to the ‘domestic impact of European institutions and practices’, the European Union (EU) in particular. The process of Europeanization leads to significant changes in domestic politics, changing both political structures (e.g institutions) and policies. Therefore, it would be appropriate to frame

Europeanization as a ‘set of ordinary processes of change’ (Olsen, 2002: 923). Then, understanding Europeanization requires ‘an understanding of the structure and dynamics of each change process’ (Olsen, 2002: 924). Thus, this study provides a theoretical framework of institutional change in the domestic realm and applies it to the changes in civil-military relations and the issue of cultural rights in the Turkish political system.

Turkey was recognized as a candidate state for the EU membership during the European Council Helsinki Summit in 1999. The Helsinki decision led to an extensive reform process in the Turkish domestic space (Kirişçi, 2004; Müftüler-Baç 2005:18; Diez 2005).² Some even compare this reform process with the comprehensive Westernization process that took place in the early Republican era. As Oran puts it: “Turkey has experienced two waves of *çağdaşlaştırma* [modernization as Westernization]. As it is well-known, the first one was achieved by the Kemalist movement, which aimed at total Westernization in 1920s and 1930s. The second one has been taking place in 2000s, which aims at accession to the EU” (Oran 2005:112). Thus, the post-Helsinki era in Turkey is considered an era of “profound”, “momentous”, and “revolutionary” changes (Öniş 2003a:13; Diez 2005:168). As a result of this reform process, several articles of the 1982 Constitution, written under the military regime, were amended. Additionally, several laws were amended or new ones were adopted since 1999. Therefore, the institutional changes brought about by this post-Helsinki reform process makes Turkey rich soil for theory development on institutional change.

Turkey is also an interesting case for Europeanization studies. As Tanja Börzel and Thomas Risse rightly suggest, one condition necessary for domestic changes

² For instance, between 2002 and 2004, the Turkish parliament adopted 261 new laws (on average, 1 law for every 3 days), which is considered a major accomplishment of the parliament (Müftüler-Baç 2005:28).

resulting from the Europeanization process is that “there must be some degree of ‘misfit’ or incompatibility between European-level processes, policies, and institutions, on the one hand, and domestic level processes, policies, and institutions, on the other. This degree of fit or misfit constitutes adaptational pressures, which is a necessary but not sufficient condition for expecting change.” (2000:1) Turkey, which is considered a *unique* candidate for membership due to its political and cultural differences with the rest of Europe,³ would be an ideal case to analyze for the ‘*misfit argument*’ because Turkey’s differences increase the degree of ‘misfit’. Therefore, one should expect much more adaptational pressures in the Turkish political system. In such a context, studying the Europeanization process should give us interesting insights about this process in general.

Despite this, the Europeanization process in Turkey is an under-investigated issue. Even though Turkey-EU relations date back to the *Association Agreement* signed in 1963 (also known as the *Ankara Agreement*), studies analyzing the domestic impact of the EU in the Turkish context are a recent development. Although the number of such studies has increased during the post-Helsinki era, they remain limited because of theoretical weaknesses. As Diez, Agnantopoulos, and Kaliber rightly observe, the conceptual tools provided by the general Europeanization literature is not utilized in the Turkish context (2005:7; see also Magen 2003:8). Thus, more theoretical efforts would not only contribute to our understanding of the reform process in post-Helsinki Turkey but also contribute to the Europeanization literature in general.

³ The discourse of political elites, debates on Turkish membership and public opinion surveys among European peoples show that these differences also make Turkish membership a controversial issue within the EU.

Even though this study uses the case study as research method and focuses on one single unit (Turkish case), by selecting two different issue areas within that specific unit, it is also an example of ‘*within case analysis*’. As Gerring rightly observes, case study research, in general, constructs cases from a single unit. In other words, case studies always use more than one case (2004:352-342). It is suggested that within case analysis, is one way of achieving *causal homogeneity* (Munck 2004:110), which simply refers to the absence of contrasting causal patterns (Brady and Collier 2004:276). To put it differently, choosing two or more cases from the same context, the same unit means working with analytically equivalent cases. This would decrease the likelihood of having contrasting causal patterns that might arise due to *random factors*. It is also known as controlling for extraneous variance (Peters 1998:30). Thus, causal homogeneity is crucial for better identification and understanding of causal processes, and within case analysis, which help control for the random components, would be quite advantageous to achieve it.

This study analyzes changes in two sensitive issues in Turkey: the *civil-military relations* and *cultural rights policy* (i.e the Kurdish problem). Civil-military relations and cultural rights policy (particularly Kurdish issue) emerge as crucial cases because these issues are directly related to defining features of Turkish state. The Republic of Turkey, which appeared on the world stage in the early 1920s, has been characterized by a politically strong military and strong monolithic Turkish nationalism (suppression of other ethnic and cultural identities). Military dominance and monolithic Turkish nationalism have been defining features of the Republic of Turkey. Therefore, changes in these issues mean changes in *state tradition* and *national identity*, which are sensitive

elements within every polity. This makes these issues ‘*hard cases*’ to study and therefore quite appropriate to analyze in theorizing the process of institutional change. What is more, the Commission reports on Turkey’s progress also indicate that the EU is highly concerned about these issues (see *Regular Reports 2000, 2001*). Therefore for a study, which attempts to provide a better understanding of Europeanization process by providing a theoretical framework of institutional change, these cases would be quite appropriate to investigate.

A note on selecting cases on the dependent variable: After justifying ‘*what is selected*’, we should also justify *how* cases are selected. One concern, here, is whether the cases are selected on the dependent variable or not. Selection of the cases on the dependent variable might be a serious problem for a research project because it could produce *systematic error* and therefore bias (Geddes 2003:93). This happens because the likelihood of selecting extreme cases (either at low or high end) would increase if one starts identifying cases according to the dependent variable (King, Keohane and Verba 1994). Since results would be biased, generalizations of those results would also be problematic (Collier and Mahoney 1996:71).

This study analyzes domestic institutional changes that took place in post-Helsinki Turkey. Thus, the dependent variable is ‘*institutional change*’. One would argue that this study *does* select cases on the dependent variable. Then the question becomes, is it an appropriate way of conducting such a research? Initially, the answer seems to be a ‘definite no’; however, the purpose of this research fits quite well to the case selection method. As Collier and Mahoney argue, the very definition of selection bias depends on the research question, and specifically, on how the dependent variable is conceptualized

(1996:58). The goal of this research is not ‘*theory testing*’ but ‘*theory elaboration*’. In theory testing efforts (usually large-N studies), selecting on the dependent variable becomes a serious problem because this would constrain variance on the dependent variable and so regression analysis would generally produce lower slope estimates, namely producing biased estimates (Collier and Mahoney 1996:60). However, in the case of theory development, which is a different endeavor from theory testing, one may choose cases on the dependent variable (Cortell and Davis 2000:85). In order to develop a theoretical framework of institutional change, one needs to analyze the *cases of institutional change*. Thus, random selection would not be appropriate in such small-N qualitative analysis (King, Keohane, and Verba 1994:128).

1.3 ROADMAP

This study is structured in the following way: The following chapter reviews the main assumptions and arguments of three new institutionalisms (*historical, sociological and rational-choice*) in terms of conceptualizing institution and institutional change and of explaining institutional change. This chapter suggests that these approaches provide a weak account of institutional change due to lack of a dynamic concept of agency. The third chapter introduces the definitions of key concepts: *institution* and *institutional change*. The fourth chapter provides some answers to the *when* question. When is institutional change more likely? This chapter discusses the mechanisms of power shifts and negative feedback as important factors which initiate change process at the first stage. The fifth chapter focuses on the second stage of conflictual process (i.e bargaining)

and provides a two dimensional model of bargaining to analyze bargaining processes in institutionalized settings. This chapter argues that bargaining in an institutionalized setting is not only a strategic competition over material benefits but also *a symbolic contestation* among institutional actors over ideational interests, involving quite complex legitimation and delegitimation strategies and framing- counterframing tactics.

The sixth and seventh chapters apply this framework, discussed in the fourth and fifth chapters, to institutional changes in Turkey during the post-Helsinki era. The sixth chapter analyzes institutional changes in civil-military relations. The focus of this chapter is the MGK reform, which took place in 2003 and reduced the political powers of the military. This chapter shows that the military, which expressed its commitment to further integration with the EU on several occasions, found itself ‘rhetorically entrapped’. Thus, the military refrained from blocking the civilianization process due to the likely damage such an action would cause to its ideational interests (legitimacy and credibility).

The seventh chapter analyzes changes related to cultural rights (i.e Kurdish issue). This chapter examines the August 2002 reform which enhanced cultural rights of Muslim ethnic groups in Turkey, mainly Kurds. This chapter shows that the Turkish Republic has ignored the cultural rights of different Muslim ethnic groups (namely Kurds). This institutional path (the denial and suppression of Kurdish identity) continued until the end of 1990s. However, the EU’s decision of recognition of Turkey as a candidate state for full EU membership at Helsinki Summit in 1999 *triggered* significant changes in Turkey in this issue area. This chapter argues that these changes were *path breaking* but also *incremental* changes.

The EU's Helsinki decision created both *material and ideational negative feedback* for several institutional actors at the domestic level and increased the *opportunity costs* of maintaining the institutional path (i.e the denial and suppression of Kurdish identity). As a result, for several actors, the institutional status quo lost its *legitimacy*. However, these cultural rights reforms were also a result of a bargaining among various political parties at the Turkish parliament. Believing that reforms would endanger national security and unity, nationalist actors objected to reforms. However, ideational and material expectations of center right and center left parties overlapped leading to the formation of a winning coalition that was supportive of changes, among parties with different ideologies in the parliament. These pro-change actors framed reforms as further democratization and further integration of the country with the West. As a result, the parliament was able to pass significant constitutional and legislative reforms in the post-Helsinki era. This chapter shows that although the nationalist party could have easily blocked the reform by resigning from the coalition government, the party could not take such an action because this would bring dramatic social costs to the party (i.e losing support and legitimacy for being an obstacle to Turkey's Westernization process). At a time of widespread optimism about Turkey's prospect of becoming an EU member, no actor could pay such a high cost.

The final chapter provides some conclusions, discusses alternative explanations and some implications of this study (implications for theorizing institutional change and for the future of EU-Turkey relations). This chapter also lays out future studies.

2. 'INSTITUTION' AND 'INSTITUTIONAL CHANGE' IN THREE NEW INSTITUTIONALISMS

This section reviews some theoretical orientations in new institutionalist thought. It is difficult to treat new institutionalism as a coherent and unified body of thought (Lowndes 1992; Hall and Taylor 1996:936; Bulmer 1998:369), but one can identify three main branches: *historical*, *sociological* and *rational choice* variants (Hall and Taylor 1996). Rather than providing a detailed history of each theoretical orientation and an exhaustive comparison of similarities and differences between them, the purpose of this review is first to show the *defining* premises of three main institutionalisms and look at how these different institutionalist orientations define institutions and deal with “institutional change”. Secondly, this chapter discusses the difficulties and problems of these theoretical orientations in terms of theorizing institutional change and how to address those problems.

2.1 HISTORICAL INSTITUTIONALISM

According to historical institutionalism (HI hereafter), institutions are considered to be “formal structures and informal rules or procedures, routines, norms, and conventions that structure conduct” (Thelen and Steinmo 1992: 2, 8; Hall and Taylor

1996:938). Thus, for HI, the term institution refers to both social and political entities such as formal organizations and structures such as informal rules. Institutions not only constrain individual behavior such as shaping actors' strategies but also they have constitutive impact in the sense that they also define actors' interests and goals. HI suggests that individuals, most of the time, follow socially defined rules, which might be even contrary to their self-interests (Thelen and Steinmo 1992:8). Thus, for HI, actors are rule-following *satisficers* rather than utility *maximizers*.

The HI is usually associated with *path dependency approach* (PDA) (Thelen and Steinmo 1992:2). Therefore, in order to have a better understanding of historical institutionalist account of institutions and institutional change, one needs to first understand the main premises and arguments of path dependency approach. This approach simply asserts that "what happened at an earlier point in time will affect the possible outcomes of a sequence of events occurring at a later point in time" (Sewell 1996:262-263). In a similar definition, Levi suggests that path dependence means that "once a country or region has started down a track, the costs of reversal are very high. There will be other choice points, but the entrenchments of certain institutional arrangements obstruct an easy reversal of the initial choice" (1997:28). The common factor in these definitions is that "history matters" and it should be taken seriously in institutional analyses. Having said that, one can find very different conceptualizations and uses of this term in the literature. In other words, even there is a consensus that "history matters", why and how history matters is still an issue of controversy (Greener 2005:62; Schwartz 2005:1). Keeping this in mind, let's look at the defining ideas and premises of this approach.

Contingency: According to PDA, paths emerge out of some contingent occurrences, either in the first place or at critical junctures that lead to a different path (Arthur 1994:37, 44, 45; Pierson 2000b:253; Mahoney 2000:511; Gains, John and Stoker 2005:28). Contingency, here, refers to inability to explain those events by prior events or initial conditions (Mahoney 2000:507; Deeg 2001:9). These contingent small occurrences are important since they have large and long-term impact leading to certain paths (Schwartz 2005:4).

Multiple Equilibria: Initially, there might be multiple options for actors (Arthur 1994: 112-113; Goldstone 1998; Mahoney 2000, 2001; Pierson 2000b:263). In the words of Arthur, “often there is a multiplicity of patterns that are candidates for long-term self-reinforcement; the accumulation of small events early on ‘pushes’ the dynamics into the orbit of one of these and thus ‘selects’ the structure that the system eventually locks into” (1994:33). The selected pattern is not necessarily the most efficient pattern. It might lead to suboptimal outcomes (Arthur 1994:1).

Inflexibility/Inertia: The paths, once created, are inflexible in the sense that further steps on a certain path make shifting from that path to another one much difficult (Pierson 2004:157). In other words, once certain equilibrium is reached, this equilibrium maintains itself (locks itself in). Mahoney states that “once contingent historical events take place, path-dependent sequences are marked by relatively deterministic causal patterns or what can be thought of as “inertia”- i.e. once processes are set into motion and begin tracking a particular outcome, these processes tend to stay in motion and continue to track this outcome” (2000:511). These paths do not have to be the most effective ones.

Ineffective and inefficient institutions might lock themselves in (Hay and Wincott 1998:954).

Production vs. Reproduction of a Path: PDA separates the mechanisms of production from the mechanisms of reproduction (self-reinforcement). Stinchcombe suggests that “The first is the particular circumstances which caused a tradition [i.e an institution] to be started. The second is the general process by which social patterns [i.e institutional patterns] reproduce themselves” (cited in Mahoney 2000:512). Thus factors that reproduce an institution are not necessarily the same with the ones that created that path in the first place. This suggests that paths persist even in the absence of processes that led to development of that path (Mahoney 2001:114). As indicated above, for PDA paths emerge as a result of contingent occurrences but factors that reproduce a path are not necessarily random occurrences. One main mechanism of this reproduction (self-reinforcement) process is *increasing returns* (or positive feedback). Pierson states that in case of increasing returns “each step along a particular path produces consequences which make that path more attractive for the next round” (2000b:253). Some sources of self-reinforcing mechanisms are identified as learning effects, coordination effects, adaptive expectations and fixed costs (increasing outputs decreases unit costs) (Arthur 1994:112, Pierson 2000b:254).

Change: The general tendency in PDA is to treat change as an incremental, evolutionary, path dependent development (see North 1990; Levi 1990:415; Hemerijck 1995; Genschel 1997; Mahoney 2001; Dimitrakopoulos 2001, Torfing 2001; Cox 2004; Pierson 2004:153). Substantial, revolutionary, path-breaking changes happen at critical moments (critical junctures), which are choice points (Collier and Collier 1991; Mahoney

2001:113). At these branching points, which are usually caused by some externally driven developments, disturbances or shocks (see Krasner 1984; Ikenberry 1989; Avant 2000; Alexander 2001:254; Schwartz 2005:11-12), a new institutional path emerges among many choices.⁴ Once an option is chosen, it becomes difficult to return to initial conditions. In other words, the period following these critical moments is characterized by inertia.

Based on such an approach, HI tends to view institutional change as a sudden collapse of institutional equilibria, stability or patterns by external shocks (Lecours 2005:12; Harty 60). The popular notion of *punctuated equilibria* refers to such rapid deviations from the path (Krasner, 1984). These paths are usually punctuated by external crises at critical moments such as wars, financial crises, natural disasters, etc. At these branching points a new path emerges. Otherwise, institutional change is expected to be *incremental* and *path dependent* (see Powell 1991:197; Hemerijck 1995; Dimitrakopoulos 2001; Blatter 2003:508).

One criticism against HI, however, is that even though HI is better suited to explain the persistence of patterns and continuities, it remains limited in explaining shifts in these patterns, namely “institutional change” or “institutional evolution” (Thelen and Steinmo 1992:15; Hall and Taylor 1996:942; Hay and Wincott 1998:955; Clemens and Cook, 1999; Peters 1999:68; Stacey and Rittberger, 2003:867; Lindner 2003:16; Haas 2004:XXXVII; Campbell 2004:68; Peters, Pierre and King 2005). The main concern of HI is the persistence of those patterns over time. This makes HI quite strong in terms of

⁴ Such discontinuous change is also known as *punctuated equilibrium*, which originated from debates in biology (Campbell 2004:24).

diagnosing deviations from the paths but still weak in terms of explaining the reasons for and mechanisms of such shifts.

The weakness of HI in explaining institutional change is a direct result of lack of a strong account of institutional change in PDA. As it is shown above, PDA treats initial conditions or events as random occurrences. However, if non-predictable, small, contingent events lead to the emergence of certain paths (Mahoney 2000:513), then we should expect these small, contingent events to occur anytime. If that is the case then at any time a certain path might be broken and a new path might emerge by these random occurrences. However, this sounds contradictory to the assumptions of PDA. As indicated before, one property of path dependent process is *inflexibility* (Arthur 1994:28). In the words of Pierson, inflexibility refers to situations in which “the farther into the process we are, the harder it becomes to shift from one path to another” (2000b:253). If small random events can occur at any time and have such a large effects leading to new paths, then this assumption is not reconcilable with the assumption of inflexibility of institutional paths.

Other than this, such an understanding of initial conditions and of events limits our ability to predict *critical junctures*, which make substantial change possible (Greener 2005:64; Peters, Pierre and King 2005:1289). Critical junctures are characterized by “the adoption of a particular institutional arrangement from among two or more alternatives. These junctures are “critical” because once a particular option is selected it becomes progressively more difficult to return to the initial point when multiple alternatives were still available” (Mahoney 2000:513). The selection of a particular institutional arrangement at these critical junctures (or critical moments) is defined as a contingent

process (Mahoney 2000:513, 2001:113), which are not predictable, either deterministically or probabilistically. This limits the PDA in the sense that path deviation becomes almost a non-predictable event. PDA separates the mechanisms of production from reproduction. The process of reproduction (increasing returns for instance) can be explained and predicted but the mechanisms of production are non-explicable, non-predictable random phenomena. That's why PDA, and thus HI does not provide a satisfactory explanation for the *timing* of institutional change.

In addition, HI neglects incremental changes (but see a recent attempt by Thelen 2004). As Peters, Pierre, and King suggest, "if one's theory conceptualizes change in terms of major events rather than incremental development then smaller changes are defined away, even if those incremental changes cumulatively produce significant change." (2005:1277). Moreover, such an understanding of institutional change lacks a dynamic concept of agency in the sense that for change to happen, a crisis driven by external developments is a necessary condition. However, institutional actors, who are discontent with the institutional status quo, might consciously create a crises situation or frame any negative feedback caused by either external or internal developments as crises to promote change. Thus, it is much more realistic to assume that institutional actors are not only *change takers* but also *change creators*. In brief, punctuated equilibrium/critical juncture perspective, which forms the basis of HI, does not tell us much about the conflictual nature of institutional change, about the timing and directions of change process (Campbell 2004:5).

2.2 SOCIOLOGICAL INSTITUTIONALISM

Sociological institutionalism (SI), also labeled as normative institutionalism, provides a broader definition of institutions. According to March and Olsen (1998:948) an institution is a “relatively stable collection of practices and rules *defining appropriate behavior for specific groups of actors in specific situations* (emphasis added)”. Such practices and rules are embedded in structures of meaning and schemes of interpretation that explain and legitimize particular identities and the practices and rules associated with them. Thus, the notion of institution, for SI, includes not only formal rules, procedures, or norms but also informal norms, beliefs, values, symbols, cognitive scripts, and systems of meanings (Lowndes 1996:192; Hall and Taylor 1996:947; Peters 1999:28; Scott 2001).

According to SI, institutions have not only a regulative but also a *constitutive* impact on actors in the sense that institutions shape actors’ identities. Since identities are considered the basis of interests (Wendt 1999), SI treats interest as endogenous to political processes rather than exogenous. In other words, actors themselves and their interests are socially constructed elements (Nielsen 2001:505; Lecours 2005:11). One mechanism through which institutions have constitutive impact on actors, is that institutions provide a logic of appropriateness. It was developed by March and Olsen (1984) against the utilitarian, instrumental logic, which they labeled as the *logic of consequentiality* (LoC). They argue that “[for instrumentalist theory]... action is choice, choice is made in terms of expectations about its consequences, meanings are organized to affect choices, and symbols are curtains that obscure the real politics, or artifacts of an effort to make decisions” (March and Olsen, 1984:741). Thus the primary concern for the LoC is the expectations of consequences in terms of material interests. For March and

Olsen (1998:951), however, LoC ignores the role of identities, rules, and institutions in shaping human behavior. Politics, it is argued, “is organized by a logic of appropriateness” (March and Olsen, 1989:160). According to this logic, actions are *rule-based* in the sense that actors follow certain rules and practices that are socially constructed (1998:952). In the words of March and Olsen “within a logic of appropriateness, a sane person is one who is ‘in touch with identity’ in the sense of maintaining consistency between behavior and a conception of self in a social role” (1989:160-161). Thus, the source of action for LoA is *necessity* rather than *preference*. Institutions, as sets of norms, values, meanings, and procedures, provide a logic of appropriateness that shape actors interests and constrain behavior.

Institutional Change: In terms of institutional change, like HI, SI is also more concerned with explaining the persistence of institutions rather than changes in institutional structure (Lowndes 1996:192; Campbell 2004:20; Peters, Pierre and King 2005:1283). March and Olsen (1989:55) argue that “Institutions preserve themselves, partly by being resistant to many forms of change, partly by developing their own criteria of appropriateness and success, resource distribution, and constitutional rules. Routines are sustained by being embedded in a structure of routines, by socialization and by the way they organize attention” Thus SI expects a high degree of durability and stability rather than change in the institutional world (March and Olsen 1998: 959; Stacey and Rittberger 2003:866). Therefore, the main concern of SI is to explain the persistence of values, rather than their initiation or evolution into different forms (Peters, Pierre, King 2005:1283).

That been said, there is also some room for change in SI. This approach treats institutional change as *convergence* or *diffusion* (Lecours 2005:12). One mechanism of convergence is *isomorphism* (DiMaggio and Powell 1991). For DiMaggio and Powell institutional isomorphism is a situation in which:

Organizations tend to model themselves after similar organizations in their field that they perceive to be more legitimate or successful. The ubiquity of certain kinds of structural arrangements can more likely be credited to the universality of mimetic processes than to any concrete evidence that the adopted models enhance efficiency (1991:70).

Thus, as a result of institutional diffusion, institutions in a similar domain tend to become similar. Institutions simply emulate successful institutional practices (for instance the expansion of the institution of *ombudsman*, originated from Sweden, to other countries).

Similar to HI, in SI, the source of change is usually external (March and Olsen 1989: 59, 106). In case of isomorphism, for instance, we see that the source of change is the interaction of the institution at hand with other institutions. Moreover, changes in the environment of the institution such as changes in general social, political and cultural environment are also expected to lead to changes within institutions (Olsen 2001:195). Thus, for SI, institutional change take place as a result of responding changes in the environment but this change is an incremental, slow process.

However, SI still remains weak in theorizing the process of transition from one logic of appropriateness to another one. In the words of Finnemore and Sikkink "...claims that actors conform to 'logics of appropriateness' say little about how standards of appropriateness might change" (1998:888). The main focus of SI is *norm compliance* rather than changes in normative structure (Stacey and Rittberger, 2003:866). As Sending rightly states:

.. the LoA is unable to provide the action-theoretical mechanism implied in the process by which inter-subjectively shared and constitutive ideational factors (such as norms) can be challenged and changed over time. What the LoA can do is to account for how these inter-subjectively shared ideational factors, once changed, become constitutive for actors' identities and explanatory for appropriate action. Precisely because norms are made constitutive for actors' identities and are followed because of a 'conception of necessity', however, the LoA cannot account for the action-mechanism implied in the change from one normative context to another. (2002: 460)

The notion of *institutional isomorphism* in SI is also limited in explaining institutional change in the sense that institutions may emulate *several other institutions* which might be considered more or less equally legitimate and successful. Then the question is why this but not the other institution is being emulated. SI does not provide a satisfactory answer to this question. In addition, convergence or diffusion processes are treated as consensual processes. This becomes problematic since most institutional changes have distributional consequences. Institutional isomorphism underestimates distributional consequences and actors' preferences over institutional change. Following quotation from March and Olsen shows clearly the absence of agency in the sociological institutionalist account of the process of institutional change:

For the most part, institutions evolve through a relatively mundane set of procedures sensitive to relatively diffuse mechanisms of control. Ideas about appropriate behavior ordinarily change gradually through the development of experience and the elaboration of world views. Such processes tend to result in significant lags in the adjustment of institutions to their environments. The lags, in turn, make institutional history somewhat jerky and sensitive to major shocks that lead not only to occasional periods of rapid change but also to considerable indeterminacy in the direction of change. (1989:170-171)

Thus, in general, SI has a static notion of institutions and it is much more successful in theorizing norm compliance than norm selection or normative change (Stacey and Rittberger 2003:866). The lack of "creative innovation, entrepreneurial activity, and agency" (Campbell 2004:20) limits the explanatory power of SI in terms of institutional change. If institutions provide logic of appropriateness and shape political

behavior, then one should also show how certain logic of appropriateness can emerge in the first place and evolve into another one over time. Answering these questions would empower SI because if institutions provide a logic of appropriateness, then any change in this parameter would also change political behavior. Despite this, compared to institutional persistence, SI under-theorizes shifts in normative structures.

2.3 RATIONAL CHOICE INSTITUTIONALISM

Even though rational choice institutionalism (RCI) differs from the conventional rational choice approach, there are some similarities. For instance both have the same ontology: instrumentally rational actors. Actors are assumed as behaving instrumentally to achieve a set of preferences (usually exogenously defined). The main difference, however, is the stronger emphasis on the role of institutions in RCI. Accordingly, institutions limit the choices individuals are likely to make as they pursue their interests and the way they achieve their objectives (also known as choice-within-constraints approach) (Campbell 2004:15).

For the rational choice variant of institutionalism, institutions are simply “the rules of the game” (Kiser and Ostrom 1982; North, 1993b:36). These rules, for RCI, are usually associated with material structures (Lecours 2005:6). Such a conceptualization, however, remains limited in the sense that RCI pays more attention to formalized rules in material structures while ignoring informal rules such as norms, values (Lowndes 1996; Weyland, 2002:67). Thus, compared to HI and SI, rational-choice definition of institution puts less emphasis on cultural elements.

According to RCI, actors create institutions (formal and informal) to increase means-ends efficiency; to enhance the collective welfare or economic growth (Bates 1988:387; North 1990; Grafstein 1992: 92; Campbell 2004:15). Using the words of Bates (1988:387), in contractarian, rational-choice variant of institutionalism, “institutions are treated as a means for resolving collective dilemmas. Collective dilemmas arise when choices made by rational individuals lead to outcomes that no one prefers [for instance prisoner’s dilemma situations]”. Similarly, Weingast states that “[individuals] often need institutions to help capture gains from cooperation. In the absence of institutions, individuals often face a social dilemma, that is a situation where their behavior makes all worse off...” (Weingast 2002: 670). Thus, RCI has a very functionalist view of institutions in the sense that the main function of institutions is their contribution to the utility-maximization process. Institutional creation, then, becomes a conscious, voluntary process for RCI.

RCI accepts that self-interested rational actors do follow norms but this is more a matter of choice (Finnemore and Sikkink 1998:913) and norms in RCI play a *regulative role* rather than a *constitutive one*. Institutions form a *strategic context*, which constraints self-interested actors (Levi 1988; Thelen and Steinmo 1992:7) rather than shaping actors’ interests. As Lecours notes:

For the most rationalist-minded new institutionalist, the impact of institutions is felt strictly on strategies. The interests and preferences of actors are formed independently of the specific institutional environment; they follow a logic of power maximization. In other words, the formation of preferences and the definition of objectives occur, in analytical terms, before any institutional weight is felt. (2005:11)

Institutional Change: For RCI, any change in the rules of the game means emergence of a new institution. In the words of Shepsle, “When an institution is

transformed – endogenously, as when the rules of procedure are changed or a contract renegotiated in a prearranged fashion; or exogenously by some unanticipated shock to the system – it is not the same institution anymore” (Shepsle, 1989:141).

According to RCI, like institutional creation, institutional change is also an intentional act. In other words, for RCI, institutions are ‘objects of choice’ (Grafstein 1992:7). Then institutional change becomes strategic action of individuals (Nielsen 2001:505). Thus RCI provides a utilitarian view of institutional change (Grafstein 1992:60; Lecours 2005:12). Accordingly, when institutional setting produces dysfunctional or sub-optimal outcomes, utility-maximizer actors search for alternative arrangements.

Table 2: Comparison of historical, sociological and rational-choice institutionalism

	Definition of institution	The role of institutions	Institutional Change	Structure vs. Agency	Interests
HI	<i>- formal structures and informal rules or procedures that structure conduct</i>	<i>- regulative and constitutive impact (structure actors' options and interest formation)</i>	<i>- incremental, path dependent - new paths at critical junctures [punctuated equilibrium] -externally driven crisis situations as the sources of path breaking change</i>	<i>- emphasis on structure</i>	<i>- endogenous, shaped by institutional processes</i>
SI	<i>- a broader definition: formal rules, procedures, norms, symbols systems, cognitive scripts and moral templates</i>	<i>- regulative and constitutive impact on actors - provide logic of appropriateness</i>	<i>-infrequent, incremental -change stimulated by external factors [adaptation to changes in the environment] - change happens through isomorphism or diffusion.</i>	<i>- structure emphasized, weak agency</i>	<i>-endogenous to institutional process, - socially constructed</i>
RCI	<i>- the rules of the game (usually formalized) - a strategic context</i>	<i>- structure interactions among rational actors - contribute means-ends efficiency</i>	<i>- changing the rules of the game leads to a new institution - change as a strategic, deliberate</i>	<i>- agency primary factor</i>	<i>- exogenous</i>

	<i>for interaction among actors</i>		<i>action</i>		
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2.4 EVALUATION

Considering all above, it would be unfair to conclude that new institutionalism totally ignores institutional change. As indicated above, theoretical orientations in new institutionalist thought have some say on institutional change. However, the literature review indicates that these approaches provide a weak account of institutional change. This is because the general tendency in new institutionalism is that institutions are usually “associated with continuity” in the sense that institutions are “[by nature] inertial and linked to regularities in human behavior” (Hall 1992:90; Lecours 2005:11; Gazibo 2005:163). Institutions are treated as sticky, change-resistant, rigid, persistent entities (Genschel 1997:44; Pierson 2000a:490; Gorges 2001:140; Shepsle 2001:322; Haas 2004; Harty 2005:59). In other words, institutional structure is reified in the sense that it is treated “as an object analytically independent of the actions by which it is produced” (Maynard and Wilson 1980:287). Since changes in institutional structures are not the primary concern in many institutionalist approaches, which assume institutional continuity, most institutionalist accounts pay relatively less attention to institutions themselves (Harty 2005:52). According to Harty:

The origin of institutions remains under-theorized and, more crucially for assessing the merits of new institutionalism, the notion of institutional change is not problematized in the literature. While institutional collapse has been a focus of investigation in the study of domestic politics, it has most often been examined in the context of regime collapse. The

possibility of institutional change is the Achilles' heel of new institutionalism: If it can be proven that institutions are not as stable and continuous as new institutionalist theories claim, then new institutionalism's potential for explaining preference formation, discursive practices, and strategic action will clearly diminish. 2005:52

Harty is quite right about the limitation of new institutionalism in terms of theorizing institutional change. However, it is difficult to accept the argument that if institutions are not as stable and continuous as new institutionalist theories assume, then this would weaken new institutionalism in terms of explaining preference formation and strategic action. Contrary to this argument, the occurrence of institutional change provides opportunities for institutionalist thinking to show the institutional impact in political world. In other words, if institutions matter and they have autonomous impact and regulate the courses of actions, then change in institutions themselves would also lead to changes in political outcomes and behaviors. Thus, more theoretical efforts analyzing institutional change and its implications would empower new institutionalism in terms of showing the role of institutions in the political world rather than diminish new institutionalism's potential.

One suggestion for mitigating the weakness of institutionalist literature in terms of theorizing institutional change is paying more attention to *agency* (see Colomy 1998; Emirbayer and Mische 1998; Peters, Pierre, and King 2005). This would be an important remedy for the weaknesses of new institutionalism in the sense that we see that new institutionalism lacks a 'dynamic'. As Finnemore states:

Institutionalist models imply a world of social structure made up of norms that are largely congruent. Their emphasis is on the mutually reinforcing and expansive nature of these norms. They stress the consensus that arises around various cultural models- of citizenship, of statehood, of education, of individual rights- to the point that these norms and institutions are taken for granted in contemporary life. The implication is that the spread of world culture is relatively peaceful. *Institutionalists specify no sources of instability, conflict, or opposition to the progressive expansion of world culture* [emphasis added] (1996:343)

If institutionalists fail to specify the source of instability, conflicts or institutional change, this is a direct result of *weak account of agency* in the institutionalist thought (DiMaggio 1988:1-17; Colomy 1998; Emirbayer and Mische. 1998). Because of this weak agency, the processes of coalition formations, bargaining, power struggles and conflict among institutional actors have been disregarded (also see Colomy 1998:269). For instance, when we look at the notion of institutional change in each of these approaches, especially in HI and SI, we see that human agency is either absent or has a quite limited role in the process of institutional change. For instance, critical juncture perspective on institutional change in historical institutionalism has quite weak agency in the sense that agents wait for critical junctures to happen. Once external shocks/disturbances take place and create a crises situation for the institution then agents may discover opportunities for institutional change at those extraordinary moments. Such an understanding ignores conscious attempts by institutional actors during ordinary times to change existing institutional structure in order to realize their material and/or ideational interests. As Cortell and Peterson rightly argue "...focusing attention on periods of radical change precipitated by crisis, a model of punctuated equilibrium downplays the roles individuals play in affection domestic structural change. This is unfortunate since institutions 'do not change of their own accord, they are changed' (1999:179). On the same lines, Peters, Pierre and King note that:

....without including some dynamic conception of agency, and including a greater role for political conflict, the approach [historical institutionalism] cannot provide an adequate explanation for change.

...it is crucial to build a greater role for agency into this structuralist theory. The identification of the agent(s) becomes the means through which internal dissensus and inputs from the environment can be translated into change activity. (2005:1277-1285)

Thus, shifting our attention to actors would provide this dynamic. This is the primary motivation of this study. To be fair, in the rational choice variant of institutionalism, we see a stronger account of agency (Campbell 2004:101). This makes RCI much more advantageous in terms of explaining institutional change. That said, RCI provides a very narrow understanding of institution and so institutional change. For RCI, institutions are the rules of the game and institutional change refers to changing those rules. However, such a general approach does not tell us much about institutions and institutional change. Moreover, as indicated above, institutional definition in RCI ignores normative factors.

Considering all of the above, more effort should be spent to improve our understanding of institutional change. Treating structural variables as exogenous factors to explain political outcomes and behaviors leads to under-theorizing changes in those variables. Therefore, one needs to reverse the causal arrow and endogenize institutions so as to explain changes in institutional structure. This study is such an attempt to endogenize institutions.

This study adopts an *eclectic* approach in analyzing institutional change in the sense that it borrows different tools from different institutionalist orientations. Such an eclectic approach is useful, considering the fact that neither of existing institutional orientations alone is capable enough to deal with institutional change. Therefore, this study borrows from both sociological and rational-choice institutionalisms. An analysis of changes in structure requires paying more attention to agency. In that sense, the rational choice variant of institutionalism, which has stronger account of agency, becomes useful for analyzing change. Sociological institutionalism, on the other hand,

provides useful tools (e.g logic of appropriateness) for understanding how institutional structure shapes actors' interests and behaviors during structural changes. This is important because strategic interactions do not take place in a vacuum. Actors interact within a normative context and this normative, social context structure both these interactions and their outcomes. As a result, borrowing from these two approaches becomes a necessity in analyzing institutional change. The following chapter provides definitions of key concepts.

3. CONCEPTUALIZATION

Before defining the concept of institutional change, we should define what we mean by the term *institution* and its relationship to the concept of *organization*. The concept of *institution* has become quite popular with the revival of institutionalist arguments in various fields of social science. Probably because of this popularity, different scholars attribute different meanings to the same concept (Finnemore 1996:326; March and Olsen 1998: 948; Peters 1999: 43; Campbell 2004:4-5; Streeck and Thelen 2005: 9). This lack of consensus on what constitutes an institution (Harty 2005:54) means that the concept of institution remains ill-defined and vague (Levi 1990: 403; Jepperson 1991:143; Scharpf 1997:39). Some institutional theories provide such a broad definition of institution that the term has become “a proxy for anything [conventional] that constrains human action” (Meadwell 2005:82). Lowndes also observes that “[The concept of institution] is a slippery term because it is used to refer to social phenomena at many different levels - informal codes of behavior, written contracts, even complex organizations”(1996:182). Similarly, Moe states that “...there is still no agreement on what an institution is. Some scholars see institutions as rules of the game, others see them as formal organizations, others as patterned behavior, still others as “myths” and ideational structures.” (2005:226). One can see different conceptualizations even within

the same theoretical orientation. For instance, with respect to historical institutionalism, Peters, Pierre and King observe that:

As used by historical institutionalist scholars the term institution can refer alternatively to deliberately created institutions charged with the implementation of public policy, and the formal rules structuring relations between the state and interest groups. Institution is also used to describe formal administrative institutions within the state such as civil service departments or legislatures, as well as informal rules, agreements, and customs within the state and between the state and society. This appears too wide a range of phenomena to be captured by a single term. (2005:1286).

This conceptual ambiguity creates serious problems for institutionalist literature. However, finding a solution to these conceptual problems is beyond the purpose of this study but it is a necessity to provide an operational definition of institution. In this study an institution refers to *formal or informal social structures of norms, rules and practices that regulate (constrain or enable) the course of actions among actors in a certain scope and domain* (Helmke and Levitsky 2004: 727; Knight 1992; Carey 2000).

These formal and informal social structures should be treated as multi-dimensional (Campbell 2004:36). Table 3 below provides the analytical components of a formal political institution.⁵ Accordingly, institutions are composed of three central elements. *Normative structure* (the core) forms the first component and includes norms, principles, values, and collective identity. Any conceptualization of the term institution excluding normative elements (principles, values, norms), such as a definition of institution as “patterned practices or practices that are routinized, typical and recurrent” (Holsti 2004:21), would be quite problematic because then any regularity or pattern would be an institution. For instance, let’s imagine that two individuals (Ali and Baran) who do not know each other buy coffee from the same coffee shop, more or less at the

⁵ For more discussion on the analytical components of an institution and a regime see Ruggie 1998.

same time every morning. Ali and Baran meets at the same place, at the same time every day. This is a regularity, but can we say that Ali and Baran are institutional actors following certain rules, principles and norms in an institutional setting? The answer is clearly, no. However, if Ali and Baran had known each other and had set certain rules and principles about meeting at the coffee shop, then one could talk about the existence of an institutional setting. Thus, an institution should be based on certain principles, values and norms, which are the defining factors of an institution. *Goals*, which form the second component, are the collective goals and the mission(s) of the institution. In order to realize those goals, which derive from the normative basis of an institution, institutional actors may create certain *instruments* such as rules, procedures, policies, organizational structure, and resources. These elements form the third component of an institution.

Table 3: Components of a formal political institution

Components	Content
1) <i>Normative Core</i>	Norms, values, principles and collective identity
2) <i>Goals</i>	Collective goals, missions, purposes
3) <i>Instruments</i>	Rules, procedures, policies, resources, technologies, administrative structures etc.

3.1 INSTITUTION VS. ORGANIZATION:

Another conceptual ambiguity in the literature is related to distinguishing institution and organization from one another. As Peters rightly observes, since the differences between institutions and organizations are not clear, the division between these two types of structures is fluid (1999:31). Having said that, with respect to the

nexus between an “institution” and “organization”, we observe two different treatments or approaches in the institutionalist literature. The first approach makes a clear distinction between the concepts of organization and institution (see North 1993b and 1998; Scharpf 1997:39; Stacey and Rittberger 2003:860; Perri 6 2003; Helmke and Levitsky 2004; Campbell 2004:1; Greif and Laitin 2004:635; Aoki 2007; H eritier 2007:5). For instance, for institutionalist economist North, *institutions*, which are “formal rules, informal constraints (norms of behavior, conventions, and self-imposed codes of conduct) and the enforcement characteristics of both”, becomes “the rules of the game,” while *organizations* are “the players of that game” (North 1993b:36; also see Stacey and Rittberger 2003:860; H eritier 2007:5-6). More specifically, North defines institutions as:

[T]he humanly devised constraints that structure human interaction. They are made up of formal constraints (for example rules, laws, constitutions), informal constraints (for example, norms of behavior, convention, self-imposed codes of conduct), and their enforcement characteristics. Together they define the incentive structure of societies and, specifically, economies (1998:248)

So for North, while institutions are structural elements, organizations are agents of various types, such as political parties, city councils, firms, trade unions, cooperatives, churches, clubs, schools, and universities (1993b:5; 1998:249). As players of the game, organizations are “groups of individuals bound by some common purpose to achieve objectives” (1993b:5).

Another treatment within this first group distinguishes institutions and organizations from each other by looking at the formality or informality of the rules. According to this approach, unwritten, informal rules are regarded as institutions, while formalized, written rules are treated as organizations. For instance, Yee suggests that:

Formal rules are intentional social entities that are usually codified within an organization context, given a textual expression, and endowed with external, often coercive, enforcement capabilities. In contrast, norms, conventions, self-imposed codes of conduct, and shared understandings and expectations (i.e, informal rules) are largely evolutionary ideational

entities, usually uncodified and unwritten, possessing informal social and psychological enforcement (Yee 1997:1012).

Similarly, Perri 6 also defines organizations as “empirical institutions”, which refer to “rules that are *explicit* and recognized by those subject to them” [emphasis added]. Institutions, then, become rules which are “*implicit*, causally important for whole policy or social domains and which define socio-metric structures of ties and accountabilities for the basic forms of solidarity that sustain economic, political and social life” (2003:397) [emphasis added].

The difficulty with this conceptualization, however, is that in every organizational context, one can find not only formal but also informal rules. In other words, formal and informal rules might be distinct entities, but it is difficult to separate them since almost every formal organization is based on unwritten norms, principles, values, and a collective identity. As Schimmelfennig suggests:

International organizations can represent different *international communities* based on different collective identities, values and/or norms....From the sociological point of view, these regional communities are not so much constituted by geographical location and the concomitant security or economic interdependence but, just as nations in the constructivist analysis, they are “imagined communities” and *embody different constitutive values and norms*. They are “socially constructed” ‘cognitive regions’ or ‘community-regions’ whose people imagine that... borders run more or less where shared understandings and common identities end (2003: 72) [emphasis added].

Thus, formal structures are usually based on informal rules. An example of this would be the United Nations (UN). The UN is considered to be an international organization (a formal, international actor). Article 2 of the Charter of the United Nations defines basic principles of the organization as following: *sovereign equality; complying with membership requirements; peaceful dispute settlement and respect to the domestic jurisdiction of any state*. These principles and norms might be violated by its member states, but this does not mean the end of them. In brief, every organization is formed

around certain norms, principles, values and a collective identity and this normative basis, not its formal structures, becomes the defining feature of that organization.

The second approach, on the other hand, either conflates these two concepts or suggests that an organization evolves into an institution through time (see Huntington 1968; Meyer and Rowan 1977; Hall 1986:19; Thelen and Steinmo 1992:2; Peters and Pierre 1998, 565; Stacey and Rittberger 2003, 860; Greif and Laitin 2004: 635; Streeck and Thelen 2005, 12). Within this approach, some define the term “institution” so broadly that it also includes “organizations”. For instance, according to March and Olsen, the concept of institution refers to social norms and culturally stabilized systems of meaning as well as *social entities that are capable of purposive action* (March and Olsen 1989). Similarly, Brunsson and Olsen also suggest that organizations should be understood as institutionalized entities. In their words:

Organizations can be said to be institutionalized insofar as their behavior is determined by culturally conditioned rules which manifest themselves in certain routines for action and which give meaning to those actions. They reflect relatively stable values, interests, opinions, expectations and resources....In a world of bounded morality, intelligence, and power, political organizations may be conceptualized as institutions rather than as instruments. When political organizations are analyzed as institutions, they are seen to be collections of rules. These rules define legitimate participants and agendas, prescribe the rules of the game, and create sanctions against deviations, as well as establishing guidelines for how the institution may be changed (1993: 4).

