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Rethinking Conditionality: Turkey's EU Accession and the Kurdish Question

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Abstract: In this paper we look at the Turkish reform process with regard to the Kurdish minority from the perspective of Europeanization and in the light of the external incentives model. As a result, the paper provides a systematic analysis of recent political developments in this area. Additionally, our analysis leads to the questioning of some basic premises of the external incentives model. Most notably in this specific case we find that credible EU commitment, rather than low adoption costs and weak veto players, has constituted a necessary and sufficient condition for the reform process. Likewise, we find a dynamic relationship between EU induced democratic reforms and adoption costs that is largely overlooked in the model.

Keywords: Conditionality, EU accession, Turkey, Kurdish question, reform process

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Introduction

Turkish accession has been on Europe's political agenda since 1963 when the country first became an associate member to the European Economic Community. Turkey achieved the formal candidate status to the EU only in 1999 and the accession negotiations with this country were opened in 2005. Nevertheless, soon after the negotiations faced a stalemate, due to the accession of Cyprus to the EU as a divided island as well as the increasing scepticism of some EU Member States with regard to Turkish accession. In the short time that had passed between the recognition of Turkey's candidateship and the stagnation in accession talks, Turkey adopted far-reaching democratic reforms, including reforms regarding its Kurdish minority. This latter issue in particular had been a political taboo in the country since the establishment of the Turkish Republic in 1923. However, the initially promising reform process came to a sudden halt, coinciding with the stalemate in Turkish-EU accession talks.

In this paper we study Turkey's democratic reform process with regard to the Kurdish minority, specifically from the perspective of Europeanization and in the light of the external incentives model. As a result of this analysis, we argue that the Turkish government adopted the initial reforms in the presence of strong and credible commitment by the EU to Turkish accession, thus, strong democratic conditionality. This was in spite of the high adoption costs and the presence of strong domestic veto players that the Turkish government faced at the time. Yet, once the EU's credible commitment declined with the stagnation in accession talks, the reform process also slowed considerably despite a continuous, significant decrease in adoption costs as well as a weakening of domestic veto players. Thus, in this paper we provide a systematic analysis of recent political developments in Turkey's treatment of its Kurdish minority. Additionally, we question some of the basic premises of the external incentives model. Crucially, supporters of the model have argued that low adoption costs and weak veto players constitute necessary and sufficient conditions for democratic reforms in EU accession countries. Our analysis proves otherwise: in Turkish democratic reforms with regard to the treatment of Kurds credible EU commitment appears as a sufficient and necessary condition, whereas low adoption costs and weak veto players appear as neither necessary nor sufficient conditions. Additionally we find a dynamic relationship between the adoption costs and the EU conditionality, as the adoption costs decrease progressively as a result of EU induced democratic reforms. This dynamic relationship is overlooked in the external incentives model. Naturally, our findings are limited to this specific case and need to be verified by comparative analysis of democratic reforms with regard to minorities in other EU accession countries and countries that have recently become EU members.

The paper is structured as follows: to start, we discuss the existing Europeanization literature in general and the external incentives model in particular with an emphasis on the principle of conditionality that underlies the EU accession strategy. Following this, we look specifically into the issue of minority protection and its position in the EU's legal framework as well as its role in accession negotiations. Afterwards, we study the Turkish democratic reforms with regard to the Kurdish minority in two historical phases reflecting the episodes in Turkish-EU relations and the resulting effects on EU conditionality. This is followed by a short conclusion where we summarise our findings regarding the external incentives model, the democratic reform process in Turkey as well as the future research challenges in these areas.

Europeanization, EU democratic conditionality and the external incentives model

Europeanization is a broad concept that encapsulates the transformation of domestic norms, policies and structures under direct and/or indirect pressures emanating from the EU (Featherstone 2009). Although a certain level of convergence between different domestic regimes is expected to emerge as a result of Europeanization, it is not equal to harmonisation: Europeanization is not only about the outcome but it concerns the domestic adaptation process and its underlying dynamics (Radaelli 2003; Vink, Graziano2008). In the early literature it was emphasised that for domestic adaptation to take place, there should be *a priori* a 'misfit' between domestic norms, structures and policies on the one hand and those of the EU on the other resulting in a pressure for adaptation (Börzel, Risse 2000; 2009). In the existence of this misfit, the process of adaptation is explained through two principal models: the first model, 'logic of consequentialism', relies on rational institutionalism. According to this model, actors are goal oriented and will respond to opportunities that maximise their utilities. Here Europeanization constitutes an 'opportunity structure' that increases the resources of certain actors to exert influence, whilst limiting those of others (March, Olsen 1989; 1998; Börzel, Risse 2000; 2009).The latter model, 'logic of appropriateness', relies on social institutionalism. Here it is argued that actors who interact with each other on a regular basis will develop similar norm and belief systems. Likewise, actors who desire to be a member of an international society or organisation will internalize the norms promoted by the society or organisation in question (March and Olsen 1989; 1998; Börzel, Risse 2000; 2009). This model, therefore, perceives the social interaction process between domestic and international actors as the key factor underlying domestic adaptation. Although based on different reasonings, the two models are not seen as competing explanations for domestic adaption but could occur simultaneously.

More recent research into Europeanization has also tackled the effects of the EU accession process on the economic and political transformation of central and eastern European countries (CEECs) that joined the EU in 2004 and 2007 respectively – as well as the current candidates, including Turkey. The concept of 'conditionality' plays a key role in the explanation of pre-accession transformation that takes place in these countries. Conditionality originally emerged as a concept of international studies in the post World War II period as an explanation of the relationship between international organisations and underdeveloped countries. The concept assumes an asymmetrical power relationship between a donor and a recipient, in which the donor attaches certain conditions to the release of financial assistance or other rewards that would serve the policy goals promoted by the donor. Alternatively the donor might also have the power to impose sanctions in cases of non-compliance, attributing conditionality both a positive and a negative power connotation (Grabbe 2009; Hughes et. al. 2004; Schimmelfennig, Sedelmeier 2005).

