

TURKEY'S EUROPEAN UNION MEMBERSHIP DILEMMA IN THE CONTEXT OF MEMBER STATE PREFERENCES AND RATIONALIST INSTITUTIONALISM

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Abstract

The European Union accession process of Turkey became an academic subject worth researching and that has been done many studies upon. Turkey is a country which is unique for EU in terms of many areas. Any other country has such long membership process and any membership has been this much discussed. Turkey is more crowded than almost all the other union countries and its socioeconomic situation differs. Also, the possible voting right is another important problem that makes the union think about. The possibility of membership scares the union since it is impossible to give Turkey the possibility of being one of the most authorized country of the union. The reason of Turkey's prolonged accession process depends both to the attitude of member countries and attitude of Turkey. Frank Schimmelfennig explains in his article "Entrapped Again: The way to EU membership negotiations with Turkey" that the dilemma of the European Union process of Turkey is not only because the member countries which behave rationally but also because Turkey's failure to realize required reforms. In this study, how the milestone decisions of EU in 1999 and 2005 are taken despite opponent membership countries will be discussed according to some parameters. For this context, in the light of the previous enlargement of EU, the approach of EU to other candidate countries, the success to realize Copenhagen Criteria of candidate countries and after membership period with the rationalist institutionalism theory, this study will try to enlighten the dilemma of European Union process of Turkey.

Keywords: Turkey; EU membership; rationalist institutionalism; member state preferences; European Union dilemma.

Özet

Türkiye'nin Avrupa Birliği (AB) üyeliği; üzerine birçok çalışma ve araştırma yapılmış, gerek Türkiye gerek Avrupa Birliği açısından incelemeye değer bir süreçtir. Türkiye, AB açısından birçok anlamda bir 'ilkler' ülkesidir. Başka hiçbir ülke bu denli uzun bir başvuru süreci geçirmemiş, başka hiçbir ülkenin üyeliği bu denli tartışılmamıştır. Üyelik sürecini bu denli uzun ve tartışmalı hale getiren faktörlerden biri şüphesiz ki üye ülkelerin Türkiye hakkında tutumları ile birlikte Türkiye'nin zaman zaman süreci yavaşlatacak şekilde davranmasıdır. Türkiye'nin Avrupa Birliği konusunda yaşadığı çıkmazda Schimmelfennig'in "Entrapped again: The way to EU membership negotiations with Turkey" isimli çalışmasında belirttiği üzere sadece rasyonel şekilde çıkarlarına göre davranan üye ülkelerin değil; reformları konusunda çekimser ve yavaş davranan Türkiye'nin de rolü vardır. Bu çalışmada; AB tarafından Türkiye'ye 1999 ve 2005'te üyelik sürecinde önemli aşamalar kaydettiren kararların, bazı ülkelerin karşı çıkmasına rağmen nasıl verildiğinin cevabı bazı parametreler çerçevesinde tartışılacaktır. Bu kapsamda AB'nin Türkiye'den önceki genişleme deneyimleri, diğer aday ülkelere yaklaşımı ve aday ülkelerin Kopenhag kriterlerini karşılama ve üyelik sonrası uygulama durumları göz önüne alınarak rasyonel kurumsalcılık teorisi ile birlikte üye ülkelerin tercihleri ve tercihlerinin gösterdiği değişkenlik çerçevesinde bu çalışma, Türkiye'nin AB çıkmazının geldiği noktayı aydınlatmaya çalışacaktır.

Anahtar Kelimeler: Türkiye; Avrupa Birliği üyeliği; rasyonel kurumsalcılık; üye ülke tercihleri; Avrupa Birliği çıkmazı

1- INTRODUCTION

Turkey's European Union Path becomes a unique concept rather than an accession process. European Union's probably the most controversial issues in EU history. The structure of EU, which was not very well organized and structured itself, started to organize and then with the accession of new members, it became clear how and why Turkey is a different country. Turkey is rather an agriculture country and has a relative more population than the other countries.¹ In a case of accession; Turkey will have a big right of vote in decision making just after Germany which is really not acceptable by European Union. For the largest expansion ever, Agenda 2000 which is prepared by the Commission opened the way of EU accession for East and Central European Countries in 1997 Luxemburg Summit. Turkey is on the other hand, waiting till 1987 to open the accession negotiations could not find itself a place as candidate country in this Summit. This decision, which confused Turkish leaders a lot, was the beginning of a rough process that will be resulted with the candidacy of Turkey in 1999 Helsinki Summit.² Economical issues, population related issues and socio economic reasons, being an Islamic country, democracy deficits and human rights related issues make Turkish accession issue suspicious and decreasing support started to change the member countries preferences.³ How the Turkey did become a candidate country in 1999 Helsinki Summit even though it could not be one of the 12 candidate countries in 1997 Luxemburg Summit? This change in EU's decision will be the main issue of this paper.