Selznick also treats organizations as institutions:

Institutionalization is a process. *It is something that happens to an organization over time*, reflecting the organization’s own distinctive history, the people who have been in it, the groups it embodies and the vested interests they have created, and the way it has adapted to its environment... In what is perhaps its most significant meaning, “to institutionalize” is to *infuse with value* beyond the technical requirements of the task at hand (cited in Scott 2001: 24) [emphasis added].

For Selznick, then, an institution is an evolved form of an organization. Like Selznick, Zucker has a similar approach to organizations. The three defining principles of institutionalization of an organization, Zucker suggests, are:

a) Institutional elements arise primarily from small group or organization-level processes; b) Formalized organizational structure and process tend to be both highly institutionalized and a source of new institutionalization; and c) Institutionalization increases stability, creating routines that enhance organization performance except when more efficient alternatives are ignored (Zucker 1987: 447).

Streeck and Thelen also suggest that “organizations come to be regarded as institutions to the extent that their existence and operation become in a specific way publicly guaranteed and by becoming *backed up by societal norms and the enforcement capacities related to them*”(2005:12) [emphasis added]. On the same lines, Jepperson argues that:

Some [concepts such as marriage, wage labor, formal organization, army, presidency, the corporation, the academic discipline, voting etc.] can be referred as organizations, others not. Some may seem more “cultural”, others more “structural”. But the objects share important commonalities that encourage us to group them together [as institutions]. All are variously “production systems”, or “enabling structures”, or social “programs”, or performance scripts. Each of these metaphors connotes stable designs for chronically repeated activity sequences (1991:144-145).

Thus, this second approach has a broader definition of institutions. Accordingly, the term refers to “decision procedures, families, firms, schools, hospitals, prisons, the courts, legislatures, markets, and the state as a whole” (Levi 1990:404). Then, not only a social structure but also a social entity becomes an institution. In line with this second approach, this study treats *organization as one type of institutionalized setting*. Since almost every organization is based on certain taken-for-granted elements such as norms, ideas, principles and values (formal or informal), organizations should be understood as one type of institutionalized setting (see Meyer and Rowan 1977). Thus, for this study, organizations are formal institutions with certain formal administrative structures. Similarly, Helmke and Levitsky suggest that:

[Informal institutions] are socially shared rules, usually unwritten that are created, communicated, and enforced outside of officially sanctioned channels. By contrast, formal institutions are rules and procedures that are created, communicated, and enforced through channels widely accepted as official. This includes state institutions (courts, legislatures, bureaucracies) and state-enforced rules (constitutions, laws, regulations) but also what

Robert C. Ellickson calls “organization rules”, or the official rules that govern organizations such as corporations, political parties, and interest groups (2004:727).

However, such a broad definition means treating very distinct entities as similar, as different examples of the same phenomenon. Such a treatment, Levi rightly argues, would make analysis of creation, maintenance and transformation of institutions quite difficult (1990:405). One way of dealing with this difficulty, Levi suggests, would be by providing a typology of institutions (1990:405). This study provides such a typology of institutionalized settings based on two dimensions (see Figure 1). The first dimension is related to the formality (official or written) or informality (unwritten) of the institutional setting. The second dimension is concerned with whether the institution is mere structure or a political, social entity (an agent). These two dimensions produce the four-fold typology. The upper right cell (informal, structural elements such as norms, values, principles) forms the basis of all other types of institutions. In other words, informal rules are embedded in formal organizations, informal groupings and in formalized structures (Helmke and Levitsky 2004: 727).

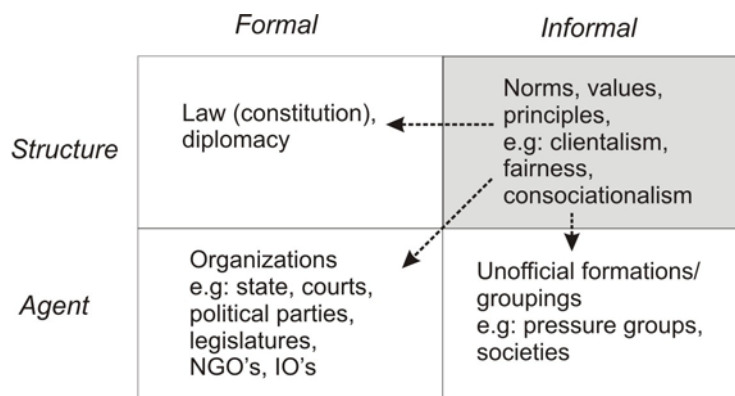


Figure 1: A typology of institutionalized settings.

This study analyzes changes in “formal political institutions” (upper and lower left cells). Chapter 6 analyzes the reform of National Security Council (Milli Güvenlik Kurulu-MGK), an example for the lower left cell, while Chapter 7 deals with

constitutional, legislative changes in the issue of cultural rights (focusing on the Kurdish issue), as an example for the upper left cell.

3.1.1 Institutional Environment: Heterogeneous or Homogenous?

After defining the concept of institution and its analytical components and its relationship to the concept of organization, it is necessary to make one important qualification on the nature of institutional settings: *heterogeneity*. Even though, institutions are based on certain norms, principles, values and a collective identity that are internalized by institutional actors, we should not assume that institutional settings are *homogenous*. As Crouch and Keune state “neo-institutionalist analysis often starts from an assumption of homogeneity, that is, it depicts the institutions of a society as highly systematic, with everything operating according to a single logic, with endogenous actors operating within a single action space” (Crouch and Keune 2005: 83; see also Colomy 1998). Powell also observes that new institutionalist literature “suggests a static, constrained and *oversocialized* view of organizations” (Powell 1991:183) [emphasis added]. However, as Hooghe states:

Organizations [formal institutions] are rarely unitary. Compartmentalization multiplies opportunities for socialization, but it also produces diversity within an organization. Compartmentalization intensifies ties within organization subunits while loosening those among them....However, different subunits within an organization may socialize different norms, some of which may reinforce the international organization’s mission, and others not (2005: 868).

Barnett and Finnemore (1999) also address the likelihood of emergence of different cultures within an institutional setting. They suggest that organizations are not mere arenas or mechanisms through which other actors pursue interests. Rather than being an empty shell, an organization does have a social content - its culture, its

legitimacy concerns and norms (1999:718). However specialization and compartmentalization due to division of labor within an institution would create subcultures within the same unit (1999:719). In their words:

Once in place, an organization's culture, understood as the rules, rituals, and beliefs that are embedded in the organization (and its subunits), has important consequences for the way individuals who inhabit that organization make sense of the world. It provides interpretive frames that individuals use to generate meaning... Divisions and subunits within the organization may develop their own cognitive frameworks that are consistent with but still distinct from the larger organization, further complicating this process (1999:719).

Even if these distinct subunits or subcultures might initially be consistent with the general organizational framework, this situation might increase diversity through time. This might even lead to conflict within an organization.

Other than different forms of socializations due to specialization and compartmentalization within the same institutional setting, institutions' interactions with other institutions and with their environment may also create diversity. Institutions are always embedded in larger institutional structures (Fligstein 1991:313). Using the words of Powell (1991:188), "individual preferences and choices cannot be understood apart from the larger cultural setting and historical period in which they are embedded." This embeddedness leads to the emergence of a web of vertical and horizontal interactions among institutions. These interactions become channels for institutional actors to get new ideas, understandings therefore interests. These interactions create different patterns of behavior among institutional actors within the same institutional setting. Thus, it is not realistic to expect the same degree of norm internalization or embodiment among institutional actors within a given institution. Therefore, the homogenizing impact of institutionalization should not be exaggerated.

This institutional heterogeneity is quite significant for institutional instability and institutional change because heterogeneity of interests increases the likelihood of conflict among institutional actors. The heterogeneity of an institutional setting (multiple interests, expectations) creates distributional consequences (Knight 1992). In other words, since institutional rules - including norms and practices - define appropriate behavior for certain roles in certain situations and constrain some actors while enabling others, the level of satisfaction from the institutional status quo among institutional actors varies. As a result of this, there are always actors who favor the existing institutional setting, while others contest the institutional status quo. Unlike the assumption of homogeneity, there are different types of actors in an institutional environment, such as *pro-change* vs. *pro-status quo* actors. Tension among these different actors is inevitable, and this tension might destabilize institutions and lead to a new institutional pattern. Using the words of Eisenstadt, "...any institutional system is never fully 'homogenous', that is, fully accepted or accepted to the same degree by all those who participated in it, and these different orientations all may become *foci* of conflict and of potential institutional change"(1964:246).

3.2 WHAT IS 'INSTITUTIONAL CHANGE'?

The brief literature review in Chapter 2 reveals that "institutional change" is another ill-defined concept in the institutionalist literature. Existing definitions of institutional change remains quite ambiguous or limited (Campbell 2004:5). For instance, for rational choice institutionalism, any change in the rules of the game is an institutional

change (Shepsle 1989:141). However, this conceptualization is quite ambiguous in the sense that what is meant by 'rules' is not clear. Because of this ambiguity, it would be quite difficult to consider any change in the procedural rules of an organization - such as meeting times or places- as institutional change. What is more, since rational choice institutionalism has a very narrow understanding of an institution (neglecting normative elements), this is not a workable definition for a study, that emphasizes normative elements within an institutional structure.

Most of the new institutionalist efforts to conceptualize institutional change focus on the *degree of shift* from the institutional status quo. Harty rightly observes that:

...there is a difference of opinion in the literature over what constitutes institutional change. Actually, the debate is over degrees of change: is reform change or something else? Does a series of reforms-adaptation-amount to change or is it evidence of institutional continuity and stability...until they [these questions] are debated and resolved, a theory of institutional change will not be possible (2005:62).

Such an approach to institutional change, however, creates further conceptual problems rather than solving any. Peters, Pierre and King (2005:1287) raise a significant point when they ask, "How large is a change before it ceases to be incremental?" They continue by stating that, "This is a measurement problem, but it is also a fundamental conceptual problem. That is, neither the historical institutionalists nor the incrementalists are very clear about what sort of a change should be reckoned to be significant enough to say that there has been a deviation from the path [having a changing institution]".

This study acknowledges the fact that institutional change is a matter of *degree* (Campbell 2004: 58), but suggests that the criterion for deciding whether any shift qualifies as an institutional change should not be the degree of change (i.e incremental or dramatic), but it should be the *content* of the change. In other words, one should look at

the *scope of change* in the sense that if the shift takes place within the normative core, which forms the defining elements of an institutional setting, then one can talk about a changing institution. As Thelen suggests, “if institutions rest on and reflect a particular foundation...then they should change as a result of shifts of these underlying conditions.” (cited in Stacey and Rittberger 2003: 864). This is a much more useful approach to institutional change. Focusing on the degree of change as the criterion for defining a change as institutional change is problematic because it is difficult to give an objective answer to the question of the degree or threshold that should be passed in order to define a change as institutional change. A better strategy, therefore, would be to focus on whether there is any change in the defining features or elements of institutions. This method, of course, does not eliminate the degree problem, but it offers a better way for deciding whether an existing institution is changing.

As indicated before, emphasis on institutional stability or continuity in institutionalist literature (Streeck and Thelen 2005: 6) should not imply that institutions are immutable structures. Change, either dramatic or gradual, is abundant in the institutional world. However, change might take place within any scope of an existing institutional setting (normative core, goals and instruments), but not all types of changes would qualify as an institutional change. Table 4 presents three types of changes depending on the scope of change. Change in the normative basis of an institution is defined as *fundamental (primary) change*. This type of change involves a gradual or dramatic shift in the norms, principles, values and collective identity of an institution. It refers to the institutionalization of totally new norms or the transformation of existing institutional norms into a new form.

Table 4: Types of change in an institutional setting

	Scope of Change	Type of Change	Features	Hypothetical examples from UN (United Nations)
Institutional Change (Change to a new path)	<i>Normative Core</i>	<i>Fundamental (Primary)</i>	Gradual or total shift of institutional norms, values, principles and identity.	An attempt changing the principles of UN such as principles of sovereign equality; non-intervention, peaceful conflict settlement etc. (UN Charter, Article 2).
Institutional Adjustment (Change within a path)	<i>Goals</i>	<i>Strategic (Secondary)</i>	Adoption of new goals, purposes; adaptation of institutional goals to new situations.	Adoption of new goals other than maintaining security and peace, international cooperation, promoting respect for human rights and fundamental freedoms (Article 1).
	<i>Instruments</i>	<i>Tactical (Tertiary)</i>	Employment of new rules, procedures, policies, resources, administrative structure.	Some instruments of UN in conflict settlement are negotiation, enquiry, mediation, conciliation, arbitration or judicial settlement. A new instrument or removal of one instrument would be a tertiary change.

Adoption of new goals, missions or purposes or adaptation of institutional goals to new situations and times becomes strategic (*secondary*) change. This is also known as *conversion* (Thelen 2002 and 2004). An example to this would be changes to the missions of International Monetary Fund in the mid 1970s. The IMF, established in July 1944 at Bretton Woods, New Hampshire, USA, was designed to regulate the international monetary system, to promote exchange rate stability, to facilitate the expansion of world trade and to help member countries experiencing balance of payments problems. After the collapse of the Bretton Woods exchange rate regime in the early 1970s, however, the influence of the IMF over exchange rates decreased. The main focus of the IMF became the balance of payments problems faced by developing countries. One major goal of the IMF (exchange rate stability) became less relevant in the mid 1970s, while the issue of

balance of payment problems became quite salient. *Tactical (tertiary) change* refers to changes in the rules, procedures, and administrative or organizational structures. In this case, only the instruments or means of institutions change. An institution might adopt new policy instruments (Haas 1990) or new decision-making procedures such as a shift from consensus to majority voting.

Among these three types of changes, only the first one classifies as an institutional change, because in this case, the defining elements of an institution (normative core) take different forms (i.e change to a new path). As indicated above, institutions rest on a normative basis. Different institutions might have similar instruments and goals but what makes them distinctive are their norms, principles, values and collective identity. In other words, the normative basis (the first component) becomes the defining element in an institutional setting. Any change in this defining element should be considered as an institutional change. Changing goals and instruments such as adopting new objectives, redesigning organizational chart and developing new resources, strategies, policies, that do not alter the normative core, should not be defined as institutional change. For instance, if the principles and purposes of the UN as indicated in the Charter are completely changed or transformed into another form, then we would have a different UN. Changes in the organizational structure of UN alone would not make it a new entity. Thus, secondary and tertiary changes (changes in the goals and instruments) should be considered institutional adjustments (i.e *changes within a path*), rather than institutional change.

Having said this, it is quite likely that primary change (shifts in the normative core) would lead to further shifts in the scope of goals and instruments (new collective

mission, new administrative rules, procedures, strategies, policies, resources, and organizational structure). The components of an institution (norms, goals, and instruments) are distinct but not separable. In other words, the secondary and tertiary change might be a result of the primary change. For instance, in his study of the redeployment of state in social policy in France, Levy observes that the failure of statist model (for instance double-digit inflation, rising trade and budget deficits, stagnant investment, currency crisis) led to the liberalization of *dirigiste state tradition* in the 1980s (Levy 2005: 105-107). Although some institutional patterns were resistant to change (for instance *state activism*), significant changes took place in institutional norms and principles (shift from dirigisme to liberalism). This normative change (primary change) led to the creation of new objectives and instruments (secondary and tertiary changes respectively). For instance state activism was diverted away from industrial policy to social policy after this transformation (secondary change due to primary change).

Another example of this situation would be the transformation away from the notion of the Keynesian state. In the 1970s, many western economies shifted from Keynesianism, which is based on the demand side of economics, to *monetarism* – the supply side economics. This change in principles and norms is considered to be a major institutional change (Hall, 1992 and 1993). This shift in foundation (norms and ideas) also led to the adoption of new goals and instruments, such as new types of policies that focused more on the money supply and interest rates than on demand management. Hall notes that:

...dramatic changes in British macroeconomic policy took place during the 1970-89 period. These changes are commonly associated with the movement from a Keynesian mode of policymaking to one based on monetarist economic theory... *Not only the settings of policy*

change but the hierarchy of goals and set of instruments employed to guide policy shifted radically as well. Inflation replaced unemployment as the preeminent concern of policymaking. Macroeconomic efforts to reduce unemployment were rejected in favor of balanced budgets and direct tax reductions. Monetary policy replaced fiscal policy as the principal macroeconomic instrument, and it was reoriented toward fixed targets for the rate of monetary growth. Many regulatory instruments associated with state intervention, such as incomes policies, exchange controls and quantitative limits on bank lending, were eliminated (1993:283/284) [emphasis added].

This study focuses on primary change (shift in normative basis). It is much more engaging to analyze this type of change because primary change involves changes in the *core* elements of an institution: norms, values, principles and collective identity. However, shifts in the normative elements of an institution might take quite different forms. These may include “change as novelty or replacement, change as addition or subtraction, increased complexity, transformation, reversion and obsolescence” (Holsti 2004:12-13). According to Holsti, *change as novelty or replacement* refers to the introduction of new forms replacing old ones. *Change as addition or subtraction* refers to the quantitative growth or decline of certain elements (e.g increases in the volumes and speed of transactions in trade, finance or communications). *Change as increased/decreased complexity* refers to, for instance, the expansion of the number of activities and agents; the elaboration of tasks and rules; or the expansion of the scope of activity. *Change as transformation* refers to a situation in which, the old (previous principles, norms etc) is not totally replaced, but it coexists with the new. In this study, this type of change is labeled as *gradual change*. These four types of changes, for Holsti, are *progressive* changes. However change might also take place as reversion, which means movement toward more primitive forms. Finally, change as obsolescence refers to situations in which institutional practices, norms and rules become obsolete. They simply disappear rather than being replaced by something new.

This study analyzes one form of *progressive, qualitative change: gradual change*. The focus of this work is the introduction of new principles and norms to an existing institutional setting. Old elements may continue to exist, at least for a certain period of time, but the inclusion of new normative elements into the existing institutional structure would definitely result in a changing institution. Thus, this work is not about normative change at societal level. Rather it analyzes the transformation of normative structure at a micro level (i.e institutional settings) and asks when and how existing institutions embody new norms, principles and values and change.

3.3 MEASUREMENT

With respect to measurement, grasping primary change creates some difficulties since it refers to changes in institutional norms. For instance, how does one know whether or not there was a shift in the normative basis of an institution? Answering this question is a challenging task since changes in institutional norms are difficult to observe directly. As Finnemore and Sikkink suggest “we can only have indirect evidence of norms just as we can only have indirect evidence of most other motivations for political action (interests or threats, for example)” (Finnemore and Sikkink 1998: 892). This study also relies on several indirect indicators of changes in institutional norms. The following methods are used to gain a sense of the shifts in the normative basis of an institutional setting: looking at the changes in the behaviors of institutional actors, the changes in legal documents, and checking for any secondary or tertiary change in the institutional setting. In terms of the first method, since norms, which are collective understandings defining

appropriate behavior and by this way, set the standards of legitimacy (see chapter 5), have some behavioral impacts, one way of grasping changes in institutional norms would be looking at the changes in the behaviors of institutional actors.

Secondly, this study focuses on formal political institutions. This type of institution is usually defined in legal texts. Thus, looking at constitutional or legislative changes, that define the institutional normative basis, would be another way of grasping primary change. Finally, almost every shift in the normative basis of institutions would bring further shifts in the second and third components, which are relatively more observable. In other words changes in institutional norms would lead to changes in the institutional goals and instruments. A new policy, new decision making rules, new members or a new organizational structures might be a result of shifts in the normative basis of an institution. That having been said, one should be careful in doing this because the third approach might be misleading in the sense that institutions might change their instruments while sticking to the same institutional norms and goals.

3.4 CONCLUSION

This study considers institutions as *formal or informal social structures of norms, rules and practices that regulate (constrain or enable) the course of actions among a group of actors*. An institution, which might be a mere structure (e.g constitution) or a social, political entity (political parties, legislatures etc.), usually consists of three components: *normative core, goals and instruments*. Institutional change refers to any shift in the first component, that is, a gradual or total shift in institutional norms, values,

principles and identity. In other words, if there is any shift in the first component, then one can talk about a changing institution. Changes in the second and third components should be considered institutional adjustments. Thus, *path breaking change*, here, refers to shifts in the first component. Changes in other components would be *path following changes*.

One important note is that the shifts in the first component do not have to be dramatic. Thus, according to this conceptualization and contrary to HI, path breaking changes can be incremental. As Chapter 2 indicated, HI tends to limit path breaking changes to dramatic shifts driven by external shocks taking place at critical moments such as wars or financial crises. Incremental changes leading to substantial change in an institutional setting have been ignored by this approach. This is because such an understanding of institutional change is based on the *degree of change*. Incremental changes are not expected to alter existing institutional paths. Once an institutional path emerges, it becomes difficult to change. Only dramatic events can break those changes. However, *a conceptual shift from the degree of change to the scope of change* would increase our ability to incorporate not only incremental but also path breaking changes into the theoretical framework. Thus, the conceptualization of institutional change provided by this study not only specifies the meanings of path following and path breaking changes, but also removes fruitless debate on whether a real change should be incremental or dramatic. Incremental or not, any shift in the first component should qualify as an institutional change, and any change in the second and third components should qualify as institutional adjustments. However, this does not mean that institutional change and institutional adjustment are isolated from each other. They are distinct but

related developments in the sense that institutional change is quite likely to lead to certain institutional adjustments, although the reverse is not likely.

4. THE FIRST STAGE: INITIATION OF CHANGE PROCESS

The primary task of a theoretical framework of institutional change should be answering *when* and *how* questions. This chapter deals with the ‘when’ question. When does institutional change occur? To ask differently, when is the shift in the normative basis of existing institutions initiated and by which factors? Thus, this chapter analyzes the timing of institutional change and discusses some of the factors that are likely to trigger the process of institutional change at the first stage, i.e. *initiation*. The following chapter focuses on the second stage of change process, during which institutional actors bargain over alternative arrangements.

Within the studies that analyze the timing of ‘policy change’, one straightforward approach argues that when actors face a ‘*window of opportunity*’, they tend to initiate a change (Cortell and Peterson 1999; Kingdon 2003). A window of opportunity, for Kingdon (2003:165), refers to opportunities for advocates of change to advance their particular initiatives. This approach might be also useful in terms of analyzing structural changes (i.e institutional change). That having been said, this approach suffers from the same weakness that several new institutionalist orientations do. That is the *weak account of agency*. This approach assumes that until certain developments open a window of opportunity, actors remain as silent, passive players. This assumption might be true for

some weak actors but this approach underestimates the capabilities of some other actors in consciously *creating* windows of opportunity and pursuing for a structural change. Thus, treating actors as *opportunity waiters* rather than *opportunity creators* provides very limited understanding of agency. This assumption limits its explanatory powers in terms of understanding change processes.

This chapter suggests that the windows of opportunity approach might be useful for our understanding of structural changes but its explanatory power remains limited due to its weak account of agency. Thus, this chapter first discusses two important factors which create opportunities for pro-change institutional actors and lead to the initiation of the change process: *shifts in power structures* and *negative feedback mechanisms*. The chapter also argues that we should keep in mind that actors are not necessarily opportunity waiters but also *opportunity creators*. The section on negative feedback mechanisms provides more discussion on this issue.

4.1 SHIFTS IN POWER STRUCTURES

As discussed in Chapter 1, this study provides an actor oriented approach to institutional change. One way to incorporate human agency into the explanation of institutional change should be focusing on power structures - patterns of power relationships in a specified scope and domain (Baldwin 2002:185) - among institutional actors. As Bachrach and Baratz note, “in every human institution there is an ordered system of power, a ‘power structure’ which is an integral part and the mirror image of the

organization's stratification" (1962:947). Stinchcombe suggests that institutions are "concentrations of power in the service of some value. A correlation between power and commitment to a certain value is thus the defining characteristics of an institution and determine its casual impact on social life" (1968:9-10). Similarly, Moe suggests that "...political institutions are more than just structures of cooperation. They are also structures of power." (2005:228). A similar view is provided by Brint and Karabel who suggest "we view organization fields as *arenas of power relations*, with some actors-generally possessing superior material and/or symbolic resources-occupying more advantaged positions than others" (1991:355) [emphasis in original]. With respect to institutions, Hall argues that they play two main roles:

On the one hand, *the organization of policy making* [institutional factors] *affects the degree of power that any one set of actors has over the policy outcomes* ...On the other hand, organization position also influence an actor's definition of his own interests, by establishing his institutional responsibilities and relationship to other actors (quoted in Thelen and Steinmo 1992:3) [emphasis added].

Collectively, these scholars argue that power is an important constitutive element in institutional settings. This suggests that institutional actors interact within a power structure and a shift in this power structure may influence the likelihood of institutional change. However, contemporary institutionalists tend to overlook the role power and coercion plays in explaining organizational outcomes (Fligstein 1991:312; Finnemore 1996:343; Colomy 1998:278; Moe 2005). As Fligstein suggests, "institutional theories have overestimated the role of norms in the construction of organization fields and underestimated the relative power of actors in organizations in this regard". Hira and Hira also observe that in emphasizing structural factors (e.g the rules of the game), the new institutionalism "underplays the importance of power, position and prestige in manipulation or ignoring those rules" (2000:276). By neglecting power, scholars have

failed to consider the political and conflictual aspects of institutional change in their analysis of various institutions (for instance the notion of critical juncture) (Colomy 1998:278).

The Concept of Power: Before going further, some discussion on the notion of power, which is a central but also elusive, complicated, messy and contested concept in the field political science (Waltz 1986:333; Baldwin 1979 and 2002; Hagstöm 2005a and 2005b), becomes a necessity to reduce the likelihood of misunderstanding the role of power and power shifts in the initiation of institutional change.

One can delineate two notions of power in the literature: *power-as-property* (also known as power-as-capability, power-as-resources, and power-as-ownership) vs. *relational notion of power* (also known as power-as-causation). *Power-as-property* is associated with classical realist and neo-realist theories, and is understood in terms of capability and/or ownership of material resources (see Morgenthau 1948 and Waltz 1979:60-61, 131, 191-192). This approach treats power resources as power itself (Baldwin 2002:179).

Alternatively, *relational notion of power* provides quite different understanding of power. According to this notion of power, power is *not the study of material capabilities* but the study of the total structure of actions and of the resistances and evasions encountered by those actions (Hindess 1996:101). As Foucault (1926-1984), the French structuralist philosopher and historian, suggests:

Power in the *substantive sense*, '*le pouvoir*, *doesn't exist* [emphasis added]. What I mean is this. The idea that there is either located at –or emanating from- a given point something which is a 'power' seems to me to be based on a misguided analysis, one which at all events fails to account for a considerable number of phenomena. *In reality power means relations* (emphasis added), a more-or-less organized, hierarchical and co-coordinated cluster of relations. (See Gordon 1980:109-146)

The basis of relational notion of power is ideas and cultural contexts rather than brute material forces (Lasswell and Kaplan 1950; Wendt 1999:97). In other words, rather than limiting the notion of power to material properties, resources owned by certain actors; relational notion of power broadens the content of the power to social relations and normative understandings such as intersubjective meanings, identities, norms, rules, discourses, symbols and constitutive and deliberative processes. Power is therefore exercised through symbolic means (e.g argumentation, legitimation) rather than material. In order to be legitimate and therefore influential (i.e. being powerful), actors use normative understandings in a given scope and domain.

This study adopts the relational notion of power, which is causal, context sensitive and attentive to normative factors. Within an institutionalized setting, the relational notion of power becomes a powerful tool to use because institutions have strong normative basis. Institutional actors interact within a social context, which give 'meaning' to the resources owned by actors and also define appropriate behavior for actors. This is in contrast to the realist versions of power, which remain limited because of their inability to capture the role that norms play in shaping interactions between actors.

As discussed in Chapter 2, theoretical orientations in new institutionalism do not incorporate a strong account of agency, particularly sociological and historical variants. This lack of agency also leads to the lack of a strong account of power relations in theoretical explanations of institutional developments. Moe observes the same situation in rational choice institutionalism (RCI), which is surprising for an actor-oriented approach. Moe states that:

...power is so commonly featured in this literature [rational choice] that it is now each to believe – as I suspect most scholars in the field do- that power is an integral part of the theory [rational choice], on par with cooperation in explaining political institutions. But it really isn't. However much power might be discussed, the fundamentals of the theory have not changed. They take their orientation from the same framework that guides all economic theory: voluntary exchange among rational individuals. They identify the key challenge as one of understanding whether rational individuals will cooperate in the face of collective action problems. And their explanations are built around mutual gains, credible commitments, self-enforcing equilibria, and other concepts that flow from the logic of voluntary choice. (2005:215)

While Moe acknowledges that there are limited numbers of studies providing theoretical frameworks which integrate power into the theory of institutions (for instance Levi 1990; Knight 1992), these studies remain limited because they restrict the notion of power to the ownership/ distribution of material resources (see Levi 1990, Knight 1992 and 2001; also Thelen 2004). For instance, Knight (1992 and 2001) argues that social institutions are by-products of strategic conflict over substantive social outcomes and asymmetries in resource ownership is the main factor which determines the outcome of bargaining over social institutions. Knight states that "...asymmetries of resource ownership affect the willingness of rational self-interested actors to accept the bargaining demands of other actors. Here the asymmetries of resource ownership serve as an ex ante measure of the bargaining power of the actors in a social interaction" (2001:108). Similarly, Levi notes:

...there is an unequal distribution of power among those who constitute the institution. By that I mean there is *unequal access to the coercive capacity of the institution and to resources on which others depend. From these assumptions it is obvious that one source of institutional change is the redistribution of the coercive and bargaining resources of power within the institution*" (1990:402-403) [emphasis added].

However, power shifts, which emerge as an important factor triggering change process, should not be limited to shifts in resource ownership or the emergence of unequal distribution of material resources. Power shifts should also incorporate being

legitimate or illegitimate in a given scope and domain. This notion is even more valid in an institutional environment. As Schimmelfennig (2003:208) suggests, politics in a community environment, an institutionalized setting is also a community environment, is a struggle over legitimacy (also see Inis 1966). Institutional actors therefore:

...seek social approval and respect from the other community members. In other words, they want to be recognized as legitimate. Conversely, they are sensitive to social disapproval and disrespect. They are concerned with their image and reputation in the community and do not want to be regarded as unreliable or illegitimate (Schimmelfennig 2003: 218).

Institutional actors care about their legitimacy, reputation (social standing) because it helps them achieve their objectives in an institutional setting. This does not mean that the distribution of material resources among institutional actors and coercive means to achieve certain objectives are irrelevant. Rather, in an institutionalized setting, in which actors are expected to act within the rules of the game and within institutionalized normative understandings, legitimacy, reputation and symbolic means become valuable than material resources and coercion. Legitimacy also matters for institutional change because once certain internal or external developments increase the legitimacy or reputation of pro-change actors, then those institutional actors would have a better chance to promote structural change. Therefore, increasing legitimacy or reputation would empower pro-change actors and increase their ability to persuade other relevant actors on the necessity of a structural shift.

However we should still ask the following question: why should change in power structure increase the likelihood of institutional change? As Chapter 2 suggested an institutional setting should not be assumed to be completely homogenous environment. In an institutional setting, actors are heterogeneous and sometimes have competing interests. Therefore different actors may prefer different institutional arrangements. Given this

diversity, institutions would create distributional consequences (Knight (1992). In other words, institutions do not necessarily distribute costs and benefits evenly (Mahoney 2000:521). Knight and Sened rightly suggests that “since institutional rules usually affect the distribution of the benefits of social outcomes, it is likely that there will be actors who want to change these institutional arrangements” (2001:11)

We can therefore conclude that almost every institutional setting will likely have two type of actors: *pro-change* and *pro-status quo*. Institutional actors who desire a better distributional outcome would be *pro-change* and would consider shifts in power structures an *opportunity* to alter existing institutional arrangements to get more benefits for themselves. On the other hand, actors who benefit from the existing institutional status quo would try to prevent institutional change. Thus, such discriminating effects of institutions can lead to conflict among institutional actors. In this case, shifts in power structures should provide an incentive for disadvantaged actors to push for institutional change. As Eisenstadt states “contradictions, conflicts [due to heterogeneous interests] and shifts in the balance of power may lead to the depletion of the resources needed to maintain a given system or give rise to the crystallization of new foci of resources and orientations which may in turn seek to create a new institutional system” (1964:247). Thus, an institutional setting has greater potential for change than new institutionalist thought acknowledged. Certain internal and external developments activate this potential.

This study defines institutional change as a shift in the normative basis of the existing institutional setting (shift in the first component). A better understanding of this shift in the normative basis of an existing institution requires focusing attention on preferences of institutional actors and the power structures in which these actors interact.

This perspective is supported by Barnett who suggests, “social processes, not social structures, produce norms. Norms do not operate behind the backs of actors; rather, actors determine what the norms are” (1998:7). Thus, an actor-oriented approach on institutional change would be quite appropriate. In his analysis of dialogues among Arab states for defining regional order within the Arabic states system, Barnett states that:

actors struggle to determine norms because they have differences of opinion that stem from *divergent principled beliefs and from opposing political calculations* ... Arab leaders vied to promote a definition of the situation and to repair or reform the norms of Arabism that were connected to the desired regional order, because doing so could further their various interest and control the foreign policies of their rivals...Defining the norms of Arabism was *an exercise of power and a mechanism of social control*” (1998:7) [emphasis added].

Thus, change in the normative basis of an institution should be understood as a conflictual process simply because norms enable certain actors and constrain others. A better understanding of this conflictual process requires paying more attention to shifts in power structures within the institutional setting.

A final note on this is that one can expect that by examining shifts in power structures we may also gain insights into the direction of institutional change. It might be expected that the direction of institutional change would be shaped by the preferences disadvantaged but empowered institutional actors because these empowered actors would be the drivers of institutional change. These pro-change actors would be able to effectively bargain for alternative institutional arrangements, which would better serve their interests than the institutional status quo. While one would expect that the emerging institutional arrangements would be more in line with the preferences of empowered institutional actors, this may not be the case. Power shifts at the first stage does not have determinative impact on the outcome of the change process. In other words, the outcome of institutional change might differ from the expectations of the empowered actors which

initiated the process of process. This is because institutional change is a conflictual process involving two stages. Bargaining among institutional actors forms the second stage and quite different factors (material interests, ideational interests etc), dynamics (argumentation, norm invoking, symbolic contestation) play role in the bargaining process in an institutionalized setting. Bargaining in an institutionalized setting take place on several dimensions in the sense that bargaining process is not only shaped by actors' expected material utilities but also by ideational interests shaped by that institutional setting. As North states "A change in the bargaining strength of parties may lead to an effective demand for a different institutional framework for exchange, but the informal constraints stand in the way of accomplishing it" (1993b:47). Following chapter, which analyzes the second stage institutional change, bargaining, provides more discussion on this issue.

If changes in power structures are important in explaining institutional change, then the question becomes what factors might cause a shift in power structures. This shift may be the result of various internal or external developments. Pro-change actors might develop new resources, new strategies through learning process or they might be empowered (in ideational and/or material senses) by some other developments such as social movement, demographic or macroeconomic change; change of administration through elections or interactions with other domestic or international institutions. These developments do not have to be internal in nature. International developments or interactions with international actors might also enhance the legitimacy and reputation of pro-change actors in a given institutional setting. Regardless of whether the change is encouraged internally or exclusively, the timing of institutional change can be determined

by identifying a shift in power structures among institutional actors. Once shifts in power structures empower pro-change actors, the likelihood of shift to a new institutional status quo would increase (see Figure 2). Thus, power relations among institutional actors should be taken seriously in explaining the first stage of institutional change (i.e. initiation). Therefore:

H₁: The empowerment of disadvantaged institutional actors as a result of shifts in power structures (material and/or ideational), increases the likelihood of institutional change.

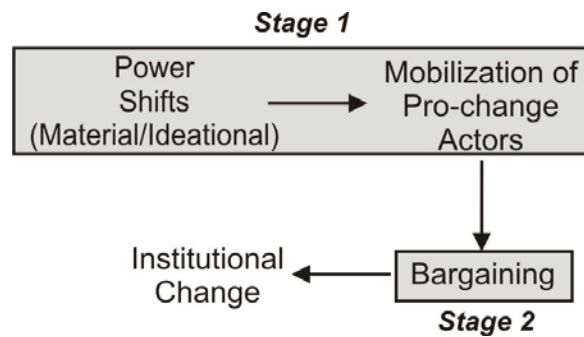


Figure 2: Power shifts as a trigger of change

4.2 NEGATIVE FEEDBACK MECHANISMS

As Chapter 2 indicates, institutionalist theories attribute primacy to structure and emphasize the order and stability of these structures. Because of this interest in institutional stability, these theories pay more attention to mechanisms of *reproduction*, (i.e. mechanisms of reinforcement of existing institutional structures). One emphasized mechanism of reproduction is *increasing returns*, which refers to “self-reinforcing, positive feedback processes” (Pierson 2000b: 251). According to Pierson:

the conception of path dependence, in which preceding steps in a particular direction induce further movement in the same direction, is well captured by the idea of increasing returns. In an increasing returns process, the probability of further steps along the same path increases

with each move down that path. This is because the *relative* benefit of the current activity compared with other possible options increase over time. To put it a different way, the costs of exit- of switching to some previously plausible alternative- rise (2000b:252).

If institutional actors maintain existing institutional structures due to positive feedback, then we would expect the same institutional actors to seek to change the existing institutional setting when they receive negative feedback. If institutional actors are able to learn the benefits of existing institutional status quo, then they should have the same capability to learn the costs of maintaining the status quo. As Crouch and Farrell suggest, “while the character of learning is one of the reasons why actors find themselves caught in path-dependence traps, it can also be...the means by which they might break dependence” (2004:24). It would therefore be misleading to treat learning simply as a mechanism of path maintenance. Actors might also learn that maintaining the institutional status quo and giving up alternatives is a harmful option. Despite this, institutionalist theories pay relatively little attention to negative feedback mechanisms, which emerge as crucial for explaining institutional change.

From this perspective, the following questions should be addressed: *What is negative feedback, and how does it initiate the process of institutional change?* This study defines negative feedback as the ‘dissatisfaction’ of institutional actors within an existing institutional arrangement. This dissatisfaction might be result of several factors. For example, dissatisfaction may arise from the increasing opportunity costs of maintaining institutional status quo due to poor performance of existing institutional arrangements or the emergence of more attractive alternatives (material negative feedback). That having been said, material negative feedback does not have to be ‘real’ in the sense that pro-change actors may perceive or consciously present or construct an unexpected

institutional outcome as a crisis for the institution and advocate a structural change. In other words, negative material feedback might be a *fabricated* one. Pro-change actors may consciously create negative feedback by exaggerating the scale and importance of a minor negative consequences.

Negative feedback might also result from the rise of discrepancy, disjunction between existing institutional structure and actors' ideas and belief systems (*ideational negative feedback*). Certain external (e.g interactions with other institutions or actors) and internal factors (e.g learning) might lead to an ideational shift among institutional actors creating a discrepancy between actor's belief systems and institutional status quo (Lieberman 2002). Ideas refer to individuals' *beliefs* (Goldstein and Keohane 1993:3; Woods 1995: 162). Goldstein and Keohane (1993:3-30) delineate between three categories of ideas/beliefs: *causal beliefs*; *principled beliefs*; and *world views*. Causal beliefs refer to "beliefs about cause-effect relationships" such as 'civic culture promotes democratic stability'. Principled beliefs, using the words of Goldstein and Keohane, "consist of *normative ideas* (emphasis added) that specify criteria for distinguishing right from wrong and just from unjust. The views that 'slavery is wrong' that 'abortion is murder' and that human beings have the "right of free speech" are principled beliefs" (1993:9). Finally, world views refer to much broader categories of beliefs entwined with actors' identities, emotions and loyalties. An ideational shift may create a gap between actors' beliefs and institutional arrangements. This would further lead to dissatisfaction with the status quo, and finally would result in the delegitimation of existing institutional arrangements. Thus, negative feedback (dissatisfaction with the existing institutional structure) should not be understood in materialistic terms. Instead, the political outcomes

that an existing institutional setting produces might be contrary not only to material interests of institutional actors, but also to their belief systems and so to their ideals and ideational interests.

Since institutional change is defined as a shift in the normative basis of existing institutional setting, changes in actor's principled beliefs (normative ideas) are more relevant to this study. An example to the rise of discrepancy between actors' principled beliefs and existing institutional arrangement as a trigger of structural change would be the decolonization process that took place in the post-World War II era. Jackson (1993:111-138) shows that the rise of principled ideas (normative ideas) about self-determination as opposed to shifts in military power or economic interests was the main factor, that led to the delegitimation of colonial arrangements and gave rise to the search for new institutional arrangements. Jackson states that "ideas can destabilize old institutions based on discredited ideas and serve as the basis of new institutions. Demands for independence based on equality and self-determination eventually deprived colonialism of its moral defenses and put in its place alternative norms for justifying independent state" (1993:119).

The emergence of anti-slavery movement would be another example to the rise of discrepancy between principled ideas and existing institutional arrangements. As North suggests, the anti-slavery movement was not the result of a cost-benefit calculus such as a change in relative prices. Actually, North argues, slavery was still profitable at the time of the Civil War (positive material feedback). The anti-slavery movement, however, was the result of ideational change, i.e 'growing abhorrence on the part of civilized human beings of one person owning another' (1993b:85). Kaufman and Pape (1999) also suggest

that anti-slavery movement was driven by moral principles (religious beliefs such as immorality of owning and trading human being) rather than material interests. Thus in the case of the anti-slavery movement, the contradiction between principled ideas and the institutional reality led to increasing demands for institutional change.

In his analysis of the transformation of the “Swedish model” of economic regulation in 1980s, Blyth (2001) also emphasizes the role of ideational factors in explaining institutional change:

Once labor generated new uncertainties within the institutions of the Swedish model in the 1970s and the brute force response of the lockout failed to intimidate LO [Landsorganisationen i Sverige- Trade Unions], business used a set of ideas antithetical to those that underlay existing institutions to challenge the boundaries of the economically possible and the politically legitimate. By developing new ideas and by mounting an ideological campaign that used specialized organizations to break existing cognitive locks, business was able to cast previous institutional solutions as problems that could be diagnosed and cured only by their new ideas. 2001:23

Blyth’s study shows that in the 1980s, the existing institutional structure was producing negative feedback for business groups. This led the business groups to contest and delegitimize institutional status quo by developing and deploying new ideas. This ideational contestation resulted in the institutional changes, i.e. the transformation of the Swedish model of economic regulation.⁶

⁶ For another study on the role of ideas and paradigms in institution building and institutional change, see Blatter 2003.

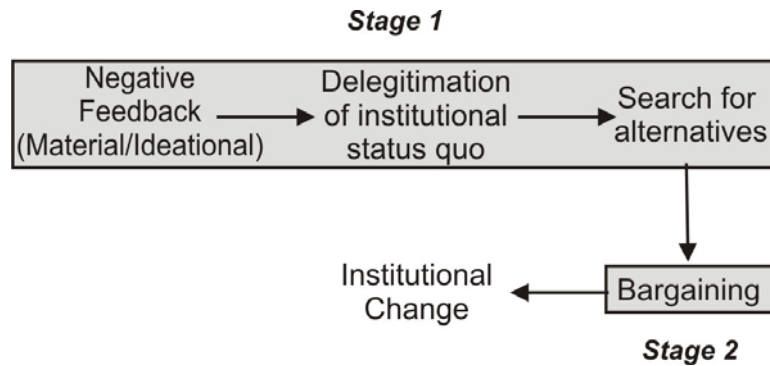


Figure 3: Negative feedback and initiation of change

Dissatisfaction with the institutional status quo leads to the *delegitimation* or discrediting of the existing structures by the actors that operate within these structures (see Figure 3). Of course, delegitimation is the opposite of *legitimation*, which is one mechanism of institutional reproduction in an institutional environment (Mahoney 2000). In Mahoney’s words “in a legitimation framework, institutional reproduction is grounded in actors’ subjective orientations and beliefs about what is *appropriate or morally correct* (emphasis added)” (2000:523). If legitimation becomes one mechanism of institutional continuity, then one can expect that delegitimation would be a mechanism of institutional change (institutional production rather than reproduction). In other words, increasing delegitimation due to decay in institutional performance or due to increasing discrepancy between ideational interests, ideals and the institutional setting would change actors’ perceptions about the institutional status quo and make them more attentive to alternative arrangements. For instance, as Luong and Weintal (2004) show, the shock of the August 1998 financial crisis Russia provided the impetus for institutional creation and economic policy change in the form of a new tax code since it created widely shared perceptions among both the Russian government and the Russian oil companies (ROCs). The crisis

enabled the Russian government and the Russian oil companies (ROCs) to avoid the vicious cycle of extreme tax rates and widespread evasion that defined Russia's tax regime in the 1990s. As a result of this crisis, both sets of actors realized that maintaining the status quo (failure to cooperate) would be quite costly for both sides. This delegitimation of the status quo by both actors promoted their cooperation and led to a new institutional status quo.

It is important to keep in mind that the processes of legitimation and delegitimation are conflictual rather than consensual. Some actors might still consider the existing institutional arrangement 'appropriate' (positive feedback), while for others it might be inappropriate (negative feedback). Actors that do not evaluate institutional outcomes and institutional structures in the same way may begin to compete. When institutional actors have conflicting views on the 'appropriateness' of existing institutional arrangements, pro-change actors would attempt to delegitimize status quo to create a coalition for institutional change. As Skogstad suggests:

On the part of the coalition advocating institutional change, the discursive exercise is aimed at providing complementary cognitive and normative arguments, to discredit the institution and demonstrate the necessity and desirability of its reform or destruction. This challenging discourse is intended to undermine the institution's mechanism of reproduction. On the part of institution's coalition of supporters, the framing task is just the opposite: to demonstrate the institution's continuing relevance and appropriateness (2005:535).