The past and on-going enlargement towards Central and Eastern Europe is particularly interesting due to the existence of a strong conditionality principle. In 1993, the European Council decided that any country that wishes to become an EU member must achieve 'stability of institutions guaranteeing democracy, the rule of law, human rights, respect for and protection of minorities, the existence of a functioning market economy as well as the capacity to cope with competitive pressure and market forces within the Union'(the so-called 'Copenhagen criteria', see European Council Conclusions 1993, p.13). In other words, compared to the past, in the recent enlargements candidates have faced a greater pressure for change and they have been asked to adopt a larger number of substantive rules and policies (Grabbe 2009). Similarly, candidates have not been given the flexibility to negotiate any opt-outs meaning that they have been obliged to adopt the entire *acquis* prior to accession. This stronger and extensive conditionality partially stemmed from the continuous expansion of the EU's internal legal framework. Another key objective was the avoidance of any potential impediments to EU economic and security interests that may occur as a result of the CEECs' future membership(Hughes et. al. 2004; Sasse 2009a). In comparison to the CEECs, Turkey enjoyed a relatively established parliamentary democracy and a liberal market economy, thus, was not going through a similarly radical process of economic and legal transformation. Nevertheless, Turkish EU membership was also made conditional on the satisfaction of Copenhagen criteria, due to Turkey's very own political and cultural idiosyncrasies that raised questions from the perspective of European identity. Based on the Copenhagen criteria and following European Commission recommendations, the European Council has determined individual short- and medium-term objectives for each candidate country. The Commission has closely monitored candidates'

compliance with those objectives in its annual progress reports. This assessment has provided the main feedback for European Council decisions to open accession negotiations with candidates as well as eventual decisions of admission to EU membership.

Studies of Europeanization have attempted to explain the domestic adaptation process in EU candidate countries focusing specifically on the incentives and dynamics that underlie the effects of EU conditionality. After empirical testing of recent accessions, those studies developed three key models that represent nuanced versions of the aforementioned 'logic of consequentialism' and 'logic of appropriateness' models.

The 'external incentives' model follows rational choice institutionalism, overlapping largely with the logic of consequentialism. In this model, EU conditionality plays the key role in inducing domestic adaptation. The Union determines adoption of certain norms as conditions for the release of certain rewards (Schimmelfennig, Sedelmeier 2005). Intermediate institutional rewards include adoption of trade agreements, whereas admission to EU Membership constitutes the ultimate institutional reward. Rewards may also be financial in nature (Schimmelfennig, Sedelmeier 2005). Notably, the release of structural funds and financial aid from PHARE[1] has been made conditional upon the satisfaction of short- and medium-term objectives by the candidate countries. In external incentives model two key factors underlie the domestic adaptation process: for domestic adaptation to take place, first there must be 'credible commitment' to membership. In other words, the EU must realistically be able to produce the promised rewards, including membership, with little or no cost to itself once the candidate fulfils the conditions. The EU must equally be able to withhold the reward if the conditions are not fulfilled. Secondly, domestic adoption costs must not be prohibitively high for those in power in the candidate countries or else change will not take place. For instance, if the adoption of reforms may result in a future electoral defeat, political incumbents may naturally be unwilling to adopt the requested reforms. Domestic 'veto players', who enjoy political or other powers to block the process, constitute a particularly important adoption cost (Schimmelfennig, Sedelmeier 2005; Schimmelfennig 2009). Recent empirical studies discredited the relevance of other factors, such as the size of the

[1] The Phare (Poland and Hungary: Assistance for Restructuring their Economies**)** was created in 1989 specifically to provide financial assistance to Poland and Hungary. However, in time the programme became a key pre-accession instrument financed by the European Union to assist the applicant countries of CEECs in their preparations for joining the European Union. See <http://ec.europa.eu/enlargement/how-does-it-work/financial-assistance/phare/index_en.htm>

reward and the determinacy of conditions, although these were originally seen as other necessary conditions for domestic adaptation (Schimmelfenning, Sedelmeier 2005, p.12; Schimmelfennig et. al. 2005, p.29).

The remaining two models, 'social learning' and 'lesson drawing', draw on social institutionalism, thereby overlapping largely with the 'logic of appropriateness'. In the former model, domestic political actors adopt the requested norms because they come to believe in the superiority and legitimacy of the norm as a result of interactions with EU-level actors. (Schimmelfennig, Sedelmeier 2004; 2008; 2009). In the latter model, domestic actors adopt the rules, because they are endogenously dissatisfied with the *status quo* and look for alternative options. Domestic change agents and epistemic communities who believe in the superiority of norms promoted by the EU reinforce the adaptation process (Schimmelfennig, Sedelmeier 2004; 2008; 2009). In the social learning model in particular, the legitimacy of the norm in question plays a substantial role. Since the candidate countries do not participate in EU policymaking procedures, domestic political actors as well as society in general may perceive the conditions attached to EU membership as foreign impositions (Schimmelfennig, Sedelmeier 2009). Therefore, particularly if the norm in question conflicts with the established domestic norms and belief systems, the EU institutions need to promote the legitimacy of the norm through social interaction, networking and civil society support. By the same token, norms that are not shared by the existing EU member states but made a condition for the candidates will suffer from low legitimacy (Schimmelfennig, Sedelmeier 2009).

Similar to the logic of consequences and appropriateness, these two models are not alternatives but may be at work at the same time. Empirical and comparative studies have tested the models in the context of EU's eastern enlargement process as well as the on-going accession negotiations with Turkey. Those studies distinguish between the analysis of democratic conditionality that largely corresponds to the Copenhagen political criteria(i.e. 'stability of institutions guaranteeing democracy, the rule of law, human rights, respect for and protection of minorities') from the analysis of *acquis* conditionality. The distinction is made primarily because in the context of *acquis* conditionality the EU legal framework provides established and clear rules that are expected to result in high determinacy and legitimacy in EU conditionality. The same cannot be said for democratic conditionality. The aforementioned studies come to the conclusion that particularly in the area of democratic conditionality the external incentives model explains domestic adaptations best. Methods based on networking, social interaction and civil society support results in, if any, incremental changes (Schimmelfennig, Sedelmeier 2004;2005; 2008; Schimmelfennig et. al. 2003;2005). Likewise, the legitimacy of the norm in question does not have any visible effect on its adoption (Schimmelfennig, Sedelmeier 2004). It is further

argued that low adoption costs and the absence (or weakness) of domestic veto players constitute necessary *and* sufficient conditions for rule adoption, whereas credible commitment is considered a necessary but *not* sufficient condition (Schimmelfennig et. al. 2005; Schimmelfennig, Sedelmeier 2004). Naturally this finding is alarming, as it implies a potential return to the *status quo ante* once the candidates become EU members and thus the power of conditionality vanishes. Initial studies looking at compliance with EU norms post-enlargement have found that this pessimistic hypothesis has not materialised, and the new EU Member States outperformed the original fifteen in their compliance with EU law (Sedelmeier 2009). However these initial analyses focus largely on the transposition of EU directives into national law and the Commission's infringement proceedings, rather than the internalisation of EU norms by domestic political actors and their implementation (or reversal) in the longer term.