According to Schimmelfennig, the outbound process that will make a common decision of member countries can be explained by normative institutional approach. According to the entrapment hypothesis, European Union behaves accordingly to basic social norms and it is not fair to reject Turkey's candidacy on the pretext of cultural and socioeconomic mismatch.⁴ Even though the countries which are opposed to Turkey's membership because of liberal democratic norms, economical and cultural reasons cannot totally stop the process; they can actually slowdown it. The Commission continuously repeats that for Turkey democratic harmony issue is problematic. Another factor that slowdowns the process is Turkey's abstention and slowness about reforms. Within this context, the important dates and breaking points in Turkey's accession process 1997, 1999, 2005 and 2006 will be evaluated accordingly to member state preferences and rationalist institutionalism. In this study, firstly the membership process of EU accordingly to the previous experiences will be evaluated in the context of member countries preferences and rationalist institutionalist theory. After that an important periods 1997-2005 will be evaluated. At this point, Turkey's role about the slowness of the process and resistance about signing the Additional Protocol attached to Ankara Agreement gain importance.

2- MEMBER STATE PREFERENCES

EU's decision on largest enlargement ever -East Enlargement- includes different factors inside. Geographical proximity and border security issue, economical factors arising from trade partnerships affect the decisions related to enlargement. However, when member state preferences are examined, it can be seen that; these factors cannot explain some preferences. It can be concluded about member state preferences that any single factor is decisive.⁵ Examples can be given over member states: England, France, Germany and Italy, most important countries of EU; two neighbor countries Cyprus and Greece and four differently chosen countries Austria, Denmark, Netherlands and Poland are examined accordingly to their behaviors in two important breaking points in Turkey's accession process: 1997 and 1999. In 1997 Luxemburg Summit, which Turkey was not announced as a candidate country, positive opinions came from France, Italy and England.⁶ The most important reason of this opposition is that; in a crowded union which consists of Christian countries, a crowded Muslim country is not welcomed. Greece is on the other hand suggests Cyprus problem and border disputes as the reason of opposition. After Luxemburg Summit, Italian and French leaders agreed that German and Greece oppositions are resulted in this negative result for Turkey in the summit. A study that includes interviews with ambassador of EU member countries suggests

¹ Schimmelfennig, Frank, "Entrapped Again: The Way to EU membership negotiations with Turkey", **International Politics**, 46, 2009, s.414.

² Müftüleri-Baç, M. And McLaren, L.M, "Enlargement preferences and policy-making in the European Union: Impacts on TURKEY.", **Journal of European Integration**, 25: 1, 2003, s.17.

³ Öniş, Ziya, "Luxemburg, Helsinki and Beyond: Towards an Interpretation of Recent Turkey-EU Relations", **Government and Opposition**, Vol.35, 2000, Issue 4, s.464.

⁴ Schimmelfennig, "Entrapped Again: The Way to EU membership negotiations with Turkey", s.415.

⁵ Schimmelfennig, Frank, "The Community Trap: Liberal Norms, Rhetorical Action, and the Eastern Enlargement of the European Union.", **International Organization** 55, 1, 2001, s.49-53.

⁶ Schimmelfennig, "Entrapped Again: The Way to EU membership negotiations with Turkey", s.417.

that the reason why Turkey is out of the candidacy countries group is that there is no boss country that defends Turkey. For example Germany opposed Poland, Hungary and Czech Republic; Scandinavian Countries is by the way supported Baltic Countries. France is a supporter to accession of Romania. This boss-client relation is of course resulted from historical familiarity, border familiarity, strategical reasons were effective. Turkey's not having a relationship like this was an important result of the opposition.⁷

Coming to 1999, it can be seen that the ideas of other countries that are given in the previous examples were not changed; however the two central countries Germany and Greece are softened their ideas. In Greece, a Turkey supporter minister president who is Turkey was in power and 1999 earthquake in Turkey and Greece is said to be a reason of this softening. In Germany on the other hand, instead of Helmut Kohl social democrat Gerard Schröder came in to power in 1997 that was pro-Turkey. This effected the decisions in Helsinki Summit in favor of Turkey. Besides, as a result of rationalist institutionalism, member states' individual preferences also played a big role about Turkish candidacy in 1999 Helsinki Summit.