Actors who are discontent with the existing arrangements and therefore delegitimizers of the status quo would attempt to promote new institutional arrangements reflecting those new ideas. However, the translation of ideas into a particular institutional form and policy is not an automatic process. Since ideas and the institutions which reflect those ideas, have distributional consequences (Knight 1992; Peters, Pierre and King

1995: 1294, Avant 2000:42), the embodiment of new ideas by an institution becomes a conflictual process. As Lieberman argues:

An idea's time arrives not simply because the idea is compelling on its own terms, but because *opportune political circumstances favor it. At those moments when a political idea finds persuasive expression among actors whose institutional position gives them both the motive and the opportunity to translate it into policy- then, an only then, can we say that an idea has found a time* (2002:709) [emphasis added].

In brief, at the first stage of the initiation of institutional change, negative feedback mechanisms (either in material or ideational form), lead to search for alternative institutional arrangements by delegitimizing the institutional status quo. Negative feedback mechanisms are therefore another factor that initiates the process of institutional change. It is important to note that institutional change initiated by negative feedback mechanisms is also a conflictual process for following reasons. First, as indicated above, it is likely that for pro-status quo actors, negative feedback would of little significance. Since the institutional status quo provides certain benefits to pro-status quo actors (or they perceive that they gain from the status quo), they would be inattentive to the negative feedback that other actors receive. The pro-status quo actors would also try to block search for alternative institutional arrangements. Secondly, even if all the institutional actors receive the same negative feedback and form a consensus on the necessity of changing existing institutional arrangements, their specific interests would lead them to propose different institutional solutions. This would also be valid for ideational negative feedback. Institutional actors might receive the same ideational negative feedback but this would not make change process consensual. This is because a *certain principled idea might be compatible with quite different institutional arrangements, which are likely to have quite different distributional consequences*. Thus, an agreement on the need to change the status quo as a result of shared principled ideas

does not mean agreement on what the institutional alternatives might be. Therefore, shared ideas do not remove actor's incentives to compete over possible alternatives. Like the change process initiated by power shifts, change triggered by negative feedback mechanisms (material or ideational) is also a conflictual process that leads to bargaining among institutional actors (in tacit or explicit manners) at the second stage of the process of institutional change (which is the subject of the following chapter).

4.2.1 An Example: Negative Feedback and the Rise of Monetarist Economic Structure

The replacement of Keynesianism by monetarism in the 1970s in Britain is a good example of how negative feedback mechanisms lead to institutional changes. In this example, this shift was the result of a series of negative economic developments that included rising rates of inflation, stagnating levels of growth and employment (Hall 1993:284-285) (see Figure 4 and Figure 5).

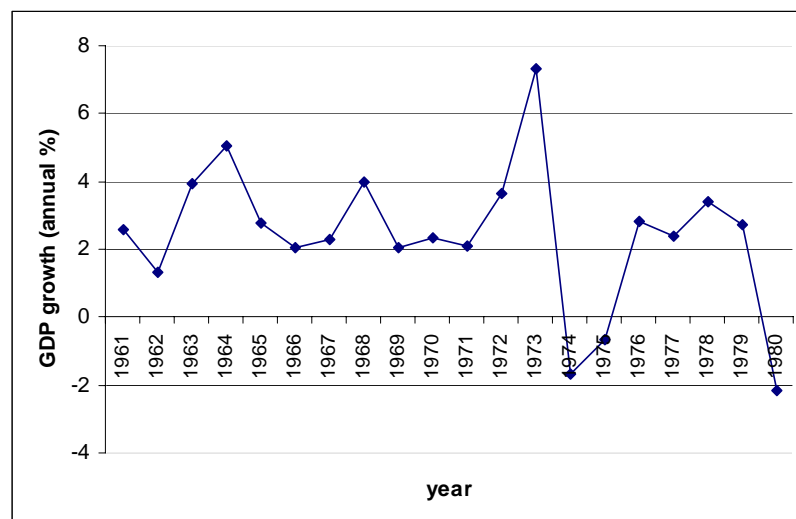


Figure 4: Economic decline in Britain in the early 1970s
Source: World Development Indicators (WDI), World Bank 2001.

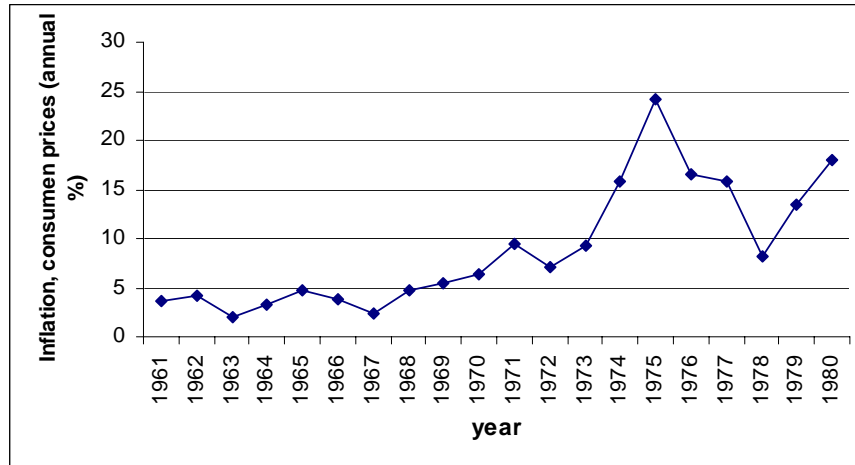


Figure 5: High inflation rates in Britain in the 1970s
Source: World Development Indicators (WDI), World Bank 2001.

As Hall suggests, Keynesian policy paradigm could neither fully anticipate nor explain these developments (1993:285). Simultaneous increase in inflation and unemployment was contradictory to Phillips curve⁷, which formed the basis of Keynesian policy. Since there is a close link between welfare state policies and Keynesianism, the declining performance of Keynesian economic model due to declining economic growth and increasing inflation and unemployment propelled the welfare state towards crisis (Peters, Pierre and King 2005:1294). This negative feedback and the inadequacy of Keynesian paradigm in explaining this outcome led to the delegitimation of Keynesianism as the dominant economic paradigm in the post-World War II era. When the dominant policy paradigm lost its coherence and credibility, institutional actors started to pay more attention to alternative understandings (Hall 1993:287-286). At that moment, monetarism emerged as the most promising challenger to Keynesianism.

⁷ Phillips curve, introduced by the New Zealand born economic A. W. Phillips, represents the inverse relationship between the rate of unemployment and the rate of inflation in an economy.

Such a shift, however, was not consensual. Hall (1993:286) observes that the key factor behind the success of the monetarist paradigm was political rather than economic. It is worth to considering the following quotation from Hall's analysis of the shifts in British economic policymaking:

The movement from one paradigm to another will ultimately entail a set of judgments that is more political in tone, and the outcome will depend, not only on the arguments of competing faction, but on their positional advantages within a broader institutional framework, on the ancillary resources they can command in the relevant conflicts, and on exogenous factors affecting the power of one set of actors to impose its paradigm over others (1993:279).

By the mid 1970s, the debate between these two paradigms became an important object of electoral competition between Labor and Conservative Parties. The Conservatives challenged the Labor Party by using monetarist discourse. The Conservative electoral victory in 1979 marked the victory of monetarism vis-à-vis Keynesian economic model. Peters, Pierre and King also note that:

The emergence of monetarism had far-reaching distributive and redistributive consequences. Also, the shift from demand-side management to supply-side management effectively dismantled much of the former strength of different corporatist arrangements of political involvement and interest representation. The monetarist imperative to control the supply-side of the economy and the fiscal discipline to keep a close watch on public expenditures means that there is much less, if anything, to bargain for in a corporatist fashion. (2005:1294).

After discussing the role of negative feedback mechanism in triggering the process of institutional change, one can raise the following question: What factors are likely to create negative feedback mechanisms? Clearly, institutional actors not only draw lessons from the institutional practices but also from their interactions with other institutions. These inter-institutional interactions should be taken seriously because they are likely to have a significant impact on intra-institutional dynamics. Interactions between institutions might generate a shift in the cost-benefit analysis of institutional actors. The idea here is that inter-institutional relations might change the opportunity

costs of institutional status quo. In other words, these interactions might either increase or decrease the costs of maintaining institutional status quo. When actors realize that their relations with another institution increase the opportunity costs of institutional status quo, they would try to change the institutional structure. Moreover, these inter-institutional relations are also a source of new ideas which may lead to ideational negative feedback.

H₂: Negative feedback mechanisms (ideational and/or material), which lead to the delegitimation of institutional status quo, increase the likelihood of institutional change.

4.3 THE SOURCE OF CHANGE: ENDOGENOUS, EXOGENOUS OR AGENTIAL?

When we consider the timing of the change process, we also deal with the source of change, which is another controversial issue within the institutionalist literature. Some, especially historical institutionalists who adopt *critical juncture/punctuated equilibrium* approach to institutional change, attribute the source of change to external factors such as war, economic crises, dramatic technological developments or natural disasters (Hall and Taylor 1998, Alexander 2001:254; Schwartz 2005:11-12). This approach, explaining change by exogenously induced variation, is a common trend among the most accounts of institutional change (Stacey and Rittberger 2003:859). The idea behind this approach is that institutions have a self-reinforcing characteristic and therefore changes within these institutions is driven by an exogenous factor (Greif and Laitin 2004:633). Similarly, Blyth observes that:

...historical institutionalist theories, especially their earlier works, predicted a world of stability, path-dependence, and persistence. Yet such a perspective created a problem for

historicists, for if individuals' interests were institutionally derived, then it made little sense to appeal to individuals as sources of institutional change. Consequently change within institutions became hard to explain unless it was seen to result from rather ad hoc exogenous punctuations (2002:20).

Others, on the other hand, suggest that the source of change is endogenous or sometimes both (see Leblebici, Salancik, Copay and King 1991; Deeg 2001; Lieberman 2002; Campbell 2004:174; Greif and Laitin 2004).

The debate between endogeneity and exogeneity on the source of institutional change, however, suffers from several weaknesses. First, these arguments assume that institutional boundaries are clear. However, in the institutional world, it is sometimes difficult to identify institutional boundaries. When these boundaries are difficult to identify, the debate loses its significance. Second, even if we assume that institutional boundaries can be clearly identified, the line between exogeneity and endogeneity may still not be clear. As Harty suggests "in some cases the line between exogeneity and endogeneity is in fact blurred. An exogenous shock might emerge in response to factors that are endogenous to an institutional system" (2005:60).

Finally, and most importantly, these arguments suffer from a methodological weakness, in that they are based upon a biased selection of cases. Let's illustrate this argument by analyzing the exogeneity approach, which attributes the source of change to some external developments.⁸ As indicated in the Figure 6, it is quite likely that, across space and time, an institution will face many exogenous developments/ shocks which are *more or less equally likely* to create a change within that institution.

⁸ The same argument would also hold for the second approach which attributes the source of institutional change to endogenous developments.

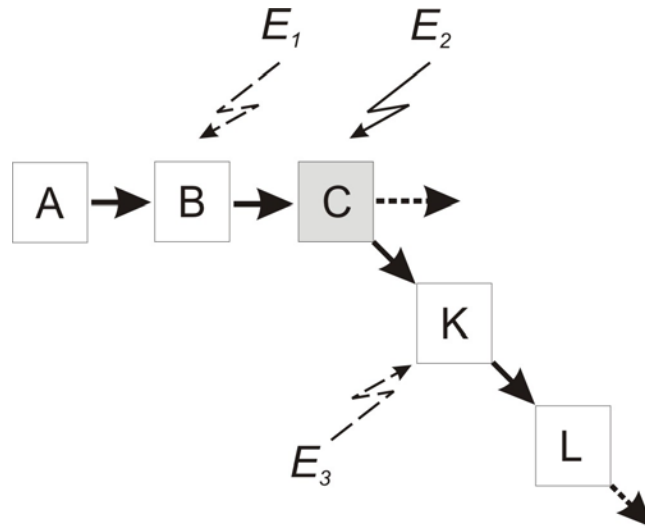


Figure 6: Exogenous shocks and path breaking change

However, we do not see that many changes in institutional world. In other words, as new institutionalist scholars suggest *institutional stability/persistence*, as well as institutional change, is an empirical fact in the institutional world (otherwise all these efforts and discussions to understand institutional impact in political world would be meaningless). The question, then, is why certain external factors lead to change or create instability in an institutional environment but not others? For instance, in Figure 6, E_2 as an exogenous shock, cause a path breaking change, but other exogenous shocks (E_1 and E_3) do not. A historical institutionalist could argue that a certain external development may lead to a path breaking change but not others because only that external development (E_2) would create an exogenous shock strong enough to divert the institution from its path. Yet this answer is far from satisfactory. This kind of response is *non-falsifiable* because if that is the case then what is the necessary degree of shock for change to happen? It is difficult to provide an objective answer to this question.

Institutional theories that exogenize the source of change such as historical institutionalism cannot address these difficulties because they focus on exogenous factors leading to *positive outcomes* in terms of institutional change. Negative cases, in which certain external developments (even at a level of shock) exist but they do not create an institutional change (E_1 and E_3 in Figure 6), are usually excluded from the analysis and therefore create the selection bias mentioned above.

This methodological problem (excluding relevant negative cases) creates serious difficulties in terms of causal inference in every kind of study (see Mahoney and Goertz 2004). The problem for institutional theories created by the exclusion of relevant negative cases is that the source of change is limited to some external developments. If more attention is directed towards relevant negative cases, we realize that while institutions are quite responsive to certain external developments or triggers, they are less responsive to others. Then, answering the question posed above requires paying much more attention to factors other than those developments. That factor should be the *human agency*. This study argues that certain external developments are more likely to produce path breaking change because those developments have certain *meanings* for institutional actors, especially for *change entrepreneurs*.

For instance, this study argues that the EU's recognition of Turkey as a candidate state for the EU membership in 1999 was the main external trigger for institutional changes in civil-military relations and cultural rights in Turkey. However, other external developments, such as post-Cold War democratization, the Gulf War (1990-1991) and increasing normative pressures on Turkey from other European institutions (e.g Council of Europe –CE-, Organization for Security and Cooperation in Europe –OSCE-) and from

transnational non-governmental organizations (e.g Human Rights Watch, Amnesty International) in the 1990s did not initiate this kind of change (see Chapter 8). This is because domestic actors in Turkey were more responsive to the EU's Helsinki decision because, for Turkey, joining the EU meant being recognized as a Westernized, European state, which is a big ideal for many domestic actors. In other words, for several domestic actors (bureaucratic-military, political elite; civil society institutions, and public mind), Turkey's accession to the EU *means* the completion of the Republic's Westernization project initiated in the early 1920s by its founders (Oran 2005:139). Since the EU's recognition of Turkey as a candidate state for the membership increased the likelihood of Turkey's accession to the EU, many domestic actors realized the importance of fulfilling the EU's entrance criteria. This context provided an opportunity for pro-change actors within Turkey to initiate to promote structural changes.

Given all these problems with the existing endogenous vs. exogenous debate on the sources of change does not provide a satisfactory account of the source of institutional change. This study suggests that, if we need to identify the source of institutional change, we must examine *agency* in the sense that actors' interpretations of external or internal developments matter more than the developments' themselves. Thus, external and internal developments do not form a sufficient condition for the initiation of institutional change. Rather, the meanings that change entrepreneurs attribute to those developments should be the focus of our attention. As Wendt states, "people act toward objects, including other actors, on the basis of the meanings that the objects have for them" (1992:391). Thus, another benefit of having a more dynamic notion of 'agency' would be

getting beyond this endogenous vs. exogenous debate, which does not have much utility in terms of explaining the sources that initiate institutional change.

4.4 CONCLUSION

In conclusion, *shifts in power structures* and *negative feedback mechanisms* provide an opportunity for change entrepreneurs to initiate structural change during the first stage of the process of institutional change. Thus, these factors emerge as crucial factors in terms of predicting the timing of institutional change. Shifts in power structures and negative feedback mechanisms, however, should not be understood in materialistic terms. They might take ideational forms in the sense that empowerment might take in the form of increasing reputation or legitimacy, as negative feedback might be a result of increasing discrepancy between actor's ideas and existing institutional arrangements. In addition, institutional actors should not be assumed to be passive waiters of opportunities to pursue structural change. Rather, the abilities of pro-change institutional actors to create windows of opportunity for structural change should not be underestimated.

Finally, this study suggests that change is not necessarily the result of a dramatic exogenous or endogenous development. When we correct for the selection bias, which is a result of scholars who focus on positive cases in terms of change trigger by a certain exogenous or endogenous shock, we see that institutions are more responsive to some of those developments than to others. Understanding this variance requires that we pay more attention to the *agency* because what matters most in terms of understanding the source of change is the *perceptions* of institutional actors about external and internal developments

and the *meanings* that these actors attribute to those events. From this perspective, the real source of change should be the *agency* rather than some sort of endogenous or exogenous event.

5. THE SECOND STAGE: BARGAINING

Shifts in power structures (i.e the empowerment of pro-change institutional actors) and negative feedback mechanisms are important factors that trigger the process of institutional change. Thus, these developments form the first stage (*initiation*) of the process. Since institutions have significant distributional consequences (Knight 1992, Mahoney 2000:521), they do not necessarily distribute costs and benefits evenly. Different institutional actors, who have different, sometimes conflicting interests, would favor different institutional arrangements. Since institutional change means moving from one distributional configuration to another, institutional change becomes a conflictual process. In other words, institutional actors compete over alternatives to the status quo so that they can realize their interests (either material or ideational) in a better way under the new institutional arrangements. In order to decide on the alternative to the status quo, actors simply bargain, which is a peaceful way of bridging differences among institutional actors (Doron and Sened 2001:2-9), in a tacit or explicit manner. As Ensminger and Knight suggest, when norms have distributional consequences for the actors involved, then bargaining becomes the primary mechanism for the change of norms (Knight 1992; Ensminger and Knight 1997 and 1998: 106-107). This study defines institutional change as shift in the normative basis of existing institutional arrangements. Since these normative shifts are likely to create distributional consequences, bargaining

(tacit or explicit) precedes most of institutional changes. Thus, *bargaining* forms the second stage of change process.

However, this is a special form of bargaining in the sense that bargaining takes place in an *institutionalized* setting. Existing bargaining models remain limited to understand this type of bargaining in the sense that almost all of them, especially game theoretic ones, are uni-dimensional. According to these models, actors, who are assumed to be instrumentally rational, try to maximize their material utilities (Bazerman and Neale 1992:1; Pruitt and Carnevale 1993:7-8). Therefore these models assume that bargaining takes place on a logic of consequentiality dimension and bargaining outcomes reflect the material costs-benefit calculations (Schoppa 1999:307; for instance see Riker 1962; Schelling 1963; Wall 1985; Putnam 1988; Bazerman and Neale 1992; Fearon 1994). Studies analyzing institutional change from rational choice perspective also limit bargaining to material interests (see Knight 1992; Knight and Sened 2001). Thus, by relying on a utilitarian dimension, most of the bargaining models exclude or neglect actors' normative considerations (Pruitt and Carnevale 1993:129). Kramer and Messick, who alternatively defines negotiation as '*a social process*', observe the same tendency when they state:

..Literature on negotiation "lost sight of negotiation as a form of social action, given meaning by certain structural contexts"...At most, social factors were deemed irrelevant. At worst, they constituted annoying sources of extraneous and uncontrolled variation in empirical investigations... (1995:VIII)

Some bargaining studies consciously exclude normative factors from their analyses of bargaining process. Doron and Sened suggests that:

We are not ignorant of or oblivious to normative evaluations. We simply leave it to others to study ethics while recognizing that the tools we use allow us to study only positive side of human interaction in the political sphere (2001:19)

This is not a sufficient justification for excluding normative evaluations from the models of bargaining because multi-dimensional but still parsimonious models would enhance our understandings of bargaining processes. For instance, uni-dimensional models (rationalist, materialist models) explain inefficiencies (sub-optimal outcomes)⁹ either by *irrational or misguided behavior* (for instance see Hicks 1932; Riker 1962:22) or later versions of rationalist, materialist models explain it by *incomplete or asymmetric information* (Walton and McKersie 1965; Rubin and Brown 1975). However, normative considerations in a bargaining situation might be much more explanatory in terms of understanding those so called suboptimal outcomes. By attributing inefficiencies to irrationality or incomplete information, we are not really explaining them but putting them under the rug. Since, as Müller states, “bargaining... is not simply the utilitarian individual let loose from the bonds of society, but bargaining is itself a norm-regulated, fully legitimate and sanctioned mode of behavior under the right circumstances” (2004:414), paying more attention to normative dimension would increase our understanding of outcomes which contradicts with our standard materialist, rationalist expectations. Some do recognize that environmental factors (social context such as norms) might influence bargaining (see Wall 1985:117-118; Schoppa 1999) but it remains relatively under-investigated when and how collective normative understandings might shape bargaining process.

By incorporating the normative dimension this section provides a two dimensional perspective on bargaining over institutional change. Given the fact that

⁹ Pareto optimal outcomes are defined as “allocations that satisfy the conditions that no other allocations can be found that can make all players better off” (Doron and Sened 2001:29). Sub-optimal (Pareto-inferior) outcomes then become the allocations which can not be considered as the best outcome since at least some actors would be better off.

bargaining among actors in an institutionalized setting is structured by the existing normative and social context, the application of existing uni-dimensional bargaining models to the bargaining process within an institutionalized setting provides a limited understanding of process. As Colin Hay suggests “Strategic action is the dialectical interplay of intentional and knowledgeable, yet structurally-embedded actors and the preconstituted (structured) context they inhabit. Actions occur within structured settings, yet actors have the potential (at least) to transform those structures through their actions” (1995:200-201). Thus, social environment structures interactions between actors and also it provides multiple venues of actions to them. In other words, social structure does not have a deterministic impact on the behaviors of institutional actors during bargaining phase. As it is shown below, actors do have a certain degree of choice within existing structure. But social structure is definitely one factor that we should take into account in analyzing bargaining process in an institutionalized setting.

Political Bargaining: Bargaining is quite common phenomenon in political world. As Schelling suggests, most *conflict situations* are essentially bargaining situations. Similar to this understanding, Doron and Sened define *bargaining* as a “tangible effort made by two or more agents with *some conflict of interests* [emphasis added] to reach an agreement over an authoritative *allocation of scarce resources* [emphasis added]” (2001:7).¹⁰ Thus, bargaining involves distributional, conflictual situations and multiple actors with competing interests.

¹⁰ Doron and Sened defines ‘negotiation’ as structured, verbal bargaining. Similarly, Pruitt and Carnevale (1993) defines negotiation as a “discussion between two or more parties aimed at resolving incompatible goals”.

In bargaining situations, actors are strategic in the sense that “the best course of action for each player depends on what the other players do”. In other words, bargaining situations can be understood some sort of interdependence since expectations and decisions of actors depends on others’ expectations and decisions (Schelling 1963:3). Bargaining, then, becomes as moves by the actors to alter the opponent’s behavior (Wall 1985:4). It might be either in *explicit* or *tacit* forms. In the case of tacit bargaining, the bargaining parties to bargaining “watch and interpret each others behaviors” rather than explicitly negotiating in formal settings (Schelling 1963:21). Empirical section of this study focuses on tacit form of bargaining taking place in a community environment.

5.1 NORMS AND INTERESTS IN INSTITUTIONALIZED SETTINGS

It is a fact that values are scarce. Otherwise, there would not be any need for distribution and consequently there would be no need for politics (Doron and Sened 2001:5). Competition among bargaining actors results from the scarcity of resources, which creates conflict of interests. One can also argue that the notion of scarcity is also valid for intangible values such as *legitimacy*. As Hurd puts it rightly, legitimacy is a scarce, hard-to-get symbolic resource (2002:38). It is an important value especially in institutionalized settings such as a community environment. As Schimmelfennig rightly suggests, in a community environment, “*politics is a struggle over legitimacy*, and this struggle is *fought out with rhetorical arguments* ... political actors use arguments strategically in order to present themselves as legitimate and to persuade the audience of the legitimacy of their claims in order to elicit political support and induce political

cooperation ” (2003:208). A community is considered as a group of actors with a shared culture (common identity, values and norms) (Schimmelfennig 2003:71). A community environment, then becomes, a tightly knit web made of norms, values and identity. In other words, community environments are characterized by strong collective understandings.

Domestic settings should be understood as one type of community environment and when compared to international settings; the normative environment at domestic level should be much more vibrant. This is because if social interaction is one mechanism through which social context is generated as Kowert and Legro (1996) suggest, then since the level of social interaction would be relatively higher at the domestic level, the social context at that level would be denser. This is important for our understanding of political behavior in such settings because as Barnett rightly suggests “The thicker the normative environment is-that is, the more embedded actors are in a network of relations that are invested with symbolic content and that provide a source of identity- the more dependent the actors will be on each other for social approval and the more susceptible they will be to symbolic and affective mechanisms of control” (Barnett 1998:39). Thus in domestic settings, actors are expected to be more prone to normative influence. Since this study analyzes institutional changes in domestic realm, paying more attention to normative influence in understanding institutional change would be a quite valid attempt.

5.1.1 The Notion of Interests in Institutionalized Settings

Before providing more discussion on bargaining situations in institutionalized settings, it would be helpful to have a look at the notions of *interest*, *norms* and their relationship. As Barnett rightly suggests:

The structure of any regional or international society is comprised of both material and normative elements. Although international relations theorists sometimes have a penchant for reducing political life to its base material components and for eradicating the social, the structure of any politics- whether it is interpersonal, domestic, or international-always has a defining social element that must be situated alongside the material (1998:39).

This statement should be even more valid in an institutionalized setting. In such settings, actors are essentially social decision makers (Kramer and Messick 1995: IX). As a result, institutional actors care not only about their material interests but also about their ideational interests. Scharpf convincingly assert that:

Intentions, however, are subjective phenomena. They depend on the perceptions and preferences of the individuals involved. People act not on the basis of objective reality but on the basis of perceived reality and of assumed cause-and-effect relationships operating in the world they perceive. And people act not only on the basis of objective needs but also on the basis of preferences reflecting their subjectively defined interests and valuations and their normative convictions of how it is right or good or appropriate to act under the circumstances. *Intentional action, in other words, cannot be described and explained without reference to the subjective "meaning" that this action has for the actor in question.* (emphasis added) (1997:19).

This subjective meaning is primarily shaped by normative understandings in a community environment (i.e an institutionalized setting). Thus in a community environment, actors are not only *homo economicus* but also *homo sociologicus* in the sense that actors also act on the basis of collective understandings of the community (e.g shared ideas, norms and values) (Goffman 1969:43; Barnett 1998:9; Schimmelfennig 2003:69). Therefore, when actors bargain over material utilities, they also compete over certain ideational values in a community environment. They are concerned with both their ideational and material interests (John A. Hall 1993:46-49; Avant 2000:48). As a

result, the notion of interest, especially in an institutionalized setting, has usually two components: *material and ideational* (see Table 5). The former is shaped by actors' cost-benefit calculus in terms of material utilities (power, security, welfare etc). Thus, it is based on a *materialist logic*. The second component, on the other hand, is determined by the social context (collective normative understandings such as social norms, values and identity) and individual's normative ideas, beliefs. Thus, ideational interests include two sub-categories: *social and normative interests*. The first group of ideational interests is related to actor's standings in the institutional environment and refers to *recognition, legitimacy, reputation, high status, positive image etc*. Actors' normative ideational interests refer to *self-reflection, self-realization*. For instance, if an actor believes that 'civilized nations' do not practice the death penalty, then that actor would have an interest in the removal of death penalty. The dominant logic in this second component of interest is *ideational (appropriateness)*.

Table 5: Self-interest in institutionalized setting

Type of interest	Content	Source	Dominant Logic of Expectation
<i>Material</i>	Power, security, economic gains etc.	Individual level cost-benefit calculus	Materialist
<i>Ideational</i>	a) <i>Social interests</i> : Legitimacy, status, reputation, prestige in community. b) <i>Normative interests</i> : Self-realization, <i>Self-affirmation</i>	a) Social context (collective intersubjective understandings such as ideas, norms and identity) b) Actor's normative (principled) ideas, values and individual identity.	Ideational-appropriateness

5.1.1.1 Norms and Interest in Institutionalized Environment

What is the relationship between norms and interests in an institutionalized setting? Before looking at this relationship, it is necessary to define what norms mean. In the literature, we observe several different conceptualizations of norms. For some, norms are simply *social prescriptions* or *proscriptions* (Kowert and Legro 1996:452; Tannenwald 1999:436). In the words of Hurrell “Norms can be defined as ‘a broad class of prescriptive statements-rules, standards, principles and so forth- both procedural and substantive’ that are ‘prescriptions for action in situations of choice *carrying a sense of obligation, a sense that they ought to be followed* [emphasis added]” (2002:143). According to Thomas, norms [international] are “*standards of appropriate behavior* [emphasis added] for actors with a given identity in world politics” (2001:7). Thompson, Peterson and Kray (1995:9) define norms as “the beliefs held by members of a particular culture, organization, group, or institution that *define acceptable and unacceptable behavior* [emphasis added]”. Similarly, Farrell defines norms as “intersubjective beliefs about the social and natural world which define actors, their situations and the possibilities of action” (2001:71). For Krasner, norms are “standards of behavior defined in terms of *rights and obligations* [emphasis added]” (1983:2). Klotz treats norms as “shared (thus social) understandings of standards for behavior” (1995:14). Katzenstein suggest that norms refer to “collective expectations for the *proper behavior* [emphasis added] of actors with a given identity” (1996:5). In a similar definition, Tannenwald suggests that norms are “shared expectations about behavior, a standard of right or

wrong” (1999:436). Looking at all these definitions, one can see certain differences but also a common factor behind these different conceptualizations. That is what *norms do*. Accordingly, norms as collective, intersubjective understandings *define appropriate behavior* (Bourdieu 1977; Coleman 1990:242; Finnemore 1996b:22) and by this way, *set the standards of legitimacy* in a certain scope and domain.

After defining norms and their general role in interactions, we can turn to the nexus between norms and interests and behavior. Literature on norms shows that norms shape behaviors by playing two different roles in social interactions: *constraining (regulative) and constitutive* (Klotz 1995:13-35; Katzenstein 1996:5; Checkel 1997; Gelpi 1997, 2003:32; Barnett 1998:8; Finnemore and Sikkink 1998; Wendt 1999; Tannenwald 1999:436); Farrell 2001).

5.1.1.2 Constraining/Regulative Impact of Norms

In terms of the constraining (regulative) impact, norms affect *behavior* of actors rather than interests. In other words, interests precede norms but norms, by defining standards of legitimacy (what is right and appropriate), shape *actor’s strategies* in bargaining situations. In this case, actors follow norms due to a *strategic choice*. Actors take into account of norms because norms help them get what they want (Finnemore and Sikkink 1998:912). Thus, in case of constraining impact, norms play the role of *external regulators* of actions (Wendt 1999:82). Actors adjust their strategies with these external standards of legitimacy because non-compliance is likely to lead to certain *social costs*. Actors as cost minimizers rather than utility maximizers take into account of these standards of legitimacy. As Yee indicates:

Disobedience of an accepted social custom, despite any pecuniary advantage for the individual, leads to loss of reputation or, more extremely, to the exclusion of the individual from the group that accepts the norm. In this case disobedience has a price that may be judged larger than its pecuniary advantage...The social costs (loss of reputation, prestige, status, power) and sanctions (exclusion from the group and stigmatization) are incorporated in the utility function of the individual and will shift the decision towards conformity with the social custom [norms] (1997: 1016)

Thus compliance with norms becomes a strategy of utility maximization (Coleman 1990: 286). The role of norms in this case can be defined as ‘*road maps*’ (Klotz 1995:167). According to Goldstein and Keohane, one causal pathway through which ideational factors influence policy outcomes is that they play the role of road maps. Goldstein and Keohane suggest that:

...when we view politics as an arena in which actors face continual uncertainties about their interests and how to maximize them, the need for ideas to act as road maps becomes apparent. Ideas serve the purpose of guiding behavior under conditions of uncertainty by stipulating causal patterns or by providing compelling *ethical or moral motivations for action*. *Ideas can be broad or narrow; they can stipulate what is right and wrong...* [emphasis added] (1993:16)

Norms, as one type of ideational factors, play the role of road maps in bargaining situations within a community environment. By setting the standards of legitimacy, norms simply provide normative basis for action and define (in)appropriate cooperative solutions, strategies and tactics. Thus, norms basically *inform* the behaviors of instrumentally rational, self-interested actors during bargaining situations and make certain actions, strategies more or less likely (Tannenwald 1999:435). In the same lines, Barnett asserts that:

...the normative structure establishes the culturally and historically specific terms in which actors think and relate and thus is a source of the players’ collective beliefs and strategies. Following this tradition necessitates an attempt to identify the rules of the game, that is, the socially determined norms that restrict and guide what play is considered acceptable, to display the associated normative expectations, and thus attempt to understand action as doing of what is normatively expected in a situation structured by rules...the choices made by actors are linked not simply to private wants but also to societal expectations. (1998:27)

5.1.1.3 Constitutive Impact of Norms

Other than the *constraining impact* (norms as road maps), constructivist suggests that norms also have *constitutive impact* in the sense that norms simply constructs actors' identities and consequently their interests (Klotz 1995, Adler 1997, Wendt 1999). According to constitutive theorizing, unlike 'natural kinds', 'social kinds' (e.g. state, family, individuals) have an *internal structure* as well as an external structure and that internal structure, which is made of ideas, norms etc., defines properties of social entities and their behaviors (Wendt 1999:71). Thus, other than functioning as external regulators and leading to certain actions, norms may also function as building blocks and shape internal structure of social kinds and direct their behavior through a constitutive impact.

In case of constitutive impact, norms precede interests (see Figure 7). In other words, through socialization process actors embrace certain norms and these norms become part of self-definition. Constructivist studies suggest that identities form the basis of interests (Wendt 1992:398). As Hall states "The social construction of identities, in other words, is necessarily prior to more obvious conceptions of interest: a "we" needs to be established before its interest can be articulated" (1993:51). Thus, once norms shape self-identification of an actor, norms also shape the interests of that actor. In this case, norms are internal to actors rather than external constraints. In bargaining situations, norms as constitutive elements, operates as factors that define the interests of bargainers. In other words, during bargaining, sides pursue those interests that were constituted by collective understandings of the community environment.

In sum, norms affect behavior in two different ways. As rationalists suggest, norms influence behavior by functioning as *road maps or focal points*. In this case,

norms, rationalists argue, shape strategic interaction of actors, who pursue a given set of interests. Constructivists, on the other hand, emphasize constitutive impact of norms. Norms are the *building blocs of identity and so interests*. However, the question is when norms play constitutive or constraining role? The discussion above leads to the conclusion that norms are more likely to play the role of regulative impact in case of material interests, and constitutive impact in case of ideational interests (see Figure 7).

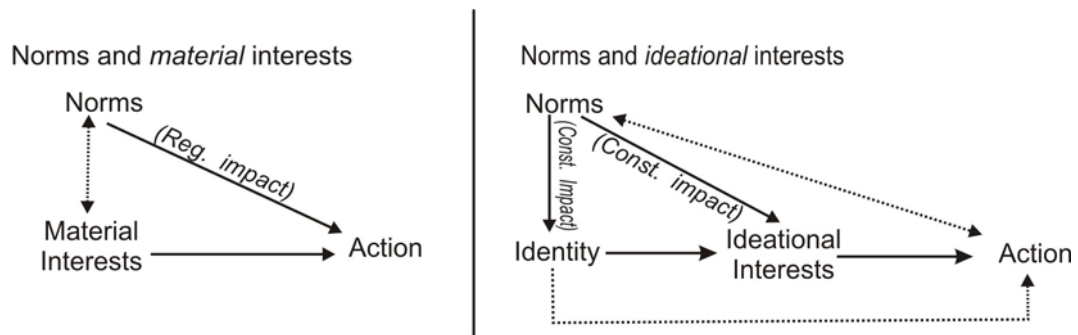


Figure 7: Norms and interests in institutionalized settings

That been said, since in an institutionalized setting, the notion of interest has two components (material and ideational), norms are likely to play constitutive and regulative roles simultaneously. During bargaining situations in an institutionalized setting, norms, as standards of legitimacy, not only structure *strategic interaction of instrumentally rational actors (constraining-regulative impact)*, but also shape *self-identification and legitimate interests and goals of actors (constitutive impact)*.

The problem with many bargaining models, however, is that they either ignore or underestimate the role of actor's expectations in terms of ideational values (i.e the impact of normative context) on the outcome of bargaining processes (Pritt and Carnevale 1993:129; Kramer and Messick 1995). For instance, as Goddard observes "Bargaining theories often view legitimacy as epiphenomenal: actors may "legitimate" their actions, but this is little more than window dressing; at most, this process reveals information

about interests and type but has no autonomous causal effect” (2006:42). Thus, these models remain uni-dimensional in the sense that bargaining process is directed by actors’ materialistic considerations. However, social norms should be taken seriously since they are likely to shape the positions negotiators take, the arguments they use, and the agreements they reach (Pritt and Carnevale 1993). Incorporation of normative context into bargaining models would increase our understandings of bargaining situations which are quite common in political world. Therefore, we need to construct two dimensional bargaining models in order to capture the materialist and normative dynamics much better in bargaining situations in an institutionalized setting.

5.1.2 Norms: Dependent or Independent Variable?

Before discussing the two dimensional model of bargaining, there is one important issue to clarify. At first sight, norms appear to be both a dependent and an independent variable in this study. It is a dependent variable because this study conceptualizes institutional change as a shift in the normative component of an existing institutional structure (Chapter 3). It is treated as an independent variable because normative context has autonomous impact on institutional change bargaining by constraining and constituting actors. This appears to be a problem for this argument. However, this study recognizes that norms should be treated as nested entities in the sense that different levels of norms are nested within one another (Kowert and Legro 1996:490). When an institution changes its normative basis (either through a gradual or dramatic shift), the source of ideational logic, which shape bargaining process, can not be the changing normative basis. In these situations, however, the ideational logic would be

provided by upper level normative context. To put it differently, institutional transformations do not take place in a vacuum. The larger social context, within which the action takes place, shapes actors' ideational interests. As Colomy rightly argues:

...most entrepreneurial projects [of institutional change] are constrained by the material and ideational structures defined as obdurate features of social organization. The study of institutional projects, therefore, must attend not only to what entrepreneurs explicitly seek to change- i.e to a given project's manifest contents- but also to its taken-for-granted assumptions about the macro environment

Even the inventive aspects of projects that challenge the existing order and present creative alternatives to it are not articulated in a sociological vacuum (1998:273) [emphasis added].

5.2 BARGAINING SPACE IN INSTITUTIONAL ENVIRONMENT

The question is how we can combine materialist and normative dynamics in a bargaining model of institutional change. As Elster suggests, "A satisfactory theory of the interaction between norms and self-interest would have to explain how they come together within the minds of the bargainers. I am unable, however, to propose a theory of this interaction." (1989:133) This study provides a theoretical framework of this interaction. It suggests that one way of incorporating norms into bargaining analysis is to formulate a two dimensional bargaining space based on two logics of expectations: *materialist and ideational*.

5.2.1 Materialist and Ideational Logics of 'Expectations'

Since March and Olsen (1984) introduced the logic of appropriateness (LoA) as a challenge to the instrumentalist, material rationalist logic of consequentiality (LoC), these two theoretical tools has been increasingly utilized in various studies. The bargaining

model suggested here is heavily inspired by these two approaches but introduces some slight modifications. Thus, first, let's briefly look at the main premises of each logic of action. In the logic of consequentiality, which is the central element in rational choice institutionalism, the action is evaluated according to its expected utilities. March and Olsen indicate that “[for instrumentalist theory]... action is choice, choice is made in terms of expectations about its consequences, meanings are organized to affect choices, and symbols are curtains that obscure the real politics, or artifacts of an effort to make decisions” (March and Olsen, 1984:741) So the logic of consequentiality evaluates politics and political action in instrumental terms.

The logic of appropriateness, developed by March and Olsen (1984; 1989), objects to the instrumental terms of the logic of consequentiality and its emphasis on outcomes. LoA evaluates politics in terms of learning *meanings, values, symbols, and duties*. (March and Olsen, 1984:741) The striking difference is that the logic of appropriateness is more interested in the process itself rather than the outcomes of the process and puts emphasis on the role of institutions in the process of learning of norms, rules, identity, and preference formation. For March and Olsen “politics is organized by a logic of appropriateness” (March and Olsen, 1989:160). Institutions, as set of rules and routines define appropriate actions for a situation and role. In contrast to the logic of consequentiality, in which behaviors mainly reflect preferences and expectations in terms of utilities at the end of actions, logic of appropriateness behaviors may not necessarily reflect *preferences* but certain *necessities*. In the logic of appropriateness the primary factor is not rational/instrumental calculations but the concept of ‘necessity’ driven by

norms that define *appropriate* behavior. For March and Olsen most political behavior is based on logic of appropriateness.

In terms of the link between these two logics of actions, we see two different treatments. Some treat these two logics of action as related but separate/distinctive entities. For instance March and Olsen suggest that these two logics of action are distinctive from each other and should be considered as separate explanatory devices.

They also argue that there is a subtle relationship between them:

...the two logics are not mutually exclusive. As a result, political action generally cannot be explained exclusively in terms of logic of either consequences or appropriateness. Any particular action probably involves elements of each. Political actors are constituted both by their interests, by which they evaluate their expected consequences, and by the rules embedded in their identities and political institutions. They calculate consequences and follow rules, and the relationship between the two is often subtle (1998:952).

Like March and Olsen, Finnemore also suggests that these two logics should be treated as distinctive but they are intimately connected (1996b:30). Some others, however, reduce one to another. For instance, following Kratochwil (1989:47-56), Müller (2004:396) asserts that strategic action is essentially rule-governed. Therefore, Müller suggests, the logic of consequentialism should be understood as a special case of the logic of appropriateness. One can also make the reverse argument and suggest that logic of appropriateness, in the end, becomes logic of consequentiality.

First of all, this study adopts the first approach in the sense that these two logics of action should be treated as distinctive but coexisting factors (Youngs, 2004:419). They should be treated as distinctive entities because the LoA derives from the social structures of collective understandings (norms for instance), while the LoC is driven by instrumentally rational agents (Finnemore 1996b:30). However, these logics also coexist because actors act strategically in order to realize their *material interests* and they are

also societal actors in the sense that they also observe norms provided by the social environment in which they interact. Therefore, actors are also concerned with their *ideational interests* such as legitimacy, reputation, belonging, and self-affirmation.

Secondly, these two logics of actions are both *purposeful/expectational* and equally *rational*. As Emirbayer and Mische propose human agency is constituted by three elements: *iteration*, *projectivity* and *practical*. The former one oriented toward the past, the second one to the future and the last one to the present. According to this conceptualization, actors “are always living simultaneously in the past, future and present, and adjusting the various temporalities of their empirical existence to one another in more or less imaginative or reflective ways. They continuously engage patterns and repertoires from the past, project hypothetical pathways forward in time and adjust their actions to the exigencies of emerging situations” (1998:1012). The *projectivity* element of human agency indicates that conscious human actions are always *expectational*. These expectations/anticipations might be about material or ideational considerations. In other words, expected consequences should not be limited to the logic of consequentiality. Actors also act with certain expectations, anticipations when they follow a logic of appropriateness. Therefore, the primary difference between these two logics of action is not that one is consequentialist/ expectational but not the other one. The primary difference is that the second one is based on ideational expectations derived from collective normative understandings and actor’s normative beliefs rather than materialist expectations that derive from individual cost-benefit calculus in terms of material utilities. Therefore a better way of labeling these two logics would be *materialist*

vs. ideational logics of expectations rather than *consequentialist vs. appropriateness logics of action* as March and Olsen (1984) does.

In general, bargaining models tend to focus on the materialist logic. However bargaining also takes place in an ideational dimension in the sense that actors not only compete for material interests but also for non-material values such as legitimacy, reputation and self-realization. The social environment provides the normative context in which institutional actors interact. This normative context is the basic source of ideational logic that shape actors' ideational interests and behaviors. Actors want to be legitimate players within that normative context. Therefore they would be concerned about whether their actions are compatible with that ideational logic shaped by the community norms. Thus, the normative context provides the logic of appropriateness and defines the 'standards of legitimacy'. During bargaining process, actors use these standards of legitimacy "both as a sword to persuade others and as a shield to help themselves resist pressure to give in arbitrarily" (Fisher, Ury and Patton 1993:8-9). Thus, combining these two logics of expectation (material and ideational) would increase our understanding of the process of institutional change, especially its second stage during which actors bargain over alternative arrangements.