The external incentives model is criticised for two key reasons: first, the model perceives EU accession and the domestic transformation process as one-directional, static processes based on linear causality. Notably, the model does not pay any attention to political forces that may be at work at the domestic level as alternative sources of explanation (Vink, Graziano 2008; Hughes et. al. 2004; Sasse 2009a). Second, the model focuses almost exclusively on rule adoption, thus, overlooking the implementation and internalisation of the rule by domestic actors in the long run. It is argued that, although external incentives alone may explain rule adoption, creating a belief in the legitimacy of the rule through networking, socialisation and civil society mobilisation may have over time a greater impact on sustained and consistent rule enforcement (Epstein, Sedelmeier 2009; Sedelmeier 2009).

Minority protection in the context of EU democratic conditionality

The broadly defined Copenhagen criteria resulted in a great EU influence on the political and economic dynamics in candidate countries going beyond the EU influence on existing Member States under the EU internal legal framework. This is particularly the case for minority protection.

The EU internal legal framework does not offer an established norm of minority protection. Given that the EU's predecessors had pursued the primary objective of economic – rather than political – integration, the EU originally held neither legal competence nor political interest in minority protection (Toggenburg 2000; 2006; Riedel 2009; Sadurski 2004). Instead, what exists in the EU legal framework is a strong principle of non-discrimination based on the key objective of economic integration and the freedom of movement. This principle imposes a negative obligation on the Member States and individuals to refrain from discrimination on

the basis of nationality, rather than a positive obligation to promote minority and cultural rights. The inclusion of minority protection in the Copenhagen criteria, despite the lack of a codified EU norm, was largely due to the EU's own security interests shaped by the complex post-communist transition process and the resulting ethnic conflicts, most prominently in former Yugoslavia (Sasse 2009a; 2009b). The Amsterdam Treaty transposed the Copenhagen criteria into EU primary law in Arts.6 and 49 of the TEU. These provisions deal respectively with the values and principles of the Union and the conditions for joining the Union, omitting – interestingly – the principle of minority protection. Although a reference is made to discrimination *inter alia* on the basis of ethnic origin in Art.19 TFEU (ex Art.13 TEC), this is, again, a negative rule of non-discrimination rather than positive promotion of minority rights. Moreover, the provision does not have direct effect but relies on further EU legislative actions to achieve the objectives specified within it.

After the Lisbon Treaty amendments, Art.2 TEU refers *inter alia* to 'respect […] the rights of persons belonging to minorities' among the values of the Union. Likewise, the Charter of Fundamental Rights Art.21, that now enjoys the status of EU primary law, prohibits discrimination on the basis of 'membership of a national minority'. These are open-ended provisions whose exact scope and real practical effect very much depend on the interpretation of the EU courts (Sadurski 2004). Again, the latter provision in particular sets out a negative rule of non-discrimination rather than a positive obligation for the protection and promotion of minorities. Similarly, recent EU legislation, most notably the so-called 'Race Directive' (Council Directive 2000/43/EC), extends the existing EU principle of non-discrimination to discrimination on the basis of ethnic background, including in cases where the subject is a third country national, without recognising a positive obligation on the side of the Member States to promote cultural and minority rights.

In the lack of a minority protection rule in its internal legal framework, the EU has relied extensively on rules developed by other organizations, in particular the Council of Europe (CoE) and the Organization for Security and Co-operation in Europe (OSCE).For instance, in the Commission's Agenda 2000, which defined the EU's goals for the twenty-first century, references were made to the CoE's 1995 Framework Convention for the Protection of National Minorities and the Recommendation 1201 of the Parliamentary Assembly of the CoE on an additional protocol on the rights of national minorities. Also, EU candidates were called to sign and implement these documents in individual accession partnerships as well as the Commission's various progress reports. The 2001 Joint Declaration on the partnership between the CoE and the European Commission explicitly emphasised cooperation in the area of minority protection. Likewise, the EU relied on the OSCE's High Commissioner on National Minorities in the

assessment and promotion of minority protection in the EU accession countries. This was despite the fact that a number of existing EU Member States, such as Belgium, Greece and Luxembourg, were not a party to the 1995 Convention at the time. It should be pointed out that Recommendation 1201 has remained a guiding document rather than an additional binding protocol to the European Convention of Human Rights, specifically because members of the CoE remained reluctant to sign to a binding norm of minority protection. Thus, the accession countries have been asked to meet a higher standard of minority protection than the existing Member States whose national legal rules in this area remained diverse (Wiener, Schwellnus 2004). Consequently, the EU's approach to minority protection in internal *vis-à-vis* the external framework was considered a 'double standard' and a political, rather than a legal, construct (de Witte 2000; Sasse 2009a; 2009b; Sadurski 2004).

In the absence of clear norms and benchmarks in the EU internal legal order, the condition of minority protection was applied inconsistently over time and across different accession countries (Schwellnus 2005; Toggenburg 2006). For instance, despite the prominent position of minority issues in the enlargement agenda, the EU institutions did not define the term 'minority'. Later, in the context of the European employment strategy and the process of social inclusion, minority was defined as a group having stable ethnic, linguistic or religious characteristics that are different from the rest of the population, as well as a numerical minority position and the wish to preserve its own separate identity (European Commission Directorate General for Employment, Social Affairs and Equal Opportunities, 2007). Another reason for the *ad hoc*-ery, in which minority protection was addressed in accession negotiations, was the Union's specific security interests. The Reflection Group on Long-Term Implications of EU Enlargement identified three main challenges that the EU may have to face post-enlargement in terms of minorities: the situation of national minorities already existing in the CEECs; potential migration from new and poorer Member States as well as their neighbouring third countries to Western Europe; and finally, the situation of the Roma (Reflection Group Report 1999). Consequently, minority condition was applied with a varying magnitude for each individual country depending on whether or not the situation proved problematic from these perspectives. Over time, the Commission's approach to minority issues became more technical and less political (Pridham 2002). The focus remained consistently on the situation of the Russophones in Estonia and Latvia and the situation of the Roma particularly in Bulgaria, the Czech Republic, Hungary, Romania and Slovakia (Sasse 2009b, p.22). The Commission followed a 'thin approach' in how it addressed minority issues rejecting strongly the right of self-determination and secession, instead promoting the symbiotic existence of different ethnic groups (Noutcheva et. al. 2004; Wiener and Schwellnus 2004). Additionally, since minority protection

conflicted with the emerging national identities in post-communist transition and it suffered from low legitimacy in the lack of an established EU norm, the Commission moved carefully in this area in order not to alienate the political actors in accession countries. As the candidates became EU Member States with the 2004 and 2007enlargements, the focus shifted from old to new minorities emerging as a result of intra-EU migration; and from minority protection to non-discrimination in line with the EU internal legal framework (Toggenburg 2006; Riedel 2009; Wiener and Schwellnus 2004).

