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Democratization and Foreign Policy Reforms in Turkey: Europeanization of Turkish Politics?

YAPRAK GÜRSOY*

Abstract

The European Union membership process has had an impact on Turkish domestic politics and foreign policy. However, when compared with previous candidate countries to the EU, the Europeanization of politics in Turkey has not been an even process. The reformation of politics in Turkey has had three main characteristics. First, instead of the pace of the reforms being linear, there has been a periodic rise and fall of interest in introducing amendments. Second, the reforms have not necessarily replaced past practices, rather they have only introduced new ones in addition to the old ways of doing politics. Finally, there has been considerable opposition to the reforms in Turkey, partially because the government does not seem to follow the liberal-democratic trajectory set out by the EU membership process. The delays in enacting the constitutional and legal changes and the biased selection of laws and practices that are being amended do not give the impression that the government is sincere. Whether the amendments are in fact Europeanizing Turkey or pulling it away from its Western and secular political framework is a significant question leading to conflict among different factions in society. This divergence of opinion, in turn, results in further stalling the reforms.

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The enlargement of the European Union (EU) has led to democratic reforms in the constitutions, legal frameworks, practices and norms of candidate countries. The effects of EU candidacy and membership were first evidenced – and most significantly demonstrated – in the political and economic transformation of former Eastern bloc states. Since the 2004 Eastern enlargement of the EU, implementing the EU *acquis communautaire* has been increasingly seen as a mechanism that leads to the Europeanization of candidate countries. Membership in the EU requires the adoption of the Copenhagen political criteria on democracy, rule of law, human rights, and respect for and protection of minorities. As a result, states that wish to join the EU are obligated to Europeanize their politics and accept the basic tenants of liberal democracy.

Even though Turkey has lagged behind Eastern European countries in terms of EU membership, the transformation of Turkish politics has been equally important. From 1999, when Turkey became an official candidate country, to 2005, when accession negotiations began, the Turkish parliament ratified nine harmonization packages and amended around one-third of the original text of Turkey's 1982 Constitution and its Penal and Civil Codes. Turkey has gone through a reform process not only in these legal texts but also in the norms and practices of domestic and foreign politics. Thus, looking at the amount of changes, it is possible to argue that Turkey is increasingly being Europeanized.

However, Europeanization of Turkish politics has not been a smooth process, which makes it possible to question whether it is in fact real or imagined. We can identify three interrelated characteristics or problems with Europeanization in Turkish politics. The first characteristic is that the reform process has been moving in tides, where there is almost a periodic rise and fall of interest in introducing reforms. Second, the new laws do not necessarily lead to changes in practice, but merely add new layers of doing politics. Finally, support for the reforms has been precarious, partially because of the first two problems, that is, delays in introducing amendments and the duality of politics where old practices survive the new adjustments. The conflict among various political groups on the meaning of the reforms and their significance for Turkey's future leads to a vicious circle, where Europeanization slowly moves ahead on a bumpy road with unexpected curves and U-turns.

Reform Tides

The reform process in Turkey moves in waves, rather than in a linear, continuous fashion. When two positive steps are made forward, usually one step backwards follows. The overall course of the reforms resembles this pattern. The majority of constitutional amendments were made between 1999 and 2004, but no major changes were introduced for almost 5 years afterwards. In 2010, the Justice and Development Party (JDP) government has shown more enthusiasm and enacted a package which would change around 20 articles in the constitution. The government also started to refer to a “democratic opening,” which would introduce more rights and freedoms to minorities.

Minority cultural rights, in particular Kurdish language rights, are good examples that demonstrate how interest in the reform process moves in tides. Several amendments introduced during the first wave of reform between 1999 and 2004, introduced changes in broadcasting and education in languages other than Turkish, including Kurdish. The state-directed Turkish Radio and Television and local private channels started to air Kurdish-language programs. But a few years later, the local channels were either closed down or court cases were opened up against them. Similarly, even though Kurdish education in private schools was possible, all such courses were closed down in 2004. Moreover, minority language rights did not extend to public services, as evidenced by the June 2007 decision of the Council of State to close down the municipality council for using Kurdish.

Yet, these backlashes were somewhat reversed again, when in January 2009 the government launched a new TV station that would broadcast only in the Kurdish language. This move was followed by the 2010 “democratic opening” initiative of the JDP government, which entailed economic reform in the east (where Turkey’s Kurdish citizens are mostly located), more language rights, the establishment of departments of Kurdologie in universities, a pardon to some Kurdish leaders, and the abolishment of some security measures. Despite the broad scope of the initiative, as of August 2010 there no major amendments have been introduced. Thus, minority and cultural rights demonstrate that Europeanization of Turkish politics does not take place in a linear upwards and forwards fashion, but occurs in periodic ascents and descents.