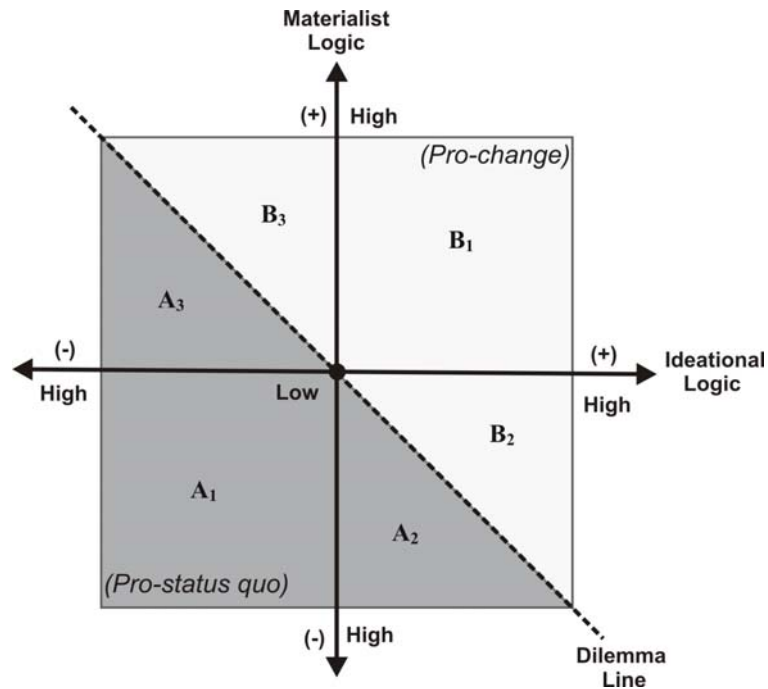


Figure 8: Two dimensional bargaining space.

Figure 8 illustrates the possible areas in which actors' position may fall, in terms of their material and ideational expectations.¹¹ The *y-axis* (materialist logic-ML) simply represents actors' expectations in terms of material interests such as welfare, power, security; while the *x-axis* (ideational logic-IL) displays expectations in terms of ideational interests such as legitimacy, reputation, prestige, self-realization. Initially, actors assess the likely consequences of *change* in terms of material and ideational interests and take a position within this two dimensional *Euclidean* space. Contrary to the homogeneity assumption of new institutionalism, institutional actors' expectations in terms of likely

¹¹ In this model, actors are treated as unitary entities in bargaining situations. This assumption remains problematic for collective actors because within a group, different actors might have different motivations and so prefer different strategies in a bargaining situation. Having said that, in a bargaining environment, actors (either individual or collective) speak with one voice to be much more effective. For instance, within the European Union, most of the time, member states have divergent interest in trade issues but in international trade negotiations the European Union still speaks with one voice through European Commission. This is also valid in domestic bargaining environments. Despite internal divisions, collective actors act as unitary in bargaining settings. Therefore, unitary actor assumption does not create serious problems for this analysis.

consequences of new institutional arrangement for their ideational and material interests might show significant variance. For instance, actors in the areas of A_1 and B_1 have negative and positive expectations in both dimensions, respectively. An actor in area A_1 would be strong opponent of shift to a new status quo due to negative expectations in both dimensions, while an actor in area B_1 would be a strong supporter of deviations from status quo (due to positive expectations on both dimensions).

The actors in the areas of A_3 , B_3 , A_2 , B_2 , on the other hand, have positive expectations in one dimension but negative expectations in another one. However, for those actors, one logic is relatively more salient than another one. The salience of a certain logic is important because obviously the clear logic of action would dominate the less clear logic (Olsen 2002:928-929). The dominant logic, further, would determine actors' expectations and ultimately their strategies. For instance, an actor located in the area B_2 , actor Z , has positive expectations in terms of ideational interests but negative expectations in terms of material interests. However, her positive expectations would be higher than her negative expectations. In other words, despite some minimal material costs, actor Z would consider shift from sq_0 to sq_1 as quite *appropriate* in terms of either her principled beliefs or of social normative context. This would make Z a pro-change actor. Her strategy in the bargaining process would be shaped by IL, which is the salient logic in this case. As a result, pro-change actor Z would advocate a shift from sq_0 to sq_1 vis-à-vis other institutional actors by using some legitimation strategies and tactics, discussed below.

In these areas (A_3 , B_3 , A_2 , and B_2), however, the closer actors get to the diagonal, the more they find themselves in a dilemma situation because the expected gains and

losses become more or less balanced for those actors. In other words, for those actors around the diagonal, the net expected effect of sq_1 would be quite minimal. This dilemma is likely to lead these actors to become indifferent vis-à-vis sq_1 . That said, in reality this should be a rarity because it is quite likely that actors would have stronger expectations in one of these dimensions. However, compared to actors in A_1 and B_1 , actors in these areas are expected to have an ambiguous attitude vis-à-vis institutional change. In general, then, those located above the diagonal are *pro-change actors* while those below the diagonal are more likely to be *pro-status quo* actors. When there is a winning coalition above the diagonal, then the outcome of bargaining process would be positive (i.e an agreement on institutional change).

5.2.2 The Menu of Strategies in Bargaining Space

Bargaining should be understood as a strategic and symbolic interaction involving multiple actors with varying interests directed by different logics of expectations. Actors apply several strategies¹² in order to reach their desired outcomes at the end of this process. In other words, a certain actor might apply a certain strategy to change the expectations of other actors but the same actor will be also a target of the strategies of other actors. As a result of this strategic interaction, actors' expectations (ideational and/or material) might change. In other words, actors move in this bargaining space. For instance actors in A_3 , B_3 , A_2 , B_2 become the natural targets of the strategies of actors

¹² Strategy is defined as “a broad plan or technique used to obtain outcomes desired from the negotiation and the resultant agreement”. Tactics are considered to be the components of a strategy (Wall 1985:35). Thus, tactics are more specific as strategies are more general (Pruitt and Carnevale 1993:3). For instance, within a broad plan of *offense* (the strategy), different ways might be chosen such as *coercion* or *reward* (tactics).

located in A_1 and B_1 . This is because, compared to other actors, they have an ambiguous attitude vis-à-vis institutional change. Changing the expectations of these actors would be relatively easier than changing the expectations of actors located A_1 and B_1 , who have much firmer attitude (either negative or positive) against institutional change. As indicated above, actors in B_1 are strong supporters of a shift from sq_0 to sq_1 due to expected gains on both dimensions, while actors in the A_1 area are the strong opponents of such a shift. By various strategies these actors would try to change the preferences of actors in A_3, B_3, A_2, B_2 in order to move them closer to their positions. By this way, they intend to create a winning coalition around their positions.

Let's look at some strategies in both dimensions. The following list does not include all possible bargaining strategies and tactics, but it does give us an idea of differences among basic strategies on two different dimensions (see Table 6). Since existing bargaining models focus on bargaining over material interests, the following discussion will focus on the bargaining on ideational-appropriateness dimension.

Table 6: Interest, logics of action and strategies and tactics in bargaining situations in a community environment

Type of interest	Content	Source	Dominant Logic of Expectation	Strategies/Tactics
<i>Material</i>	Power, security, economic gains etc.	Individual level cost-benefit calculus in terms of material interests.	Materialist	<i>Issue linkage (e.g side-payments), materialistic legitimation, credible threats,</i>
<i>Ideational</i>	a) <u><i>Social interests</i></u> : Legitimacy, reputation, prestige in community. b) <u><i>Normative interests</i></u> : Self-realization.	a) Social context (collective inter-subjective understandings such as ideas, norms and identity) b) actor's normative ideas, values and individual identity.	Ideational (appropriateness)	<i>Normative legitimation through rhetorical action, normative framing</i>

5.2.2.1 Strategies in Materialist Logic (ML)

Issue linkage: It is argued that issue linkage, a common strategy in bargaining situations, helps promote agreements (Tollison and Willett 1979). Using the words of Schoppa, issue linkage operates in the following way in international settings: “a nation with superior power resources in one issue area (for example it contributes more than its share to a military alliance) trades what it could have obtained in this same issue area for enhanced leverage in a second issue area where it has less leverage (such as trade negotiations). Consequently, though the nation employing a material linkage strategy gains more than it would have in one area, it does so at the expense of gains in another area” (1999:313). This logic can be applied to bargaining situations among actors at domestic level.

One specific form of issue-linkage is side-payments. Studies of bargaining in international issues indicate that bargainers often use side-payments, which facilitates cooperation in bargaining situations (Putnam 1988; Mayer 1992; Friman 1993; Keohane 1984:91). Using the words of Friman, side-payments refer to “policymakers’ granting compensation- through direct monetary payments or material concessions on other issues- in an attempt to encourage concessions on a given issue” (1993:388). Thus it means offering something on one dimension to get something on another (Keohane 1984:91). Side-payments are a bargaining tactic that aims to persuade other actors to cooperate by bridging differences through material concessions. For instance actor X in the area B_1 in Figure 8 might provide certain side payments to actor Y in the area A_2 . This side payment would decrease the expected loss of actor Y in ML dimension, moving

upward to area B_2 or B_1 (vertical movement along ML dimension). After such a movement, actor Y would be more likely to support shift from sq_0 to sq_1 .

Materialistic Legitimation: This refers to actor's attempts to persuade other actors that a certain action would create a *win-win* outcome in terms of *material interests* (materialistic framing). One tactic within the strategy of materialistic framing is *issue redefinition*. In order to achieve cooperation, actors redefine issues in terms of common concerns or material interests (Friman 1999:389). For instance a pro-change actor would define a contentious issue, which would have significant distributional consequences, in terms of common interests such as national security concerns or well-being of whole community. Opposing to change, therefore, would become costly to everyone. For instance in order to convince opponents (banking industry and its congressional supporters) to support the Bretton Woods agreement, US policymakers *framed* the ratification of Bretton Woods monetary agreement as an issue of national security (Friman 1999:389).

Credible Threats: Some strategies might be more coercive. Threat, which means a commitment to impose costs to the other side if the other side does not behave in a certain way, is such a strategy. Any threat, however, must be *credible* to be successful (Schelling 1963:35-43) in the sense that the perceived likelihood of carrying out the threat should be high enough to convince the other side to make some concessions or behave in a certain way (Pruitt and Carnevale 1993:30-31).

5.2.2.2 Ideational Strategies: Normative Legitimation/ Delegitimation

During bargaining process, the dominant strategy that actors employ on ideational dimension is *normative legitimation*. When there is any difference between the position of a certain actor and the positions of other institutional actors, that actor tend to use social norms strategically in order to legitimate his/her own position while delegitimizing opponents' positions (Goddard 2006:42). In this case legitimation efforts refer to attempts to present an action as *appropriate* in terms of normative collective understandings rather than some common material concerns. Thus, one should not limit strategic action to the materialist dimension because actors also act strategically on ideational dimension by manipulating, reinterpreting, invoking norms during their interactions with other actors. As Goddard indicates, "It is not enough for actors to state their preferences; behind every claim to an issue, every demand for a settlement is a rational explaining why an audience should accept a particular bargaining position as legitimate." (Goddard 2006:41).

Actors may resort to normative legitimation not only to promote their ideational interests (e.g to realize her normative ideas, an actor might frame abortion as murder) but sometimes to promote their material interests. An example of this type of normative legitimation efforts would be Taalberg's study of the strategic use of the norm of *efficiency* by the EU Presidency to advance its national interests. Tallberg (2004) suggests that by virtue of being chair, the presidency within the EU has asymmetrical control of information and procedure. Given the possibility that the presidency may use this privileged position to promote its own national interests, the behaviors of Presidency are regulated by certain formal and informal rules. Two informal rules are important: *the*

norms of neutrality and effectiveness. Thus, the Community expects the Presidency to be *impartial and effective*. However, when the member state holding the Presidency consider a certain policy as threat to its national interests, that member state is likely to manipulate these norms. For instance, during negotiations on the Treaty of Nice, France was criticized for advancing its own national interests (*Financial Times*, 14 December 2000:23) and so violating the norm of impartiality. However, France responded to these criticisms by manipulating the norm of efficiency in the sense that French government, it was argued, was struggling to achieve some results on controversial issues such as the size of the Commission, extension of majority voting and reweighing of votes in the Council rather than pursuing its national interests (Taalberg 2004:1019)¹³

Normative Legitimation Tactics: Rhetorical Action and Framing: One tactic that actors frequently use in normative legitimation is *rhetorical action*, which means “the strategic use of arguments”. Schimmelfennig states that it is “the strategic use and exchange of arguments based on ideas shared in the environment of the proponents and intended to persuade the audience and the opponents to accept the proponent’s claims and act accordingly” (2003:199). One primary tool of rhetorical actors is *framing*. According to a highly shared definition provided by Goffman, frames are simply “schemata of interpretation” (1974:21). They enable individuals “to locate, perceive, identify, and label” occurrences in their life (1974:21). According to another similar definition, frames are “specific metaphors, symbolic representations, and cognitive cues used to render or cast behavior and events in an evaluative mode and to suggest alternative modes of action” (Zald 1996:262). They are simply rhetorical constructs standing for the social

¹³ For another example of strategic use of norm see the study of wage bargaining and norms of fairness in Norwegian wage formation by Hógsnes (1989).

reality, which serve as “the rhetorical functions of *persuasion, justification, and symbolic display* (emphasis added)” (Schön and Rein 1994:32). Following these definitions, this study consider frames as *the subjective representations/ reinterpretations of objective reality as perceived by an actor or a group of actors, which legitimate certain action(s) while delegitimizing some other(s) in a given scope and domain.*

It is suggested that framing an event means “to situate it within a particular story line in order to locate that event, organize the experience and *guide the action* (emphasis added)” (Barnett 1998:40-41). Thus the goal of the framers (reality constructors) is to make other actors act in a certain way by influencing their perceptions of a situation and their interests within certain metaphors, symbolic representations and cognitive constructions. In other words, framers “make the ‘normative leap’ from data to recommendation, from fact to values, from ‘is’ to ‘ought’” (Schön and Rein 1994:26). For instance, when members of a social group advocating legal abortion frame their struggles as “pro-choice”, they attempt to achieve several goals: to persuade and mobilize bystanders by presenting their activities as a struggle of women’s rights, women’s health, self-determination and of legal behavior; to delegitimize/ discredit anti-abortionist claims by labeling them anti-choice (McCaffrey and Keys 2000).

The normative jump from facts to values, however, does not mean that institutional actors will view the social reality through the same ‘frame’. In other words, even in a highly institutionalized setting, in which a certain degree of homogeneity is expected, actors can identify and name social reality quite differently (also known as *diagnostic framing*, see Snow and Benford 1988; Rein and Schön 1993:147). Actors who name and identify social reality differently also suggest different actions or solutions (i.e

differences in *prognostic framing*, see Snow and Benford 1988; Rein and Schön 1993:147). These differences may lead to “frame contests” (Ryan 1991; Meyer 1995; Payne 2001:44); “framing fracas” (Cole 1998) or *framing* and *counterframing* struggles among actors. Counterframing, also known as *frame debunking* (McCaffrey and Keys 2000:44), refers to attempt “to rebut, undermine, or neutralize a person’s or group’s myths, versions of reality, or interpretive framework” (Benford cited in Benford and Snow 2000:626). For instance, in their study of 1989 Chinese Democracy Movement, Zuo and Benford (1995) show that in order “to win sympathy and active support from bystander audiences while earning understanding and tolerance from state authorities, or at least to neutralize the legitimacy of any official pretense to using repressive force” student leaders developed complex set of frame alignment tactics. They framed the movement as a reaction to “injustice” and based their arguments on three Chinese cultural traditions or narrations (Confucianism, communism and nationalism). However the Communist Party counter-framed the movement as “turmoil”, “upheaval”, “a violation of the constitution”, “a plotted conspiracy”, “a counterrevolution”. The state’s counterframing efforts failed while student leaders’ frames were much more resonant. As a result, a movement initiated by a few hundred college students involved millions of citizens in a quite short time.¹⁴

The following questions arise from this discussion: First, what factors create conflicting frames that leads to “symbolic contest” among actors in a given institutional setting? Secondly, why do some framings seem to be more effective or resonant than others? With respect to the first question, one major factor that creates conflicting frames

¹⁴ For another example to competitive framing processes see McCaffrey and Keys’ study of abortion debate (2000) and Cole 1998 on the debate in US related to Persian Gulf Crisis.

appears to be the actor's conflicting material and/or ideational interests. As Schön and Rein rightly argues "Frames and interest are logically independent concepts; they are by no means identical. Nevertheless, interests are shaped by frames, and frames may be used to promote interests" (1994:29). Barnett also suggests that frames not only help "discover" interests, they also help advance interests (1998:41). Thus, variance in interests across space and time leads to variance in frames across space and time. Actors frame the social reality in a way that is compatible with their interests. Given this, conflicting interests would lead to conflicting frames.

The ultimate goal of framing activity is to realize one's own interests. Therefore, actors try to sell their frames to the audience and to opponents in order to legitimate their positions and actions. This brings us to the second question, the issue of frame resonance or effectiveness of actors' interpretations of social reality. With respect to understanding variation in frame resonance or effectiveness, Snow and Benford (1998) and Benford and Snow (2000) discuss the role of two sets of interacting factors: *credibility of proposed frame and its relative salience* (Benford and Snow 2000: 619). The credibility of a frame is determined by frame consistency, empirical credibility and the credibility of the frame articulators. Consistency refers to congruency between actor's articulated beliefs, claims and actions. Empirical credibility refers to the fit between the framings and events in the world (whether one can see any indicators or evidences of the claim in social reality). The final factor affecting the credibility of a frame has to do with the perceived credibility/trustworthiness of frame articulators (more credible framers would be more persuasive) (also see Gerhards 1995:233-234).

Benford and Snow argue that the salience of a frame to its target is shaped by three factors: *centrality*, *experiential commensurability* and *narrative fidelity* (2000:621-622). Centrality means “how essential the beliefs, values, and ideas associated with movement frames are to the lives of the targets of mobilization” (2000:621). Experiential commensurability refers to whether frames are congruent with the personal, everyday experience of the targets of mobilization. If the frames are too abstract and distant to the experiences of the targets then it would be less resonant. Finally, narrative fidelity is related to the extent to which the proffered framings are culturally resonant. To what extent do they resonate with the targets’ cultural narrations, myths, domain assumptions? (2000:622)? Thus, in case of the democracy movement in China, student leaders’ framings were much more effective/resonant than state’s counterframings because, Zuo and Benford (1995) argue, given the experiences of most Chinese citizens under the Communist Party’s totalitarian, suppressive regime made the students’ ‘injustice’ frame empirically more credible and congruent with the personal, everyday experiences of citizens. This resulted in the mobilization of millions of ordinary citizens within a few weeks. Thus, the success of the framing attempts depends on the abilities of frame articulator to construct credible and salient frames. Since framing does not take place in a structural or cultural vacuum (Snow and Benford 1992:139; Benford and Snow 2000:628; Payne 2001:38), frame articulator should have good knowledge of socio-cultural context and of the targeted audience to increase the resonance of frames/claims.

A framing activity in the ideational dimension is different from a framing activity in the materialist dimension. The former refers to an attempt to reconstruct the issue at hand as *appropriate, legitimate in terms of existing collective normative understandings*.

Thus framers draw upon existing ideational materials in a given institutional setting (Tarrow 1992: 175) and they link new normative ideas to already established shared ideas (Finnemore and Sikkink 1998:906-907; Klotz 1995:31; Payne 2001:43). As Riker suggests “leaders often attract followers by forcefully arguing that a particular proposed decision is appropriate in light of some culturally agreed upon norms such as ‘reason’, religion, patriotism, party standards, ideology or any other notion commonly used to evaluate behavior” (Riker 1962:28). Similarly, Brunson and Olsen (1993:11) state that “when the environment is institutionalized, the primary effect of attempted reforms may be the creation of meaning and the molding of public opinion. Attempted reforms can then be regarded as part of a cultural struggle for [existing] norms, world views, symbols and legitimacy”. In bargaining situations within an institutionalized setting, institutional actors try to *legitimate* their positions or actions by referring to existing shared understandings because using a totally new framework of interpretation reduces the possibility of persuasion since they may not be resonant with existing understandings (Tarrow 1992:190). That being said, framers as reality constructors also create new meanings when they draw upon existing ideational materials. Using Tarrow’s words, they are both “consumers of existing cultural meanings and producers of new meanings” (1992:189). Thus the reference points of the framing activities in the ideational dimension are the community norms rather than common material interests. Therefore, framing on this dimension should be named as ‘*normative framing*’.

In sum, during bargaining in an institutionalized setting, institutional actors compete for both their material and ideational interests. In the ideational dimension, institutional actors often use *rhetorical action*, *normative framing* as tactics during tacit

or explicit forms of bargaining. The ultimate goal of these activities is the legitimation of one's position while delegitimation of opponents in terms of existing collective understandings. As indicated above, within institutionalized settings, actors attribute significant value to legitimacy. Schimmelfennig suggests that political actors interact in a cultural and institutional community environment. Communities, for Schimmelfennig, are characterized by a shared political culture that consists of the constitutive values, norms and identity of the community (2003:207). This normative basis determines the standard of legitimacy, which defines "who belongs to the community and what rights and duties its members have. It distinguishes rightful and improper ways of acquiring, transferring and exercising political power, and it determines which political purposes and programs are desirable and permissible." In such a setting, actors need legitimacy in order to achieve their goals. Politics in a community environment is a competition over legitimacy (Schimmelfennig 2003:208). Using Schimmelfennig's words:

...in a community environment, legitimacy strengthens the actors' bargaining positions. By linking distributional conflict with the collective identity and the constitutive values and norms of the community, rhetorical action changes the structure of bargaining power in favor of those actors that possess and pursue preferences in line with, though not necessarily inspired by, the standard of legitimacy (2003:208).

Therefore, violations of norms might bring significant social costs. In order to avoid that outcome, actors resort to rhetorical action. By presenting their actions as compatible with the community norms, they intend to increase their bargaining power. In other words, when there is a tension between actors' ideational interests and existing community norms, actors manipulate norms so as to realize their ideational interests without losing their social status and legitimacy within the community.

From a rationalist perspective, Anbarcı, Skaperdas and Syropoulos also suggest that in bargaining situations, actors, to improve their bargaining positions and become

more influential, frequently resort to norms because this action does not impose significant costs to parties. In their words:

In actual negotiations between countries, organization, or individuals considerable resources are often expended on bettering the bargaining position of each party. Arming, lobbying, legal costs, and various other influence activities can increase one party's bargaining position but, as these are costly, they also deduct from what is obtainable for all from the final settlement. It is therefore in the collective interest of all parties to limit those costs. Conventions, rules or norms of division that somehow provide suitable restraint would then be preferable by all parties. 2002

However, instrumental usage of norms should not be associated with lower costs. In the short run, actors might gain from using norms instrumentally, but in the long run, invoking norms or instrumental usage of norms might bring significant costs. As Elster suggests:

It is difficult to invoke a norm in one situation where it serves my interest and then refuse its relevance in another, similar situation where it works against me...
...others will not allow me to get away ad-hoc invocation of norms. There is a clear social norm to the effect that if one party opens up a certain line of argument, or invoke a certain social norms, it stays on the table forever" (1989:131-132).

Within a community environment, the likelihood of future interactions among actors is relatively high. In other words, *the shadow of the future* in community environment is longer and actors are aware of this. When they invoke a certain norm at a certain time to legitimate their positions, they know that such an action has a binding impact on their future relations with other actors. In other words, actors' legitimation strategies might have lock-in effect in an institutional setting (Goddard 2006:44). This is also known as *symbolic entrapment* in the sense that "an initial association with the wider normative expectations later restricts what the actor can do because of reputational considerations" (Barnett 1998:47). Thus, actors are not free in their strategic use of norms. This shows that norms might be used instrumentally by self-interested strategic actors but norms still have an autonomous impact on actor strategies. Actors may conform to norms for several reasons such as material interests but in the end actors'

desire to be viewed as ‘legitimate’ and ‘moral’ within the existing community (Barnett 1998:34; Goffman 1983) allows norms to have some independent impact on behaviors, even when norms operate as *external regulators, constraints*.

5.2.3. The Choice of Strategy

If different types of interests and strategies are available for bargainers in an institutional environment, one would expect that the relative importance of one type of interests (ideational vs. material) and so the choice of strategies would vary among institutional actors. This begs the question of how we can explain this variance. Phrased differently, how can we infer the relative important of interests and strategies to different actors? One way of answering this question is to look at the saliency of logics and the contextual factors. As it is argued above, the relative importance of a certain logic would determine actors’ expectations and consequently their strategies. However, one can still ask the following question: if the salience of a certain logic is important, then what makes one logic relatively more salient/important than another one? Even though materialist and ideational logics have been increasingly employed in understanding political outcomes and behaviors, the question of why or under what conditions one logic might prevail remains under-investigated (Finnemore 1996b:31). Colomy also observes that new institutionalism “rarely discuss the particular strategies institution builders use to advance their projects” (1998:278).

This study suggests that one answer to this important question might be actor’s perceptions about the issue at hand. If an actor perceives the issue as primarily a matter of beliefs, values and norms then ideational logic would be the dominant factor shaping

actors' expectations and strategies in bargaining situations. If the issue was perceived as a matter of material values (i.e power, wealth, security) then the dominant logic would be materialist. Other than one's own perceptions of the issue, the attitude or perceptions of the *audience* (e.g public opinion) and of the other institutional actors appear to be another factor which shape actors' choice of strategies. Even though actors might be motivated by certain particular concerns, interests, they may need to frame the issue as a matter of much broader concern so as to attract more support for their positions. For instance, if the tendency within the audience and among other institutional actors is to perceive the issue as primarily a matter of material interest (e.g security, economic welfare) rather than ideational, then actors would be forced to respond to their framings. That being said, the real picture is more complicated than this because it is highly likely that issues may touch upon both dimensions, at least for some actors and for the audience. In such cases, these actors would be motivated by their ideational and material expectations and employ various strategies during bargaining. However, the bottom line is that, the choice of strategy is not independent from the issue, actor's perceptions or the institutional environment (i.e institutional norms and values). As Hay and Wincott rightly state "...strategies are...selected on the basis of an always partial knowledge of the structures (the institutional context) within which the actors find themselves and the anticipated behavior of others" (1998:956).

5.3 CONCLUSIONS

Bargaining forms the second stage of the process of institutional change. Since many institutional settings have some distributional consequences (Knight 1992), institutional change becomes a conflictual process (Acemoglu, Johnson, and Robinson 2005). Bargaining is a way of bridging differences of interests over alternative arrangements. Existing bargaining models, especially game-theoretic models, remain limited since they focus on materialist logic. Accordingly, actors are motivated by their material interests and act strategically in bargaining situations to achieve their expected material utilities. These models either underestimate or totally exclude the role of normative context in bargaining situations. The role of norms in bargaining in a community environment should not be neglected since in a community environment actors are also concerned about their ideational interests (legitimacy, self-affirmation, belonging, reputation etc). Bargaining theories often consider actors' ideational considerations (e.g. legitimacy) as secondary (Goddard 2006:42). However, by defining appropriate behavior, norms set the standards of legitimacy in a community environment. Acting against these standards of legitimacy is likely to bring some social costs. The bargaining process in an institutionalized setting involves "a contentious legitimation process" (Goddard 2006:41). Actors tend to legitimate their positions through rhetorical action while they try to delegitimize opponents' positions. Therefore the role of norms and legitimacy during bargaining process in an institutionalized setting should be taken seriously.

In brief, distributional consequences should not be limited to material interests. Bargaining in an institutionalized setting is not only a strategic competition over material

benefits but also *a symbolic contestation* among institutional actors over ideational interests. Institutional actors' primary strategy during these symbolic interactions is *normative legitimation/delegitimation*. While actors compete over legitimacy, they employ several tactics such as normative framing. Thus, the bargaining process in an institutional environment is heavily shaped by normative understandings of that environment. In order to capture this normative impact (either constraining or constitutive), it is necessary to use a two dimensional model of bargaining based on ideational- appropriateness and materialist logics of expectations. Such a multi-dimensional model of bargaining would dramatically increase our understanding of the second stage of institutional change. The following chapters apply the arguments developed in Chapters 4 and 5 to empirical cases (changes in the issues of civil-military relations and cultural rights in post-Helsinki Turkey).

6. THE DEMILITARIZATION OF TURKISH POLITICAL SYSTEM

One characteristic of Turkish politics has been the strong influence of the military on civilian politics (Ahmad 1993:1; Sakallıoğlu 1997; Salt 1999; Demirel, 2003; Hale, 2003: 119). However, significant changes took place in civil-military relations in the post-Helsinki era (1999 onwards), which limited the political powers of the Turkish military (Aydınlı, Özcan and Akyaz 2006). These constitutional and legislative reforms, especially the MGK (National Security Council) reform, were quite welcomed by the EU.¹⁵ The 2004 Regular Report of the European Commission (EC) on Turkey confirmed that the post-Helsinki reform process reduced the political powers of the military and strengthened civilian control. In October 2004, the Commission concluded that Turkey satisfied the Copenhagen political criteria and recommended European leaders open accession negotiations with Turkey in the following year. This development was considered a major achievement in the recent history of Turkish democracy.

Arguments: This chapter applies the theoretical model discussed in previous chapters to changes in Turkish civil-military relations. The puzzling question is why the Turkish military, a veto player in the Turkish political system (Cizre 2004:113), has accepted its loss of power? It will be shown that the change process was initiated by the

¹⁵ Author's interview with Hansjörg Kretschmer, The Head of the Delegation of the European Commission to Turkey (Ankara, June 2006).

EU trigger through a mechanism of power shifts between civilian and military counterparts. The EU's recognition of Turkey as a candidate for membership empowered the civilians by giving legitimacy to calls for increasing civilian control over the military.

Initiation of change process led to a bargaining between the civilians and the military over alternative arrangements. This chapter shows that the military, which expressed its commitment to further integration with the EU on several previous occasions, found itself *rhetorically entrapped* during this bargaining process on proposed changes. Thus, the military refrained from blocking the civilianization process due to the likely damage such an action would cause to its ideational interests (i.e. loss of legitimacy and credibility at both domestic and international levels).

This chapter is structured in the following way. Part I identifies the general institutional path in civil-military relations in Turkey. Part II presents institutional changes in the field of civil-military relations in the post-Helsinki era. These changes are theorized in Part III. The focus of this section will be the Seventh Harmonizing Package (July 2003), which significantly contributed to the demilitarization process in Turkey. The conclusion restates the main arguments of the chapter.

6.1 IDENTIFYING THE INSTITUTIONAL PATH

The Turkish military has enjoyed a high degree of autonomy (i.e independence from civilian control) in the political system (Ahmad 1993:12-14; Cizre-Sakallıoğlu 1997: 151 and 2004:113; Yavuz 2000:34). The military has been not only a security

institution but also a “core element of Turkey’s political system” (Kramer 2000:30).¹⁶ The military considers itself the ultimate *guardian* of the secular, democratic Republic and of Kemalism (i.e secularist and republican principles) vis-à-vis internal (e.g fundamentalism, separatism) and external (e.g foreign attack) threats (Hale, 1994: 80; Heper and Güney, 2000: 637; Narlı 2000:108; Jenkins 2001:7; Demirel 2003 and 2004; Cizre 2004:107; Güney and Karatekelioğlu 2005:441). In addition, the Turkish military has enjoyed a significant degree of public support. It has been regarded as the most trusted and prestigious institution in the country. The military is perceived as “the most egalitarian, non-politicised and professional public institution compared with the political class that was often unstable, corrupt and unreliable” (Aydın and Keyman 2004:21), (see Table 7). Thus, unlike other NATO militaries, the Turkish military has had a special position in the political system (Gürbey 1996:12; Özbudun 2000:151; Kramer 2000:34; Rouleau 2000:102; Jenkins 2001; Hale 2003: 119).

Table 7: Confidence in political institutions in Turkey (1999-2000)

Institution	Confidence (%)
Military	86.2
Police	68.7
Government	45.4
Parliament	41.5
Press	33.6
Political Parties	27.8

Note: Only answers of "great deal of confidence" and "quite a lot of confidence" were counted.

Source: World Values Survey, Turkey, 1999-2000

¹⁶ Therefore, some observers define pre-Helsinki Turkish political regime as “military democracy” (Salt 1999).

6.1 MILITARY INTERVENTIONS

According to the *Turkish Armed Forces Internal Service Law* (January 1961), the military is responsible for protecting the territorial integrity and the nature of the Turkish regime (including Kemalist principles: particularly secularism and republicanism) (Articles 35 and 85/1). Interpreting this language rather broadly, the Turkish military has been heavily involved in civilian politics through various channels, and has interrupted democratic processes four times in the Republican era.

1960 Military Coup (1960-1961): This intervention was carried out by middle-ranking officers against the authoritarian attitudes and policies of the Demokrat Parti (Democratic Party-DP) government (1950-1960). Although the main motivation of this intervention was to solve a constitutional crisis rather than introducing dramatic changes in the political structure (Özbudun 2000:24), the coup resulted in a new constitution (1962 Constitution). This new constitution not only created a quite liberal political system but also established military dominated institutions with executive powers, violating the norm of civilian control of the military.

1971 Coup by Memorandum (1971-1973): In late 1960s, *Adalet Partisi* (Justice Party-AP) was unable to deal with the increasing political violence between left and right wing groups. As a result of this polarization and of increasing political violence in society, the military released a memorandum in March 1971 and forced the AP government to resign. However, this coup did not result in the suspension of the constitution, dissolution of the parliament or elimination of political parties. Instead, the military imposed an above-party, technocratic government to deal with “anarchy, fratricidal strife and social and economic unrest”. The technocratic government, led by

Nihat Erim, was able to control the political violence in the country. It also implemented certain constitutional amendments in 1971 and 1973, which reversed the democratic achievements of the liberal 1961 Constitution. During this period, the military shaped the political process through this technocratic government.

1980 Military Coup (1980-1983): This coup was carried out by senior military officials against political violence and terrorism, which repeated itself at a higher level in the second half of 1970s. Similar to the pre-1971 period, the governments in the 1970s were unable to halt the political violence and terrorism. Amid increasing polarization between political elite and political violence in the society, the military intervened the third time. This coup resulted in the 1982 Constitution, which brought further restrictions on rights and freedoms in the country.

1997 Intervention (silent coup): In 1997, an ultimatum from the military led to the resignation of the coalition government headed by pro-Islamist Necmettin Erbakan, the leader of Refah Partisi (Welfare Party-RP). The military believed that the RP was using religion for political ends. Thus, the military considered certain actions and policies of the Refah-led coalition government as a significant threat to the secular nature of the Republic. As a result, the military criticized the government during an MGK meeting, which took place on February 28, 1997, and requested that the government implement 18 specific, concrete measures against the political Islam. After facing increasing pressure from the military-bureaucratic elite and certain republican, secular civil society organizations, some of which were activated by the military, the government had to resign in June 1997.

Instead of assuming power, the military articulated its discomfort with the government policies at the MGK. Unlike other interventions, in this last instance, the military acted more like a pressure group by mobilizing certain civilian forces vis-à-vis the government (Heper and Güney 2000:648). It was a successful strategy because the military received strong support from various civilian forces (the media, public, and several civil society organizations). This intervention is also known as the *silent coup* or the *post-modern coup* (Özel 2003: 86; Güney and Karatekelioğlu 2005:448).

In each case, the military returned power to civilians relatively quickly. Students of Turkish civil-military relations argue that the primary motivation of these military interventions was to restore democratic, secular order, and to save the state apparatus (i.e to fulfill its guardianship role) rather than to establish long term military regimes (Evin 1988: 204; Harris 1988: 179; Hale 1988:159 and 1994: 316-324; Özbudun 2000:24; Heper and Güney 2000:636-637; Demirel 2005: 252; Aydınli, Özcan and Akyaz 2006). After each intervention, however, the military returned to its barracks with certain tutelary powers and autonomy, which enabled the military to exert significant degree of influence in politics even during civilian rule. Thus, the civil-military *problematique* in democratic polities (i.e “the very institution created to protect the polity [the military] is given sufficient power to become a threat to the polity”, Feaver 1999:214) has been quite acute in the Turkish context. As a result, Turkish civil-military relations have been distinct and distant from civil-military relations in liberal political systems, a major problem in Turkey’s accession to the EU.

6.2 MİLLİ GÜVENLİK KURULU (NATIONAL SECURITY COUNCIL, MGK)

The MGK, which was established by the 1961 Constitution, has been the most important institutional channel for the military to play its political role within the political system (Heper and Güney 2000: 637; Junkins 2001:7). The military considered the MGK a legal platform from which to articulate its views on all matters of security. After each military intervention, however, the MGK increased the number of its military members and its own powers (Harris 1988:188). For instance, initially, the MGK was composed of seven or eight civil and four military members, and it was primarily responsible for *preparations for war situations*. In the later period, however, the number of military members increased and the military dominated MGK gained many more political powers. According to the 1982 Constitution, the MGK was composed of the *five military* members (the Chief of the General Staff and the Force Commanders of the Army, Navy, Air, and Gendarmerie), *four members of the government* (the Prime Minister, Ministers of Defence, Interior, and Foreign Affairs) and the *president* (the head of the state), who was the chair of the Council. Considering the fact that the Secretary General of the MGK was also a general, the Council was clearly dominated by the military side.

The MGK also increased its own legal powers, gaining authority to make decisions in various issues such as the economy, financial markets, banks, privatization and foreign policy. Originally, the Council was supposed to *provide information* to the government. According to a 1971 amendment to the 1961 Constitution, the MGK would *recommend* its views to the government (Article 111). With the 1982 Constitution (Article 118), the government had to give *priority* consideration to the decisions and recommendations of the military dominated Council. Thus the decisions of the military

dominated MGK became much more than a recommendation to the government. The Council also became responsible for identifying certain precautions against internal or external threats to national integrity, societal peace and Kemalist principles. As a result, after the 1980 military intervention, through military dominated MGK, the military expanded its political powers in the system (Sakallıoğlu 1997:157).

However, the existence of such a military-dominated body that exercised executive powers on several issues created a political system with double executives: the *civilian authority* (Council of Ministers and the Parliament) and the *military authority* (military dominated MGK) (Gürbey 1996:13; Sakallıoğlu 1997:158). Using the words of Rumpf, through the MGK, “the military has actually become part of the constitutionally based state executive power without formally being legitimized to such a position” (quoted in Kramer 2000:34). Similarly, Mümtaz Soysal, a professor of constitutional law, stated that:

Because the National Security Council (MGK) is a body which is in a better position to express opinions concerning issues of national security due to its proximity to detailed information, it is only natural that the Council of Ministers “gives preference” to these opinions. The real danger here lies in the fact that the concept of “national security” is being used in a very broad and all-encompassing manner- and includes almost all issues which fall under the responsibility of the government- and *because of this broad interpretation, a new mixed decision-making body is created which is nearly parallel to the Council of Ministers, but does not carry political responsibility* (emphasis added) (quoted in Gürbey 1996:12-13)

Such a structure was against the norm of democratic control of the military, an important feature of liberal democracies.¹⁷ The EU was highly concerned with this situation. In its 1999 Regular Report on Turkey, the European Commission stated that

¹⁷ Democratic control of the military refers to “political control of the military by the legitimate, democratically elected authorities” (Cottey, Edmunds and Forster 2002:6). According to Cottey, Edmunds and Forster (2002:6-7), this control has the following three components: 1) The military is not involved in domestic politics, 2) The defense policy is controlled by democratic, civilian authorities, 3) The state’s foreign policy, including the deployment and use of force, is under the control of the democratic civilian authorities.

“Through the National Security Council [the MGK], the military continues to have an important influence in many areas of political life. The National Security Council continues to play a major role in political life”.¹⁸ One EU requirement of the process of civilianization of the political system in Turkey in the post-Helsinki era was converting the MGK into a consultative body with a civilian majority. The following section presents various changes which reduced political powers of the military in post-Helsinki era.

6.3 CURBING THE POWERS OF THE MILITARY IN THE POST-HELSINKI TURKEY

Table 8 presents the changes that contributed to the civilianization of the Turkish political system in the post-Helsinki era. On June 18, 1999, Article 143 of the Constitution was amended and the military judge from the three-person judicial panel in the State Security Courts¹⁹ was removed. The motivation behind this change was to avoid any European criticism of the fairness of the trial of the PKK leader, Abdullah Öcalan. In October 2001, the constitutional status of the MGK was changed by the amendment of Article 118 of the Constitution. This amendment removed the ‘priority’ of MGK decisions and increased the number of civil members within the MGK, making the civilians dominant. The constitutional amendment of May 2004 removed the military member of the Council of Higher Education, (YÖK), which is responsible for

¹⁸ European Commission. 1999. “Regular Report on Turkey’s Progress towards Accession. Brussels”, October 13, p. 10

¹⁹ State Security Court were abolished in 2004.

coordinating and regulating university education, expanded the oversight of military and defense expenditures and eliminated the State Security Courts.

Other than these constitutional changes, there are also several changes to certain laws which contributed to the demilitarization process. In December 1999, the Ottoman Civil Servants Law (1913) was repealed. This change allowed the members of the security forces to be held accountable for their involvement in violations of human rights. The *Sixth Harmonizing Package* in July 2003, removed the MGK representative on the Supervision Board of Cinema, Video and Music. Among these changes, *the Seventh Harmonizing Package* (July 30, 2003) brought about the most significant changes in civil-military relations, which are analyzed separately below. In December 2003, further measures had been adopted increasing the transparency of military and defense expenditures. The amendment to the Law on Public Financial Management and Control allowed the inclusion of extra-budgetary funds in the budgets of the relevant administration, i.e. the Defense Ministry as of 1 January 2005 and the dissolution of these funds by 31 December 2007. *The Eight Harmonizing Package* (July 2004) brought the following further changes: the military member of the Radio and Television High Council (RTÜK), which oversees radio and television broadcasting, was removed. The Constitutional changes of May 2004 related to YÖK (The Council of Higher Education) were reflected in the Law on the Council of Higher Education (Law No: 2547, Article 6). Finally, in July 2006, with the changes to The Establishment and Trial Procedures of Military Courts Law (Law No:353), the right of military courts to prosecute civilians in times of peace was removed.

Table 8: Constitutional and legislative changes related to civil-military relations in the post-Helsinki Turkey

	Title	Date	Content
Constitutional		June 18, 1999	Article 143: Removal of the military judge from the three-person judicial panel in the State Security Courts
		October 3, 2001	Article 118: This amendment removed the priority of National Security Council (MGK) decisions and increased the number of civil members in the MGK to 8 (adding three Deputy Prime Ministers and the Minister of Justice). The number of military members was kept the same. New text puts emphasis on the advisory nature of MGK.
		May 7, 2004	Article 131: The military member of the Council of Higher Education, (YÖK), which is responsible for coordinating and regulating university education, was removed. Article 160: The oversight of military and defense expenditures was expanded by a regulation enabling the Court of Auditors to audit military and defense expenditures on behalf of the Turkish Grand National Assembly (TBMM). Article 143: Repealed, eliminating the State Security Courts.
Legislative		December 1999	1913 Ottoman Civil Servants Law was repealed. The members of the security forces would be held accountable for their involvement in violations of human rights.
	The Sixth Harmonizing Package	July 19, 2003	The MGK representative on the Supervision Board of Cinema, Video and Music was removed.
	<i>The Seventh Harmonizing Package</i>	<i>July 30, 2003</i>	<i>Several changes made in the Law of MGK and the Law of Secretary-General of MGK (Law No: 2945):</i> <i>The executive powers of the secretary general of the MGK were eliminated, while the MGK itself was reduced to an 'advisory/consultative body'. The main responsibility of the secretary-general was redefined as secretariat duties in the MGK.</i> <i>The new secretary would be no longer a military official, but a civilian nominated by the Prime Minister and appointed by the head of state.</i> <i>MGK meetings would be held once every two months rather than every month.</i> <i>The transparency of military and defense expenditures was enhanced. The Court of Auditors, upon the request of Parliament, will now be authorized to audit accounts and transactions of all types of organizations including the state properties owned by the armed forces.</i>
		December 2003	Amendment to The Law on Public Financial Management and Control: allowed the inclusion of extra-budgetary funds in the budgets of the relevant administration i.e. the

		Defense Ministry as of 1 January 2005 and the dissolution of these funds by 31 December 2007.
The Eight Harmonizing Package	July 14, 2004	The right of the Secretary General of the MGK to nominate one member of the Radio and Television High Council (RTÜK) which oversees radio and television broadcasting, was removed (Law No: 2813, Article 6). Constitutional changes (May 7, 2004) related to YÖK, were reflected in the Law on the Council of Higher Education (Law No: 2547, Article 6)
	July 29, 2006	The Establishment and Trial Procedures of Military Courts Law (Law No:353): With certain exceptions, the military courts can no longer prosecute civilians in peaceful times.

6.3.1 Assessing the Changes

What do these changes mean? In its assessment of EU reforms in Turkey, *Türkiye Ekonomik ve Sosyal Etüdler Vakfı* (Turkish Economic and Social Studies Foundation-TESEV), a pro-reform, pro-EU organization (Öniş 2003a:20), stated that:

The package [The Seventh Harmonizing Package, July 2003] initiated perhaps the most significant changes on the way to better harmonization of the civil-military relations (CMR) with those of the EU and increasingly universalizing democratic standards, and thereby signifies a “distinct legislative accomplishment” which “makes a clean break with the past and has compelling political and theoretical significance for the civil-military power equation (TESEV, 2006:11-12).

These changes, which were also defined as ‘fundamental’ by the EU²⁰ achieved a significant degree of civilianization of the Turkish political system (Aydın and Keyman 2004:19-20). In other words, the balance of civil-military relations shifted towards the civilians. These changes, however, should be understood as an instance of *gradual change*. As discussed in Chapter 3, in case of gradual change, new principles, norms are introduced into an existing institutional setting. This means that old elements may also continue to exist, at least for a certain period of time. Given the fact that the Turkish

²⁰ European Commission. 2003. “Regular Report on Turkey’s Progress towards Accession. Brussels”, p. 18.

military still enjoy a certain degree of political power in the system,²¹ the transformation of the political system into a civilian political system should be defined as *incremental path-breaking* changes rather than a sudden, dramatic, complete break with the existing institutional path. The following section theorizes these changes.