Turkish-EU Relations and the Kurdish Question: from Ankara to Brussels via Diyarbakır

Similar to other minority conflicts, Turkey's Kurdish question is multi-facetted. The fundamental issue from the legal perspective is the Turkish constitutional regime and Turkey's past and present constitutions. After the collapse of the Ottoman Empire the Turkish constitutional regime aimed at creating a unified nation based on *Turkishness*, thus, rejecting other cultural identities (Kurban 2003; Ergil 2000; Aydın, Keyman 2004; Kirişçi, Gareth 1997). This is reflected in many references of the Constitution to the Turkish identity, including Art.3 that identifies Turkish as the language of the State and that, moreover, cannot be amended (see Art.4). The Turkish State had followed other policies of rejection since its establishment in 1923, including prohibiting the use of languages other than Turkish,[2] prohibiting the naming of children with non-Turkish names and the changing of geographical names to Turkish (Kurban 2003; TESEV 2008; 2010; Kirişçi and Gareth 1997).

The Turkish State takes the Lausanne Peace Treaty of 1923 as the defining text of its official minority policy. Based on religion, the Treaty identifies three groups, Jews, Greeks and Armenians (the so-called 'non-Moslems') as minorities of Turkey and grants them certain rights and privileges, such as education in their mother tongue. This State policy prevents the access of minority groups in Turkey to effective protection standards: on the one hand, groups other than those identified in the Treaty are not considered a minority *per se*; on the other hand, the Treaty is accepted to set the absolute protection standard for the minorities as identified in the Treaty (Oran 2004). This is despite the fact that the Treaty falls behind the contemporary international standards of minority protection that began to emerge in the post World War II period.

In addition to the rejection of minority status from the legal perspective, the armed conflict between the Turkish military forces and the PKK (Kurdistan Workers'

[2] This prohibition was finally abolished in 1991.

Party – which now appears in the EU list of terrorist organizations[3]), in the predominantly Kurdish populated Southeast Turkey renders the Kurdish issue multi-dimensional: among others, there is a strong human rights dimension due to the disproportionate use of power by the State particularly under the emergency rule that had given extraordinary powers to the State and the governor; there is a regional injustice dimension due to economic backwardness of Southeast Turkey; there are significant sociological effects of State induced emigration, such as emergence of ethnic cleavages and conflicts in neighbouring regions as well as metropolitan areas; there is a gender dimension due to the particularly low respect for women rights in Southeast Turkey as a result of general economic backwardness (TESEV 2008; 2010).

Although the EU is generally blamed for not fully grasping the dynamics of minority issues in accession countries, in the Turkish case different dimensions of the Kurdish issue have been subjected to conditionality. In contrast to the CEECs, the conditionality relationship between the EU and Turkey was established long before the recent enlargements with the signing of the Ankara Association Agreement in 1963. The Association Agreement would eventually result in Turkey's full membership after the preparatory, transitional and final stages. In the half century that passed since the signing of the Agreement, the situation of the Kurdish minority has been perceived by the EU as a hurdle to the achievement of this goal. For instance, in its 1989 Opinion, responding to Turkey's application for full membership, the Commission referred to the Kurdish issue as one of the key reasons why accession negotiations should not start at that point (European Commission 1989). Likewise, the European Parliament adopted numerous resolutions on the matter and imposed even financial sanctions on Turkey (Müftüler-Baç 2000; Casier 2011). The European Commission's very first progress report on Turkey placed the Kurdish issue at the core of the entire assessment of compliance with the Copenhagen political criteria. According to the report, Kurdish issue called for 'a civil and not a military solution' (European Commission 1998). The existing military approach based on the perception of Kurdish issue as a security threat resulted in an overall weak status of human rights and the rule of law in the country, thus, resulting in non-compliance with the Copenhagen criteria in general (European Commission 1998). In the following years the Commission's progress reports became more technical and detailed. In the reports the Kurdish issue has continuously been addressed from multiple angles, including the judicial approach pointing to the status of human rights, civil and political rights, economic and social rights and cultural rights as well as minority rights. This stood in strong contrast to the superficial and inconsistent

[3] Council Common Position 2009/67/CFSPof 26 January 2009updating Common Position 2001/931/CFSP on the application of specific measures to combat terrorism and repealing Common Position 2008/586/CFSP, [2009] OJ L 23/37.

treatment of the other Muslim and non-Muslim minorities, whose religious, linguistic and property rights were addressed in some reports but neglected in others. This exceptional treatment of the Kurdish question was attributed to the intensive lobbying and networking activities of the Kurdish diaspora in Western Europe, and their success in voicing claims and demands in the discourse of western democratic values and human rights norms (Casier 2011; 2010). Another source of explanation is the potential security threat raised by Turkey's future EU membership in the presence of armed conflict that still surrounds the Kurdish issue. The latter explanation appears also in line with the general treatment of minority issues in the accession agenda, as summarised in the previous section.

The early attempts to enforce conditionality did not result in any meaningful change, arguably due to the lack of a clear prospect for the start of accession negotiations, i.e. the lack of credible commitment. The EU was able to secure only incremental results at important decisional junctures. For instance, the European Parliament's unfavourable opinion before the signing of the customs union agreement between Turkey and the European Communities in 1994 resulted in incremental amendments to the Constitution and the Anti-Terror Law (Müftüler-Baç 2000; 2005; Çelik, Rumelili 2006). The EU was able to secure leverage over the Turkish political regime only after the recognition of Turkey as an EU candidate by the 1999 Helsinki Council (European Council, 1999). The decision of the Council is perceived as a hallmark in Turkish-EU relations due to the significant improvement in credible commitment to Turkey's EU membership, and the resulting improvement in EU conditionality (Müftüler-Baç 2000; 2005; Öniş 2003; Aydın, Keyman 2004; Keyman, Öniş 2004; Kubicek 2005; 2011; Tocci, 2005; Kirişçi 2011; Usul 2011).