Reforms and Pockets of Old Politics

The second related characteristic of Europeanization in Turkish politics is that new reforms do not necessarily eliminate past practices, but merely introduce new ones on top of old ways of doing politics. Article 301 of the Turkish criminal code is a good example. This article prohibited expressions that insulted “Turkishness.” On the bases of this article, several well-known figures, including Nobel Prize winner Orhan Pamuk, were prosecuted. Despite significant pressure from the European Union, this article was not amended until April 2008, and when it was finally amended, the basic principles of the article were kept in tact. The term “Turkishness” was specified as the Turkish nation, state, and parliament. Additionally, the article was revised so that the right to open an investigation would be in the hands of the Ministry of Justice. These changes, however, are quite unsatisfactory since the article is still contrary to freedom of speech and contains nationalistic undertones. Besides, by introducing the new requirement of getting permission from the Ministry of Justice for a criminal investigation, the new article risks politicizing freedom of speech.

Changes in foreign policy are another example which shows that amendments run parallel to past practices. In the 1990s, Turkey pursued its foreign policy goals by mostly using coercive strategies against external threats. Turkey’s neighbors, including Greece (a NATO ally), Iran, Syria, and Iraq, were perceived as security threats, which necessitated unilateral hard-line tools. Such realist principles were against European norms and practices that are based on multilateralism and use of diplomatic and economic instruments in resolving international problems and disputes.

With the EU accession process after 1999, Turkish foreign policy also started to change, bringing it more in line with European norms. The Justice and Development Party government describes the new foreign policy as “a zero problems with neighbors policy.” The policy aims at building trust, and economic and political cooperation between Turkey and its neighbors. Reflecting this change, Greece and Turkey initiated a new *rapprochement* and increased dialogue between government officials and civil society groups. Turkey started to engage in economic activities, trade, and investment with its Middle Eastern neighbors. Political dialogue and diplomatic interactions improved with Syria, Iran, the central government in Baghdad, and the regional Kurdish government in northern Iraq. There have been frequent high profile visits between officials in Ankara and the presidents, prime ministers, and technical delegations of these nations, which would have been quite unthinkable just a decade ago.

Even though Turkey has introduced economic and diplomatic tactics to its foreign policy with its neighbors, this does not mean that military tactics were completely abandoned. Typical with the way Europeanization moves forward in Turkish politics, new measures were introduced on top of old practices. Turkey still employs military measures against some groups, particularly against northern Iraq, where most of the cells of the Kurdish terrorist organization, PKK, are located. In October 2003, the Turkish Parliament authorized the military to carry out operations in northern Iraq. This authorization was renewed several times, the last one being in October 2009. Since fall 2007, the Turkish military has attacked PKK bases across the border. Thus, even though new elements have been introduced in Turkish foreign policy, old ones (meaning military and other coercive options) have not been completely eliminated, at least as relations with Iraq demonstrate.

Relations with Israel and Iran also raise questions on the extent of Europeanization in Turkish foreign policy. Turkey, along with Brazil, negotiated a deal with Tehran to exchange low enriched uranium with nuclear fuel that would be used in Iran only for peaceful purposes. The deal, however, was not realized when the UN did not support the plan and the Security Council decided to apply additional sanctions on Iran in June 2010. The only two Council members that voted against the decision were Brazil and Turkey. Even though it might seem that Turkey provides unwavering support to diplomatic solutions with Iran, such close relations with a rogue state that has a fundamentalist Islamic regime leads to concerns that secular Turkey is moving away from the West.

Thorny relations with Israel, especially since the January 2009 public row between Prime Minister Tayyip Erdoğan and President Shimon Peres at the World Economic Forum in Davos, raise similar concerns. In the 1990s, Israel and Turkey cooperated politically and militarily against their Middle Eastern neighbors. However, after the Islamist JDP won the elections in 2002 and amended relations with Iran, Syria and Iraq, the need to cooperate with Israel waned. The government started to use Islamist rhetoric against Israel's policy in Palestine. The relations between the two countries reached an all time low in May 2010 when Israel attacked a flotilla carrying humanitarian aid to Gaza and killed Turkish citizens on board. Turkey took the matter to the UN Security Council and demanded an independent investigation of the event. The way that Turkey attempted to deal with the debacle demonstrates the continued use of diplomatic and multilateral solutions. However, deteriorating relations with Israel also allude to the double-faced reform process. While on the one hand the government is pursuing "zero problems with neighbors," on the other hand, it is creating new "villains" in foreign

policy and adopting hostile rhetoric. Thus, both in domestic and foreign policy, new policies and legal changes do not necessarily replace old practices.