6.4 THEORIZING CHANGES (THE SEVENTH HARMONIZING PACKAGE JULY 30, 2003)

The Seventh Harmonizing Package²² brought fundamental changes to civil-military relations in Turkey, increasing civilian control of the military. As Öniş and Yılmaz state: “The seventh harmonizing package represents a major turning point in Turkey-EU relations because for the first time, the political leadership in Turkey found itself in a position to tackle the thorny question of civil-military relations” (2005:277). The main goal of this package was to curb the political powers of the military by reforming the MGK. This legislative reform brought fundamental changes to the duties, functioning and composition of the MGK. The following specific changes were made to the Law of the MGK and the General Secretariat of the MGK (Law No: 2945):

- The executive and supervisory powers of the secretary general of the MGK were eliminated, while the MGK itself was reduced to an ‘advisory/consultative body’.

²¹ The Turkish military still has significant political powers and can be considered politically the strongest military within the NATO. For instance, the common practice in Western liberal democracies is for the Chief of the General Staff to be accountable to the Defense Minister. In Turkey, the Chief of General Staff was responsible to the Minister of Defense in the period of 1949-1961. However, since 1961, the Chief of General Staff has been accountable to the Prime Minister. The justification for this arrangement was that the former one would politicize the military. The military also continues to express its opinions on social and political issues. There are also some military institutions (e.g Supreme Military Council) which are not accountable to the civilian bodies.

²² Law No 4963, Available at: www.tbmm.gov.tr.

The main responsibility of the secretary-general was redefined as secretariat duties in the MGK. It can no longer conduct national security investigations on its own initiative nor can it directly manage the special funds allocated to it.

- The access of the MGK to any public agency was removed.
- Before this reform, the secretary general of the MGK used to be a high ranking military official. The new secretary is no longer a military official, but a civilian nominated by the Prime Minister and appointed by the head of the state.
- This reform package also changed the frequency of MGK meetings. The Council used to meet once in a month. According to the new regulation, MGK meetings would be held once every two months.
- Military and defense expenditures were made more transparent. The parliamentary scrutiny over military spending through the Court of Auditors was increased. This oversight was expanded by a February 2004 regulation enabling the Court of Auditors, upon the request of the parliament, to audit accounts and transactions of all types of organizations including the state properties owned by the military.

For some observers, these changes were revolutionary to Turkish civil-military relations (Salmoni 2003). In its evaluation of the reform, the European Commission stated that “The duties, powers and functioning of the National Security Council (NSC) have been substantially amended, bringing the framework of civil-military relations closer to practice in EU Member States. The role of the Secretary General of the NSC has been reviewed and its executive powers have been abolished.”²³ How can we understand and explain this reform?

²³ European Commission. 2003. “Regular Report on Turkey’s Progress towards Accession. Brussels”, p. 43

6.4.1 First Stage: Power Shifts

Many political relations involve power relations but this is even more valid for civil-military relations. As Demirel rightly notes, civil-military relations should be understood as power relations (2004:127). In terms of the first stage of the change process, i.e. initiation, the shift in these power structures²⁴ among institutional actors (the military and the civilian sides) emerges as a crucial factor. One student of civil-military relations in Turkey observed that ‘the major factor contributing to the difficulty in establishing civilian control over the military is the *failure of the civilian forces to question the prevailing power configuration* (emphasis added)’ (Cizre-Sakallıoğlu, 1997: 162). As a result of this sense of powerlessness vis-à-vis the military (Demirel 2004:128), civilians failed to subordinate the military. This failure was probably because, as former President Süleyman Demirel, who was ousted from the premiership twice by the military coups, stated in an interview to a daily newspaper, civilians in the Turkish political system have been fearful of the military (Radikal, May 6, 2002).

As Bland rightly observes “civil control [of military] is a dynamic process susceptible to changing ideas, values, circumstances, issues and personalities and to the stresses of crises and war” (1999:10). The Europeanization process in the post-Helsinki era created new circumstances for Turkish civil military relations. Once the accession process was started by the EU’s decision on Turkey’s candidacy in 1999, the *sense of*

²⁴ Power analysis, here, is based on ‘*relational power*’ rather than ‘*power-as-resources*’. As discussed in Chapter 4, power-as-resources, also referred as *power-as-possession*, *power-as-property*, *power-as-capabilities*, limits the notion of power to ownership of material capabilities. Relational power is much more sensitive to social context and to symbolic factors and means. In this study power shifts refers more to *legitimation*, *delegitimation processes* rather than to changes in the distribution of capabilities.

powerlessness of the civilian side was removed to a great extent. The EU, as an external reference point, played the role of *legitimizer* in Turkish domestic politics (Diez 2005:177). This role, especially, empowered the civilian rhetoric. Aydın and Keyman are quite right in stating:

By helping to create a strong language of rights in the country, the EU started to play an important role in furthering the change in state-society relations and provided legitimacy for a vast amount of civil society organizations calling for a more democratic Turkey and demanding recognition of cultural/civil rights and freedoms. In a similar sense, the EU has also provided increasing legitimacy for the governing AKP party's heavy emphasis on democracy.... (2004:17).

Thus, credible signals on Turkey's membership by the EU helped civilians question existing arrangements in civil-military relations in Turkey. As a result of this empowerment, the civilian side could more effectively demand the embodiment of more democratic norms (i.e the civilian control of the military) within the MGK. Thus, the impact of the EU was crucial in the sense that the EU altered power structures among political actors in the domestic space. This created an opportunity for those who were discontent with the status quo, civilians in this case, to seek to change the rules of the game (Rumford 2002:51; Watts 2006:131). Using the words of Tocci, the EU "enhanced the credibility and legitimacy of the claims of domestic actors." (2005: 89) So, the EU, as an external ally for domestic change entrepreneurs, emerged as an important factor which initiated this conflictual change process (Güney and Karatekelioğlu, 2005).

6.4.2 Second Stage: Bargaining

With respect to the second stage of the MGK reform, as indicated previously, since institutional change has distributional consequences, institutional change usually

involves a tacit or explicit bargaining process among institutional actors over alternative institutional configurations. The MGK reform was also a result of intense bargaining (at least tacitly)²⁵ between civilians and the military. Let's start first by identifying the 'initial' positions of the actors within both the ideational and material dimensions (i.e. actors' expectations in terms of material and ideational considerations).

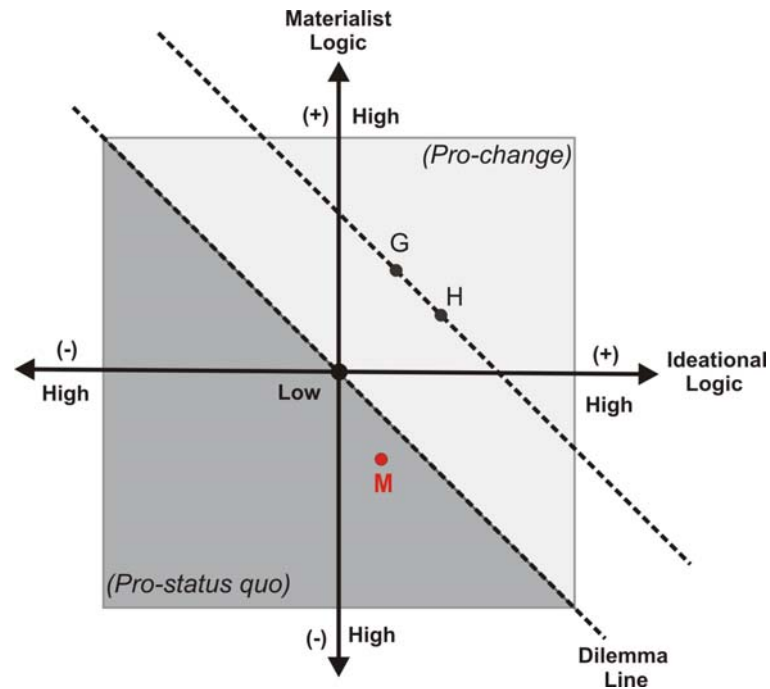


Figure 9: Two logics of expectations and the distribution of the positions of MGK actors on the Seventh Harmonizing Package, July 2003

Figure 9 provides the distribution of the *initial* positions of the MGK actors (*M*: military; *G*: government; *H*: head of the state), based on their expectations on these two dimensions. According to this figure, the military was the only status quo oriented actor. Both of the civilian actors (the government and the head of the republic), on the other hand, were pro-change actors due to positive expectations in both dimensions.

²⁵ In case of tacit bargaining, the parties to bargaining 'watch and interpret each others behaviours' rather than explicitly negotiate on formal settings (Schelling, 1963:21).

6.4.2.1 Adalet ve Kalkınma Partisi (Justice and Development Party-AKP)

In the 1990s, the political Islam emerged as a significant challenge to Turkish state (Özbudun 2000). From the 1960s until the late 1990s, political Islam had an anti-Western, anti-EU attitude (Güneş-Ayata 2003:216; Zucconi 2003:54-55). The EU was perceived as a *Christian Club*. For instance, after the pro-Islamic Refah Partisi (Welfare Party-RP), led by Necmettin Erbakan, established a coalition government with Doğru Yol Partisi (True Path Party-DYP) in the period of 1996-1997, Erbakan's government adopted a revisionist position with regard to relations with the EU. RP even suggested halting Turkey's accession into the EU and pursuing the creation of an *Islamic Common Market* with some Middle Eastern countries (Kirişçi 1997; Doğan 2005:424).

However, in late 1990s, almost all pro-Islamic parties distanced themselves from anti-Western rhetoric and policies and became much more supportive of Turkey's continuing integration with the EU (Dunér and Deverell 2001:6; Zucconi 2003:53; Tanıyıcı 2003; Güneş-Ayata 2003:217; Zucconi 2003:54-55; Öniş 2003a: 17 and 2003b:41; Avcı 2003:157; Hale 2003:109; Meham 2004). This shift was partly a result of pressure on pro-Islamic actors from civil society institutions and secular, republican, Western oriented bureaucratic-military, political establishments (Öniş, 2003a: 17; Meham, 2004). Within this context, pro-Islamic groups perceived the EU as an ally vis-à-vis these strictly secular domestic actors, especially the military (Rouleau 2000:113; Güneş-Ayata 2003:216; Öniş 2003b:42; Philips 2004:86; Kūlahçı 2005:399).

The AKP, which is an offshoot of the banned Islamist Refah Partisi (Welfare Party, 1983-1998) and Fazilet Partisi (Virtue Party, 1997-2001),²⁶ emerged in such a context in August 2001. Unlike its predecessors, the party, which presented itself as democratic, conservative, reformist and modern center-right party (Coşar and Özman 2004:63),²⁷ adopted a strong pro-EU position (Güneş-Ayata 2003:217; Avcı 2003:163; Öniş and Keyman 2003:103; Zucconi 2003:54-55; Coşar and Özman 2004:63; Ayoob 2004:452-459; Oğuzlu 2004:105; Öniş and Yılmaz 2005; Tocci 2005:80; Kirişçi 2005; Diez 2005; Doğan 2005). During the November 2002 national elections, the AKP received 34.3 percent of the votes and formed the first single party government in Turkey since 1991. The new AKP government has acted quite carefully to maintain harmonious relations with the military. It has tried to keep a distance from political Islam (Heper, 2003: 131; Öniş and Keyman 2003:99), it has refrained from directly clashing with the military on sensitive issues (Mecham, 2004: 354; Heper 2005b), and strongly supported Turkey's EU bid. Güneş-Ayata suggests that "There is no question about the sincerity of the AKP in this new endeavor. Integration with the EU is one of their major projects, through which they are hoping to change the structure of the state towards more pluralism, human rights and fuller democracy." (2003:217). Similarly, Vardar observes that:

...Islamic political actors changed their critical stance on Europe and began to express their support for Turkey's accession to the EU, *for they realized that European integration served their own long-term interests by providing a pluralist and democratic ground for the*

²⁶ The Fazilet Partisi (FP) had sent 111 deputies to the parliament after national elections in April 1999. However, the party was accused of being a continuation of banned Refah Partisi and closed down by the Constitutional Court in June 2001. When it was closed, the party had 102 deputies in the parliament. 52 of them, also known as traditionalists, established a new party, called Saadet Partisi (Felicity Party, SP), in June 2001. The other half, the reformist wing, joined the AKP.

²⁷ For some, the AKP is a neoliberal party with a Muslim face (Coşar and Özman 2004:69).

protection of individual rights and freedoms, which necessarily include religious beliefs (emphasis added) (Vardar 2005:93).

This ideological commitment to EU membership was one motivation of the AKP government in initiating reforms targeting the political powers of the military.

Another strong motivation behind the AKP's strong pro-EU position seems to be the belief that the accession process would also empower Islamic groups vis-à-vis strictly secular groups at domestic level. In the Turkish political system, the strongly secular military has always been concerned about political Islam and kept a close watch on Islamic oriented political parties and societal groups.²⁸ Within this context, Islamic political groups considered the Europeanization process as a great opportunity to reduce the political powers of the military. This would, it was believed, promote religious freedom and enhance the influence of Islamic groups in the political system (Özel 2003: 93; Diez 2005:171-176; Yavuz and Özcan 2006:109). Mehmet Metiner, former advisor to Erdoğan while he was the mayor of Istanbul, openly stated that: "Recep Tayyip Erdoğan [AKP leader] has understood that the reforms imposed by a future integration represent the best guarantee for the freedom of expression and for the development of political Islam" (quoted in Külahçı 2005:399). Tocci rightly states that:

the AKP government's commitment to political reforms and EU accession has both important interest and ideology-related explanations. Beginning with interests, a commitment to reform and EU accession is viewed as the most effective means for the AKP to raise its legitimacy and shed its Islamist past vis-à-vis the international community and the secular establishment in Turkey. Furthermore, democratic reform and the EU accession is considered to be the best guarantee for the AKP's political survival (2005:80).

²⁸ There are also some exceptions to this general attitude. For instance in the early 1980s, the military tried to promote Islam as an antidote against the threat of communism (Tank 2005b:10; Demirel, 2005: 136).

The author's interviews with media and civil society representatives, and political elites during the summers of 2005 and 2006 also confirm the existence of such a strategic motivation behind the AKP's pro-EU position, in addition to its ideological commitment to the accession process.²⁹ For instance, a prominent member of party leadership, Dengir Mir Mehmet Fırat, openly stated that:

In the end, these two [strategic moves against the military and an ideological commitment to the EU accession process and democracy] are not totally different. If you, as someone from pro-Islamic group, believe that your freedoms and rights, especially your freedom of belief are suppressed, you would want more democracy and naturally try to remove any obstacle in front of further democratization. But, as AKP, we also sincerely believe in democracy and freedoms and it was this belief and commitment that motivated us in this reform.³⁰

In brief, because of these two primary motivations (i.e. *ideationally*, the ideological commitment of the AKP to EU membership, and *materially*, the power struggle vis-à-vis the strictly secular military), the AKP became the “champion of Turkey's accession to the EU” (Ayoob, 2004: 459). The AKP government defined 2003 as “year of EU reforms” and 2004 as the “year of their implementation” in order to get a date for the start of accession negotiations. Thus, in terms of the expectations of the AKP from the MGK reform, reform which would reduce the political powers of the strictly secularist military and convince the EU circles of the commitment of the government to the reform process, the position of the AKP government should be located in the (positive, positive), top right area (see Figure 9).

²⁹ See Appendix A for a list of interviewees on changes in civil-military relations.

³⁰ Author's interview (Ankara, June 2006).

6.4.2.2 The Military

Ideational Logic: In terms of the military's expectations in the ideational dimension, it would be appropriate to locate it on the positive side for following reasons. It is a widely held belief that the military first became the 'object' and then the 'subject' of the Ottoman-Turkish modernization project, defined as 'borrowing from the West' (Heper, 2005a: 34). After recognizing the military superiority of Europe in the early 1800s, the Ottomans first began to modernize their army. Thus, the initial motivation of reforms in the late Ottoman era was to reestablish the military parity with the European powers (Akman 2004:34). Therefore, Ottomans started a reform process in the bureaucratic-military structures of the state system in the Empire. Karaosmanoğlu (1994: 118) observes that 'the modern army needed officers trained in Westernized military schools, where to a certain extent they became familiar not only with new military techniques, but also with the Western way of life and Western culture and ideas'. Later, these cadres became the drivers of the modernization process in other areas. They acted as 'the vanguard of reform and the harbingers of enlightenment' (Hale, 1994: 54). Since then the military elite in Turkey has been one of the strongest proponents of Westernization and modernization. As a result, the Turkish military is considered the "pioneer of Westernization and modernization", the 'foremost modernizer' of the Turkish society (Narlı 2004; Özbudun, 1966: 10; Heper and Güney 1996).

As Aydınli, Özcan and Akyaz suggests "Turkish generals see EU membership as the final modernization process they have supported for nearly a century" (2006:77-78). The authors' interviews with several retired generals also provide strong evidence to such a perception that the Turkish army consider Turkey's accession to the EU as the ultimate

goal of modernization and the Westernization process initiated by Kemal Atatürk in 1920s (e.g interviews with Ret. General Kenan Evren, Halit Edip Başer, Tuncer Kılınç, Ret Maj. Gen Rıza Küçüköğlü).

Thus, the ideal of Westernization has become a *constitutive element* in the self-identification of the military and has shaped its interactions with Western states and institutions and its relations with other domestic actors. As a result of this ideal, the Turkish military is also highly integrated with Western institutions.³¹ For instance, Turkey has been a NATO member since 1952, and several high-ranking military officials have worked in NATO headquarters in Europe or the US. These interactions with Western colleagues and institutions helped top military officials become familiar with Western civil-military relations.³² As Karaosmanoğlu (1994: 126) suggests, ‘such experiences abroad gave them an international outlook and contributed to their sense of professionalism’.

Apart from this familiarity with Western practices, it appears that the military also drew some lessons from its past interventions at the domestic level. The following statements by the Chief of Staff General Özkök show some signs of change in the mentality of the military as a result of learning from past experiences:

The military intervened on May 27 [1960], March 12 [1971] and September 12 [1980]. Were these interventions successful? No!.. This means that military interventions should not be looked upon as panaceas for the ills Turkey faces. From now on, *we should have greater trust in the people* [emphasis added]. The TSK [Turkish Armed Forces] should have a new vision.....new democratic values and changing concepts of sovereignty make it necessary that we come up with new ideas and doctrines for the better fulfillment by the TSK of the arduous tasks in question (quoted in Heper 2005:41).

³¹ Author’s interview with Ret. Colonel Yılmaz Aklar (Ankara, June 2006).

³² This *familiarity*, however, does not necessarily mean *socialization* into or *internalization* of Western norms of civil-military relations. The Turkish military legitimized existing civil-military relations in Turkey by arguing that Turkey faced unique conditions and threats compared to European countries and civilians were simply unable to deal with them. Therefore, the military believed that it would create serious security problems to align Turkish civil-military relations with the ones in European liberal democracies.

In brief, considering the military's conventional commitment to the ideals of Westernization and modernization, its Western identity and familiarity with Western practices and its learning from its own past actions, one would certainly expect that the military would consider the civilianization of the political system, a significant forward step in the process of integration with the EU, as *appropriate*. Therefore, the expectations of the military on the ideational dimension should be defined as positive.

Materialist Logic: With respect to military's material considerations, one can argue that Turkey's EU membership would tie Turkey to a secular, democratic bloc which, in return, would constrain political Islam in Turkey, which has been an important concern for the military. This is a fair argument but such arguments can not explain the strong objection of the military to the MGK reform which was an important step in fulfilling EU demands. The military was quite uncomfortable with this reform (Kirişçi 2005; Magen 2003:61; also see *Turks.US Daily News* July 19, 2003) because the military was highly concerned about the consequences of the suggested reforms on its own political powers. Since the MGK reform would constrain the military in its dealings with other political actors, high ranking military officials had strong reservations about the reform and harshly criticized the government (Heper, 2005a: 38-39).³³ It was not surprising that the military was reluctant "to relinquish its 'sovereignty' over key areas of

³³ The author's interviews with retired high ranking military officials indicate that the military is still uncomfortable with the reform. One point emphasized by almost all retired military officials during interviews was that the MGK reform created a security vacuum in the sense that the reform eliminated powers of the most significant institution to deal with Turkey's internal and external security problems (e.g rise of political Islam, Kurdish separatism; crises in Middle East and instabilities in Balkan and Caucasian regions).

policy that would directly undermine its privileged positions or interests” (Öniş 2003a:11).

The military, however, objected to the reforms on *national security* grounds in the sense that the reforms, it was argued, were a threat to ‘national security’ rather than a threat to the military’s own political powers. In its opinion on the draft law, the Office of the Chief of the General Staff objected to several aspects of the reform. It was argued that curbing the executive powers of the MGK would not be a correct step given the conditions that Turkey faces (i.e internal and external threats such as political Islam, Kurdish separatism and regional instabilities). In addition, the military objected to the oversight of the military spending and to holding MGK meetings once every two months rather than once a month (see *Radikal*, July 19, 2003). Before parliamentary voting on the draft law, the Secretary-General of the MGK, Gen. Tuncer Kılınç, wrote a letter to the head of the state, whose approval was necessary for the implementation of the law, arguing that the MGK reform was dangerous for national security (*Radikal*, August 1, 2003). On another occasion, General Kılınç openly criticized the reforms:

[This] reform package has rendered the MGK functionless. Political Islam and ethnic separatism remain serious threats. The appointment of a civilian secretary-general to that body would politicize it. *One should not have weakened the MGK for the sake of democracy and the EU* [emphasis added] [quoted in Heper, 2005a: 38].

During the debates in the Parliament’s Constitutional Commission over the draft law, Mustafa Ağaoğlu, the attendee in the Commission on behalf of the Secretary General of the MGK, reflected on the reservations of the military by noting that:

[With the suggested reform]...the MGK Secretariat-General is effectively abolished. It will no longer be able to fulfill these three functions: It will not be able to devise psychological operation plans; it will not be able to work on National Security Policy; it will not be able to devise plans on mobilization and war preparations. The MGK Secretariat-General is attached to the Prime Minister's Office. If the prime minister assigns it a task, it will fulfill it. Other than that, it never undertakes tasks on its own. How will decisions made at the MGK be followed to make sure that they are implemented? (*Turkish Daily News*, August 1, 2003).

This analysis clearly shows that in the post-Helsinki era, the military found itself in a dilemma (Saatçi 2002:560; Rumford 2002:64; Narlı 2004). As Rumford states,

The military sees that the EU as posing a dual threat, firstly to its role as custodian of Turkey's western vocation, and secondly in that the freedoms and rights advocated by the EU are thought to undermine the territorial integrity of the Republic. It is in this sense that we should understand the National Security Council [MGK]'s claim that 'the European Union's democratic requirements go too far and are "not in line with Turkey's reality"'. At the same time, however, the military also recognizes that full membership of the EU represents fulfillment of the Kemalist project... (Rumford 2002:64).

Similarly, Tank observes that:

On several occasions in its long history of relations with Europe, Turkey has been spurred to move westward by the efforts of the Turkish military. Now it is the role of this very organization that is under pressure from the West. At the same time, the Turkish political elite is beginning to see the central role of the military as a barrier to an eventual EU membership and is slowly arriving at the conclusion that, if the goal of this membership is to be realized, the military must be willing to sacrifice considerable political power (Tank 2001:218).

Thus, the military's involvement in civilian politics was in sharp contrast with the ideals of 'democracy' and 'Westernization', which requires civilian supremacy over the military. The Europeanization efforts in post-Helsinki Turkey, especially the proposed MGK reform, increased the saliency of this dilemma. On the one hand the military continued to support Turkey's EU bid, which is regarded as a significant step within the Westernization and modernization process (Aydınlı, Özcan and Akyaz, 2006). On the other hand, the military strongly criticized the reforms curbing its own powers. The military, along with secular, republican bureaucratic, political establishment, perceived the AKP as a "pro-Islamist and fundamentalist political party" (Coşar and Özman 2004:65). Having such a perception of the AKP, the strictly secular military was suspicious of the motivations of the MGK reform initiated by the AKP government. The military disagreed that it was a necessary, urgent step to reform the Council in the

accession process. Rather, the military believed that the pro-Islamist AKP was taking advantage of accession process to limit the role of the military within the political system.

Thus, the *initial* position of the military was positive expectations in ideational dimension due to its conventional support of the *ideal* of further integration with the West (read as joining the EU), but much more negative expectations in materialist dimension due to immediate adverse consequences of the reform on its political powers. This made the military a status quo-oriented actor at the beginning stages of the tacit form of bargaining over the reform.

The main strategy of the military at this stage was to *securitize* the reform. In other words, in order to delegitimize the MGK reform and the positions of pro-change actors, the military raised *national security concerns*. The military argued that geopolitical conditions around Turkey were unstable. Given these regional instabilities and significant threats that Turkey faced (i.e internally the rise of Kurdish nationalism, political Islam; externally instability in neighboring countries and Turkey's various conflicts with them); changing functions, compositions and status of the MGK would pose significant threat to national security. In other words, the military advocated that unlike other EU member states or EU candidates, the conditions and threats that Turkey faced were *unique* (Jenkins 2001:82). Therefore, military dominated institutions such as the MGK were a direct result of Turkey's unique situations and threats. Since those unique threats/conditions Turkey facing did not disappear, it was necessary not to abolish institutions like the MGK, which were vital for Turkey's national security.

6.4.2.3 The Head of the State

President Ahmet Necdet Sezer, former chief justice of the Constitutional Court, has been a liberal, pro-change judge (Hicks 2001:79). Within the MGK, the head of the state acts as the chair of meetings. As President of the Republic, Sezer expressed his support for further liberalization of the political system. Therefore, the expectations of the head of the state should be defined as positive in both dimensions.

Looking at this distribution, one would expect that the approval of the reform would be unlikely since one veto player, the military, preferred the status quo with respect to the MGK reform. However, despite this strong opposition from military commanders, the draft law was accepted by the parliament and approved by the head of the state. Thus, although the reform package significantly reduced the political powers of the military, the military acquiesced to the reform package (Kirişçi 2005). The question one should ask is why a veto player accepted an alternative to the status quo that has adverse effects on its own powers? The bargaining model discussed in Chapter 5 expects that for change to happen, all veto players should be located above the diagonal and that is what happened at the end of the bargaining process over the MGK reform. In other words, the military changed its initial position. How can we explain this shift? This study suggests that one way of understanding why the military objected to the reform initially and acquiesced at a later time should be by looking at the dynamics within the ideational dimension. In this dimension, one factor especially emerges as crucial in explaining this shift: ‘the rhetorical entrapment of the military’.

6.4.2.4 Rhetorically Entrapped Guardians

Rhetorical entrapment refers to a situation in which ‘a cost-free rhetorical commitment or a shrewd argumentative move in one situation can turn into a costly constraint in another’ (Schimmelfennig, 2003: 222).³⁴ The Turkish military, which articulated its commitment to Westernization (i.e joining the EU) and democracy on several previous occasions found itself rhetorically entrapped and could not reject reforms due to concern about the negative impact of such an action on the military’s legitimacy and credibility in the society. In other words, ‘the shadow of the past’ constrained the military and forced it to comply with the reform process.

As indicated above, the military elite has played the role of *guardian* of secularism, democracy and Westernization in Turkey. Despite several direct interventions into politics, the Turkish military has never questioned the legitimacy of the democratic system of rule and Turkey’s Western orientations (Brown, 1989: 401; Karaosmanoğlu, 1994: 125; Sakallıoğlu, 1997: 153; Demirel, 2005: 254). Studies of Turkish civil-military relations suggest that the motivation of the Turkish military for coups was not to seize power for the benefit of a group and install an authoritarian regime, but to ‘re-establish’ secular-democratic, constitutional order in a short period of time in order to prevent the destruction of the state apparatus (Özbudun, 1966; Rustow 1988: 242-243; Heper and Güney, 2000: 1). With respect to relations with the West, top military officials have expressed their commitment to further integration with the West several times (i.e joining

³⁴ For more discussion on the notion of rhetorical entrapment see Schimmelfennig 2003.

the EU).³⁵ For the military, joining the EU means finalizing Turkey's Westernization process, which was initiated by the early Republican political elite. The military expressed its commitment to joining the EU several times. For instance, the current Chief of General Staff Gen. Yaşar Büyükanıt re-expressed this commitment, when he was the Deputy Chief of the General Staff, in the following way:

I state once again the views of the Turkish Armed Forces on this issue [Turkey-EU relations]: Turkish Armed Forces cannot be against the European Union *because the European Union is the geo-political and geo-strategic ultimate condition for the realization of the target of modernization which Mustafa Kemal Atatürk chose for the Turkish nation* (emphasis added) (quoted in Kirişçi 2005:12).

Thus, the military sincerely believes that as a NATO member, Turkey's economic and political destiny lies in Europe (Avcı 2003:157). Therefore, the military has supported Turkey's EU bid and has been careful to avoid being labeled as an anti-EU body.

The real issue, however, is not whether the military supports Turkey's EU membership (it certainly does) but whether the military will acquiesce to give up its political powers and accept full civilian control, which membership requires. This, of course, is not a minimal cost for the military. Even though the Turkish military is committed to the ideal of Westernization and integration with the EU, the military still had a strong motivation to prevent certain reforms since those reforms targeted its own political powers. The initial strong objections to the reform show the willingness of the military to take such an action. We should also note that within the Turkish political system, the military, which enjoys significant public support, has had enough capability

³⁵ For instance, see the speech given by Chief of the General Staff General, Hilmi Özkök, in April 2005. Available at: http://www.tsk.mil.tr/bashalk/konusma_mesaj/2005/yillikdegerlendirme_200405.htm.

to take such an action. Within such a political environment, the military could easily dominate civilians and resist such efforts (Demirel 2004:136).

That having been said, it was also obvious to the military that military objection to further democratization would undermine the military's legitimacy. As indicated above, the military in Turkey is considered highly efficient and is viewed as the most prestigious and respectable institution in the country (Brown, 1989: 400; Ergüder, Esmer and Kalaycıoğlu 1991; Demirel, 2004: 139; Müftüler- Baç, 2005: 27; Aydın, Özcan and Akyaz, 2006). Large sections of Turkish society consider the military as the guarantor of the state's integrity vis-à-vis separatist movements and the secularism and democratic order vis-à-vis Islamic fundamentalism and Turkey's Western orientations. However, there was also broad support for Turkey's EU membership and for EU reforms at that time (see Figure 10 below). By accepting the reforms, which reduced its own powers, the military tried to avoid 'blame' for blocking further democratization in the country and further integration with the EU. Thus, complying with the reform process would maintain military's credibility and legitimacy in the society.

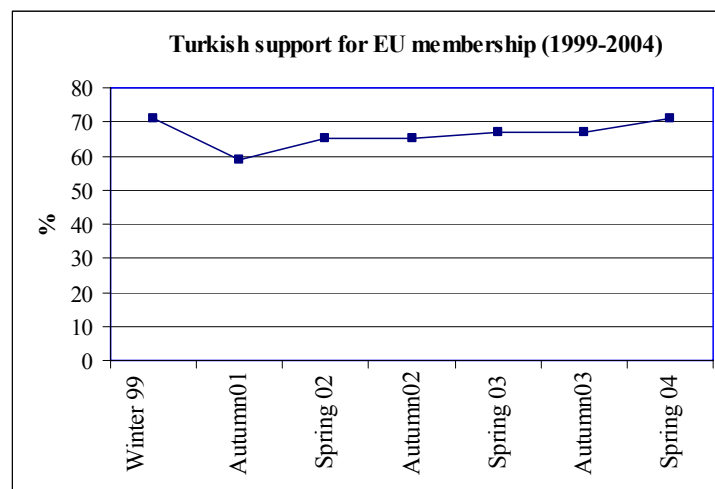


Figure 10: Public support for the EU membership in Turkey (1999-2004)

This point was also emphasized by several respondents during the author's interviews with military officials (e.g Ret. Gen. Kenan Evren, Ret. Gen. Halit Edip Başer, Ret. Gen. Tuncer Kılınc, Ret. Maj. Gen. Rıza Küçükoglu, Ret. Maj. Gen. Armağan Kuloğlu; Ret. Military Judge Sadi Çaycı).³⁶ For instance, retired Air Force Major General Armağan Kuloğlu emphasized that although the MGK reform limited the military's political powers, the military did not block this reform because such an action would dramatically damage the military's prestige and credibility.³⁷ Retired General Halit Edip Başer, former Deputy Chief of the General Staff and former Commander of the Second Army interestingly stated that:

The generals within the Turkish Armed Forces (TSK), who are my close friends from military schools and from the TSK, expressed their concerns, objections about the MGK reform to the government at several times. Despite this, the government pushed for the reform. Then the military had two options: To comply with the reform or to wake up early in the morning and do what is necessary [implying an intervention]. The second option would dramatically damage EU accession process and the military would be blamed as an obstacle to further integration with the EU. The military had to opt for the first option.³⁸

It is also important to note that the strategies of the civilian side played an important role in the military's rhetorical entrapment. The AKP government successfully *framed the reform as a necessary step in accession to the EU rather than as a process of strengthening civilians vis-à-vis the military*. According to the Justice Minister of the AKP government, Cemil Çiçek, this reform would make Turkey a 'first class' country in terms of freedoms and rights.³⁹ Foreign Minister Abdullah Gül argued that the existing executive powers of the MGK were *unacceptable* for the EU (*Radikal*, July 19 2003).

³⁶ Author's interviews in Ankara, Istanbul and Bodrum, (June, July, August 2006).

³⁷ Author's interview in Ankara, (July 2005).

³⁸ Author's interview in Istanbul, (July 2006).

³⁹ *Radikal* (İstanbul Daily), 31 July 2003.

Thus, the AKP government manipulated the commitment of the pro-Western military to the idea of integration with Europe in order to convince the reluctant actor that these reforms were in line with the military's traditional pro-Western position. Even though the MGK reform altered the power structures in the domestic realm and tilted the balance of power toward civilians, for the AKP government, this was just a *minor* but *necessary* step in the general compliance process with the EU *acquis* in the post-Helsinki era.⁴⁰ Any objection to this reform, the AKP argued, would mean nothing other than opposition to a better democracy and further integration with Europe, which are desired by many domestic actors and especially by the military itself, the pioneer of modernization, Westernization efforts in Turkey. Such a strategy was quite successful in entrapping the military. Journalist Mehmet Ali Kışlalı, an expert on Turkish civil-military relations, stated to the author that:

Civilians [the AKP government] argued that they were following the path of Westernization opened by Kemal Atatürk, which has been strongly advocated by the military. They also argued that by objecting reforms [the MGK reform], the military was preventing this process. The military was quite disturbed by these accusations and felt a need to express that the military was not against further integration with the EU. In the end, the military decided to be silent, especially the Chief of General Staff Gen. Hilmi Özkök (2002-2006) decided not to object these reforms.⁴¹

Quite similarly, Ret. Gen. Tuncer Kılınc, former Secretary General of the MGK, stated that:

Civilians [the government] presented the EU accession process and EU reforms as a matter of life and death, as something required by Turkey's long term Westernization efforts...We know that Turkish Armed Forces traditionally supports Atatürk's goal of modernization and Westernization. Within such a situation, if the military blocked the reform [the MGK reform], the military would be held responsible from blocking Turkey's Westernization process. This concern led the military to comply with the reform process.⁴²

⁴⁰ Yaşar Yakış' address to the parliament on behalf of the AKP (30 July, 2003, 113th Parliamentary Session). Parliamentary debates over the draft law are available at: <http://www.tbmm.gov.tr>.

⁴¹ Author's interview (Ankara, June 2006).

⁴² Author's interview (Ankara, July 2006).

As Schimmelfennig puts it “...when in a specific decision-making situation, actors would prefer to deviate from the standard because it contradicts their self-interests, other members of their community can shame them into compliance by exposing the discrepancy between their declared commitment and their current preferences and behavior” (2003:219). Considering the possibility of being *shamed* by the civilian side, the military came to the conclusion that blocking the reform would damage its credibility and legitimacy. As a result, although the suggested reforms were a threat to the military’s material interests, concerns over ideational interests (the social costs of blocking reforms) led the military to shift its initial position and comply with the reform process (see Figure 11).

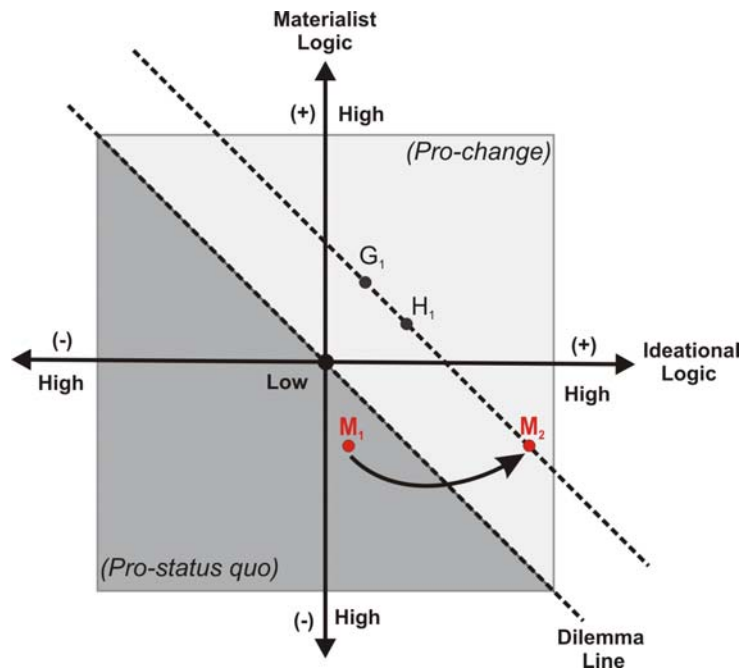


Figure 11: Shifts in the positions of MGK actors

6.4.2.5 Framing Contests:

Table 9: The MGK reform and framing contests

	Diagnostic Framing	Prognostic Framing
Military	Threat to national security	<i>Rejection</i>
Government	Forward step in Westernization/ democratization	<i>Support</i>

As the discussion above indicates, the bargaining between the civilian and military counterparts over the MGK reform involved complex framing and counter-framing processes. Initially, the military objected to the MGK reform, which reduced its own political powers, by *securitizing* the issue. The military argued that the reform would be dangerous for the national security. In other words, the military adopted a strategy of *materialistic legitimation* to convince the audience about its reluctant attitude.

The government, however, framed the issue (i.e the MGK reform), which increased civilian influence in the political system, as an instance of further Westernization (i.e Europeanization) and democratization in Turkey. In other words, the government framed the reform in terms of ideals or norms. The goal of such a framing was to entrap traditionally pro-Western, pro-EU but reluctant actors (i.e the military) and by this way, to eliminate the opposition to the reform. As Bazerman and Neale (1992:40) suggest “Framing can be strategically manipulated to direct performance in a negotiation. If you couch a proposal in terms of your opponents’ potential gain, you can induce them to assume a positive frame of reference and thus make them more likely to make concessions” Thus, by presenting the MGK reform as a step in Turkey’s Westernization process, an ideal strongly held by the military and several domestic actors, the government sent a message to the audience and to the military that the reform was

compatible with Turkey's Westernization path and with the interests of the pro-Western actors.

The winner of this framing contest, as indicated above, was the civilian side. As former Prime Minister Bülent Ecevit stated to the author, domestic societal actors left the military alone in this conflictual change process.⁴³ The military was the only major domestic actor looking at the issue from purely a national security standpoint. It was, of course, a strategy of legitimating its opposition to the reform. The question that we should ask is why the security frames failed or were less effective than the democratization, Westernization frames adopted by the civilian side? One explanation is that EU's Helsinki decision about Turkey's candidacy opened a new era in EU-Turkey relations. After this decision, which increased the credibility of the EU dramatically, domestic actors (i.e public opinion, civil society institutions) became highly optimistic about Turkey's membership to the EU. In the early years of post-Helsinki era, public support for EU membership was quite high (see Figure 10). Within such an atmosphere, the civilian side's frames of Westernization (Europeanization) and democratization were much more *resonant* than military's security related frames. In other words, the civilian side's frames were more credible due to the better fit between the framings and the general trend in the domestic politics. Other than that, those framings were also more salient to its target. As Benford and Snow suggests if frames are too abstract and distant to the experiences of the targets then it would be less resonant (2000:621-622). Thus, in terms of experiential commensurability, security frames were less resonant because of the

⁴³ Author's interview (Ankara, June 2005).

lack of a direct, obvious, concrete link between the MGK reform and an immediate threat to national security.

6.5 CONCLUSIONS

Writing in 2001, Tank asked “Will the [Turkish] generals retreat from politics?”(Tank 2001). The developments in post-Helsinki era indicate that this is not an impossible outcome. Even though the Turkish military still has significant political powers and can be considered politically the strongest military within the NATO, one observes significant changes in civil-military relations in post-Helsinki Turkey. These reforms contributed to the subordination of the military to civilian authority and brought civil-military relations closer to the level of other liberal-democratic models (Heper 2005b).

It was shown that, although the Europeanization process was a threat to the political powers of the military in the Turkish political system, the military refrained from blocking the reform process. Materialist logic alone has limited power to explain this situation. A better understanding of this puzzle requires a two-dimensional perspective. The military, which had expressed its commitment to further integration with the EU at several previous occasions, found itself *rhetorically entrapped*. The possibility of being shamed by the civilian actors (the government) in the case of blocking the reforms forced the military not to use its veto power. Thus, the generals’ concern over the legitimacy and credibility of the military (i.e concern with ideational interests) was the main factor leading to these changes. As a suggestion to future studies in civil-military relations,

Feaver argues that further studies should investigate whether rational-interest factors are more influential than values-based factors in determining military behavior (1999:235). This chapter shows that values-based factors (i.e ideational interests such as credibility, legitimacy) play an important role in shaping military behavior rather than just crude material power concerns.

7. INSTITUTIONAL CHANGES IN CULTURAL RIGHTS (THE KURDISH ISSUE)

Why should one analyze institutional changes in the field of cultural rights in Turkey? The simple answer is that cultural rights, which are usually associated with the Kurdish issue in Turkish context,⁴⁴ are quite sensitive and important issue for several reasons. First of all, the Kurdish problem has been a crucial issue in Turkish politics. As President Turgut Özal (1989-1993) stated, it has been the most significant problem in the history of Turkish Republic (*Turkish Daily News*, November 16, 1993). In the last two decades, the Kurdish nationalism has emerged as the biggest challenge to the Turkish state and democracy (Olson 1996:1, Gunter 1997:127; Özbudun 2000:143; Kramer 2000:52; Yavuz 2000:37; Dunér and Deverell 2001:5; Cornell 2001; Moustakis and Chaudhuri 2005:78; Somer 2005b:595). Secondly, it is also quite sensitive issue in the sense that it is directly related to the notion of *national identity* or *nationality* in Turkey (Dunér and Deverell 2001:20; Cizre 2001:228; Somer 2005b:619) and therefore, the recognition of the cultural rights of Kurds requires a “fundamental revisions of both the constitution and prevailing notions of the nation-state” (Özbudun 2000:144).

⁴⁴ A clarification should be made at this point. This study discusses institutional changes in cultural rights area with a focus on Kurdish issue. In Turkey, the limitation of cultural rights is also a problem for some other Muslim groups, especially for Alevi. However, the Kurdish problem is the biggest challenge to the Turkish state. Therefore this study limits the discussion to this major problem.

Thirdly, the Kurdish issue is not merely an important domestic matter but also a crucial issue in the process of Turkey's accession to the EU, which has been the single most important issue in Turkey's foreign policy (Ergil 2000:123). Turkey's poor performance in human rights and its handling of the Kurdish issue has been a big concern for the EU (Bruinessen 2000:28). The EU reports on Turkey confirm the centrality of this issue in the accession process. In its 1998 Regular Report on Turkey, the European Commission stated that "A civil, non-military solution must be found to, the situation in south-east Turkey [implying Kurdish problem], particularly since many of the violations of civil, and political rights observed in the country are connected in one way or another with this issue." (European Commission 1998:20) It is argued that, the Kurdish issue is so important in EU-Turkey relations that Turkey's future EU membership depends on a peaceful solution to this problem. One political leader, for instance, stated that: "...the road to the EU passes through Diyarbakır [the largest province in south-eastern Turkey, mostly populated by Kurds]"⁴⁵, implying that it is a requirement for Turkey to change its attitude vis-à-vis Kurds for an eventual EU membership. Thus, the Kurdish issue is a sensitive, complex issue involving several dimensions such as ethnic, political, socio-economic, international and transnational (Svante 2001; Gunter 1990:97-123; Bruinessen 2000; Cornell 2001; Akyol 2006:10; Oran 2005:14).

In the post-Helsinki era, however, Turkey has adopted several constitutional and legislative reforms which brought significant institutional changes on this important issue. These changes brought Turkey much closer to EU standards in terms of the level of human rights practices (Hicks 2001: 78; Zucconi 2003:7). It is also quite puzzling that the

⁴⁵ 'Yılmaz: Road to EU Passes through Diyarbakır' Turkish Daily News, 17 December 1999

most crucial changes in this issue area were achieved by the coalition government (1999-2002), which included the ultranationalist MHP as the major partner, a veto player, in the government.

This chapter provides some answers to the following questions: What do these changes mean? How did these important changes take place? To ask differently, which mechanisms did trigger the change process and how did the bargaining process among institutional actors lead to this outcome? Finally, and quite importantly, how can we solve the puzzle that the ultranationalist, status quo oriented MHP, as a veto player in the coalition government, did not block the crucial reform package passed by the parliament in August 2002, which was a landmark event in Turkey, enhancing the cultural rights of Kurds?