Turkey's recognition as a EU candidate coincided with the capture of PKK leader Abdullah Öcalan that impacted directly on EU conditionality and the Kurdish issue. Öcalan's capture instigated a wave of ethno-nationalism in Turkey, as people looked for payback after twenty years of terror that claimed the lives of hundreds of thousands.[4] The EU institutions as well as the CoE carefully watched the ensuing trial of Öcalan due to the rise of nationalism and the generally weak status of judicial safeguards for human rights protection in Turkey. The Ankara State Security Court sentenced Öcalan to death in June 1999. The EU Presidency responded to the judgement by issuing a statement that called on Turkey to apply its general moratorium of death sentences also in this case (*The Independent* 1999). Likewise the Commission's progress report of the same year, whilst

[4] The mass media in particular created an emotional environment of nationalism, referring to Öcalan frequently as 'the baby killer' and celebrating the trial process as the time of 'payback.' See e.g. *Hürriyet*, a best-selling national newspaper, announcing the start of trial with the headline of 'payback day', <http://hurarsiv.hurriyet.com.tr/goster/printnews.aspx?DocID=-82667>.

pointing out that Turkey did not fulfil the Copenhagen Criteria as yet, was closed with the hope that Öcalan's death sentence would not be carried out (Commission 1999).

Intense monitoring of European organizations and the improvement in the credible commitment to Turkey's EU membership resulted in the start of a reform process in Turkey. First, in June 1999 the military judge was removed from the State Security Courts responding to the ECtHR (European Court of Human Rights) judgment[5] that found those courts in violation of the right to a fair trial due to military presence. Then, in 2001 the Turkish Parliament adopted a package of thirty-four constitutional and hundred and seventeen other legislative amendments. These reforms *inter alia* restricted the death penalty to times of war and terrorist crimes and removed the reference to 'languages prohibited' in Arts.26 and 28 of the Constitution thus opening up the possibility of broadcasting in languages other than Turkish (Commission 2001). With the abolishment of death penalty, all existing death sentences at the time, including Öcalan's, were converted to lifetime imprisonment. The reform process accelerated in 2002: peaceful expression of thought was removed from the scope of Anti-Terror Law's Arts.7 and 8 regarding terrorist propaganda. A constitutional amendment made retrial possible in cases where the ECtHR found a human rights violation. Finally, the Law on Foreign Language Education and Teaching was amended to allow teaching of languages used traditionally by Turkish citizens in their daily lives, including Kurdish, in private courses (see Commission 2002 for all).

Notably these far-reaching reforms were adopted by a fragile coalition between three political parties: the central left DSP (Democratic Left Party), the central right ANAP (Motherland Party) and the extreme right MHP (Nationalist Action Party). In addition to differences of opinion between the coalition partners on how to deal with the Kurdish issue, the government suffered from significant adoption costs: as mentioned above, nationalism peaked in Turkish society at the time and a large part of the public expected strict governmental policies against terror, rather than what was perceived to be a soft reformist approach.

Likewise, the military at the time played a key role in Turkish politics through informal as well as formal platforms. For instance, the National Security Council, that brought together military commanders and members of the executive enjoyed supervisory powers over the executive.[6] Historically, the Turkish military and bureaucratic elite had perceived the Kurdish issue as a significant security threat to the indivisible integrity of the state; and they resisted any attempt for reform at this front (Kirişçi, Gareth 1997; Kirişçi 2011; Öniş 2003). Thus, they constituted

[5]See e.g. 41/1997/825/1031, *Incal v. Turkey*.

[6]The military presence in and powers of the Council was limited significantly in 2003 as a part of another EU reform package.

the key and rather strong veto players. Nevertheless, the improvement in credible commitment that came with the recognition of Turkey's EU candidateship helped the government to keep these counter-forces at bay. In 1999 the then Prime Minister Mesut Yılmaz metaphorically declared that 'the road to the EU passes through Diyarbakır' (the largest Kurdish populated city in Southeast Turkey). He thus implied that EU conditionality may provide sufficient political incentive for Turkey to face one of its strongest taboos: the recognition of a separate Kurdish identity and granting of linguistic and cultural rights to Turkish Kurds to secure the existence of their identity within the wider Turkish society.

Reflecting the significance of aforementioned adoption costs, the coalition government soon collapsed for reasons including the difference of opinion between the extreme right-wing MHP and the other coalition parties with regard to the adoption of EU induced reforms. The resulting elections in November 2002 represented a turning point in Turkish politics: established central parties, including the three coalition partners fell below the 10% electoral threshold. The MHP returned eventually to the Parliament in the 2007 and 2011 political elections, whereas the two other coalition partners largely disappeared from Turkey's political scene. The 2002 elections resulted in the formation of Turkey's first single party government since 1987, led by the new Justice and Development Party (AKP). The party was formed only a year before the elections and portrayed the image of a pro-EU central right party with Islamic roots. The only other party that succeeded in passing the 10% threshold in 2002 was the centre-left Republican People's Party (CHP), thus, forming the only parliamentary opposition.

Arguably as a result of its explicitly pro-EU agenda, the first AKP government was supported by different clusters within Turkish society as well as by liberals at home and abroad. Once in office the party carried on with the reform process that was started by the previous coalition government. Significant reforms adopted by the first AKP government include: the lifting of the emergency rule in all provinces; further amendments in procedural law to allow retrials in cases where the ECtHR had found violations (resulting in the release of imprisoned Kurdish parliamentarians Zana, Sadak, Dicle and Doğan – but still not allowing retrial of Öcalan); repeal of Art.8 of the Anti-Terror Law with regard to terrorist propaganda; the complete abolishment of the State Security Courts; amendments to the Civil Registry Law to allow parents to name their children as they desire; further implementation of the Return to Village Program adopted by the previous government to address the situation of internally displaced persons; constitutional amendments to reflect the primacy of international law over national law, including the European Convention on Human Rights; further amendments in secondary legislation that resulted in the start of public TV broadcasting in the Zaza and Kırmançi dialects of Kurdish; and the adoption of the Law on the

Compensation of Damages that Occurred due to Terror and the Fight Against Terrorism (European Commission 2002; 2003; 2004; 2005). Following this long list of legal reforms, and underlining the tit-for-tat character of conditionality, the European Council decided to open accession negotiations with Turkey in 2004. The Council based its decision on a positive assessment by the European Commission, which, following the aforementioned reforms, confirmed that Turkey now fulfilled the Copenhagen political criteria (European Council 2004).