2.1. Turkey's Accession Process In The Context Of Rationalist Institutionalism

Until 1993, Europeanness was the prerequisite for EU membership. However, European Union, which prepared to the largest enlargement ever; was aware that it has to offer some different conditions hereafter. According to the decisions of Copenhagen Criteria; some criteria must be fulfilled to be a member of the European Union. After enlargement it was understood that these criteria which can be summarized as political, economic and legislative alignment –which is also known as *acquis communautaire*- was not actually enough. Member countries' individual interests and relative power is an effective factor.⁸ The breaking point in Turkey's accession process in 1997-1999 periods can be explained with rationalist institutionalism. In rationalist institutionalism, institutions' regulatory and productivity enhancing and instrumental properties are at the forefront.⁹ Institutions are defined as variables which mediate between material interests and environment of actors. Institutions are seen as intrusive and mediator variables that are stayed between preferences of actors and political results.¹⁰ According to rationalist institutionalism, institutions are formed because of the dependency and fulfill the important functions for actors. At this context it can be suggested that; Turkey's candidacy is realized when member countries' saw and believed Turkey's desire about accession and softened of their individual decisions.

2.2. The Way Through Negotiations After 1999 Helsinki Summit

After Luxemburg Summit, although it was known that there is more time needed to start to negotiations, Turkey's official candidacy was became necessary.¹¹ Negotiations were started with even inadequate countries like Romania and Bulgaria, neighbor countries held the candidacy status and EU had no more excuse for Turkey- awaiting for candidacy status for many years. With 1999 Helsinki Summit, first time in history Turkey is announced as an official candidate without any opposition.¹² This candidacy holds important points for Turkey. With this candidacy, Turkey's uncertain position ended; and Turkey took the chance of being evaluated like other Central and Eastern European Countries, according to the same criteria. During the process, European Commission's role strengthened and Commission is empowered and had the authorization of starting negotiations. So that, any country's pre- negotiation process could not be sabotaged.¹³

The abolition of death penalty and Kurds having the right of education in their own languages in 2001 and 2002 is welcomed by European Union. European Council meeting in 2002 in Copenhagen, with the proposal of Commission in 2004; together resulted in the decision of starting to negotiations. This evaluation was not made solely according to Copenhagen political criteria, but also a concrete result of being a candidate country. Turkey's positive developments about civil control on military and Cyprus issue and acceptance of

⁷ Müftüleri-Baç, M. and McLaren, L.M, "Enlargement preferences and policy-making in the European Union: Impacts on Turkey.", *Journal of European Integration*, 2003, s.17.

⁸ Baç and McLaren, a.g.m., s.28.

⁹ Schimmelfennig Frank, Sedelmeier Ulrich. "Theorizing EU Enlargement". *Journal of European Public Policy*, 2002, 9:4 August. S.509.

¹⁰ Soyaltın, Diğdem, "Avrupalaşma ve Türkiye'nin Dönüşüm Süreci", 2006, Dokuz Eylül Üniversitesi Sosyal Bilimler Enstitüsü Avrupa Birliği Anabilim Dalı Yüksek Lisans Tezi, s.25.

¹¹ Öniş, Ziya, "Turkey's Encounters with the new Europe: multiple transformations, inherent dilemma, and the challenges ahead", *Journal of Balkan and Eastern Studies*, 8:3, 2006, 289.

¹² Rumford, Chris, "Failing the EU Test? Turkey's National Programme, EU Candidature and the Complexities of Democratic Reform". *Mediterranean Politics*, 2002, Vol.7 No:1, 2002, s.55.

¹³ Schimmelfennig, "Entrapped Again: The Way to EU membership negotiations with Turkey", s.424

Annan Plan for the peace in Cyprus showed that AKP, which came to power as a supporter of moderate Islam, has accelerated the reform process.¹⁴ However, opposed countries were not convinced. The advice of Commission in 2004 progress report about starting of the negotiations, accepted with two conditions. Firstly, Turkey should implement additional 6 legislations. Secondly, Turkish Government will sign an additional protocol regarding validation of Customs Union for Southern Cyprus. Turkish President Tayyip Erdoğan was not accepted to sign this protocol before official starting of negotiations in 3 October 2005.¹⁵

One of the breaking points of Turkey- EU relations, year 2005, started with difficulties. As rationalist institutionalism defends, because of one single country's opposition, Turkey- EU relations nearly came to an end. With the accession of Southern Cyprus in 2004, Turkey opponents were empowered. Anyway, in EU's decision making process, a single country can block the process which shows individual interests- like in rational system- in the foreground. Turkey opponent countries, even though they accept that Turkey had developed, offered alternative ways like privileged partnership, in order to block the accession process. However, the Commission stating that recognition of Cyprus is not a precondition to start the negotiations, decided to sign the additional protocol that extends the Customs Union in 29 July 2005. With the pressure of French, Greece and Cyprus governments, EU decided for Turkey to normalize the relations in order to continue the negotiations. Despite all the opponents, after 30 hours exhausting negotiations, it has been decided to start the negotiations in 3-4 October 2005.¹⁶ Beginning of the negotiations in spite of all opponents is the result of Turkey's success and desire in realizing the reforms and member countries jamming in. The opponents however, on the grounds of not acting accordingly to the EU norms and not keeping the promises, suspended negotiations with Turkey in 2006. Turkey has also a role in coming to this point.