Arguments: In order to answer these questions, this chapter starts with the analysis of institutional path in the Kurdish issue. It shows that the Turkish Republic emerged as a *nationally homogenous, modern, secular and centralized nation state* -a la Western models- in the 1920s from the remnants of the Ottoman Empire. The newly established Turkish nation state has ignored the cultural rights⁴⁶ of different Muslim ethnic groups (primarily Kurds). This institutional path (the denial and suppression of the Kurdish identity) continued until the end of the 1990s. However, the EU's decision of recognition of Turkey as a candidate state for full EU membership at the Helsinki Summit (1999) *triggered* change process in this issue area and eventually led to *path breaking* changes. By creating a negative feedback for several domestic institutional actors, both in material and ideational forms, the EU's Helsinki decision increased the *opportunity costs* of

⁴⁶ The notion of cultural rights, here, refer to such rights as learning mother language, TV and radio broadcasting and education in mother language.

maintaining the institutional path (i.e the denial and suppression of the Kurdish identity). As a result of these negative feedback mechanisms, the institutional status quo lost its *legitimacy* for several domestic actors and this delegitimation process led to significant changes in Turkish political system.

However, as argued before, institutional change, which have significant distributional consequences, is a conflictual process involving a bargaining stage among institutional actors. These cultural rights reforms were also a result of an intense bargaining among various political parties at the Turkish parliament. Nationalist actors, the MHP in particular, objected reforms due to a sharp conflict between proposed changes and their ideational and materialist expectations. The main strategy of nationalists in this bargaining process was to *delegitimize* changes by *securitizing* them in the sense that they framed changes as a threat to national security, national unity and as an action rewarding terrorism. However ideational and material expectations of center right and center left parties overlapped and this led to the formation of a winning coalition, supportive of changes, among parties with different ideologies in the parliament. These pro-change actors framed changes as *further democratization, further integration of the country with the West*. As a result, the parliament was able to pass significant constitutional and legislative changes, which increased democratic standards in Turkey.

Although the ultranationalist MHP, the veto player in the coalition government, voted against the reform package in August 2002, quite significant changes were passed by the parliament due to yes votes from other actors in the parliament. The interesting thing about these changes, however, was that the MHP, which strictly opposed changes,

could easily block changes by withdrawing from the coalition government, which would mean the sudden death of the government. The MHP, however, did not or could not take such an action because the party leadership was quite aware of the fact that the ultranationalist MHP would be presented as an obstacle to Turkey's century old Westernization efforts. Thus, preventing quite important reforms in the accession process would bring major social costs to the MHP, significantly damaging its ideational interests. This led the party to show only a limited reaction to the reform packages (i.e. voting against the reforms knowing the fact that changes would still be passed by the parliament).

The chapter is organized in the following way. Part I identifies the institutional path and its origin. Part II presents institutional changes in the field of cultural rights in the post-Helsinki era. These changes are theorized in Part III. The focus of this section will be the Third Harmonizing Package (August 2002), also referred to as *Mini Democracy Package*. The conclusion section restates the main arguments of the chapter.

7.1 IDENTIFYING THE INSTITUTIONAL PATH

In order to have a better understanding of recent institutional changes in the field of cultural rights in the post-Helsinki Turkey, i.e to have a better sense of whether those changes were path breaking change or certain institutional adjustments following the existing path, it is a necessity first to identify the institutional path and its origins. In order to do this, we need to go back to the emergence of the Turkish Republic as a *modern, Western nation state* from the remnants of the Ottoman Empire. Keyman is quite

right by stating “...the Kurdish question has been internal to the construction of the modern secular Turkey as a modern nation state. In this sense, to discuss the Kurdish question is in fact to speak of Turkish modernity with respect to making of modern Turkey as an organic, homogenous national society” (Keyman 2005:270). Thus the following is a brief analysis of the emergence of the Turkish Republic as a Western, modern nation state and its attitude vis-à-vis different ethnic groups, namely Kurds. The goal is to identify the institutional path rather than to provide a comprehensive historical account of Turkey’s Kurdish issue (for some examples of a broader analysis of the issue see Kirişçi and Winrow 1997; Gunter 1997; Akyol 2006).

7.1.1 Turkish Republic: A ‘Modern’, ‘Western’ ‘Nation’ State

Although newly established Republic aimed to break from the Ottoman past, we also observe some continuities in the sense that the definition of minority in the young Republic was a continuation of the ‘*millet system*’, which formed the basis of Ottoman socio-political structure. Millets in Ottoman Empire were basically *religious communities*. Within this system, ‘minority’ meant non-Muslim communities such as Armenians, Greeks and Jews (Oran 2000:151). These communities enjoyed a certain degree of autonomy in taxation, education, religious practices and judicial proceedings (Braude and Lewis 1982; Somer 2005a:79). Muslim ethnic groups (Albanians, Arabs, Bosnians, Circassians, Kurds, Laz, Pomaks, Tatars and Turks) were defined as the components of *Islam* or *Muslim millet* and as the subjects of the Caliph (also the Sultan), regardless of their differences (Kirişçi and Winrow 1997:1; Oran 2000:154).

Like in the Ottoman Empire, the definition of a minority in the Turkish Republic is based on *religion* rather than *ethnicity* or *language*. According to the *Treaty of Lausanne* (July 24, 1923), which marked the recognition of the newly declared Republic of Turkey in the international arena, the Turkish Republic only recognized non-Muslim citizens – Jewish people, Orthodox Greeks and Armenian Christians - as minorities and granted them some special rights (Articles 37-45). This is quite similar to the Ottoman *millet system* (Soner 2005:294; Gürbey 2000:61; Oran 2000:155). The Turkish state, however, recognized existence of religious minorities, but not ethnic minorities (Kirişçi and Winrow 1997:45). All Muslim ethnic groups (mainly Kurds)⁴⁷ in the Turkish Republic were excluded from the definition of minority and referred to as components of the Turkish nation. In the words of Soner, “Turkish-Muslim peoples, whatever their ethno-lingual and sectarian differences, were totalized under an imagined unity of national category [Turkish nation]” (Soner 2005:294). Thus, in the Republican era, a clear distinction was made between “the possession of ‘Turkish nationality’ (*milliyet*) and ‘Turkish citizenship’ (*tabiiyet*)”. While Non-Muslim minorities were included in the formal or legalistic definition of Turkish citizenship, they were excluded from the legal-political content of Turkish nationhood (Toker 1979:361-364).

The Ottoman Empire, naturally, was a multi-ethnic, multi-religious and multi-lingual Empire (Soner 2005:291). The ultimate goal of the founders of the Turkish Republic, however, was to set up *a nationally homogenous, modern, secular and*

⁴⁷ Since 1965, Turkish state has halted collecting data on ethnicity at national censuses. Because of this, there is no consensus on the size of Kurdish population in Turkey. Although estimates vary from 7 to 20 % of total population, the general acceptance is that there are 25 million Kurds living in the Middle East and at least half of them live in Turkey (Gunter 1990:1; Akyol 2006:13), corresponding to 17 % of total population. Although Kurdish speakers form the majority in many eastern and southeastern provinces, the majority of Turkey’s Kurdish speaking population lives in the western parts (Özbudun 2000:143).

centralized nation state à la Western models from the remnants of such a heterogeneous Empire (Göle 1997; Kasaba and Bozdoğan 2000; Kahraman 2005:70; Yavuz and Özcan 2006:105; Gürbey 1996:10; Muller 1996:9; Kramer 2000:9; Yavuz 2001; Romano 2006:118). As Keyman and İçduygu rightly put it:

... Turkey was in fact “made” in the image of the Kemalist elite as a modern republic. In the process of “making”, the primary aim of the Kemalist elite was to “reach the contemporary level of civilization” by establishing its political, economic, and ideological prerequisites, such as *the creation of an independent nation-state, the fostering of industrialization, and the construction of a secular and modern national identity* (emphasis added). The Kemalist elite thus accepted the universal validity of Western modernity as *the way of constructing a modern Turkey* and attempts to “reach the level of civilization”, which it sees as the process of building a modern nation-state in its fullest form (Keyman and İçduygu 2005:4).

This young Republic was based on the following six principles: *republicanism, nationalism, statism, secularism, populism and revolutions-reformism*.⁴⁸ Let’s briefly analyze the principle of *nationalism*, which is much more valid for the purpose of this study. The nationalist principle envisioned an organic society in the sense that the basis of the society was the “duties and services” of different occupation groups to the state (Keyman and İçduygu 2005:6). Thus, the Turkish nationalism was highly state centric, in which the members of nation exist to serve to the state rather than the state existed to serve them.⁴⁹

This state centric notion of nationalism had both civic and ethnic features, combining the elements of the French and German models (Barkey and Fuller 1998:12; Cizre 2001:221; Kahraman 2005:79; Vardar 2005:94; Somer 2005a:84), in the sense that

⁴⁸ These six principles formed the basis of Kemalist thought. Some of these principles lost their influence through time but in contemporary Turkish Republic, *republicanism, nationalism and secularism* remain as strong guiding principles (Svante 2001). Islamists and Kurds are perceived as primary threats to these basic characteristics of the Turkish Republic (Özbudun 2000:151).

⁴⁹ Kemalist elite was highly influenced by Ziya Gökalp’s thought (Saatçi 2002:556). Gökalp, who was the formulator of modern Turkish nationalism, advocated total Westernization for the progress of Turkish nation. Gökalp had rather state centric understanding of nationalism. He believed that “there was no right but duty [of citizens against the state]” (quoted in Kahraman 2005:77).

although official rhetoric was one of civic nationalism (unification of different groups under a common citizenship), in practice, state-building process based on ethnic factors (Romano 2006:118) and, ethnically, the members of the society were defined as *Turks*. The national interest (i.e. state survival, social cohesion and political territorial unity) required a *homogenous and monolithic* way of organizing social affairs around Turkish ethnicity (Sommer 2005a:76; Romano 2006:117). Therefore, ethnic, ideological, religious and economic differentiations were considered as a threat to the unity and progress of the Republic (Gunter 1990:123; Gürbey 1996:10; Göle 1997:84; Cizre 2001:229)⁵⁰.

Such an understanding of nationalism, however, was imposed on a multi-ethnic society (Yavuz 2001). All Muslim ethnic groups, primarily Kurds, were expected to identify themselves as a *Turk* (Kramer 2000:40; Ergil 2000: 125). Until recent years, Kurds are officially referred to as *Mountain Turks* (Laber 1988: 58; Gunter 1990:8; Dunn 1995; Gürbey 1996:13; Kirişçi and Winrow 1997: 10-100; Gunter 1997:6; Moustakis and Chaudhuri 2005:81; Yavuz and Özcan 2006:111). They were defined as ancient Turks who lost their ethnic roots (Kendal 1980: 60; Gunter 1990:43; Kirişçi and Winrow 1997: 10-100; Barkey and Fuller 1998:12; Kramer 2000:40; Romano 2006:32). Therefore, they had to be “reeducated about their Turkishness” (Kramer 2000:40). It was almost breaking a taboo to mention words such as “Kurds” or “Kurdish” in public realms (Watts 1999: 635; Kramer 2000:37). Using the words of Romano (2006:120), “all things specifically Kurdish, be they language, cultural practices, names, history, or literature, were either

⁵⁰ It is argued that one reason for this perception, i.e. being suspicious of ethnic-linguistic particularisms, is the “ethnic-confessional rivalries that occurred during the disintegration of the Ottoman Empire” (Sommer 2005b:595). In other words, since ethno-nationalist movements in the Ottoman Empire accelerated the collapse of the Empire, Turkish elite perceived these differentiations as a threat to the unity of newly established nation state.

excluded or taken over and determined to be actually Turkish in origin. Turkish academics produced studies that showed Kurdish to actually be a perverted dialect of Turkish rather than a distinct language, and even the term ‘Kurd’ became taboo in public discourse”. In brief, the newly established Turkish Republic rejected multiculturalism and denied the existence of separate Muslim ethnic groups (Yeğen, 1996:216). Ethno-cultural distinctions among Muslim population were ignored and any public expression of those differences was suppressed. The ultimate goal was to “create” *the Turks* of the Turkish nation state (Kramer 2000:40).

The Kurdish-led Shaykh Said Rebellion (1925), which had ethno-religious elements, increased the fears of a division of the newly established Republic (Kirişçi and Winrow 1997:100; Watts 1999:634; Oran 2000:155). After this revolt, even limited reference to the “peoples of Turkey”, “nation of Turkey”⁵¹ was abandoned and a comprehensive policy of *assimilation* with a goal of *Turkification* of different Muslim ethnic groups (mainly Kurds) was adopted (Bruinessen 1978:242; Gunter 1990:44-57; Kymlicka 1995:132; Barkey 1996:66; Kirişçi and Winrow 1997:100; Barkey and Fuller 1997:63; Watts 1999:634; Ergil 2000:125; Yavuz 2001:4; Saatçi 2002:557; Magen 2003:16; Aydın and Keyman 2004:34; Somer 2004 and 2005a:81; Oran 2005; Romano 2006:24-117; Akyol 2006:76-103; Watts 2006:128). In 1925, İsmet İnönü, the successor of Atatürk, stated this policy in the following way: “We are frankly nationalists...and nationalism is our only factor of cohesion. In the face of a Turkish majority other

⁵¹ Initially, much more inclusive discourse such as “state of Turkey”, “nation of Turkey”, “army of Turkey”, “peoples of Turkey” were adopted by the founders of Turkish Republic (Oran 2005:137). At one occasion, İsmet İnönü, the successor to Mustafa Kemal Atatürk, defined *Turkey* as the *homeland of Kurds and Turks* (Gunter 1990:12). It is argued that with such a language, the founders of the Republic aimed to stress the common bond and solidarity between Turks and Kurds (Oran 1990). However, in the later period, in 1930s particularly, Turkish nationalism was radicalized in the sense that it became increasingly an ethnic understanding. This resulted in the severe suppression of different ethnic and cultural entities.

elements have no kind of influence. We must Turkify the inhabitants of our land at any price, and we will annihilate those who oppose the Turks or ‘le turqisme’” (quoted in Barkey and Fuller 1998:10). Using the words of Ataman:

Kurds and other ethnic groups were forced and encouraged to be assimilated into Turkish society. All public vestiges of separate ethnic identity were crushed. Kurdish schools, associations, publications, religious fraternities, and teaching foundation, were all banned. Kurds were prohibited from teaching, writing, or publishing in Kurdish. Even speaking in public was forbidden. In the 1930s peasants marketing their products were subject to a fine of five piaster for every word of Kurdish they spoke, even though few of them knew any Turkish. In Kurdish areas village names were changed, people were arrested for calling themselves Kurdish on census forms... (2002:126-127).

In 1928, the Turkish state introduced the campaign of “*Citizen! Speak Turkish*”. The goal of this campaign was to discourage the use of other languages in public realms. People who spoke Kurdish in public areas, for instance, were fined. This campaign also targeted non-Muslim communities. In 1934; *Türkiye Büyük Millet Meclisi* (TBMM, Turkish Grand National Assembly) enacted a *Resettlement Law*. The goal of this law was defined as achieving a homogenous nation with one language, one sentiment and one ideal (Bruinessen 2000:7; Soner 2005:299). One way of realizing this was the relocation of non-Turkish speaking groups (including Muslim and non-Muslim ethnic groups) into areas inhabited by ethnically and culturally Turkish people and the closure of certain parts of the country to minority settlements. According to Beşikçi (1991), the primary motivation of this law was to assimilate Kurds into a Turkish identity.

After the introduction of multi-party politics in Turkey in 1950, the pressure on Kurds declined (Gunter 1990:15; Barkey and Fuller 1998:14) but this change was far away from an attitude change. During each military regime, the repression of Kurdish identity and activities gained a new momentum (Yavuz 2001: 10; Bozarslan 2001:46). For instance, military regimes reinitiated renaming certain provinces, villages, mountains,

rivers in Kurdish areas; reemphasized the idea of Turkishness of peoples in Turkey; reintroduced the campaigns of “*Citizen! Speak Turkish*” (Gunter 1990:15-45; Entessar 1992:88; Barkey and Fuller 1998:14; Ergil 2000:127; Kramer 2000:40; Akyol 2006:132). For instance, in 1967, the Turkish state banned the imports of publications and recordings in Kurdish. In March 1981, the military regime (1980-1983) sentenced Şerafettin Elçi, the Minister of Public Works from People’s Republican Party in late 1970s, to a year of imprisonment because of his remarks in 1979 such as “There are Kurds in Turkey and I am a Kurd”. In addition, families were forced to give Turkish names to their children.

The 1982 Constitution, prepared by a military-dominated Constituent Assembly, institutionalized the suppression of any manifestations of Kurdish identity. For instance, the *Article 26* stated that “No language prohibited by the State [namely Kurdish] shall be used in the expression and dissemination of thought”. *Article 28* banned publication in any language prohibited by law. In the following year, the military regime passed a law (Law No 2932)⁵² and banned the use of the Kurdish language in the dissemination of thought and information, increasing restrictions on language.⁵³ This law stated that:

...it is forbidden to express, diffuse, or publish opinions in any language other than the main official language of states recognized by the Turkish state...the mother tongue of Turkish citizens is Turkish. It is forbidden...to use as a mother tongue any language other than Turkish, and to carry, at public gatherings and assemblies, placards, banners, signs, boards, posters and the like, written in a language other than Turkish... (cited in Gunter 1997:10).

⁵² Law No. 2932: “The Law Concerning Publications and Broadcasts in Languages other than Turkish” (1983).

⁵³ Previously, the use of Kurdish language was prohibited by administrative decrees. For the first time a law was adopted for that purpose in 1983 (Aydın and Keyman 2004:34).

7.1.2 Kurdish Reaction

The state's suppression and denial of the Kurdish identity, of course, created reactionary movements. During the 1920s, and 1930s, the young Republic was challenged by several Kurdish uprisings with strong ethno-religious elements.⁵⁴ Major ones were: *Shaykh Said Rebellion* 1925; *the Ağrı Revolt* of 1926-1930; and *the Dersim (Tunceli) Revolt* of 1936-1938. *Religion* and *tribal connections* were an important component in these early uprisings, which were a reaction primarily to centralization and secularization attempts of the Republic (Robins 2000:66; Hirschler 2001; Yavuz 2001; Keyman 2005:282; Bozarlan 2005; Romano 2006:62). After a relative silence in the 1940s and 1950s (Hirschler 2001), we observe increases in the Kurdish activities in the 1960s and 1970s. In this period, the Kurdish movement shows much more *secular and leftist features* with Marxist-Leninist discourses (Barkey and Fuller 1997:66; Robins 2000:66; Ergil 2000:126; Yavuz 2001; Cornell 2001; Hirschler 2001; Keyman 2005:282; Romano 2006:62).⁵⁵

Since the 1980s, we see the rise of identity politics in Turkey in general. The revival of Islamic, Kurdish and Alevi identities challenged the organic, monolithic understanding of society (Kirişçi and Winrow 1997:121; Ekinci 1997; Kramer 2000:XIII-11; Yavuz 2001:11; Somer 2004; Soner 2005:302; Keyman and İçduygu 2005:8). The Kurdish nationalist movement in the 1990s, particularly, became one of the biggest

⁵⁴ In the period of 1924-1938, there were 18 uprisings in Turkey. 17 took place in eastern Anatolia and 16 of them involved Kurds (Kirişçi and Winrow 1997:100).

⁵⁵ Türkiye İşçi Partisi (Turkish Workers' Party, TIP) became the first political party which stated that there was an ethnic problem in the southeast Turkey. TIP had a class-based, leftist approach on the issue. However, in 1971, in the aftermath of military coup, the Constitutional Court closed the party for this kind of statements.

challenges to the Turkish state (Özbudun 2000:141). In this period, the Kurdish movement, led by the PKK (Kurdistan Workers Party, Partiya Karkaren Kurdistan, established in 1978), has become more nationalist-separatist, more organized, more challenging, more assertive and also much more violent. In the early 1980s an armed conflict started between security forces and Kurdish separatists. In 1984, the PKK, initiated its first terrorist attack in the southeastern part of Turkey. The intensity of the armed conflict increased in the mid-1990s. From 1984 to 1999, the number of people killed was estimated to be around 30,000 (half of them Kurdish militants, one-fourth civilians and one-fourth security members). Thus, using the words of Keyman (2005:268), in the 1990s, “the Kurdish question has involved not only a growing Kurdish ethnic assertiveness in the form of an identity politics which calls for the recognition of difference, but also more importantly and devastatingly a campaign of violence and terrorist activity by the PKK to achieve its objective of establishing an independent Kurdish state in southeastern Turkey”.

In the late 1990s, the PKK started to speak of a political solution within the borders of Turkey but the PKK continued to use violence to achieve its objectives. In February 1999, the leader of the PKK, Abdullah Öcalan, was captured by Turkish security forces in Kenya and brought to Turkey. In the same year, Öcalan was sentenced to death penalty, which was converted into life time imprisonment after the abolition of death penalty in the following years. Since the capture of Öcalan, the intensity of the conflict has declined dramatically. Although the armed conflict between security forces and PKK resumed in the spring of 2005, at the time of writing, the armed conflict is at its lowest level.

7.1.3 Changes (?) in the 1990s

In the 1990s, certain domestic and international developments such as the end of the Cold-War (early 1990s); the Gulf War (1990-1991) and the rise of the Kurdish nationalist movement took place with some implications for the Kurdish issue in the Middle East and in Turkey. As Barkey (1996:67) rightly observes, “the Gulf war and the ensuing Kurdish drama in Iraq, which had hundreds of thousands of Kurds fleeing Saddam’s revenge in the aftermath of their ill-fated rebellion, focused the attention of the world, including Turkey- one of the two destinations for these refugees- on the unresolved nature of the Kurdish issue in the Middle East”. These developments seem to led to a certain degree of change in the attitude of Turkish authorities which could be interpreted as an indicator of the liberalization of the Turkish position on Kurdish issue. However, it is quite difficult to label these changes as path breaking because state resistance to any open demonstration of Kurdish political identity continued in that period (Watts 1999; Tocci 2005:76).

For instance, in April 1991, the law (Law No 2932), which was enacted in 1983 by the military regime and banned the use of the Kurdish language, was repealed. As a result of this change, the use of Kurdish in everyday conversation was allowed but the ban on the use of Kurdish in the media (publication and broadcasting) and education or in the public realms such as government agencies or political campaigns remained (Gunter 1997:62; Romano 2006:55). Although some publications emerged in the later period, they were banned or confiscated and several authors and publishers were sentenced to prison terms (Bruinessen 2000:16). This quite limited change was a result of the pouring of one and half million Kurdish refugees from Iraq into Iran and Turkey (Kirişçi and

Winrow 1997:113). Although this action created opportunities for the free use of the Kurdish language, the reluctance of Turkish state authorities to allow even free use of Kurdish continued. In addition, when President Turgut Özal, who was partly Kurdish (his own statement, *Hürriyet*, October 10, 1989), suggested further changes such as the introduction of the Kurdish language into the educational system and into TV and radio broadcasts in April 1992, it was rejected strongly by the political, bureaucratic-military establishments (Gürbey 1996:14).

In this period, we also see a new rhetoric among the political elite on the Kurdish issue. For instance, in December 1991, during his visit to Diyarbakır, Prime Minister Süleyman Demirel stated that “We recognize the Kurdish reality in Turkey”. In the same period, Demirel’s Deputy Prime Minister Erdal İnönü, the leader of Sosyal Demokrat Halk Partisi (Social Democratic Party- SHP), stated that: “Kurdish citizens’ cultural identity must be recognized in full. That is, we must acknowledge the reality that some of our citizens are not Turks but Kurds who belong to the Republic of Turkey.”(quoted in Gunter 1997:66). In the autumn of 1993, Prime Minister Tansu Çiller even suggested the Basque model of regional autonomy for a possible political solution to Turkey’s Kurdish issue (*Turkish Daily News*, October 12, 1993).

However, in the later period, it became obvious that these statements were primarily just rhetoric used to increase the approval rate of the government especially among the Kurdish population in southeast Turkey -and/or to increase the prestige of the government abroad rather than representing a real change in position on the Kurdish issue. For instance, after facing reaction from the bureaucratic-military and political elite, even from her own party, Çiller rejected having made such remarks. In other words,

despite such statements by the political elite in 1990s, state suppression and the denial of Kurdish identity and its cultural rights continued (e.g. prohibitions against education, publishing, or dissemination of news in Kurdish). Using the words of Somer, “while Kurdish difference and its distinct identity were increasingly acknowledged [in the period from 1984-1998], mainstream beliefs regarding the desirability or acceptability of any Kurdish ethnic-cultural and political rights and expressions did not necessarily change” (2005a:74; also see Gürbey 2000:64; Hale 2003:116; Somer 2005b:614). The state continued to view the issue primarily as a matter of security rather than a political problem (Bozarslan 1996:17; Barkey and Fuller 1997:78). As Yeğen indicates:

...the striking silence of the Turkish state is to the “Kurdishness” of the Kurdish question: Whenever the Kurdish question was mentioned in Turkish state discourse, it was in terms of reactionary politics, tribal resistance or regional backwardness, but never as an ethno-political question (Yeğen 1996:216).

The rejection of the Kurdishness of Kurdish question did not make the problem disappear, of course, but the Turkish state framed the problem as a problem of regional terrorism resulting from socio-economic backwardness in southeastern Turkey (e.g. feudal, tribal social structures; limited economic growth, unemployment in the region) (see *Turkish Daily News*, December 24, 1997). Turkish authorities also argued that several external actors such as neighboring and some European countries have supported Kurdish terrorism/separatism to destabilize and divide the Turkish Republic.⁵⁶ The following statement by Doğan Güreş, the Chief of General Staff (1990-1994), reflects the attitude of the Turkish state on this issue quite well: “There is no Kurdish problem in Turkey...There is a problem of assault on the Turkish Republic” (quoted in Gunter 1997:74; see also President Demirel’s similar statements in *Hürriyet Daily*, September

⁵⁶ Author’s interview with former Prime Minister Bülent Ecevit (Ankara, December 2005).

11, 1997). In other words, for the Turkish state, the problem was primarily a security problem. As a direct result of such a perception, the state response exclusively based on military measures (Bozarslan 2001: 49; Barkey and Fuller 1998:133-134; Romano 2006:121; Çelik and Rumelili 2006:10).⁵⁷

Thus, the Turkish state avoided defining the problem as an ethnic, political problem and framed any calls for recognizing the Kurdish identity and cultural rights as separatist, terrorist acts, which should be suppressed severely. Some examples to the manifestations of this attitude would be following: In the 1990s, three pro-Kurdish parties⁵⁸ were closed: *Halkın Emek Partisi* (People's Labor Party - HEP), 1990-1993; *Demokrasi Partisi* (Democracy Party- DEP) 1993-1994; *Halkın Demokrasi Partisi* (Democracy Party of the People- HADEP), 1994-2003. These parties were accused of “separatist activities and propaganda against the indivisible unity of the state's people and its territory” and of helping the PKK terrorist organization. Seven DEP MPs were imprisoned in 1994 (released in 2003). Several pro-Kurdish newspapers, magazines were closed (e.g *İkibine Doğru*, Towards 2000 in 1992; *Gündem* (Agenda), 1992-1993; *Özgür Gündem* (Free Agenda) 1993-1994; *Özgür Ülke* (Free Land) 1994-1995; and *Yeni Politika* (New Policy) 1995. In March 1992, *Rojname*, the first Kurdish-language newspaper, was forced to stop publication. Between 1991 and 2000 at least a hundred

⁵⁷ We should note that some other measures were also suggested to deal with the problem. For instance, the National Security Council Report released in March 1997 recommended that some economic, social cultural and psychological measures should be taken in the east and southeast Turkey. But these suggestions never included political measures, indicating that the problem was still defined as a security problem arising due to socio-economic situation in the southeast Turkey.

⁵⁸ These parties were more of an issue party in the sense that their primary concern was the Kurdish issue. In general they advocated that Kurdish problem could not be reduced to a terrorism problem. There was an urgent need for political solution such as granting of minority status or cultural rights to Kurds, halting the state of emergency in the southeastern Turkey and amnesty to PKK members.

members of the legal pro-Kurdish parties, organizations were murdered; several pro-Kurdish intellectuals, writers, journalists detained, imprisoned or tortured.

Considering all the discussion above, the institutional path (i.e the denial and suppression of the Kurdish identity, cultural rights) and its origins should be clear enough. Given this institutional path, the question becomes what changed in the post-Helsinki era and what those changes mean and how they took place? The remaining section of the chapter provides some answers to these questions. The following section first discusses constitutional and legislative reforms in the field of cultural rights in the post-Helsinki era and then theorizes those changes.

7.2 INSTITUTIONAL CHANGES IN THE POST-HELSINKI ERA

Like every candidate state, Turkey must satisfy several conditions, known as the Copenhagen Criteria, before joining the EU. EU member states adopted these criteria during the European Council Copenhagen Summit in June 1993. These criteria require a candidate state to achieve: a) stability of institutions guaranteeing democracy, the rule of law, human rights and respect for and protection of minorities (*political criteria*); b) the existence of a functioning market economy and the capacity to cope with competitive pressure and market forces within the Union (*economic criteria*) c) the ability to take on the obligations of membership including adherence to the aims of political, economic and monetary union, in other words the ability to adopt the EU's *acquis communautaire* (*acquis criteria*). The EU starts accession negotiations with a candidate country only after

it has satisfied the political criteria (Luxembourg Summit decision, December 1997). In the Turkish case, one requirement of the political criteria was to recognize the cultural rights of different Muslim ethnic groups.

Table 10 presents constitutional and legislative changes in the field of cultural rights in Turkey. In October 2001, the parliament accepted the first constitutional package of the post-Helsinki era. This package, which amended 34 articles of the 1982 Constitution, was the most comprehensive constitutional reform since the adoption of the Constitution. With respect to cultural rights, the constitutional reform brought the following changes: The third paragraph of Article 26, which stated “no language prohibited by law shall be used in the expression and dissemination of thought”, was removed. The second paragraph of Article 28, which prescribed that “publication shall not be made in any language prohibited by law”, was abolished. As a result of these changes, the ban on the use of the Kurdish language in speech, publication and broadcasting was removed.

Table 10: Constitutional and legislative changes related to cultural rights

Type	Title	Date	Content
Constitutional		October 3, 2001	<i>Article 26:</i> The third part removed from the article. By this amendment, the ban on the usage of languages and dialects other than Turkish in daily life and in disseminating thoughts was removed. <i>Article 28:</i> The second part removed from the article. Restrictions on the usage of languages and dialects other than Turkish in <i>press</i> were removed.
	The Second Harmonizing Package	March 26, 2002	<i>Article 16 of Press Law (Law No: 5680, New Press Law: 5187):</i> Fifth section of Article 16 was removed. By this change, language restrictions in the press were removed.
Legislative	<i>The Third Harmonizing Package (Mini Democracy Package)</i>	<i>August 2, 2002</i>	<i>The Law on the Learning and Education in Foreign Languages and Learning Languages and Dialects other than Turkish (Law No: 2923):</i> Turkish citizens can learn languages and dialects other than Turkish (Kurdish for instance) through private courses.

The Law on Radio and TV Establishing and Broadcasting (Law No: 3984): Radio and television institutions (public, private) can also broadcast in languages other than Turkish, namely Kurdish.

The Fourth Harmonizing Package	January 2, 2003	<i>Article 6 of the Law on Associations:</i> Language restrictions in the activities of associations were eased. Associations can use foreign languages in their non-official correspondence.
The Sixth Harmonizing Package	June 19, 2003	<i>The Law on Radio and TV Establishing and Broadcasting (Law No: 3984):</i> Allowing <i>private</i> radios and TV channels to broadcast in different languages and dialects, which are used by Turkish citizens, is restated in this harmonizing package.
		The Civil Registry Law was amended to permit parents to name their children as they desire, provided that such names are considered to comply with “moral values” and do not offend the public (Kurdish names can be chosen).
The Seventh Harmonizing Package	July 30, 2003	Further changes on the regulations of language courses in <i>The Law on the Learning and Education in Foreign Languages and Learning Languages and Dialects other than Turkish (Law No: 2923)</i> <i>The Council of Ministers alone can regulate and decide which languages are to be taught.</i>

Following these constitutional amendment, the Turkish parliament passed several *Harmonizing Packages*, which aimed at changing existing laws to reflect constitutional changes, adopting new laws, bylaws and administrative ordinance in line with the EU requirements and the *acquis*. The *Second Harmonizing Package* (March 2002) eased language restrictions in the press. In August 2002, the *Third Harmonizing Package*, also referred to as the *Mini Democracy Package*, brought path breaking changes (analyzed separately below). The *Fourth Harmonizing Package* (January 2003) removed some language restrictions in the activities of associations and allowed the use of foreign languages in their non-official correspondences. The *Sixth Harmonizing Package* (July 2003) restated allowing private radios and TV channels to broadcast in different languages and dialects, which are used by Turkish citizens. In addition, this package

permitted parents to name their children as they desire (i.e Kurdish names can be chosen). The *Seventh Harmonizing Package* brought further changes on the regulations of language courses.

In addition to these changes to domestic institutions and law, Turkey also ratified certain parts of the international law dealing with minority rights/cultural rights. Previously, primarily because of concern with the disintegration of the state and the nation, Turkey either did not sign several major international conventions on minority issues, cultural rights, or signed them with some reservations (Kirişçi and Winrow 1997:46). For instance Turkey avoided ratifying the International Convention on the Elimination of All Forms of Racial Discrimination. Turkey was also not a party to the International Covenant on Civil and Political Rights. Another example is that Turkey signed and ratified the UN Convention on the Rights of the Child but with reservations on Articles 17, 29, and 30, which require that children belonging to an ethnic, religious or linguistic minority or of indigenous origins have the rights of language, education and cultural identity (Kirişçi and Winrow 1997:46). Turkey also accepted OSCE conventions with some reservations. The notion of national minorities in these conventions, Turkey argued, only covers those groups defined as minorities in the Treaty of Lausanne (1923), i.e. non-Muslim religious communities.

This attitude changed in the post-Helsinki era and Turkey ratified several international conventions dealing with this issue. After enhancing the cultural rights of all Turkish citizens, the Turkish Parliament ratified the Convention on the Elimination of All Forms of Racial Discrimination (CEAFRD) in September 2002. In the following year, the Turkish Parliament ratified the International Covenant of Civil and Political Rights

(September 2003) and the International Covenant on Economic, Social and Cultural Rights (December 2003). In addition, in January 2004, Turkey signed the Protocol 13 of the European Convention on Human Rights and removed death penalty in all circumstances.

7.2.1 Assessing Changes

What do these changes mean? Some argue that these changes remain more *cosmetic* than real (see Romano 2006:182). To put it differently, some treat these changes as *path following institutional adjustments*, rather than changes leading to new paths. The problem with this argument, however, is that the change process is assessed with a *teleological view* since changes are evaluated according to the distance to a desired end point. However, a better approach should be the evaluation of changes according to the deviation from the existing institutional arrangements. Adopting the second approach, one would definitely define these changes as real *institutional changes* leading to path breaking outcomes. In other words, these changes reflect a shift in the normative component of existing institutional arrangements in Turkish political system, rather than being merely changes at a strategic and tactical levels.

These changes brought substantial improvements in Turkish democracy. In its annual assessment of Turkey's progress towards accession, the European Commission stated that:

Overall, Turkey has made noticeable progress towards meeting the Copenhagen political criteria since the Commission issued its report in 1998, and in particular in the course of the last year [2002]. The reforms adopted in August 2002 are particularly far-reaching. Taken

together, these reforms provide much of the ground work for strengthening democracy and the protection of human rights in Turkey.⁵⁹

During the author's interviews, Ambassador Hansjörg Kretschmer, the Head of the Delegation of the European Commission to Turkey, also argued that "it would be quite difficult to treat these changes as cosmetic. They represent a profound transformation in Turkey. We should not forget that it was a crime even to speak Kurdish. Therefore, these recent changes are fundamental"⁶⁰ Thus, these changes represent a "tremendous progress" on the Kurdish issue, "a big turning point" in the history of the conflict (Aydın and Keyman 2004:37; Çelik and Rumelili 2006:10). So far, the Kurdish problem has been defined primarily as a security issue resulting from socio-economic backwardness in southeastern Turkey and posing a significant threat to state survival (Bozarlan 2001: 49; Tank 2005a: 70). Looking at the problem from this perspective, Turkish authorities associated every Kurdish activity with the terrorist organization PKK in order to delegitimize them in the eyes of domestic and international audiences (Barkey 1996:69; Svante 2001). However, these recent changes *desecuritized* the issue to a great extent (Tank 2005a:75), in the sense that the Kurdish issue has become not only a problem of security but also a political problem (i.e. an issue of democratization). As Çelik and Rumelili rightly observes:

Through Turkey's involvement in the European integration process, the Turkish state started treating its Kurdish question as a democratization issue if not an unpronounced minority representation issue. That is to say, after the earlier treatment of the conflict merely as a development [regional backwardness] or a terrorism problem, since 1999 the Turkish political public started to talk about linguistic rights, removal of the state of emergency, return to and reconstruction of the post-conflict zones, and release of the Kurdish MPs (2006:10).

⁵⁹ European Commission, 2002 "Regular Report on Turkey's Progress towards Accession. Brussels", October 9, 2002, SEC(2002) 1412, p. 46.

⁶⁰ Author's interview, June 2006, Ankara.

Following statement by Prime Minister Erdoğan in the later period is a clear manifestation of this change. During his Diyarbakır visit (August 2005), Erdoğan openly stated that “Turkey has a *Kurdish problem*. *Turkey made mistakes in the past in dealing with this problem*. *However, the solution should be more democracy, more citizenship rights and more welfare* (*Radikal*, August, 13 2005) [emphasis added]. This marks moving from complete denial to a more “acceptance of difference” (Çelik and Rumelili 2006:10). After these changes, the debates on the Kurdish issue moved toward social, cultural and political dimensions of the issue (Somer 2005a:90; Yavuz and Özcan 2006:103).

In addition to the desecuritization of the issue, these changes also enhanced the cultural rights of Kurds. Broadcasting in Kurdish by the state TV channel in June 2004 is quite an impressive development given the fact that until recent times, the official state position has been to even deny the existence of different Muslim ethnic groups in the country (Somer 2005b:596). One could argue that broadcasting in Kurdish by state TV channels for a couple of hours in a week would not mean much for the Kurdish people in the southeast of Turkey because they have been already watching several Kurdish programs for an unlimited time through satellite dishes, which became quite widespread in the region, especially in the 1990s.

However, this does not change the fact that this was a significant shift in the attitude of the Turkish state (i.e. the denial and suppression of Kurdish identity and cultural rights). This shift has an enormous symbolic value in the sense that it marks a significant degree of shift from the strictly homogenous (i.e. difference-blind), radical understanding of nationality towards a more liberal one. The evidence from elite

interviews also supports this argument. For instance, the chairperson of the *pro-change*, *pro-Kurdish* Human Rights Association (IHD), Yusuf Alataş stated to the author that:

Although we believe that legal, institutional changes in the post-Helsinki era remained limited and there are still significant problems and restrictions in terms of implementation, we do believe that these were significant changes representing progress in Turkish democracy. When we look at past policies and applications in Turkey and the denial of the existence of Kurds in this country until recent times, these changes become quite important...After these changes, you can no longer argue to say that there are no Kurds in this country.⁶¹

Similarly, in his written answers to author's questions, Osman Baydemir, the Mayor of Diyarbakır (the largest province in the southeast Turkey, mostly populated by Kurds), from pro-Kurdish *Demokratik Toplum Partisi* (Democratic Society Party, DTP), stated that:

...With these recent changes, it has become possible to say that there are different ethnic groups in Turkey and they should be able to express their own identities. For instance, until recent times, the Kurdish language was not recognized by the state. However, state TV channels started to broadcast in Kurdish in June 2004. But we should also acknowledge the fact that there are serious problems in terms of implementation of these changes.⁶²

Edip Polat, the chairperson of the Kurdish Writers Association, indicated that:

Although we think that these changes were not sufficient, we should not underestimate the importance of these changes... There is a strong, widespread Kurdo-phobia in this country. So, in terms of getting rid of our fears about Kurdish people and the Kurdish language, these changes mark a significant step forward...For instance, private language courses were allowed and the Education Ministry of the Turkish state, which has been suppressing Kurdish identity and banning Kurdish language for a long time, would give an official certificate to the graduates of these courses. This is a huge change.⁶³

Selahattin Demirtaş, the chairperson of the Human Rights Association, Diyarbakır Branch, noted that:

In the 21st century, these changes remain limited...However we can not evaluate these changes without considering historical and contextual factors. These changes took place in a country which has argued till recent times that there was no Kurd in the country. After 1999,

⁶¹ Author's interview, June 2006, Ankara.

⁶² Written responses to author's questions, July 2006, Diyarbakır.

⁶³ Author's interview, July 2006, Diyarbakır.

these debates have ended. In the 80 year history of the Republic, for the first time, the Turkish state acknowledged that there are Kurds in the country. *From this perspective, these changes closed an era and opened a new one, in which debates now focus on which cultural rights, on which grounds (group or individual) should be given* [emphasis added].⁶⁴

Author's visit to southeastern Turkey and conversations with local political elite in the region also indicate that these changes are also welcomed by the Kurdish population (interviews with mayors such as Songül Erol Abdil- Tunceli, and Osman Baydemir- Diyarbakır). In brief, despite difficulties related to implementation, these changes mean significant break away from the existing institutional path. Even though state elite framed these changes as changes enhancing *individual rights* rather than *group rights* or granting minority status to any Muslim ethnic group, these changes mark a substantial shift from the denial and suppression towards the acknowledgement of the existence of different Muslim ethnic identities and of necessity of granting certain cultural rights to these groups. This was especially significant for Kurds since they form the second largest Muslim ethnic group in the society. These changes also mean a significant step forward in the democratization process in the Turkish Republic.

That having been said, these changes were also *incremental* as well as path breaking. *State survival concerns* and *the structure of the coalition government* (1999-2002), in particular, constrained change process and led to *incremental- path breaking changes* rather than to a dramatic shift from the existing institutional path. In terms of state survival concerns, two factors, especially, increased concerns about these changes: *Sèvres Syndrome* and *de facto Kurdish state in the North Iraq*.

⁶⁴ Author's interview, July 2006, Diyarbakır.

The Treaty of Sèvres (August 10, 1920), which was signed between Ottoman Empire and Allied Powers, foresaw the creation of a Kurdish state in the southeastern Turkey (Articles 62 and 64). This treaty, however, was never enforced and finally replaced by the Lausanne Treaty (1923), in the aftermath of the successful Turkish War of Independence (1919-1922) against occupying Allied powers. However, the Treaty of Sèvres still occupies the minds of Turkish authorities and public. For instance, any domestic or European call for granting minority status or some cultural rights to Kurds has been interpreted as an attempt to bring the Sèvres back (Kramer 2000:43). This concern, which is widespread among certain Turkish bureaucratic, political elite, is also referred to as *Sèvres Syndrome* (Oran 2005:137; Tocci 2005:76; Tank 2005a:72). As Soner rightly states:

...the question for the Turkish authorities was how to integrate various ethnic, linguistic and religious groups without endangering the national and territorial integrity of the state. The view in official circles was that the EU standards would open a “Pandora’s Box” in the country, paving the way to the national and territorial disintegration of the republican state. More specifically, the act of granting public recognition to group-specific rights was considered an attempt destined to restore the conditions of the Treaty of Sèvres that had been defeated at Lausanne (2005:303).

This kind of mindset is quite strong especially among nationalist bureaucratic-military and political establishment. It is believed that cultural rights for Kurds would lead to political rights and eventually to an independent Kurdish state, envisioned in the Treaty of Sèvres. For instance, at one occasion, the Turkish military argued that:

The PKK intends first to raise the debate of cultural and social reforms for the Kurds. If this is tolerated, the PKK will raise the issue of autonomy or a federation. If this is tolerated, it will create an independent Kurdish state. And, again if nothing is done, Kurds living in four countries will unite and create the true Independent Kurdistan. Thus, even pursuing language rights for the Kurds in Turkey- let alone Kurdish radio and television- is to be regarded as serving the PKK’s interests (quoted in Gunter 1997:80).

The following statement by an MP in the late 1980s, Mükerrerem Taşcıoğlu, indicates that such concerns about national unity are also held strongly among political elite: “If we open the door with Kurdish, there will next be Tatar and Laz and Turkey will become a 70-piece patchwork. We cannot sacrifice our national unity” (quoted in Gunter 1990:53).⁶⁵ Another example to such perception would be the reaction of President Süleyman Demirel, who had recognized the Kurdish reality in Turkey as prime minister in 1991, to the French Minister of Foreign Affairs Alain Juppé’s calls for a political solution to the Kurdish problem in 1995. As a response to his calls for a political solution, Demirel claimed that Juppé’s statement was an evidence of the desires of Western states to create a Kurdish state in Turkey (Kirişçi 2005).

Other than Sèvres Syndrome, the developments in the Northern Iraq has also contributed to state survival concerns in the sense that the existence of a de facto Kurdish state in the Northern Iraq (see Gunter 1993 and 2004) is believed to create instability in the Kurdish areas in Turkey and eventually lead to the disintegration of the country. As Tank suggests:

...recent developments in Iraq and, in particular, the heightened status of Iraqi Kurds re-ignites fears in Turkey that political solutions to the Kurdish problem may lead to separatist demands from Turkish Kurds. The relative strengthening of the Iraqi Kurds position....serves to reinforce Turkish concerns over greater autonomy for the Kurds in northern Iraq, particularly around the oil rich centers of Mosul and Kirkuk (2005a:70-71).