Still, these reforms represented only limited progress from the perspectives of cultural and minority rights *strictu sensu*, as they in fact improved the daily lives of Kurdish Turks only marginally. Still, the emergency rule was lifted and the public broadcasting and private education courses were offered for the first time in Kurdish. The lifting of emergency rule meant that citizens residing in Southeast Turkey would enjoy the same legal safeguards against the violation of their fundamental rights by the state authorities as those residing in the rest of the country. The public broadcasting and private training in Kurdish, on the other hand, meant that the Turkish state officially abandoned its denial policy regarding the language. However, the implementing legislation in both areas brought strict conditions rendering particularly private broadcasting in Kurdish extremely difficult; and those who secured licence to broadcast faced investigations on the basis of terror-related crimes due to programme content (TESEV 2008; 2009; Kurban 2003; European Commission 2003; 2004; 2005). Crucially, Turkey did not take many other reform steps considered necessary by the Commission to improve the situation of Kurdish Turks (European Commission 2003; 2004; 2005; 2006). For instance, the unusually high 10% national electoral threshold[7] was not lowered although it arguably prevents the fair representation of different clusters of society, including the Kurds.[8] Also, the government did not amend the Law on Political Parties to allow the use of languages other than Turkish by political parties. The government's implementation remained slow, inconsistent and often unsatisfactory with regard to the situation of internally displaced persons and the compensation of terror victims. Moreover, state authorities did not engage in dialogue with the OSCE's High Commissioner on National Minorities despite the repeated calls of the European Commission and the 2003 and 2005 visits of the Commissioner to Turkey. Turkey did not sign either the Framework Convention for the Protection of National Minorities nor the European Charter for Regional and Minority Languages. The International Convenants on Civil and Political Rights and Economic, Social and Cultural Rights were ratified with reservations

[7]Highest among CoE members.

[8] In *Yumak and Sadak v. Turkey*(Application No. 10226/03) the ECtHR decided that the threshold does not breach the right to free elections; nevertheless, it prevents optimal representation, thus, should ideally be lowered.

on provisions regarding minority rights. No amendment was made to Art.42 of the Constitution that prevents public education in languages other than Turkish. No reform steps were taken for the provision of public services in the languages and dialects spoken predominantly in the region and for the decentralization of the provision of public services. Also, the village guards system, that effectively creates local militia against PKK attacks, thus, resulting in serious human rights violations, was not abandoned. Finally, public prosecutors and the judiciary continued to apply terror-related provisions of the Criminal Code and the Anti-Terror Law to peaceful expression of thought, demonstrating explicitly that the legal reforms had failed to engender a mentality transformation in public officials.

Since then, the European Commission has noted that Turkey has still not adopted an 'integrated strategy' to address the Kurdish question from legal, economic and social angles (European Commission 2004, p.19). Particularly, the still rigid state policy against the usage of languages other than Turkish has jeopardised effective access to public education, other public services and political life particularly in Southeast Turkey where an estimated half of the population does not speak Turkish (International Crisis Group 2011, p.22).Nevertheless, as limited as the initial reforms may have been, they were still well received by the Kurdish community. To them they signified the recognition of their identity by the Turkish State after many decades of denial and suppression and they were hoped to be the harbingers of a brighter future (Bahçeli, Noel 2011).

Stagnation in accession talks and the Kurdish issue: *Copenhagen Criteria v. Ankara Criteria*

The dynamics in Turkey's EU accession changed dramatically after Cyprus became an EU Member as a divided island in May 2004. Turkey refused to extend the Turkish-EU customs union to Cyprus by fully implementing the Additional Protocol to the Turkish-EU Association Agreement. Ankara indicated it would only reverse its position on this issue if the economic isolation of the Turkish Cypriot community in the north were adequately addressed. The EU perceived the extension of the customs union a legal obligation for Turkey regardless of the situation of Turkish Cypriots (European Commission 2006). As a result, in 2006 the European Council decided that accession negotiations with Turkey will not be opened in eight Chapters relevant to Turkey's trade restrictions to the Republic of Cyprus; namely, the chapters on free movement of goods, right of establishment and the freedom to provide services, financial services, agriculture and rural development, fisheries, transport policy, customs union and external relations (European Council, 2006b). As these chapters constitute the bulk of the EU's *acquis communautaire*, the Council's decision meant that accession negotiations

would continue only in limited areas thereby effectively ruling out Turkey's membership for the foreseeable future. Thus, regardless of whether the decision was justified, it constituted a clear impediment to the Union's credible commitment toward Turkish membership. Additionally, some EU Member States, most notably Germany, France, Austria and Netherlands, had become increasingly sceptical of Turkey's accession. For instance they have signalled that Turkey's future EU accession may be subjected to national referendums (Ellis 2010). In addition to these impediments to credible commitment, the Greek Cypriot government now holds a veto on Turkey's EU membership, potentially adding on another hurdle to Turkey's future accession.

The stagnation in Turkish-EU relations raised fears of an imminent roll-back of political reforms in Turkey to the *status quo ante*. Yet, Prime Minister Erdoğan declared that if necessary the Turkish Government would rename the Copenhagen Criteria as the 'Ankara Criteria' and continue with the reform process (*AB Haber* 2006). However, with the decline in credible commitment, the government's approach toward the Kurdish minority as well as other elements of democratic reform began to be determined less by EU conditionality and more by domestic incentives and internal cost-benefit structures. Starting in 2006, the Commission's progress reports pointed to the government's failure to continue the reform process. In the reports the Commission bemoaned especially the implementation problems regarding already adopted legal reforms as well as the increase in tensions and hostilities between different political groups. The Commission saw the latter as a key hurdle to creating a domestic political environment that is conducive to(if not imperative for) successful and sustainable reforms within Turkey (European Commission 2006; 2007; 2008; 2009; 2010; 2011).