Support for the Reforms

A final, and perhaps most important characteristic, of Europeanization of Turkish politics is that not all political leaders support the process whole-heartedly. So far, reforms have been carried out mostly by the Islamist Justice and Development party governments. Secular and nationalist critiques of the JDP are opposed to the reform process and their criticisms can be grouped in two interrelated categories.

First are those nationalist actors, who, in general, oppose the reform process carried out for membership in the European Union. For the opposition Republican People's Party and the National Action Party, the prospects for Turkey becoming an EU member are dim because of the negative attitudes of the Europeans. Increasing anti-Turkish discourse in some European capitals dampens hope that one day Turkey will also join the EU – even if it adopts the *acqui* and the Copenhagen criteria fully. Proposals in EU member states to hold national referenda for Turkish membership or to grant special status (instead of full integration) to Turkey leads to suspicions about the true motives of EU members. Nationalist groups question why Turkey is trying to change if there is no light at the end of the tunnel. Reforms are seen as concessions to foreign powers and threats to national sovereignty and independence. As the EU demands more liberal and democratic rights for minorities without any prospect of membership, Turkish nationalists claim that the unity of the Turkish state is being jeopardized. Simply put, there are no incentives for reform and no way to weaken the power of nationalists when there is no carrot of EU membership.

Second, critiques of the reform process come from groups that question the intentions of the JDP. Are these reforms carried out because Turkey is really trying to adapt to the EU *acqui* and democratize its system? Or are these reforms merely a means to a specific end, such as undermining secularism in Turkish politics? The opposition Republican People's Party and the National Action Party, as well as secular state elites, such as members of the judiciary and military, believe that the government stalls the reform process and selects which policies to amend because the true aim of the JDP is not Europeanization or Westernization. In domestic politics, the government revised several laws and changed the constitution so that the political autonomy of the military would be reduced. The JDP also made

attempts to change the structure of the High Council of Judges and Prosecutors and functions of the Constitutional Court.

Both the military and the judiciary in Turkey are guardians of secularism, and while efforts to decrease their roles in politics can be a sign of further democratization, they can also be read as attacks against the separation of religion from state affairs. Similarly, in foreign policy, close association with Muslim nations, such as Iran and Syria, and thorny relations with old allies, such as Israel, can be interpreted as either having good relations with neighbors or as the hypocrisy of the reform process. Overall, the reform process might mean Islamization of Turkish politics and a move away from the West, instead of exactly the opposite: Europeanization.

These two interpretations of Turkish legal and constitutional reforms lead to a split and polarization among political leaders, forming the bases of the problems in Turkey's Europeanization. The groups that oppose the JDP and criticize the way that Turkey's EU bid and reforms are moving forward point to the first two characteristics of Europeanization, namely the backlashes and the remaining pockets of old politics, as evidence of the insincerity of the government. But their resistance to the reforms is also an explanation of why Turkey has problems with Europeanization. Indeed, Turkey is caught in a vicious circle. The JDP does not attempt sweeping changes and does not carry out reforms one after the other because that would increase suspicions and increase resistance. Instead, the government moves ahead slowly and sometimes even reverses its prior reforms (such as those focused on minority rights) when nationalist opposition appears to gain power. The government also selects what it deems as the most urgent reforms, calculating of course how its own Islamist constituency would react.

So far, reforms that would eliminate opposition in the military and the judiciary are among the first choices of amendments. However, instead of alleviating concerns, these policies increase negative reactions even further and subject the government to fierce criticism. This is how Turkey finds itself at the beginning of the vicious circle and how foot-dragging on reform continues.

Conclusion

Is Europeanization of Turkish politics a reality? If we take Europeanization as reforming Turkish politics in accordance with EU institutional rules, norms, and practices, then definitely some important changes are taking place, even though they are far from being smooth. Yet,

Europeanization is a myth if the intentions of the reforming JDP government are not necessarily to democratize the regime. It is also a myth if important segments of the Turkish political and state elite continue to resist the reform process and wait for the opportunity to reverse and undermine it, especially in practice, either by pressuring the government or when and if they gain enough votes to take over the government.

It seems that the only hope that would get Turkey out of the loop is an exogenous factor. This is why the attitudes of the European leaders are critical. If the EU and the member states can assure Turkey that it will become a member after it successfully carries out necessary reforms, the secular opposition will believe that the irreversibility of democracy, secularism, and Western-orientation of Turkey is guaranteed. This is the only way that the reforms will truly mean Europeanization for all the actors involved.