The second important factor, which appears to have led to incremental changes, was the structure of the coalition government. The 57th Turkish government (1999-2002) was a coalition government composed of nationalist center left party, *Demokratik Sol Partisi* (Democratic Left Party-DSP), ultranationalist right party, *Milliyetçi Hareket*

⁶⁵ According to one study (Andrews 1989), there are 42 different ethnic groups in Turkey.

Partisi (Nationalist Action Party-MHP) and liberal, center right party, *Anavatan Partisi* (Motherland Party-ANAP). Compared to other coalition partners, the MHP, as the key member of the coalition government, had a strong EU-skeptic attitude and objected to several EU reforms (more discussion on this provided below). In March 2001, as a response to the EU's Accession Partnership Document (March 2000), the government released the *National Program for the Adoption of the Acquis (NPAA)*, and outlined specific reforms that the government intended to realize in order to satisfy *Copenhagen Criteria*. However, it is argued that this was a conservative response, which fell short of the expectations outlined in the Accession Partnership (Rumford 2002:59; Öniş 2003a:13). The MHP raised objections on several issues (e.g cultural rights to Kurds) and this led to a limited document, "lacking clear commitment and containing vague statements" (Avcı 2003:151). Party leader Devlet Bahçeli proudly stated that "We, as the coalition government, did not promise allowing radio and TV broadcasting in mother languages other than Turkish and learning those languages and dialects through private language courses. The National Program is clear enough...Everyone should read the related sections of the program carefully" (Bahçeli 2002:22-24). The MHP showed similar reserved attitude, reluctance on several reform packages in the later period (Yavuz 2002; Hale 2003:103; Öniş 2003a:14; Müftüler-Baç 2005:22; Kirişçi 2005).

In brief, other than state survival concerns, the structure of coalition government (i.e. having an ultranationalist, EU-skeptic party as the second major partner in the coalition government) was another factor behind this *incrementalism*. As a result of these concerns, the outcome of change process became *path breaking-incremental* changes as a response to the EU trigger. In other words, certain other factors (i.e state survival

concerns due to historical and contemporary conditions, the structure of coalition government) limited the impact of the EU trigger in the change process. In the absence of these factors, one could expect much more substantial shift from the existing institutional path. How can we theorize these changes? Following section applies the theoretical model discussed in Chapter 4 and 5 to the Third Harmonizing Package (August 2002).

7.3 THEORIZING CHANGES (THE THIRD HARMONIZING PACKAGE, AUGUST 2002)

The Third Harmonizing Package⁶⁶ (August 2002) was the key democratic reform in Turkey's accession process to the EU. It was the most notable harmonizing package among those passed by the Turkish parliament (Magen 2003:19; Uğur 2003:177; Aydın and Keyman 2004:16). The *Turkish Daily News* defined this adjustment package as a “landmark event” in the country (August 3, 2002). For the *Financial Times*, the reform was a “watershed”, “the dawn of a new era” (August 5, 2002). The EU and several other international organizations such as the Amnesty International and the Human Rights Watch⁶⁷ also welcomed these changes as an important step forward. The EU Presidency, on behalf of the EU, stated that “the European Union warmly welcomes the package of reforms adopted by the Turkish Parliament on 3 August. It is a first impression that the

⁶⁶ This harmonizing package included amendments in 14 laws, which dealt with issues such as capital punishment, criticisms against state institutions (the executive, the judiciary, the legislature and the military); associations and foundations; broadcasting and private educational courses in non-Turkish languages and dialects of spoken by citizens; policing practices; individuals' re-trial rights. However, the focus of this study is changes related to cultural rights.

⁶⁷ Human Rights Watch, Human Rights News, Turkey: Open Letter, January 29 2003.

present reform package constitutes an important step in the right direction.”⁶⁸ In its 2002 Regular Report on Turkey, the European Commission found August 2002 reforms as “particularly significant”, “particularly far-reaching” since they brought significant changes on sensitive issues.⁶⁹ The Commission stated that, with these changes, Turkey made “noticeable progress” toward fulfilling Copenhagen political criteria.

This reform package legalized radio and television broadcasts (public and private) in languages and dialects other than Turkish (primarily Kurdish) and allowed for the learning of those languages and dialects through private language courses, ending the long-term state restrictions. For some, this reform “began to dispose of old taboos of Turkish political life” (Zucconi 2003:30). After these legal changes, the first private Kurdish courses were opened in Batman, Şanlıurfa and Van in the southeastern Turkey. The state-run TV channel, TRT, started to broadcast in Kurdish, Bosnian, Arabic and Circassian in June 2004, which was considered an “unimaginable event” in Turkey (Akyol 2006:15). As a response to these changes in 2002, the EU Commission in its 2002 Regular Report on Turkey stated that:

The adoption of these reforms is an important signal of the determination of the majority of Turkey’s political leaders to move towards further alignment with the values and standards of the European Union. The August reforms were adopted under difficult political and economic circumstances and are particularly significant as they impinge upon traditionally sensitive issues (European Commission, Regular Report on Turkey, 2002).

⁶⁸ “Declaration by the Presidency on behalf of the European Union regarding Turkey”, Brussels, August 6, 2002, 11471/02 (Presse 234), P. 106/02.

⁶⁹ European Commission, 2002 “Regular Report on Turkey’s Progress towards Accession. Brussels”, October 9, 2002, SEC(2002) 1412, p. 44.

7.3.1 The First Stage: Material and Ideational Negative Feedback

These changes were a result of *negative feedback* in terms of material and ideational interests or concerns of domestic institutional actors. The EU's recognition of Turkey as a candidate state for the EU membership at Helsinki Summit (1999) increased the opportunity costs of maintaining institutional status quo at domestic level (i.e the denial and suppression of Kurdish identity and cultural rights). *Materially*, future material benefits associated with the accession process and the membership increased opportunity costs of institutional status quo at domestic level. The accession process has several concrete economic advantages for a candidate state. For instance, EU membership prospects send positive signals to investors about the political and economic stability in that country, which is an important factor for economic growth and investment activities. These advantages become even more crucial for struggling economies such as Turkish economy.

Ideationally, ignoring the ethnic and cultural distinctiveness of Kurdish population and their cultural rights was in stark contrast with the ideals and norms of the EU. In Article 2-1 of the European Constitution,⁷⁰ the values of the EU are identified in the following way:

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

⁷⁰ The European Constitution, officially known as the "Treaty establishing a Constitution for Europe", was signed by the member states in October 2004. The aim of the Constitution is to make the enlarged Europe more effective, democratic and transparent. It is intended to replace the Treaty on European Union and the Treaty establishing the European Community. To enter into force, the Treaty establishing a Constitution for Europe must be ratified by all the Member States, in accordance with each one's constitutional rules. As of writing, fifteen member states have ratified it. Even if the Constitution was rejected at referendums in some member states, these values are not questioned in the Union.

which pluralism, non-discrimination, tolerance, justice, solidarity and equality between women and men prevail [emphasis added].

Thus, the Turkish state was a candidate state for the membership of a community of such values. Several domestic actors realized that in a *European Turkey* it would be unimaginable to ignore the Kurdishness of Kurdish problem and to maintain the denial and suppression of the Kurdish identity. This discrepancy or disjunction between the existing institutional structures and actor's ideas and beliefs (ideational negative feedback) led to the delegitimation of the existing institutional arrangements, at least for certain pro-change actors. Thus other than creating a material negative feedback (i.e increasing opportunity costs of institutional status quo due to material incentives of future membership), the EU's Helsinki decision also created a type of ideational negative feedback. As a result, these negative feedback mechanisms reduced the legitimacy of existing institutional arrangements and increased the likelihood of structural changes.

In terms of the search for alternatives, *the Accession Partnership for Turkey*, released by the European Commission in March 2000, had already set alternative choices to the institutional status quo. The Accession Partnership outlined short and medium term requirements that Turkey had to fulfill. Thus this document became the road map for Turkey in the accession process. In terms of short-term political priorities, the Commission required Turkey to improve legal and constitutional guarantees for the right to freedom of expression; right to freedom of association and peaceful assembly; fight against torture; intensify training on human rights. With respect to *cultural rights*, the EU required the removal of any legal provisions forbidding the use by Turkish citizens of their mother tongue in TV/radio broadcasting and ensuring cultural diversity and

guarantee cultural rights for all citizens irrespective of their origin. Thus, the direction of change was already set by the EU accession process, specifically by EU Regular Reports.

7.3.2 The Second Stage: Bargaining

These institutional changes preceded by a stark bargaining between pro-status quo (nationalists) and pro-change actors (liberals and Western oriented political actors) in the national parliament. The Figure 12 presents political party positions⁷¹ on *the Third Harmonizing Package*. In this figure, the DSP, the MHP and the ANAP are the members of the coalition government. Other parties form the opposition in the national parliament. In order to identify party positions on the reform package, the author analyzed parliamentary speeches, public statements of party officials and also conducted interviews with party elite from coalition parties. That been said, it should be accepted that it is a quite difficult task to identify the positions of actors in this two dimensional space (ideational and material expectations of actors). Therefore Figure 12 is more an illustration based on best estimates to have some sense of positions of actors on the proposed changes rather than exact representation.

That having been said, this figure clearly indicates the strong division among coalition parties over the reform. While the DSP and the ANAP were part of pro-change group, the MHP was the only pro-status quo actor. The following is a discussion of motivations (ideational and material expectations) of parties for rejecting or supporting

⁷¹ See Appendix B for the distribution of party seats at the parliament in the period of 1999-2002.

the package. The focus of discussion will be on coalition parties, particularly on the pro-status quo MHP, the key actor in the coalition government.

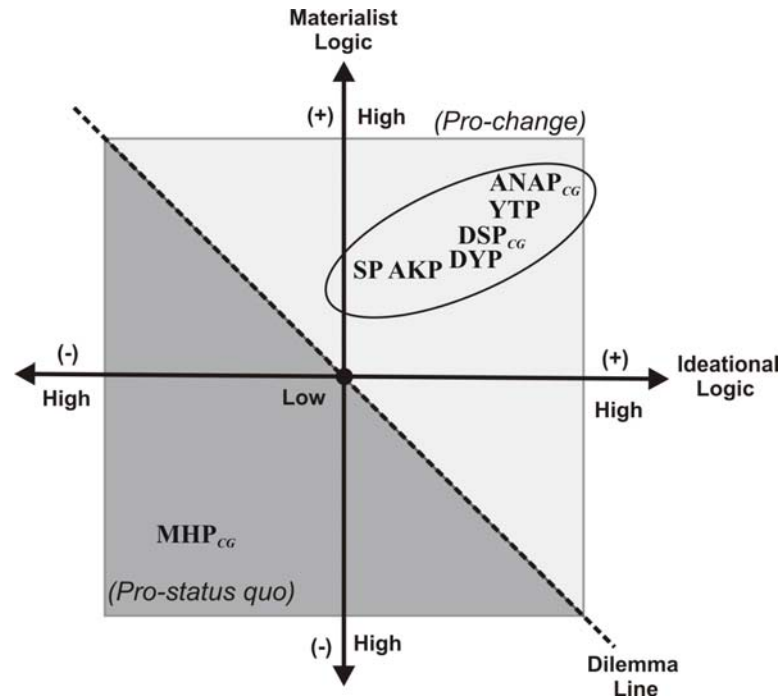


Figure 12: Two logics of expectations and the distribution of party positions on the Third Harmonizing Package, Mini Democracy Package, August 2002.

Note: The DSP, MHP and ANAP are the members of the 5th coalition government (1999-2002).

7.3.2.1 *Milliyetçi Hareket Partisi* (Nationalist Action Party, MHP)

In general, the MHP, a strictly nationalist, right party, has a reserved attitude vis-à-vis the EU (Avcı 2003:158; Uğur 2003:175; Başkan 2006:99). This reserved attitude sometimes becomes strongly *anti-EU* (Öniş 2003b:41). The MHP has been the “prime protagonist of anti-European attitudes and discourse” in Turkey (Yavuz 2002; Canefe and Bora 2003:127; Öniş 2003a:14; Avcı 2003:157). The party sometimes argues that the EU does not understand the challenges to Turkey’s internal and external security in an unstable region (Güneş-Ayata 2003:211). At other times, it suggests that the EU has a hidden agenda in the sense that certain EU demands pose a serious threat to national security (e.g. The EU intends to create a Kurdish minority in Turkey, which is likely to

lead to the disintegration of the state, see Bahçeli 2002:53) and also limit sovereignty of the Turkish state (McLaren and Müftüler Baç 2003:209). During the author's interview with party leader, Devlet Bahçeli expressed MHP's anti-EU stance in the following way: "We see that the EU has been insincere on Turkey's accession. Therefore, for us, this issue [i.e Turkey-EU relations] is not a serious issue any more. All aspects of Turkey's relations with the EU should be re-questioned, re-evaluated."⁷²

The ideology of the MHP, known as *ülküçülük* (idealism), advocates the love and ideal of serving to the Turkish state and nation. For such an understanding, the survival of unitary nation-state based on Turkish nationalism becomes a matter of life and death (Yavuz 2002; Başkan 2005:60). Preserving national character, national unity, national sovereignty and state security is the primary concern of the party. For the MHP, any reform attempt harmful to these principles would be unacceptable (Canefe and Bora 2003:135).

Under the leadership of Alparslan Türkeş⁷³, the MHP's understanding of Turkish nationalism included strong ethnic, racist elements. Having such a state-centric, radical understanding of Turkish nationalism as the basis of party ideology, the MHP had denied the existence of the Kurdish people and language. Türkeş had argued that the Kurds were overwhelmingly of Turkish descent (see *Yeni Yüzyıl*, 26 Aralık 1995, also Akyol 2006:150). Since Kurds were pure Turks, for the MHP, there was no so called Kurdish problem but a terrorism problem in the southeastern Turkey, supported by external actors

⁷² Author's interview (Ankara, June 2006).

⁷³ The first extreme right-wing party in Turkey was Cumhuriyetçi Köylü Millet Partisi (the Republican Peasant Farmer's Nation Party-CKMP), founded in 1948 by Fevci Çakmak. Alparslan Türkeş became the leader of this party in 1965. Since then, Türkeş led the MHP and the nationalist movement in Turkey until his death in April 1997. In 1969, CKMP changed its name and became Milliyetçi Hareket Partisi (the Nationalist Action Party-MHP). For more discussion, see Çınar and Arıkan 2002.

to destabilize Turkish state. Therefore, the recognition of cultural rights would be a direct challenge to Turkish nationalism; a threat to national unity and security which would reward separatists.

However, during the leadership of his successor Devlet Bahçeli (1997 onwards), we see a certain degree of moderation in party ideology (see Beris and Gürkan 2001:4; Öniş 2003b:35-39; Bora 2003:446/447; Yavuz 2002; especially Çınar and Arıkan 2002). This moderation led to a shift in the party's ethnic understanding of nationalism. For instance, unlike Türkeş, Bahçeli emphasized on *citizenship* rather than *race, blood or ethnicity* as the common factor which unites the citizens of Turkey (see Bahçeli 2002:61-62; also Çınar and Arıkan 2002:35). That been said, this moderation remained quite minimal in the sense that it did not mean changing party's attitude on the cultural or linguistic rights of Kurds (Öniş 2003b:45). As the key member of the coalition government (1999-2002), Bahçeli's MHP argued that there is no a Kurdish problem in Turkey but there is a problem of economic backwardness in the southeastern Turkey, which has been exploited by certain internal and external actors (Turkish Daily News, April 27 1999). Therefore, the party elite argued that Turkey "should avoid making concessions that would hurt the Turkish nation, Turkish national identity for the sake of EU accession" (*Turkish Daily News*, April 27, 1999).

Committing to such an ideology, the nationalist party believed that the *Third Harmonizing Package* (August 2002 Reform) would threaten state security and national unity and would reward terrorism and separatism.⁷⁴ In 1998, right before his capture,

⁷⁴ Other than changes related to cultural rights, this reform package also included the abolition of death penalty in peacetime. The MHP perceived this proposed change as a kind of amnesty to the leader of the PKK, Abdullah Öcalan. The MHP had made the execution of Öcalan the center of its 1999 election

Abdullah Öcalan, the leader of the PKK, had stated that: “We want to do as the Basques (in Spain) and the IRA (N. Ireland). We ask for greater autonomy and freedom, respect for our language and culture and democracy like in the rest of Europe” (quoted in Romano 2006:146). Given these PKK demands, the MHP believed that the separatist PKK was taking advantage of Turkey’s accession process to the EU in order to achieve the recognition of cultural rights of Kurds, a first step towards an independent Kurdish state (Bahçeli 2002:55). Bahçeli stated that “granting cultural and ethnic rights to certain groups would not only start ethnic conflicts and divisions among Turkish citizens and harm national, social unity but also serve to the interests and goals of separatist PKK.”(2002:65-66-75). In brief, the MHP tried to *securitize* the issue by framing it as a matter of *state survival, national unity*. This also confirms Güneş-Ayata’s observation that “the content of Euro-scepticism in Turkey has changed from economy and culture to security” (2003:206).

The discussion above clearly shows that the expectations of the MHP with respect to the Third Harmonizing Package were negative on both accounts (see Figure 12). In terms of *materialist logic*, changes would eventually endanger the security of the state and the Turkish nation (Öniş 2003b:40; Aydın and Keyman 2004:18; Başkan 2005:61; Kirişçi 2005). *Ideationally*, those changes were in stark contrast with the party ideology (the party’s homogenous, monolithic understanding of Turkish nation). As a result, the MHP strongly opposed allowing radio and television broadcasts (public, private) in languages and dialects other than Turkish (primarily Kurdish) and learning those languages and dialects through private language courses.

campaign. It was a non-negotiable issue for the MHP (Avcı 2003:160). Thus, this was another strong motivation for the MHP to object to the reform package.

During the bargaining process, in order to persuade other institutional actors and public audience about the appropriateness of its position (i.e rejection of the reform package), the MHP tried to *delegitimize* the reform package by using *security related frames* such as “rewarding terrorists”, “endangering national unity, state security” etc. Thus, the party did not argue that those changes were contrary to the party ideology but rather the party argued that changes would significantly damage national unity and state security. For instance, Bozkurt Yaşar Öztürk, an MP from the MHP, stated that: “We won't let those terrorists left in the mountains come down to the city and participate in (language) courses. Rather than putting out a fire, we're making it bigger”⁷⁵ During parliamentary debates over the reform package, İsmail Köse, another MHP deputy, stated that “In Turkey, there is only one nation, one state and one language...These proposed changes would threaten our unity, our oneness by leading to divisions in this country... Eventually, these changes would also lead to the creation of new minorities in the country.... Therefore, if you support these reforms, you will only serve to the interests of the terrorist organization”⁷⁶ Another MHP deputy, Mehmet Şandır, also argued that the reform packages would reward the separatist organization. He stated that “We, as Kurds and Turks, form the *Turkish nation* and live together in this country... However, through linguistic rights, these changes would create another nation in this country and damage our national unity, harmony and societal peace...This is what separatist organization wants...”

⁷⁵ <http://archives.cnn.com/2002/WORLD/meast/08/03/turkey.death.pen/index.html>
Accessed: December 25, 2006.

⁷⁶ *TBMM, Genel Kurul Tutanağı, 21. Dönem, 4. Yasama Yılı, 124. Birleşim, 1 Ağustos 2002.* The record of parliamentary debates is available at: www.tbmm.gov.tr

The reason for *securitizing* the issue and focusing on materialist logic was probably because the party elite believed that framing the issue as a matter of security or survival would achieve more resonance or effectiveness than alternatives such as cultural or economic framings or contradiction with the party ideology. As it is argued before (see Chapter 5), the centrality of the issue (i.e. how essential the beliefs, values, and ideas associated with frames are to the lives of the targets) is an important factor for the success of framing activity. One could argue that the issue of security or survival is relatively more essential to the lives of the public than cultural or economic issues. Therefore, the MHP utilized security related frames during bargaining over the reform in order to sell its arguments to the public and to the pro-change groups.

7.3.2.2 *Anavatan Partisi* (Motherland Party, ANAP)

This party can be categorized as a conservative right party, which is pro-EU in general (Dunér and Deverell 2001:6; Avci 2003:157; Öniş 2003a:18 and 2003b:47). Its support base, business groups, has been highly supportive of accession process. Although the ANAP was the smallest partner in the coalition government, the party assumed a leadership role in pushing for EU reforms (Öniş 2003a:17-18).⁷⁷ In other words, the party acted as *the change entrepreneur* during the change process.

With respect to cultural rights, in the past, party leader Yılmaz was fluctuating between official state position and the one supportive of Kurdish cultural rights (Kirişçi and Winrow 1997:143-144). However in the post-Helsinki era, Yılmaz has become much

⁷⁷ Within the coalition government, Mesut Yılmaz, the leader of ANAP and the Deputy Prime Minister, was responsible from EU relations. The Third Harmonizing Package was prepared by European Union Secretary General under the authority of Yılmaz.

more supportive of Kurdish cultural rights. In December 1999, Yılmaz had stated his party's position on the issue in the following way: "The road to the EU passes through Diyarbakır" (*Turkish Daily News*, December 17, 1999). Yılmaz argued that the problem in the southeast Turkey was not merely a problem of terrorism. After capturing the PKK leader, Turkey achieved great success against terrorism. Now it was the time to deal with the other aspects of the situation in southeast Turkey: i.e. responding to identity related demands on the basis of individual rights. Yılmaz believed that this was a necessity for Turkey's further integration with the EU (*Hürriyet*, July 19, 2000).⁷⁸ During parliamentary discussion over the package, Yılmaz stated that:

*Turkey's accession to the EU is the final stage of our two centuries old Westernization efforts ... We already decided to take our place in Western civilization... And our all our efforts to change our state and society in every sense have aimed at to be being part of this civilization... We can not give up this ideal at this stage... Joining the EU is not a party policy but a state ideal, a project above politics... Thus we have to realize those things that this ideal requires from us...By passing these laws; we will also prove the strength of Turkish democracy to the whole world. [emphasis added]*⁷⁹

Thus, since the package meant positive expectations in both dimensions (ideational and material) for the ANAP, the party supported the reform and framed it as a significant step in the process of *westernization, democratization* in Turkey.

7.3.2.3 Demokratik Sol Parti (Democratic Left Party, DSP)

The DSP presents itself as a nationalist,⁸⁰ leftist party, with a sensitivity on national interests and the religious beliefs of the people. With respect to party's position on the Kurdish issue, the party believes that there is no such a problem but there is PKK

⁷⁸ This kind of statements by Yılmaz created huge reaction, especially among deputies from the MHP.

⁷⁹ *TBMM, Genel Kurul Tutanağı, 21. Dönem, 4. Yasama Yılı, 124. Birleşim, 1 Ağustos 2002*. The record of parliamentary debates is available at: www.tbmm.gov.tr

⁸⁰ It is important to note that the nationalism of the DSP is more moderate than the MHP's notion of nationalism.

terrorism due to semi-feudal structures and underdevelopment of the southeast region of Turkey (Başkan 2005:60; Açikel 2003). In other words, similar to state position, for the DSP, so called Kurdish problem was an economic, social problem rather than an ethnic one and as a solution for this problem, the DSP suggested land reform, education and economic investment programs to remove the feudal structures in the region.⁸¹ Like the MHP, the DSP also argued that the creation of any ethnic, religious, or regional sub-identities would be divisive and dangerous for the national and territorial unity (Yavuz 2002).

Interestingly, however, as the leader of coalition government, the DSP lifted its reservation on Turkey's EU membership and moderated its views on the Kurdish issue. Within the coalition government, the position of the DSP on EU reforms fell somewhere between the reluctant MHP and the enthusiastic ANAP, but certainly closer to the ANAP. The party believed that further integration with the EU would be beneficial to the interests of the state and state interests' were more important than party interests. In addition to this, it has been the ideology of the party to be supportive of Turkey's cultural, social and political relations with the West (Güneş-Ayata 2003:215; Başkan 2005:61). During parliamentary debates, Masum Türky expressed the party's support on the harmonizing package in the following way: "We consider Turkey's EU membership as a state goal, an issue above politics. These changes will not only get us closer to this ideal but also dramatically empower Turkish democracy...With these changes, Turkey will gain significant degree of prestige in the world..." Another DSP deputy, Hikmet Sami Türk, the Minister of Justice, argued that, since the early years of the Republic,

⁸¹ Author's interview with party leader Zeki Sezer, the successor to veteran Ecevit. (Ankara July 2006).

Turkey has borrowed its laws from the European legal systems and the Turkish Republic has designed its state and legal structures according to European rules and norms. Realizing reforms would finalize this long-term Europeanization, Westernization process in the country.

As a result, the DSP had positive expectations on both dimensions. *Ideationally*, the party believed that Turkey's full membership to the EU was necessary for the ideal of creating a modern, European and prosperous society (Başkan 2005:61). Fulfilling EU requirements would help reach this ideal. In his comments on the reform package, the party leader and the Prime Minister Ecevit indicated that "These reforms (August 2002) mark a historic moment in Turkey. Turkey is now freer, more democratic and more European. These reforms significantly increased Turkey's prestige in the West." (Hürriyet Daily, August 4, 2002) *Materially*, the party leadership expected that any achievement of the coalition government led by the DSP towards realizing the goal of entering the EU, strongly supported by the public at that time, would return as high public support for the party. These positive expectations led the DSP to support reforms. However, it is also important to state that the DSP considered cultural rights reform as a matter of enhancing individual rights rather than group rights.⁸²

We should also note that, a strongly pro-EU group emerged within the DSP in the spring of 2002. The members of this group, total 62, resigned from the party and established openly pro-EU, social democratic *Yeni Türkiye Partisi* (New Turkey Party, YTP) in July 2002. This group was led by İsmail Cem, who was the foreign minister of Ecevit's government. For this party, joining the EU was the most important stage in the

⁸² Author's interview with Zeki Sezer.

process of Westernization initiated by Mustafa Kemal Atatürk. Thus, Turkey's EU membership was defined as the most important foreign policy goal in the party program.⁸³ With respect to cultural rights, at a previous occasion, the party leader İsmail Cem, had argued that the ban on broadcasting in Kurdish prevented the progress of democracy and human rights in Turkey. Everyone in Turkey should have the right to broadcast in their own languages (Financial Times, December 15, 1999). In the parliament, Cem argued that "we should not be fearful of these changes... These reforms are quite significant steps in Turkey's integration". Thus, openly pro-EU social democratic YTP also supported granting cultural rights to different Muslim ethnic groups together with the DSP, but with more enthusiasm.⁸⁴

7.3.2.4 Opposition Parties

With respect to the positions of other opposition parties, pro-Islamic *Saadet Partisi* (Felicity Party, SP) and conservative *Adalet ve Kalkınma Partisi* (Justice and Development Party-AKP) and center right *Doğru Yol Partisi* (*True Path Party, DYP*) supported the reform for different reasons. As discussed in Chapter 6, since 1999, all of Islamist parties shifted their positions on Turkey's relations with the EU and adopted much more pro-EU stance. Instrumental motivations (pro-Islamic business groups' support to the EU, Turkey's accession process to the EU would also empower religious groups) the EU was perceived as an ally vis-à-vis strictly secular domestic groups, especially against the military (Öniş 2003b:42). In the party program, the SP defined the

⁸³ Available at: www.belgenet.com.

⁸⁴ The YTP performed poorly in the November 3, 2002 national elections. After showing another poor performance in the March 2004 local elections, the party merged with the *Cumhuriyet Halk Partisi* (Republican People's Party-CHP) in October 2004.

process of Turkey's accession to the EU as a great opportunity for further democratization and economic development in the country.⁸⁵ The party even criticized the National Program prepared by the coalition government for being limited in terms of satisfying EU's political criteria. Thus, compared to predecessor Refah Partisi, the SP and the AKP (see Chapter 6) were more supportive of accession process and voted in favor of the reform package proposed to fulfill certain EU requirements. During parliamentary discussion over the proposed reform package, SP deputy Ömer H. Hatipoğlu, suggested that "Those, who think that these changes would lead to the disintegration of the country, should let their fears and phobias go away... Turkey is a strong country and these changes would make it even stronger..."⁸⁶ Another SP deputy, Mustafa Kamalak, strongly stated that "...We say 'yes' to the EU...It is not because the EU will be a cure to our all illnesses, problems; it is because the suppression in this country is unbearable...We say yes to Turkey's EU membership because only then, the national will, rather than some other actors [e.g bureaucratic military elite], will truly rule in this country..." Bülent Arınç, who expressed the views of the AKP over the bill, argued that Turkey's EU membership was quite significant opportunity for the improvement of democratic standards and economic situation in the country. Therefore, it was a necessity to pass the reform packages in terms of satisfying membership requirements. Similarly, pro-EU, center right the DYP (Dunér and Deverell 2001:6; Avcı 2003; Kirişçi 2005) also supported the reform package. During parliamentary debates over the reform package, Ayvaz Gökdemir, on behalf of the DYP, argued that:

⁸⁵ The party program is available at: www.belgenet.com

⁸⁶ *TBMM, Genel Kurul Tutanağı, 21. Dönem, 4. Yasama Yılı, 124. Birleşim, 1 Ağustos 2002.* The record of parliamentary debates is available at: www.tbmm.gov.tr

Everyone should accept the fact that Turkey's accession to the EU is a state policy...Even though Sévres [the Treaty of Sevres (1920), which envisioned a Kurdish state in the eastern part of the Ottoman Empire] is a fact in our history, we should end this syndrome... We should not be scared of different languages...We are the successors of an Empire which included various languages, religions and cultures...Thus, we have a legacy of living together in harmony in a multicultural environment...If we have such experiences, then why should we worry about languages other than Turkish?⁸⁷

7.3.2.5 The Outcome of the Bargaining and the *Dilemma* of the MHP

Although the MHP voted '*No*' *en bloc*, the reform package was passed by the parliament as a result of yes votes of deputies from the DYP, the ANAP, the YTP, the DSP, the AKP and the SP.⁸⁸ The package was accepted with 256 votes in favor and 162 against (MHP deputies plus some nationalist deputies from other parties). Given the fact that other parties in the parliament revealed their supportive position on the reform at an earlier time, the MHP should have expected that the parliament would pass the package despite no votes of the MHP deputies. Then the question is why the MHP, a veto player due to being the major party in the coalition government, did not block the reform package? This is an important question because the MHP could easily block the reform by threatening to withdraw, which would be the end of the coalition government in the summer of 2002. Thus, it was a puzzle for several observers in media and academic circles that significant steps were taken in the Kurdish issue by a divided coalition government which included quite nationalist and anti- EU MHP as the major partner. How can we explain this puzzle?

⁸⁷ TBMM, Genel Kurul Tutanağı, 21. Dönem, 4. Yasama Yılı, 124. Birleşim, 1 Ağustos 2002. The record of parliamentary debates is available at: www.tbmm.gov.tr

⁸⁸ The military, which is a key actor in Turkish political system, initially objected cultural rights related reforms but later, the military acquiesced when the reforms passed in 2002 (Somers 2005a:88).

One possible explanation might be that the party simply believed that even if the parliament passed the package, the Constitutional Court would not approve these changes. In the following period, some nationalists and families of soldiers who had been killed during fighting against the PKK protested parliament's approval of this reform package (Müftüler-Baç 2005:25). After these protests, the MHP appealed to the Constitutional Court and claimed unconstitutionality of the reform but this claim was rejected by the Court. This explanation, however, is not really convincing because if it was obvious that the Court would approve any unconstitutionality claim, then pro-change actors would not come with such a proposal. It seems that the MHP claimed unconstitutionality just to send some message to its nationalist constituency that the party took some action to prevent changes.

A much more convincing explanation for not blocking the reform by withdrawing from the coalition government is the party's concern over its ideational interests in the sense that such an action would bring significant *social costs* for the MHP because if the MHP blocked EU reforms then the party would be presented and viewed as an obstacle to Turkey's century-old efforts to be part of the Europe. In other words, blocking EU reforms would be perceived as blocking the process of Turkey's accession to the EU. This would create significant damage to party's ideational interests (its legitimacy, status in domestic realm). No actor in Turkey was ready to pay this cost, especially at that time during which for the first time in EU-Turkey relations there was significant degree of optimism among various domestic actors on the chances of Turkey being part of modern Europe.

The MHP could not vote in favor of the reform because of following reasons: First of all, as shown above, the party sincerely believed that the reform would not only damage national unity and state security but also contrasted with the party ideology. Secondly, the shadow of the past also played some role in voting against it. During campaigns for the national elections in April 1999, the party publicly declared to carry out the death penalty that the PKK leader Abdullah Öcalan, who was captured by Turkish forces in Kenya in early 1999, was sentenced to. Given these past commitments, the MHP would not vote in favor of the Third Harmonizing Package, which also abolished death penalty during peacetime in addition to granting certain cultural rights to Kurds. In other words, other than perceiving the reform as contrary to party ideology and state interests, the *rhetorical entrapment* (see chapter 6) appears to be another factor which led the MHP to vote against it.

In brief, the MHP, which was the second largest party in the government, became the major actor in the coalition government in the summer of 2002 after the coalition leader DSP was split into two different parties (see Appendix B for the distribution of seats in the parliament). The MHP strongly defended the status quo with respect to reforms enhancing cultural rights of different Muslim ethnic groups. However the MHP, the veto player in the bargaining process, failed to prevent the reform. They did vote against the reform package and claimed unconstitutionality in front of the Constitutional Court after it was passed by the parliament. However they did not block it even though they could have done it quite easily. The reason for this was simply to avoid the social costs of such an action. Given the widespread optimism about Turkey's chances for the EU membership at that time, preventing crucial reforms and creating a deadlock in

relations with the EU would bring huge social costs to the MHP. Thus the analysis of MHP's actions and inactions vis-à-vis the suggested changes indicates that our analysis of bargaining processes in an institutionalized setting should use multi-dimensional perspectives (paying simultaneous attention to actor's ideational and material expectations) for a better understanding of political outcomes.

7.4 CONCLUSIONS

This chapter analyzed institutional changes in the issue of cultural rights (i.e. Kurdish issue) in the post-Helsinki Turkey. It was shown that until the late 1990s, the existing institutional path has been the denial and suppression of the Kurdish identity. However, the EU's Helsinki decision on Turkish candidacy to the EU membership *triggered* significant changes in this area. This decision led to *incremental, path breaking* changes in post-Helsinki Turkey. The mechanism of this change was *negative feedback* in both material and ideational terms.

However, an intense bargaining process among political actors, involving various legitimation/ delegitimation strategies and framing contests preceded these changes. Within this bargaining process, nationalists defended status quo by using security related frames. These actors argued that reforms would endanger national unity, national security and reward the separatist organization (the PKK). Pro-change actors, on the other hand, legitimated their positions by using Westernization (Europeanization), democratization related frames. According to pro-change block, reforms would help Turkish state finalize its century old ideal of Westernization rather than threatening national security and unity.

Although the ultranationalist, EU-skeptic and strictly pro-status quo MHP could easily block the reform package in August 2002 as a result of being the key actor in the coalition government, the party failed to prevent institutional changes. The reason for this inaction was that blocking such a crucial reform in the accession process would produce significant damage to the ideational interests of the party (loss of legitimacy, status for being an obstacle to Turkey's march towards the West). In other words, the power of legitimacy constrained the veto player MHP in its opposition to the reform package.

8. CONCLUSIONS, ALTERNATIVE EXPLANATIONS, IMPLICATIONS AND FUTURE STUDY

This chapter draws some conclusions, addresses some implications of this study and presents alternative explanations, considerations. The final section of this chapter lays out future study.

8.1 CONCLUSIONS

This study makes contributions to two different bodies of literature. First it contributes to attempts to theorize institutional change, which is a relatively recent development in new institutionalist thought (see Campbell 2004; Greif and Laitin 2004; Thelen 2004; Streeck and Thelen 2005). Secondly, it contributes to generally a-theoretical literature on EU-Turkey relations. Despite increasing numbers of theoretical studies on EU-Turkey relations⁸⁹, this literature remains limited due to its general descriptive nature. More theoretical work on EU-Turkey relations is crucial because such attempts would not only enhance our understanding of EU's enlargement politics and its

⁸⁹ One recent example to such studies would be the special issue by *The South European Society and Politics* on Turkey's Europeanization process (April 2005). This special issue, which provides a systematic and theoretical analysis of Europeanization process in the Turkish context across several issue areas (civil society, civil-military relations etc), fills significant gap in the literature on EU-Turkey relations.

impact on candidate countries but also our knowledge of the change process in such a crucial context. The fate of the process of change in the Turkish Republic has important implications beyond the borders of Turkey in the sense that it would have some consequences for the recently strained relations between the Islamic East and Christian West. As Magen rightly states “Standing at the nexus of three areas of increasing strategic importance to the United States and Europe- the Caspian region, the Balkans, and the Middle East- whether Turkey becomes a liberal and consolidated democracy, entrenched in western structures and norms, or whether it turns inward looking and more nationalistic, will carry far-reaching consequences not only for Turkey itself, but for the US, Europe and other adjacent regions” (2003:9). Therefore, it is important to have a better sense of the Europeanization process in this context.

Turkey realized significant constitutional, legislative and institutional changes in the post-Helsinki era. Terms such as *momentous shift* (Magen 2003:31); *revolutionary* (Vardar 2005:87; Oran 2005:112; Diez 2005:168); *unthinkable* (Kubicek 2005:362); *profound* (Öniş 2003a:13); *sweeping* (Müftüler-Baç 2005:27); *impressive* (Aydın and Keyman 2004:1); *unprecedented* (Tocci 2005:73; Moustakis and Chaudhuri 2005) *courageous* (Oran 2005:119); *drastic transformation* (Kirişçi 2005) have been commonly used in media and academic circles to define this comprehensive reform process. This study focused on changes in two sensitive issue areas in Turkish politics: *civil-military relations and cultural rights* (the Kurdish issue).

As the existing literature acknowledges, the EU’s recognition of Turkey as a candidate state for the EU membership at the European Council Helsinki Summit (1999) was the main *trigger* of these changes (Beris and Gürkan 2001:6; Hicks 2001:81; Öniş

2003a:13; Zucconi 2003; Magen 2003:32; Aydın and Keyman 2004:15; Müftüler-Baç 2005; Kubicek 2005:361; Tocci 2005; Vardar 2005:93; Yavuz and Özcan 2006:114). Turkey's relations with the EU have had several ups and downs since the signing of Association Agreement (Ankara Agreement) in 1963. As Canefe and Bora put it "Turkey has a long history of opposing, admiring, copying, denying, naming, and judging things European" (2003:134). However, the EU's Helsinki decision was a "turning point" in EU-Turkey relations (Öniş 2003a:9; Uğur 2003:174) because this decision dramatically increased the credibility of the EU and its demands at the domestic level (Uğur 2003:172). As a result, the EU's recognition of Turkey as a candidate state for full EU membership triggered the change process in the issues of civil-military relations and cultural rights. As Keyman and İçduygu rightly observes:

In the long, crisis-ridden process of European integration, the Helsinki Summit of December 1999 constituted an important turning-point for Turkey. The summit declared the inclusion of Turkey into the process of enlargement. Thus, *Turkey's long association with the EU has finally produced a certain level of certainty* (emphasis added), as the decision to include Turkey also meant that Turkey had a chance to find a place in the enlarged Europe as a full member. In this sense, although the Helsinki Summit did not give Turkey any definitive timetable for beginning the accession negotiations, it indicated that the EU took seriously Turkey's attempt to become a full member. At the same time, the decision taken at the Helsinki Summit made it clear that the main condition for beginning the accession negotiations was the full implementation of... Copenhagen Criteria..." (Keyman and İçduygu 2005:11).

Although the existing literature is quite right by acknowledging the substantial role of the EU impact in domestic changes in Turkey since 1999 (Öniş 2003a:13; Uğur 2003; Müftüler-Baç 2005), these studies either remain descriptive or quite limited in terms of *theorizing* this transformative process. In other words, the mechanisms (i.e. the "patterns of events that links a distant cause to its necessary effect", Goldstone 1998:838) of the EU impact remain surprisingly under-theorized and under-investigated (Diez, Agnantopoulos and Kaliber 2005: 7; Sarigil 2007). In other words, it is not clear in these

studies *how* the EU impact has affected the change process. As a result of this inadequate attention to causal mechanisms, "...the actual effects of this external entity [the EU impact] on Turkey's domestic system remain understudied and poorly understood" (Magen 2003:8-9).

This study argued that the Europeanization process should be treated as a process of institutional change. From this perspective, new institutionalist thought would provide us some theoretical insights and tools that would help increase our understanding of this process. Although new institutionalism remains weak in terms of providing a strong theoretical account of institutional change (see Chapter 2), certain orientations in the new institutionalist thought provide us some tools which can be used to theorize these structural changes. Using some of those tools, particularly from rational choice and sociological institutionalisms, this study provided an *actor oriented, synthetic approach* on structural change.

This study builds on the argument that institutions have distributional consequences (Knight 1992; Mahoney 2000; March and Olsen 1989). Given this, a shift from one institutional arrangement to another one implies a shift from one distributional arrangement to another. In other words, structural changes produce distributional consequences. Because of this, institutional change becomes a *conflictual* process. This study argues that this conflictual process should be understood as a *two-stage process*. The first stage of this conflictual process is *initiation*. At this stage, certain internal and external developments (or a combination of both), help pro-change actors mobilize for structural change. This study showed that the EU's Helsinki decision triggered change process in the issues of civil-military relations and cultural rights through mechanisms of

power shifts among institutional actors (Chapter 6) and *delegitimation* of the institutional status quo through *negative feedback* (Chapter 7). It was also argued that we should not think about these mechanisms in materialist terms since it was a case where these mechanisms took ideational forms.

The second stage of change process consists of *bargaining*. At this stage, institutional actors simply bargain, either in tacit or explicit manners, on alternative arrangements. However this is a special form of bargaining in the sense that it takes place within an institutionalized setting. In an institutionalized setting, the notion of ‘interest’ has always two components: *material and ideational*. In the case of the materialist component, actors are motivated by concerns related to power, security and wealth. With respect to the ideational component, the primary motivation is their social and normative expectations such as legitimacy, reputation, prestige, self-realization and self-affirmation in the community environment. Institutional actors are motivated by these two logics of expectations in bargaining situations. In other words, bargaining in an institutionalized setting is not only a strategic struggle over material benefits but also a symbolic contestation over ideational interests. Therefore existing bargaining models, which are uni-dimensional with a focus on actors’ materialistic considerations, provide only limited understanding of such bargaining processes.

This study provides a two dimensional perspective on bargaining within an institutionalized setting by *modifying* two logics of *action* (*the logic of consequentiality and the logic of appropriateness*) as two logics of *expectations*. The value of such a multi-dimensional perspective on bargaining in an institutionalized setting is shown by empirical analyses (Chapter 6 and 7). For instance, for uni-dimensional models, it is a

puzzle that the Turkish military, a veto player in the Turkish political system, has accepted its loss of power. This study shows that the military, which expressed its commitment to further integration with the EU on several occasions, found itself ‘rhetorically entrapped’. Thus, the military refrained from blocking the civilianization process due to the likely damage such an action would cause to its ideational interests (legitimacy and credibility). This outcome can be better understood by a two-dimensional approach. The following section provides a discussion of alternative explanations.

8.2 ELIMINATING ALTERNATIVE EXPLANATIONS

In terms of alternative considerations, one issue is the role of possible alternative triggers in this change process. Although this study emphasizes the role of the EU factor as the main trigger of the change process in Turkish civil-military relations and cultural rights, one should look at the possible impact of other domestic and international developments/factors that might have initiated the change process at the first stage. This section analyzes those possible alternative explanations.

8.2.1 The Role of Other European Institutions

This study focuses on the role of the EU in institutional changes that have taken place in the post-Helsinki Turkey. One can argue that European institutions (other than the EU) might have played some role in these changes. For instance, with respect to ethnic policy, Kelly finds that other European institutions have been significant and

active participants in shaping domestic policy on ethnic issues (2004:3). However in the Turkish case, the role of other European institutions appeared to be quite minimal.

Membership incentives provided by many other European institutions such as the Council of Europe (the CE) and the Organization for Security and Cooperation in Europe (OSCE), which have strong interest in minority rights in their member states, might have played an important role in enhancing cultural rights of ethnic groups in many post-Communist Central and Eastern European countries. However, since Turkey joined these organizations at a much earlier time, membership incentives provided by these European institutions are not relevant triggers in the Turkish case in this period. What is more, Turkey has already been under normative pressure by these institutions for further democratization but these normative pressures had a limited impact on Turkish state. This also confirms Kelly's argument that a combination of membership incentives and normative pressure is much more effective than the use of normative pressure alone (Kelly 2004). In the Turkish case, membership incentives and normative pressure provided by the EU have played a much more important role in these changes than normative pressure alone from some other European institutions.

One example of this would be the Council of Europe, which was established by the Treaty of London on May 9, 1949. Turkey joined the Council on August 9, 1949. On November 4, 1949, the Council adopted the "Convention for the Protection of Human Rights and Fundamental Freedoms". This is known as the first international legal instrument for the protection of human rights. Yet, Turkey has continued rejecting the cultural rights of Muslim ethnic groups and directly violated several articles of the European Convention on Human Rights (for instance Article 10). As a result, Turkey was

found guilty and fined several times by the European Court of Human Rights (ECHR).⁹⁰ Despite this, Turkey was unresponsive to these pressures (Van Bruinessen 2000:28; Magen 2003:32).

Another example would be Turkey's unresponsiveness to OSCE pressures on the abolition of death penalty. The OSCE (formerly CSCE) was formed in 1973 as part of the Helsinki Process. After 1989, the organization started to exert pressure on its members to abolish capital punishment. In 1998, the OSCE openly urged its members to abolish death penalty. However, Turkey has avoided responding to such calls (Magen 2003:51). However, in the post-Helsinki era (1999 onwards) this attitude has changed. For instance, after passing the August 2002 reform package, which abolished death penalty in peacetime on January 15, 2003, Turkey also signed the Protocol No. 6 to the European Convention on Human Rights (ECHR), which required abolishing death penalty in the time of peace. All these suggest that the EU was the main trigger of domestic transformation.