The AKP won the 2007 general elections to form a single party government for the second term. Yet, in the 2009 local elections the party lost out to the Kurdish DTP (Democratic Society Party) in eight key southeast provinces. Commentators argued that this success was a response by the Kurdish electorate to the government's stagnating reform agenda, especially in the area of Kurdish minority and cultural rights (Çarkoğlu 2010). Following the local elections and keen to re-establish its popularity in the Kurdish-populated region, the AKP government proposed a so-called 'Kurdish opening'. Notwithstanding the promising name, the government failed to release any details of what this new initiative would stand for, rendering it open to criticism from both Turkish and Kurdish nationalists. The first step of the 'Kurdish opening' was taken finally in November 2009 when 34 PKK members were officially allowed to enter Turkey from their Iraqi bases (*Radikal* 2009). This initial gesture was celebrated widely by the Kurdish nationalists as a victory against the Turkish State thus attracting the fury of Turkish nationalists. As a result, the government renamed the 'Kurdish

Opening' as the 'Democratic Opening' and later as the 'National Unity Plan' and soon after abandoned it completely (*Habertürk* 2009).

The failure of the Kurdish opening was subject to extensive debate with the consensus emerging that the AKP government at the time lacked a clear and comprehensive strategy in their approach towards the Kurdish minority. The government could have relied on the politically less contentious discourse of EU conditionality, as had been done before, thus, keeping the extreme Turkish and Kurdish nationalists at bay. Instead, the government attempted a quick fix to bring swift results and to reverse its drop in popularity in the southeast, which eventually backfired (Kirişçi 2011; Casier et. al. 2011; Çiçek 2011; International Crisis Group 2011).Notably, the government's Kurdish initiative was launched in parallel to Union of Communities in Kurdistan (KCK) criminal investigations where more than 2000 Kurdish politicians and intellectuals, as well as members of the press, have been arrested since 2009 for being PKK members – mostly based on non-violent expressions of thought (International Crisis Group 2011). Those under arrest include elected local politicians from the DTP and the Peace and Democracy Party (BDP). The latter was established in December 2009 to replace the DTP after the Turkish Constitutional Court ordered the dissolution of the latter.[9]

In the run-up to the 2011 general elections the political climate became increasingly more hostile. The AKP government abandoned its previous reformist path; instead relying on an increasingly nationalist tone. This tactic was arguably employed to steal the MHP's main electoral base and push the party below the 10% threshold (Cengiz and Hoffmann 2012).[10]For instance, in election rallies, Prime Minister Erdoğan accused the MHP for not 'hanging' Öcalan, referring to MHP's partnership to the coalition government that had abolished the death penalty (*Turkish Daily News* 2011). In its approach to the Kurdish issue the AKP relied on the so-called 'muslim brotherhood' discourse (*Milliyet* 2011). This discourse, originally used by Islamist parties in the 1990s, relies on the promotion of a unifying umbrella identity of Islam for different ethnic groups, including the Kurds, thus leaving minimum need for the promotion of separate ethnic identities(Houston 2001). Most significantly, the Prime Minister Erdoğan refused in the election campaign to acknowledge the existence of a Kurdish problem in Turkey, advocating instead that there was a terror issue caused by the PKK and other extremist Kurds (*Habertürk* 2011).

[9]Constitutional Court of the Republic of Turkey, decision no 2009/4.

[10] If the MHP had failed to reach the 10% national threshold, the AKP would have been all but guaranteed a two-third majority of parliamentary seats, necessary to amend the constitution singlehandedly. This was AKP's main goal in the elections. See AKP 2011, pp. 15-17.

Unsurprisingly, the Kurdish electorate was not swayed by the reliance on religious and anti-terror arguments in the AKP's election campaign. The AKP received 49% of the overall vote. It thereby achieved its largest share of the popular vote yet and won a third term in the office. However, the Kurdish BDP emerged as another winner in the elections. To circumvent the 10% threshold the party decided to field independent candidates, rather than a party list. As a result the BDP secured 36 seats in the parliament –almost double its previous parliamentary representation. The post-election period was marred by a deterioration in the political climate, as some MPs of the BDP had been arrested due to terror-related criminal accusations mostly under the aforementioned KCK operation. Thus, those MPs could not take their seats in the parliament. The only criminally convicted MP among those was Hatip Dicle, whose parliamentary mandate was stripped by the High Election Council.[11]His seat was subsequently reallocated to the second placed AKP candidate in the Diyarbakir constituency. The BDP called on the AKP government to amend relevant constitutional and criminal provisions to remove non-directly-terror-related expression of thought from the scope of terror-related crimes, which would have led to the immediate release of all elected BDP members. In order to pressure the government to adopt the requested reforms, BDP MPs initially boycotted *en banc* all parliamentary activities.

The AKP refused to take the necessary reform steps resulting in an even more politically hostile environment (Cengiz, Hoffmann 2011). On 14 July 2011, just over a month after the elections, violence resurged in Turkey's southeast. The PKK ended its pre-election ceasefire and killed 13 Turkish soldiers at once in an ambush in Silvan. This was followed by more attacks against military and civilian targets. The government, in response, intensified the military fight with cross-border air raids on PKK camps in Northern Iraq (*CNNTürk* 2011). The violence that started in the summer of 2011 has not yet stopped and has claimed the lives of hundreds of soldiers and civilians so far.

The dramatic shift in the government's approach to the Kurdish issue came into place despite various developments that resulted in significant and continuous decrease in the adoption costs for reform. First and foremost, the AKP did not only win three national elections in a row to the end of forming a single party government, but the party also enjoyed a steady increase in its share of the vote from one election to the other. In other words, unlike previous fragile coalition governments, the AKP enjoys sustained public support that ought to propel the party to take bold reform steps in politically contentious issues, such as minority rights, without fearing to lose nationalist votes or to face a governmental collapse.

[11]Decision No.1022, June 21, 2011.

Second, the Turkish military and bureaucratic elites, who had previously constituted key veto players in the domestic political system, have lost most of their powers to civilian political institutions. Interestingly, this loss in power was a direct result of the democratic reforms adopted responding to EU conditionality. Removal of informal and formal military involvement in daily political life has been made a condition in Turkey's accession partnerships (European Council 2001; 2003; 2006a; 2008). And the Turkish governments adopted significant reforms between the years 2002 and 2010 to meet these EU conditions. [12] Additionally, in 2007 and 2010 two criminal investigations, *Ergenekon* and *Sledgehammer*, were launched into alleged coup and other illegal propaganda activities against the government by military and other state personnel. Initially, the *Ergenekon* investigation was also hoped to illuminate and provide retribution for grave human rights violations committed in the southeast throughout the 1990s by the so-called Turkish 'deep state' (i.e. a criminal organization within the state apparatus using illegal methods in the fight against terror). Nevertheless, the investigation increasingly lost its credibility with the release of 15 different indictments targeting journalists and otherwise government-critical individuals. Thus, the investigation is now often perceived as a political attempt by the government to punish its opponents (Mavioğlu, Şık 2010). Illustrating the shift in the balance of power between the military and civilian institutions, former force commanders as well as the former chief of staff who had been appointed by the second AKP government have also been arrested under the *Ergenekon* investigation. The shift in the balance of power was not only legal but also symbolic: notably, as a response to the military opposition to Abdullah Gül's election as the president of the country AKP called early elections in 2007 and won its second term in the office proving that the public takes side with the government rather than the military (*BBC News* 2007). Likewise, in 2011, the civilian members of the High Military Council (that appoints officers to key military positions) exercised full discretion over the choice of force commanders, after a conflict between the civil and military members of the Council resulting in the resignation of all existing force commanders (*Cumhuriyet* 2011).

In summary, in its second and third terms in office the AKP government responded to EU conditionality only selectively. The government strategically adopted the reforms that would result in the increase of civilian, hence governmental, powers at the expense of the powers of significant veto players in

[12]The most important reforms in this respect include the changing of the majority of membership in the National Security Council to the benefit of civil executives and the stripping of the Council from all non-advisory powers; opening of the execution of military budget to full civilian control; the removal of the military courts' jurisdiction for the trial of civilians; the removal of military membership from all advisory state boards; and the abolishment of the Protocol on Cooperation for Security and Public Order (the EMASYA Protocol) that enabled military operations without due civilian authorization in cases of emergency. See Gürsoy 2011.

the state system, most notably the military. Although the limitation of veto players constituted a reduction in adoption costs, it did not automatically translate into an improvement or acceleration in the reform process with regard to other issues. On the contrary, in the absence of credible commitment to Turkish EU membership, domestic cost-benefit structures, rather than EU conditionality, determined the AKP government's incentives for reform. Arguably, the AKP increasingly perceived the Kurdish BDP as a political rival not only in the southeast, but also in certain metropolitan areas, thus, carefully avoiding to take any reform steps that could appear as victories of the BDP and the rest of the Kurdish political establishment. Additionally, in the lack of a credible commitment for Turkey's EU membership, the original belief system of the government party, rather than norms promoted by the EU, began to influence the government's domestic reform agenda. Put differently, the AKP – essentially a centre-right party – did not hold a strong enough belief in the existence and promotion of Kurdish identity nor did it agree that this identity is in need of protection and promotion through cultural and social minority rights (Çiçek 2011).

Conclusions: Implications for Europeanization and the External Incentives Model

In the context of Turkish reforms with regard to the Kurdish minority, our analysis shows that credible commitment appears as a necessary and sufficient condition for norm adoption, whereas low adoption costs appear neither as necessary nor sufficient condition. A fragile coalition government initiated daring reforms in the presence of credible EU commitment to Turkey's accession despite high adoption costs and powerful veto players in the domestic political system. In contrast, a powerful three term incumbent government returned to a much more conservative and nationalistic discourse responding to decline in credible commitment. This was despite the decreasing adoption costs and the loss of power of significant veto players. This finding contradicts the basic premises of the external incentives model. The model perceives low adoption costs and weak veto players as necessary and sufficient conditions for norm adoption in EU candidates.

Additionally, the external incentives model seems to have missed to a degree the dynamic nature of the accession process. As our analysis shows, EU induced democratic reforms may result in a progressive decrease in adoption costs and in the power of the veto players. This requires a more dynamic treatment of the relationship between EU conditionality and adoption costs in the model. Currently the model treats adoption costs and veto players as independent exogenous variables for norm adoption, even though the reforms themselves may influence adoption costs and the power of veto players. From this perspective our analysis

also reveals a potential side effect of conditionality: in the absence of credible commitment, those in power in EU candidates may apply conditionality selectively and strategically to increase their own power in the system. A selective adoption of EU proposed reforms might not always lead in the direction of a more democratic regime. In the Turkish example the government applied conditionality selectively to increase governmental powers at the expense of key veto players, most notably the military. It is beyond doubt that civilian oversight of the military constitutes a key element of a democratic regime. Still, in the Turkish case the decline in the powers of veto players did not directly result in a more democratic regime. On the contrary, there are signs of civil – as opposed to military – authoritarianism in the system that is apparent *inter alia* in the government's approach to the Kurdish issue. This finding is in line with the initial arguments of some critics that conditionality might tip the power balance towards governments who hold the primary access to the reform agenda(See Vink, Graziano 2008, p.15).

As has become clear throughout our paper, a formal adoption of norms does not necessarily result in compliance with the EU standards. Effective implementation of EU induced reforms requires a more fundamental mentality transformation on the side of the state institutions and officials. When underlying belief systems remain intact, institutions and officials find alternative routes to return to the *status quo ante* once the effect of conditionality weakens or vanishes, despite the changes in legal framework. For instance, in the Turkish case various amendments to the Anti-Terror Law and the Criminal Code did not prevent state institutions and officials from treating the expression of taught as terrorist propaganda under alternative criminal provisions at the expense of freedom of expression. As a side effect, strong EU conditionality may contribute to the lack of mentality transformation: reforms determined as short- and medium-term conditions in accession partnerships often take over the parliamentary agenda. Large numbers of legislative reforms are adopted in extremely short periods of time, leaving no room for public debate necessary for the internalisation of reforms (See also Schimmelfenning, Sedelemeier 2008, p.26). In the Turkish case, in 2001 alone thirty-four constitutional and hundred and seventeen other legislative amendments were adopted. Moreover, the first AKP government passed the reforms in full partnership with the CHP, the only opposition party in Parliament at the time, thus leaving no room for debate and/or alternative voices in the parliament. The potential return to the *status quo ante* is also alarming for long-term compliance with EU standards in the new Member States. Even though recent empirical studies discredit the reason for alarm, their analysis is purely based on implementation of directives and the Commission's infringement proceedings. Nevertheless, as the recent developments in Hungary demonstrate, a significant power shift in the domestic political system may pose long term problems for the relevant country as well as the Union as a whole (see Mueller

2011). Hence, methods based on social interaction, such as networking and civil society mobilisation, rather than pure conditionality, may prove more effective in securing long-term compliance with norms that are contested in the domestic belief system.

These conclusions are subject to the caveat that they are produced by the analysis of a single case study: democratic reforms regarding the Kurdish minority in Turkey. We appreciate the necessity to verify our arguments by a wider, comparative analysis to show whether these conclusions have general relevance or are specific only to this single case. Our work at this front is pending and forthcoming.

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