8.2.2 Worldwide Declining Role of Militaries in the Post-Cold War Era

The end of the Cold War in early 1990s and the democratization processes at the global level in the last two or three decades had important effect on civil-military relations in the world (Nye 1996:151; Cottey, Edmunds and Forster 2002:13 and 2006:12). For instance the size of military forces in new democratic polities has been reduced, which was interpreted as the increasing level of military professionalism and

⁹⁰ ECHR was established by the Council of Europe on September 18, 1959. The decisions of the Court are binding. Turkey has been recognizing the authority of the Court since 1990.

civilian control (Huntington 1995:12). Huntington observes that there has been a broad diffusion and acceptance of the norms of military professionalism and civilian control by militaries around the world; the militaries also learned the difficulties of finding solutions to the economic, social and political problems of their countries and so they have become increasingly reluctant to involve in political matters (1995:12-13).

With respect to the effect of the end of the Cold War on civil-military relations, one argument is that military's role is determined largely by the international and domestic security environments that the country faces (Desch 1996:14; Williams 2000:265). From this perspective, it is argued that the end of the Cold War, which reduced external security threats significantly (Cottey, Edmunds and Forster 2006:7), led to a decline in the role of militaries in several political systems (Diamond and Plattner 1996:XIII; Goodman 1996:30). The post-Cold War era is characterized by reductions in military expenditures, military size; and changes in military missions (Dandeker 2000:32; Williams 2000:267). Cottey, Edmunds and Forster state that:

During the Cold War, Soviet communism imposed its own particular model of civil-military relations, while the West was willing to accept military rule in Southern Europe, Latin America and Africa in order to support allies and oppose communism. In the post-Cold War world, the Soviet model has collapsed, while the rationale for Western support of anti-communist military regimes has disappeared (2002:13)

In addition, several former members of the Soviet bloc pursued the goal of joining western institutions such as the EU and the NATO. Membership requirements by these institutions also helped the demilitarization process in these countries, which sought to return to the democratic Europe (Cottey, Edmunds and Forster 2002:13-254; Keiswetter 1997:3-7). For instance, the Partnership for Peace programs initiated by NATO were able to diffuse the norms of civilian supremacy in candidate states (Nye 1996:154-155;

Diamond and Plattner 1996:XXXIII). All these developments led to a reduction in military personnel and expenditures and increasing civilian control of militaries in the world (Diamond and Plattner 1996:IX).⁹¹

One could expect these same developments to lead to the same outcome in Turkey, a Cold War ally of the Western bloc, in the sense that certain global developments should have contributed to a similar military retreat from the politics in Turkey. Therefore, one can expect that the civilianization process in Turkey in the last couple of years was an outcome of this global trend (i.e the declining role of militaries in politics) rather than shifts in power structures among domestic actors due to EU accession process. However, it is important to be aware that the impact of the end of the Cold War, the democratization movements and the declining role of militaries at global level varied from case to case (Cottey, Edmunds and Forster 2002:13). The end of the Cold War did not generate the same impact in Turkish context for several reasons.

First of all, although the end of the Cold War reduced Turkey's external security concerns to a certain extent, several other external threats continued to exist or new ones emerged in the following period. For instance, the long-term conflict with Greece over Aegean Sea and Cyprus continued in post-Cold War era. This conflict almost resulted in an Aegean War in 1996 (*Imia/Kardak crisis*). Turkey also experienced several tensions, even at a level of militarized disputes, with its Middle Eastern neighbors over several

⁹¹ Some studies show that the end of the Cold War also led to some changes in the structures and roles of militaries in Western developed democracies. For instance Moskos, Williams and Segal (200:1) argue that there is a shift from *Modern* to *Postmodern* forms of military organization in post-Cold War era. Postmodern forms of military organization refers to following organization changes: 1) the increasing interpenetrability of civilian and military spheres, 2) the decrease of differences within the armed services based on branch of service, rank and combat versus support roles, 3) expansion of military missions, 4) increasing number of international missions authorized by international institutions, 5) internationalization of military forces themselves.

issues such as terrorism (support to PKK by Iran and Syria), territorial disputes (Syrian claim over Hatay province in mid-1990s) and water disputes (Turkey’s construction of dams over Tigris and Euphrates) (see also Kirişçi 1997). Moreover, new security threats such as the Gulf War (1990-1991) and instabilities in Balkans and Caucasia all contributed to Turkey’s security concerns in 1990s. Parallel to these developments, as Table 11 clearly shows, Turkish defense expenditure steadily increased in that period, while other NATO members decreased their military expenditures.

Table 11: Defense expenditures as % of gross domestic product, based on current prices

	1985-1989	1990-1994	1995-1999	2000-2004
Belgium	2.8	2	1.5	1.3
Canada	2.1	1.8	1.3	1.2
Denmark	2	1.9	1.7	1.5
France	3.7	3.3	2.9	2.5
Germany	3	2.1	1.6	1.5
Greece	5.1	4.4	4.6	3.6
Italy	2.3	2.1	1.9	2
Luxembourg	1	0.9	0.8	0.7
Netherlands	2.8	2.3	1.8	1.6
Norway	2.9	2.8	2.2	1.9
Portugal	2.6	2.6	2.2	1.8
Spain	2.1	1.6	1.4	1.3
UK	4.5	3.7	2.7	2.4
US	6	4.6	3.3	3.4
NATO-14	3.1	2.6	2.1	1.9
Turkey	3.3	3.8	4.4	4.2

Source: NATO-Russia compendium of financial and economic data relating to defense, December 2005.

Secondly, we should also acknowledge the fact that security concerns have two dimensions: *external and internal*. As Desch persuasively suggests “different combinations of external and internal threat environments shape the military’s “mission” and hence the pattern of civil-military relations...External military missions are the most conducive to healthy patterns of civil-military relations, whereas nonmilitary, internal missions often engender various pathologies” (1996:12). Internal threats would weaken

the institutions of civilian authority and this would make it more difficult for civilians to control the military. Turkish civil-military relations in the post-Cold War era serve as a good example of this argument. Although, the end of the Cold War may have reduced external security threats to a certain extent, new internal security concerns emerged in Turkey in the same period. As Güney and Karatekelioğlu state:

..the role played by the military in Turkish political life is closely related to the internal threats that are perceived as endangering the democratic and secular character of the Republic as well as its integrity and its unitary structure. In this respect, the reemergence of the Kurdish problem in the 1980s, and the rise of political Islam in Turkey in the 1990s, were important factors that indirectly pushed the military to enter Turkish politics once again (2005:443).

Milli Güvenlik Siyaset Belgesi (the National Security Policy Document), adopted in October 1997 by the MGK, identified domestic threats (i.e the rise of *political Islam*, see Figure 13 for increasing vote shares of pro-Islamic political parties, and the *Kurdish separatism*) as primary considerations rather than possibility of any foreign attack (Güney and Karatekelioğlu 2005:446). As indicated in Chapter 7, the Turkish Republic experienced a rise of identity politics in the 1990s. The revival of Islamic and Kurdish identities in particular created significant challenges to the secular, centralized and unitary Turkish nation state during this period. As Chapter 6 discussed, increasing anti-secular activities of political Islam in the mid-1990s alarmed the military. Believing that the policies and actions of the pro-Islamic Refah led coalition government (1996-1997) were encouraging anti-secular activities in the country, the military intervened again in the politics in 1997 and forced the government out of office.

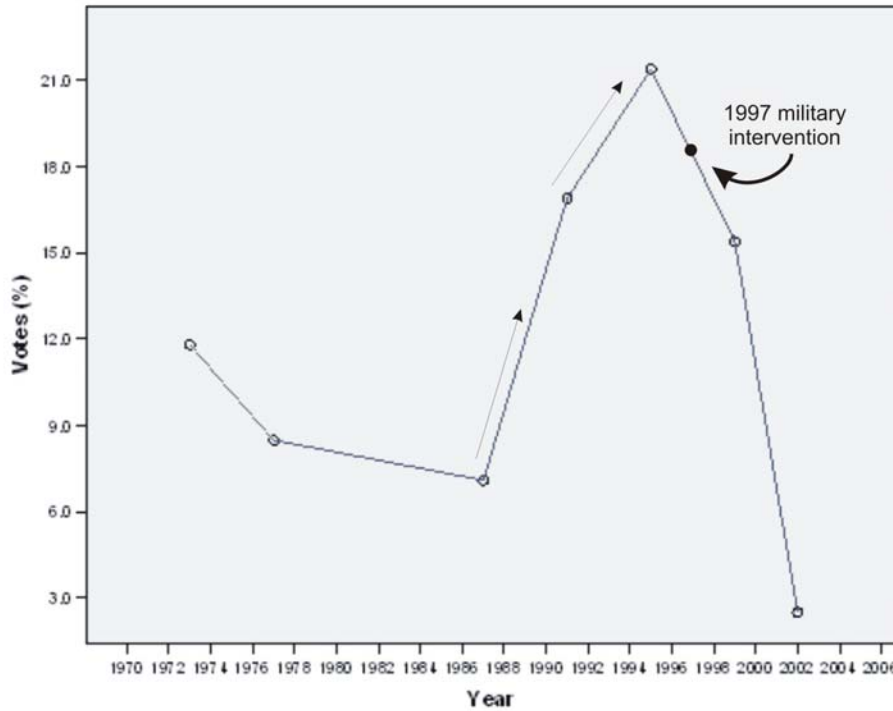


Figure 13: Votes for pro-Islamic political parties at national elections.

Note: The votes of following pro-Islamic Parties are counted: *Milli Nizam Partisi* (National Order Party) 1970-1971; *Milli Selamet Partisi* (National Salvation Party) 1972-1980; *Refah Partisi* (Welfare Party) 1983-1998; *Fazilet Partisi* (Virtue Party) 1997-2001; *Saadet Partisi* (Felicity Party) 2001-.

Thus, despite the end of the Cold War, the threat perceptions of the Turkish military did not change much due to certain domestic and regional developments in the 1990s. The author's interviews with military officials also indicate the validity of this point. For instance, Ret. General Halit Edip Başer, former Deputy Chief of the General Staff and former Commander of the Second Army, argued that the Cold War ended but this did not reduce Turkey's threat perceptions since new threats (external and internal) to the secular and unitary characteristics of the Turkish Republic and to the state survival emerged. General Başer further argued that given this increased threat perception it was difficult to justify reforming the MGK, which played a vital role for the national security.

In brief, the level of perceived threat either did not change or increased in the post-Cold War era in Turkey. Despite this important changes took place in Turkish civil-military relations in the early 2000s. Therefore, given these heightened threat perceptions, it becomes even more interesting to see that these reforms, which contributed to the process of the civilianization of the political system, took place. This also proves the strength of the EU trigger as the main dynamic behind this change process.

8.2.3 Some Domestic Developments

Another possible alternative explanation may be the capture of the leader of the PKK, Abdullah Öcalan, in 1999 and the decline of armed conflict between security forces and the PKK as the main trigger of change process in cultural rights. After being captured by the Turkish forces in Kenya, Öcalan asked his followers to end their attacks in 1999. As a result, the armed conflict between Kurdish rebels and security forces declined dramatically in 1999. One can expect that a relatively safe and stable environment due to the decline in terrorism created favorable conditions for further democratization. This stable environment might have led to the civilianization of the political system and the recognition of certain cultural rights of all Turkish citizens (Uğur 2003:170). Since these two important events (Öcalan's capture and the EU's recognition of Turkey as a candidate state) occurred more or less in the same period of time, one should be careful when assessing the relative importance of these factors in triggering institutional changes in Turkey. This study argues that rather than being the primary trigger for the change process, this development augmented the impact of the EU trigger. As Aydın and Keyman suggests:

Another reason that facilitated compliance by Turkey was the perceived decrease in the amount of adopting costs with respect to the concerns of the military/security establishment (which in the 1990s had viewed the costs as being particularly high). This was specifically the case for reforms related to minority rights. The political costs of compliance were reduced by the end of terrorism in late 1990s, weakening the previous opposition of the military/security establishment and strengthening the view that national unity can be preserved through further democratization rather than exclusively through military means (2004:17)

The relative decrease of the conflict only enhanced the scale of the EU impact rather than providing the main impetus for the change process. As it is well-known that the PKK had previously declared unilateral cease fires several times (for instance March 1993 unilateral cease-fire) and halted its attacks against security forces and state officials. However, the Turkish state has been unresponsive to these unilateral cease fires, and reluctant to grant any cultural rights to Kurds. Given this, it is difficult to explain changes in post-Helsinki era by the capture of Öcalan and the decline of armed conflict with the PKK. That being said, the relative decline in the armed conflict was one factor that amplified the impact of the EU trigger in domestic changes because it would be more difficult to grant cultural rights in an armed conflict environment. This is because the continuation of armed conflicts and the deaths of security force members and civilians in the region would only enhance the influence of status quo oriented securitizers (e.g. nationalists, the military). Such circumstances would limit the impact of the calls of pro-change actors to comply with the EU demands.

Another domestic development that we should take into account is the rise of Kurdish nationalism, especially in 1990s. As chapter 7 discusses, the Kurdish nationalist and separatist movement emerged as the biggest challenge to the Turkish state. The Kurdish nationalist movement, led by the PKK (Kurdistan Workers Party, Partiya Karkaren Kurdistan) has become more nationalist-separatist, more organized, more

challenging, more assertive and also much more violent in this period. One can argue that this nationalist challenge to the state was the main dynamic behind these changes. For instance, Ahmet Türk, the co-leader of strongly pro-Kurdish party, the DTP, stated to author that “We should accept that, even though limited, a change has taken place in Turkey. But the EU did not bring these changes. Kurds have been struggling for these changes for a long time. Thus, these changes were a result of internal dynamics rather than external”⁹²

However, the problem with this type of arguments is that the Kurdish nationalism was not new in Turkish politics. As it is shown in Chapter 7 and as Türk’s himself accepts, since the early days of the Turkish Republic, there was a Kurdish reaction, to the unitary, homogenizing policies and attitudes of the Turkish state. Although, the level of the Kurdish nationalist movement increased in 1990s, the Turkish state has been *unresponsive* to Kurdish demands and has continued to suppress and deny the Kurdish identity. This attitude, however, has only changed after the EU granted to Turkey the status of candidate state for the EU membership.

Furthermore, author’s interviews with certain pro-Kurdish groups in Turkey⁹³ show that the role of pro-Kurdish groups in these changes in the post-Helsinki era remained quite limited because the political elite was reluctant to negotiate changes in cultural rights with these groups. In other words, the nature of reforms was top-down, excluding civil society inputs (Uğur 2003:177). Thus it was primarily EU demands

⁹² Author’s interview, June 2006, Ankara.

⁹³ Interviews with Ahmet Türk (co-leader of pro-Kurdish DTP), Yusuf Alataş (the chairperson of Human Rights Association) in June 2006 and Serdar Şengül, *Foreign Affairs Consultant to Diyarbakır Mayor* in July 2006. Also interview with Ayhan Bilgen, the chairperson of Mazlum-Der (Organization for Human Rights and for Oppressed People) in June 2006.

(specifically Progress Reports) that shaped the agenda and debates during change process. This also shows that the Turkish state elite was more responsive to EU pressures than domestic pressures. All these indicate that the EU was the main driver of change process in Turkey. Other potential triggers simply failed to initiate such a transformation.

Sum: In sum, the EU emerges as the primary factor that triggered the change process in the first stage of the process of institutional change. Tocci is correct to ask “Can domestic change be explained better by the interaction between internal and external factors, whereby the external EU anchor was perceived and used by internal actors to gain sufficient strength and credibility to advance domestic reforms?” (2005:74). The answer to this question should be a clear yes. As argued in Chapter 4, in terms of the initiation of change process, the *meanings* that agents (i.e pro-change institutional actors) attach to external or internal developments matter much more than those external developments’ themselves. As it is shown, the EU’s decision on the candidacy of Turkey for the EU membership had relatively much stronger impact on domestic change than any other external or internal developments because of the meaning of the accession of Turkey to the EU for many actors (the public, bureaucratic-military and political establishment).

The strong desire to accede to the EU played a “determinative role” in the domestic reforms (Magen 2003:1). One can argue without doubt that the EU was the most important international organization in Turkey’s foreign relations (Zucconi 2003:17). For several domestic actors, Turkey’s accession to the EU *meant the final stage of Turkey’s march towards the West, which was initiated in the early 1920s as a project*

*of comprehensive modernization.*⁹⁴ In other words, it is perceived as the final step in the process of realizing the ideal of Westernization. For instance, the former Chief of the General Staff, Gen. Hilmi Özkök stated that “The Turkish Armed Forces had always acted as the pioneer of modernization in Turkey. *Turkey’s accession to the European Union will help finally realize that goal* (emphasis added)” (cited in Heper 2004: 23). This perception, which was widespread among many domestic actors, was the main motivation behind the compliance process with the requirements of the EU.

That being said, there have also been actors who did not share this ideal at all or despite sharing this ideal, they were concerned about the consequences of transformations that this ideal required. These actors either found themselves in a dilemma situation or they openly adopted a Euro-skeptic/anti-EU position (e.g. ultranationalists, extreme left). Being aware of the distributional consequences of such a drastic institutional transformation, these actors adopted openly anti-EU position and attempted to block reform process by claiming that the accession process posed significant threat to national and territorial unity (i.e securitizing the reform process).

Thus, change process at the domestic level was initiated by the EU trigger in the first stage and followed by a bargaining process among institutional actors, which involved several strategic, symbolic contestations involving several framing tactics between pro-change and pro-status quo actors. This analysis also shows that debates over the sources of institutional change should pay more attention to *agency* rather than internal and/or external developments/factors. The real source of change is *agential* in the sense that actors’ *interpretations* of external or internal developments and their *meanings*

⁹⁴ In Turkish context, the project of *modernization* should be read as the project of *Westernization* (Akman 2004:39)

for change entrepreneurs (i.e pro-change institutional actors) matter much more than those developments' themselves. Thus, external and internal developments are not a sufficient condition for institutional change. The meanings that pro-change actors attribute to those developments should be the focus of our concern. The following section presents further theoretical and empirical implications of this study.

8.3 IMPLICATIONS

8.3.1 Theoretical

Human Agency and Institutional Change: If institutions matter and affect political behaviors and outcomes as several new institutionalist orientations argue, then we should be able to have a better sense of institutional change because institutional change would produce changes in political behaviors and outcomes. However, as it was shown in Chapter 2, new institutionalism provides a weak account of institutional change.

One suggestion for the weakness of institutionalist literature in terms of theorizing institutional change is employing a more dynamic concept of *agency* (see DiMaggio 1988:11; Emirbayer and Mische 1998; Colomy 1998; Peters, Pierre, and King 2005). As it was shown, many institutionalist approaches lack a dynamic concept of agency (Chapter 2). For instance, historical institutionalism relies on an exogenous *dues ex machina* to deal with change (Crouch and Farrell 2004). However, this does not tell us much about *timing*, *direction* and *mechanisms* of change (Campbell 2004:5).

A more dynamic concept of agency would alleviate these problems. This is a necessity for our analysis of structural changes because structural change should be initiated by factors other than the structure itself. Using the words of Colomy, “alterations in the institutional order cannot be fully understood without attending to the projects, interests, mobilizing efforts, and strategies of concrete actors, groups, and organizations...Entrepreneurs, acting not as the selfless agents of systemic exigencies or institutionalized myths but in pursuit of a project advancing their particular ideal and material interests, play a vital role in determining the specific contours, content, and character of those structures that become institutionalized, however, imperfectly” (1998:293). Thus, human agency in the institutional world is not necessarily a passive figure led by the institutional paths and routines, but a creative, innovative actor leading those paths to new directions and forms. This study shows that “bringing the man back in” (Homans 1964), and paying more attention to micro-level mechanisms (conflict of interests, coalition formations, bargaining among institutional actors) would definitely pay off and contribute to our understanding of the processes of institutional change (i.e. its sources, mechanisms and direction).

Based on such an actor oriented approach to institutional change; empirical sections of this study indicate that the new institutionalist assumption of *homogeneity* is misleading. Institutional actors interact in a heterogeneous institutional environment (i.e. different logics of expectations due to varied interests; values, beliefs and ideas). This institutional heterogeneity is the main factor that leads to distributional outcomes in an institutional environment. As a result of these distributional advantages and disadvantages, an institutional environment usually involves two types of clusters of

actors: *pro-status quo* and *pro-change groups*. Pro-change actors (or change entrepreneurs) are eager to redesign institutional setting to get distributional advantages (material and/or ideational), while pro-status quo actors are relatively satisfied with existing institutional arrangements. Institutional change as a conflictual process involves coalition formations and bargaining processes among these groups. This bargaining process sometimes takes quite complex forms, involving various legitimation and delegitimation strategies and tactics. Unless our theoretical models do not capture these micro-level processes, our understanding of mechanisms and directions of institutional change would be limited. A more dynamic notion of *human agency*, therefore, becomes a necessity. Actors are not powerless, passive change takers, as is the case in several institutional analysis (e.g the notion of critical juncture/punctuated equilibrium), but they are *change creators* who can “crystallize broad symbolic orientations in new ways, articulate specific goals, and construct novel normative, cognitive and organizational frameworks” to achieve institutional change (Eisenstadt in Colomy 1998: 270-271).

The Form of Path Breaking Change: Incremental or Dramatic? As North suggests, change is seldom discontinuous (a radical shift from the formal rules) but instead incremental (1993b:10). However, the general tendency in existing literature is to treat incremental changes as path dependent/path following (see Powell 1991; North 1993b and 2001; Dimitrakopoulos 2001; Jacob 2001; Campbell 2004:123-133). This is problematic because institutions *may divert from existing paths gradually*. In other words, path breaking changes may take incremental forms. Thus, the degree of change (gradual or dramatic) is a poor criterion for assessing whether we observe a path-breaking or path-following change. A better way would be to compare the *content* of the proposed

change with the existing institutional norms, values and principles. From this perspective, if change process transforms the defining features of institutional structure (i.e its normative basis), it should be defined as path breaking, even if it takes incremental forms. Moreover, the promoters of path-breaking change prefer to frame such path-breaking changes as minor, ordinary changes, because this is a better strategy to avoid resistance to such a change by status quo oriented actors (this was the case during bargaining on the MGK reform).

“The Shadow of the Future” and Bargaining: Bargaining forms the second stage of the process of institutional change. Since most institutional settings have some distributional consequences, institutional actors bargain over alternatives to institutional status quo. However, this bargaining process takes place on two dimensions in an institutionalized setting. The Chapter 5 discussed a two dimensional bargaining model and argued that a better understanding of bargaining situations in an institutionalized setting requires equal amounts of attention to material and ideational expectations of institutional actors.

Within debates on *bargaining* and *cooperation* in an institutional setting, one argument is that institutions serve to “extend the shadow of the future by regularizing interactions and to facilitate the information flows and monitoring necessary to make mechanism of conditional retaliation work” (Fearon 1998:270).⁹⁵ By making future interactions more likely, it is argued, institutions make cooperation much more likely and sustainable (Axelrod1984). Fearon, however, provides a very different perspective on this issue. He suggests that:

⁹⁵ The shadow of the future simply means the likelihood of interacting again in the future (Axelrod1984:174).

...though a long shadow of the future may make *enforcing* an international agreement easier, it can also give states an incentive to *bargain harder*, delaying agreement in hopes of getting better deal. For example, the more an international regime creates durable expectations of future interactions on the issues in question, the greater the incentive for states to bargain hard for favorable terms, possibly making cooperation harder to reach. The shadow of the future thus appears to cut two ways. Necessary to make cooperative deals sustainable, it nonetheless may encourage states to delay in bargaining over the terms. 1998:270-271

Thus, according to Fearon, institutions might make enforcing an institutional agreement easier but since actors would live with that institutional equilibrium for a long time, they also have strong incentives to bargain harder in the first step. Fearon's argument can be considered as an example to uni-dimensional rational materialism. Because of this uni-dimensionality, however, his argument has some limitations in an institutionalized setting in the sense that his model ignores the impact of normative factors on bargaining process in an institutionalized setting. By focusing on single dimension (materialist logic), we cannot easily conclude that due to long shadow of the future, institutional actors would bargain harder and this would delay an agreement.

However, contrary to this, one can argue that the normative context provided by the institutional environment might facilitate reaching an agreement. Institutional actors care about their legitimacy and reputation in a given institutional environment (see Chapter 6 and 7). Institutional actors also try to avoid being blamed for the likely deadlock resulting from a failure of bargaining process due to their hard bargaining attitude. This concern with ideational interests, then, would constrain institutional actors in bargaining situations. Thus, collective understandings (norms, values and principles) might play the role of a facilitator in a bargaining situation in institutionalized settings. As the degree of institutionalization increases, this argument should be even much more valid. For instance, as Chapter 6 shows, the Turkish military, a veto player in the political system, initially objected the MGK reform, which reduced its own political powers. Thus,

the military adopted a hard bargaining attitude and defended the status quo in the early phase of bargaining but this did not last long in the bargaining process because of high social costs of such a position (i.e the loss of legitimacy and credibility as a result of being an obstacle in front of further Westernization). Thus, once we add the normative context to our rational materialist models as a second dimension, it becomes difficult to conclude that institutions' lengthening of the shadow of the future makes bargaining harder. The reverse becomes more plausible once we pay enough attention to the impact of existing collective understandings in an institutional setting on bargaining among institutional actors.

8.3.2 Implications for EU-Turkey Relations

This study also has some implications for the future of EU-Turkey relations. Although Turkey-EU relations date back to the 'Association Agreement' signed in 1963, Turkey was recognized as a candidate state for EU membership during the European Council Helsinki Summit in 1999, almost 40 years after the Association Agreement. This decision led to a comprehensive reform process in Turkish politics. In October 2004, the Commission concluded that Turkey satisfied the Copenhagen political criteria and recommended European leaders open accession negotiations with Turkey in the following year. As a result, the EU started accession negotiations with Turkey in October 2005. In its assessment of reforms in Turkey, the European Commission states that:

The adoption of these reforms demonstrates the determination of the majority of Turkey's political leaders to move towards further alignment with the values and standards of the European Union. These reforms were adopted under difficult political and economic circumstances, and represent a major shift in the Turkish context. (Regular Report 2002, p. 17).

This major shift in Turkish political system, however, has not been peaceful. As Chapter 6 and 7 show, the Europeanization process in Turkey involves a struggle between two camps: *securitizers* and *democratizers*. In other words, the real division in Turkey over the EU is not between nationalists vs. liberals/ universalists, or Easterners vs Westerners, or leftists vs rightists but between *securitizers vs democratizers*. The first camp is composed of Euro-skeptics (nationalists, certain bureaucratic-military and political elites). Interestingly, this camp includes nationalists and leftists, who were fiercely fighting with each other in the 1970s and 1980s, and also conventionally West-oriented actors such as the military. The main argument of this camp is that compliance with EU demands poses significant threat to national and territorial unity. By securitizing the accession process, this group intends to persuade the public audience that Turkey should not pursue further integration with the EU. As shown in Chapter 6 and 7 some groups in this bloc sincerely believes that EU demands creates security threats. Another strong motivation for some others within this Euro-skeptic camp is that the compliance process with the EU requirements would also limit their influence in the emerging social and political system. This is a valid argument even for conventionally strongly pro-Western, pro-EU actors such as the military (see Chapter 6).

Actors in the other camp (i.e. composed of change entrepreneurs such as pro-Islamists, pro-Kurdish groups, liberals, business groups etc) believe that the accession process would enhance freedoms and rights in Turkey and promote economic development. Therefore, they frame the accession primarily as a process of *democratization* and *economic progress*. The main goal of groups in this camp is to persuade the public audience and status quo oriented actors about the benefits of the

Turkey's EU membership. In general this camp argues that Turkey's accession to the EU would not only bring more democracy and more economic development but also recognition as a European, liberal democracy. That being said, the groups in this camp (e.g. pro-Islamists, pro-Kurdish groups) also expect certain distributional advantages from compliance process in the sense that for certain groups, Turkey's accession to the EU means more freedom and more influence in the emerging social and political system. As Chapter 6 showed, this was the primary motivation of pro-Islamic AKP government in reducing the political powers of the military.

The outcome of the conflict between these two camps primarily depends on the credibility of the EU's messages and actions on Turkey's membership to the Union. As Çelik and Rumelili argue "... the EU became a force for change only after Turkey began to enjoy credible membership prospects after the declaration of its candidacy in 1999" (2006:18). Some other studies also confirm that credible membership incentives are one necessary condition for effective democracy promotion (see Schimmelfennig 2007). Given this, any ambiguous EU attitude on the Turkish question would only benefit pro-status quo securitizers because such an attitude would not only weaken the credibility of the EU but also the credibility of the messages and actions of pro-change democratizers at the domestic level vis-à-vis the audience. In other words, since the influence of pro-change actors at domestic level partly depends on credible membership prospects, it is crucial for the EU to avoid sending mixed messages to Turkey.

This analysis also indicates that strong public support for EU membership is crucial for the continuation of institutional reforms in Turkey. It not only encourages pro-change actors, but also constrains pro-status quo actors. Declining public support and

raising radical nationalist sentiments would only benefit pro-status quo actors. The EU's ambiguous attitude on Turkish membership would affect public support negatively. The attitude of the audience (i.e public opinion) is important in bargaining situations in an institutionalized setting because such a bargaining involves a strong symbolic component in the sense that it includes quite contentious legitimation and delegitimation processes in front of an audience. The attitude of the audience has an important impact on the outcome of this symbolic contestation. Therefore it is vital that the EU should continue sending credible signals to Turkish political elite and public. Moreover, Eurocrats should convince the Turkish public that the Europeanization process and Turkey's national security concerns are not necessarily contrary to each other.

8.4 FUTURE STUDIES

As one type of case study, the main motivation of *plausibility probes* is to generate a theory through uncovering causal mechanisms in a specific context. Therefore, in terms of future study, one necessary direction would be simply to test the hypotheses that this study generates. The remaining part of this chapter provides a discussion of some interesting cases that might be included in a future study and certain hypotheses to be tested.

Cases: Two interesting sets of cases from Europe emerge as crucial for studying institutional changes in cultural rights and civil-military relations: *West Europe:* France and Spain in 1970s and 1980s (cultural rights); *Central and Eastern European Countries* in the last decade (cultural rights and civil-military relations).

Spain: Spain was ruled by an authoritarian regime, Francis Franco, in the period of 1939-1975. After Franco's death, the transition to a democratic system of rule took place in Spain between 1976 and 1979. Franco's death marks the end of authoritarian governance path. In other words, this event formed a *critical moment* during which a new path emerged. However there were several alternatives advocated by different political groups at that moment. The followers of Franco, also known as *continuistas*, accepted the necessity of some changes but in general they simply advocated maintaining the essentials of Francoist regime (centralized, unitary, homogenous state) and the power of the old élites (Gibbons 1999: 9; Magone 2004:51). The *rupturistas*, on the other hand, advocated a comprehensive process of democratization. Thus, they supported a complete break from the past. The third group, *reformistas*, located themselves between these two extremes. They recognized the need for democratization and advocated using "the narrow room for constitutional and legal manoeuvre available in the Fundamental Laws of the regime" to change existing institutional arrangements.

Eventually pro-status quo *continuistas* were dominated by pro-change actors. In 1976, reformist Adolfo Suárez initiated political reforms, which paved the way for democratic transition in Spain. Within this process, writing a new Constitution was the most important task. One of the most controversial debates in this process was the question of regional autonomy. The political leadership of the Francoist regime had tried to erase cultural diversity for the sake of Spanish national unity (Gibbons 1999:15). This regime pursued a policy of *national homogenization*. Press restrictions, the ban on minority languages, suppression of the activities of regional cultural organizations and of certain political activists were some tools of this regime to pursue this goal. In other

words, the regime was quite hostile to regional or cultural diversity. This is quite similar to the attitude of Turkish state vis-à-vis different Muslim ethnic groups, especially in the pre-Helsinki period.

However, the new Spanish Constitution, which was approved by both houses of Parliament in October 1978 and by the public (87.9 %) at a referendum in December 1978, recognized the cultural, regional autonomy of the historic nationalities (*nationalidades históricas*) in the *Basque Country, Catalonia and Galicia*.⁹⁶ The constitution, which also allowed the formation of other autonomies through a slower route, eventually led to the formation of several autonomous communities (*comunidades autónomas*) and to a state that can be characterized as a kind of *de facto* federal state, composed of autonomous regions (*estado de autonomías*).⁹⁷ This was a sharp deviation from the institutional path created by the centralized, unitary and homogenizing Francoist regime. In other words, such a shift from the suppression of diverse cultures and ethnic minorities toward the recognition of cultural-regional differences and granting significant degree of power to those different units should be defined an important, path breaking institutional change.

France: France is defined as the most relatively centralized, unitary nation-state in the West Europe (Slater 1985:1). Its nation building was assimilatory in the sense that various regional identities and immigrants were unified as a “French citizenry” (Favell 1998:44). In the French case, the discussion of cultural rights of different ethnocultural groups not only involved regional identities but also *immigrants*. The integration of immigrants became one of the most salient issues in French politics in the 1980s. Until

⁹⁶ These regions are defined as historical region due to language and culture (Magone 2004:5).

⁹⁷ By 1983, seventeen autonomous communities were established in Spain.

the mid-1980s, the state regarded the issue of integration of ethnic groups as socio-economic *insertion* in the sense that for the state it was an issue of general state social policy on welfare and political economy (Favell 1998:46).

However in the 1980s, the French government adopted a policy of decentralization in order to accommodate the interests of regions and minority groups. Within this change process, one proposed idea was the *droit à la différence* (the rights to be different). These kinds of pluralist ideas were alien to the French political system (Favell 1998:51). Opponents of these ideas argued that a decentralization process based on political pluralism would dramatically increase the threat of ethnic, cultural and religious divisions in the country. For instance, Front National led by Le Pen, reframed the idea of *droit à la différence* as ‘difference = not one of us’. Such an idea was an obvious attack to the idea of French citizenship, which means loyalty to French territory, culture, and history for the Front National. Thus, the Front National, which advocated French racial and cultural purity (Hazareesingh 1994: 131), framed proposed changes as a threat to the one and indivisible French state. The outcome of this struggle between multiculturalists and nationalists was institutional changes that could be located in the middle option: *republican citizenship based on civic incorporation* (Favell 1998: 57). Thus, the solution to the ethnic dilemmas in France was based on republican ideas of *citoyenneté* and *integration*. The goal was to transform immigrants into *citoyens* (Favell 1998:2).

This reemphasis on “classic French republican ideas of integration through citizenship, secularism and non-differential treatment of ethnic immigrant groups” can be interpreted as reinforcing the existing institutional path. The shift from the ‘socio-

economic notion of *insertion* of immigrants’ to ‘converting immigrants into *citoyens* to integrate them’ reflects the continuity of republican ideas (Hazareesingh 1994: 65-97). For instance, the recognition of any minority groups was rejected. In brief, institutional changes to deal with ethnocultural challenges in 1980s in France were path-following changes.

Sum: A general, first look shows interesting differences and similarities across these cases (France, Spain and Turkey) of institutional changes. All these institutional changes were initiated by certain developments and came after a bargaining process between relevant institutional actors. One interesting similarity across these three cases is the attitudes of pro-status quo actors vis-à-vis the proposed institutional changes. In all these cases, we see that actors defending the existing institutional arrangements (nationalists, bureaucratic military elite in Turkey; Francoists in Spain and nationalists in France) tried to *securitize* the process of change. These pro-status quo actors argued that the recognition of ethnicity, cultural diversity/plurality and granting certain cultural rights would eventually lead to the *disintegration* of the country.

Turkish and Spanish cases appear similar in terms of the EU factor. In 1977, Adolfo Suarez government applied for European Community/European Union membership. After the approval of the application by the Commission and the Council of Ministers, accession negotiations started between the EU and Spain. It appears that, like in Turkish case, the EU also played crucial role in the Spanish democratization process. These cases are also similar in terms of strong suppression of ethnic and cultural differences under previous institutional arrangements.

These cases are also different in several respects. For instance in terms of the degree of shift from existing institutional path, it seems that the changes in France were path dependent changes while in the Turkish and Spanish cases, they were path breaking changes. In the Spanish case however, the deviation from the existing institutional arrangements seems to be more dramatic than incremental. Moreover, in the Spanish and French cases, other than the expansion of cultural rights, institutional changes also led to a certain degree of decentralization (much more so in Spanish case). However, this did not happen in the Turkish case.

Given these interesting similarities and differences among the processes of institutional change in cultural rights issue in these three different political systems, it would be quite valuable to compare them because such a comparison would provide valuable insight for our efforts to theorize institutional change. In terms of comparing state attitude vis-à-vis different ethnocultural groups in these different settings, Kymlicka rightly states that:

The two contexts [West Europe and Eastern Europe] are seen not only as different, but as radically incommensurable, as if the peculiarities of Eastern and Central Europe preclude any meaningful comparison with analogous situations in Western Europe or North America. This attitude has so far inhibited genuine comparative empirical work [in terms of minority rights] (2000:183).

Such a study would be valuable since it would produce genuine comparative empirical work on the issue of state response to identity related societal demands.

Reform Process in Central and Eastern European Countries: Another direction of a comparative study of institutional changes related to cultural rights (and also civil-military relations) might be comparing the reform process in Central and Eastern European Countries that joined the EU in May 2004. These countries also adopted several institutional changes to deal with their ethnic issues and to align their civil-

military relations with the ones in Western, liberal democracies. Similar to the Turkish case, European institutions (the EU in particular) were also quite active in this process of transformation in several issue areas in these polities (Kelly 2004).

These different cases provide a good laboratory for studies of institutional change. Such a comparative study of institutional changes in cultural rights and civil-military relations should ask following theoretical questions:

- 1) When does institutional change become more likely? What are the primary mechanisms that increase the likelihood of a structural change?
- 2) Why does path breaking change take place in dramatic forms in some cases but in incremental forms in other cases? This is a crucial issue that remains under-investigated in the institutionalist literature. Several arguments argued that path breaking change would take place in dramatic forms. However, several others argued that path breaking change can also take place in incremental forms (this work and also see Thelen 2004). If that is the case, we need to answer the question of when we can expect the one or the other and, how we can determine this empirically.
- 3) Which dynamics/factors shape the bargaining process over change in an institutionalized setting? What are the main strategies of pro-status quo and pro-change actors in justifying their positions vis-à-vis structural change? When is a winning coalition likely to emerge?

Based on findings and insights of this study, the following general hypotheses should be tested in such future studies.

H₁: In terms of the initiation of change process, one trigger is more likely to succeed than another one if that trigger resonates well with the existing practices and shared ideals and worldviews in the institutional environment.

H₂: As the degree of institutional heterogeneity increases, the likelihood of institutional change increases.

H₃: As the distance between ideal positions of pro-change and pro-status quo groups increases, the outcome of change process is more likely to be dramatic.

H₄: The existence of a moderate group between pro-status quo and pro-change actors increases the likelihood of incremental changes.

H₅: The delegitimation of institutional status quo through negative feedback mechanisms (material or ideational) increases the chances of structural change.

H₆: As the degree of delegitimation of institutional status quo increases, dramatic changes become more likely.

H₇: As the balance of power shifts toward pro-change actors, institutional change becomes more likely.

H₈: If institutional change has minor distributional consequences or low stakes, incentives for bargaining would decline and this would make change process relatively short and peaceful.

H₉: If institutional change has major distributional consequences, pro-status quo actors would securitize the whole process to delegitimize the change process.

H₁₀: If institutional change has major distributional consequences, change entrepreneurs would appeal to the ideals and values of the audience to legitimate changes.

**APPENDIX A: A LIST OF INTERVIEWS ON CHANGES IN TURKISH CIVIL-
MILITARY RELATIONS**

- Alp Biricik, *Helsinki Citizens Assembly* (Istanbul, June 2005).
- Armağan Kuloğlu, *Major Retired General* (Ankara, July 2005).
- Assoc. Prof. Sadi Çaycı, *Ret. Military Judge*, (Ankara, June 2006).
- Bülent Ecevit, *Former Prime Minister* (Ankara, June 2005).
- Dengir Mir Mehmet Fırat, *Deputy of Justice and Development Party (AKP)* (Ankara, June 2006).
- Gündüz Aktan, *Former Ambassador (Geneva, Tokyo) and Former President of ASAM (Euro-Asian Strategic Research Centre)* (Ankara, July 2005).
- Halit Edip Başer, *Retired General, Former Deputy Chief of the General State and Former Commander of the Second Army* (Istanbul, July 2006).
- Hansjörg Kretschmer, *The Head of the Delegation of the European Commission to Turkey* (Ankara, June 2006).
- Kenan Evren, *Former Head of the State (1983-1990), Chief of General Staff (1978-1983)*, (Bodrum, July 2006).
- Mehmet Ali Kışlalı, *Radikal Daily* (Ankara, June 2006).
- Murat Yetkin, *Radikal Daily* (Ankara, June 2005).
- Mustafa Ağaoğlu, *Former Legal Advisor to the MGK* (Ankara, July 2006).
- Mustafa Balbay, *Cumhuriyet Daily* (Ankara, June 2005).
- Nihat Alayoğlu, *Secretary General of Independent Industrialists and Businessmen's Association (MUSIAD)* (Istanbul, June 2005).
- Officials from Secretary-General of National Security Council (*Milli Güvenlik Kurulu-MGK*) (Ankara, December 2005).
- Oğuz Oyan, *Deputy of Peoples Republican Party (CHP)* (Ankara, June 2005).
- Onur Öymen, *Deputy of Peoples Republican Party (CHP)* (Ankara, December 2005).
- Rıza Küçüköğlü, *Major Retired General* (Ankara, June 2006).
- Şaban Dişli, *Deputy of Justice and Development Party (AKP)* (Ankara, June 2006).
- Tuncer Kılınç, *Retired General, Former Secretary General of MGK* (Ankara, July 2006).
- Yılmaz Aklar, *Retired Colonel* (Ankara, June 2006).
- Yusuf Alataş, *President of Human Rights Association (IHD)* (Ankara, June 2005).
- Zafer Ali Yavan, *The Head of Ankara Representative of Turkish Industrialists' and Businessmen's Association (TUSIAD)* (Ankara, June 2005).

**APPENDIX B: THE DISTRIBUTION OF PARTY SEATS AT THE
PARLIAMENT (1999-2002)**

Party	% of votes (April 1999)	Seats (April 1999)	Seats (November 3, 2002)
<i>DSP</i> *	22.17	136	58
<i>MHP</i> *	17.98	129	124
<i>ANAP</i> *	13.22	86	71
FP	15.39	111	-
DYP	12.03	85	81
AKP			59
YTP**			58
SP			46
Other			14
Independent	0.87	3	25
Empty			14
Total		550	550

* Member of the 57th coalition government (April 1999-November 2002).
** The party was established in July 2002 by those who resigned from the DSP.

APPENDIX C: A LIST OF INTERVIEWS ON CHANGES IN THE ISSUE OF CULTURAL RIGHTS

- Ahmet Türk, *co-leader of Democratic Society Party (DTP)*, (Ankara, June 2006).
- Algan Hacaloğlu, *Deputy of Republican People's Party (CHP)*, (July 2006).
- Ayhan Bilgen, *the chairperson of Mazlum-Der (Organization for Human Rights and for Oppressed People)* (Ankara, June 2006).
- Barış Yıldırım, *Chairperson of Human Rights Association, Tunceli Branch* (Tunceli, July 2006).
- Bülent Ecevit, *Former Prime Minister* (Ankara, December 2005).
- Bülent Taş, *President of the Bar of Tunceli* (Tunceli, July 2006).
- Dengir Mir Mehmet Fırat, *Deputy of Justice and Development Party (AKP)*, (Ankara, June 2006).
- Deniz Beşenk, *The Assistant of the Mayor of Mardin* (Mardin, July 2006).
- Deniz Gördük, *Director of News, Gün TV* (Diyarbakır, July 2006).
- Devlet Bahçeli, *the leader of Nationalist Action Party (MHP)*, (Ankara, June 2006).
- Edip Polat, *Chairperson of Kurdish Writers Association* (Diyarbakır, July 2006).
- Mehmet Ali Kışlalı, *Radikal Daily* (Ankara, June 2006).
- Mehmet Keçeciler, *Former Deputy of ANAP*, (Ankara, July 2006).
- Memduh Öztürk, *Municipality Workers' Syndicate, Mardin Branch* (Mardin, July 2006).
- Mustafa Sezgin Tanrıkulu, *President of the Bar of Diyarbakır* (Diyarbakır, July 2006).
- Osman Baydemir, *the Mayor of Diyarbakır* (Diyarbakır, July 2006)
- Rıza Küçüköğlü, *Major Retired General* (Ankara, July 2006).
- Selahattin Demirtaş, *Chairperson of Human Rights Association, Diyarbakır Branch* (Diyarbakır, July 2006).
- Serdar Şengül, *Foreign Affairs Consultant to Diyarbakır Mayor* (Diyarbakır, July 2006).
- Servet Deniz, *Kurdish Institute*, (Diyarbakır, July 2006).
- Songül Erol Abdil, *Mayor of Tunceli* (Tunceli, July 2006).
- Yusuf Alataş, *President of Human Rights Association (IHD)* (Ankara, June 2006).
- Zeki Sezer, *leader of Democratic Left Party* (Ankara, July 2006).

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