3. SUSPENDING OF THE NEGOTIATIONS AND EU DILEMMA

As Schimmelfennig defends, Turkey's EU dilemma is a process that is subjected to conditions. Until negotiations started in 2005, Turkey emphasized its desire about being a member and behaved accordingly. However with 2006, Turkey started to slow down the reform process and reluctance. Supporter countries became insoluble at this point. First of all, Turkey's unwillingness about implementing Customs Union to Cyprus and opening ports and airports is an important problem. What is expected from Turkey is whereas to realize Copenhagen Criteria and implement the reforms in an expected manner. By the way dilemma came to this point: as Turkey complies with EU norms, Turkey opposes countries will have no excuse however when Turkey fails to realize Turkey opposed countries will strengthen their hands. That means as long as Turkey realizes EU's basic expectations, it cannot be said that EU makes negative discrimination.¹⁷ As Turkey could not realize expectations about Cyprus issue, in 29 November 2006 the Commission suggested closing 8 chapters over total 35 ongoing chapters and as long as this problem is not solved; any new chapters will be opened. EU leaders have said about these: "As long as Turkey realized criteria, anyone can question Turkey's membership." (Term President Finland Ministry of Foreign Affairs Erkki Tuomioja). "The decision that is taken is a signal that when Turkey cannot meet the obligations, however could not prevent progress of the negotiations". (President that is responsible from enlargement Olli Rehn).¹⁸

4. CONCLUSION

EU membership of Turkey is a unique, controversial and long process. In spite of economical, socio-cultural and geopolitical opposing ideas; Turkey continues its relations with EU within the framework of partnership agreements. Until 1993, for EU membership single condition was to be European. However, as EU decided for eastern enlargement, new criteria were determined for new countries which named as Copenhagen Criteria and categorized as political, economical, and *acquis communautaire*. Accordingly, any country's membership because of socioeconomic and related reasons, Copenhagen Criteria will be prevailed. In 1997 Luxemburg Summit, Turkey expected to take the candidacy status with other eastern and central European countries. However, Turkey was not announced as candidate country which disappointed Turkey a lot. Two years later in 1999 in Helsinki Summit, Turkey was announced as candidate country. Taking to consideration

¹⁴ Patton, Marcie J, "AKP Reform Fatigue in Turkey: What has happened to the EU Process?", **Mediterranean Politics**, Vol.12, No:3, 2007, s.346

¹⁵ Schimmelfennig, "Entrapped Again: The Way to EU membership negotiations with Turkey", s.426

¹⁶ Schimmelfennig, "Entrapped Again: The Way to EU membership negotiations with Turkey", s.427

¹⁷ Baç, Meltem-Müftüleri, **Enlarging The European Union: Where Does Turkey stand?**, TESEV, 2002, s.24

¹⁸ "AB ve Türkiye arasında yürütülen müzakereler kısmen askıya alındı", <http://www.euractiv.com.tr/ab-ve-turkiye/article/ab-ve-trkiye-arasinda-yrtlen-mzakereler-ksmen-askya-alindi>, 12 Aralık 2006 (erişim 28 Mayıs 2013)

that Turkey has not shown a huge improvement between 1997-1999, it can be said that EU's this decision will be affected from several factors like government changes in Germany and Greece. In both countries pro-Turkey countries came into power. According to rationalist institutionalism theory, institutions are secondary to personal and material interests. Institutions are defined as variables which mediate between material interests and actors' environment and actors' regulatory, productivity enhancing and instrumental functions are at the forefront. Based on this evaluation, EU had a change of attitude according to member countries' individual preferences. After Helsinki Summit in 1999, with the government change in Turkey, AKP came into power with moderate Islam policy. AKP continued positive EU policy, as it took over from previous government. The abolition of death penalty and Kurds having the right of education in their own languages in 2001 and 2002 is welcomed by European Union. European Council meeting in 2002 in Copenhagen, with the proposal of Commission in 2004; together resulted in the decision of starting to negotiations. The advice of Commission in 2004 progress report about starting of the negotiations, accepted with two conditions. In 2005, historical decision about Turkey's membership was taken and negotiations were started. Against all opponents, this decision shows that with additional two below average countries- Bulgaria and Romania- EU had no other way but to start negotiations with the reassurance about reforms. However with 2006, Turkey started to slow down the reform process and reluctance. Supporter countries became insoluble at this point. First of all, Turkey's unwillingness about implementing Customs Union to Cyprus and opening ports and airports is an important problem. What is expected from Turkey is whereas to realize Copenhagen Criteria and implement the reforms in an expected manner. By the way dilemma came to this point: as Turkey complies with EU norms, Turkey opposes countries will have no excuse however when Turkey fails to realize Turkey opposed countries will strengthen their hands. That means as long as Turkey realizes EU's basic expectations, it cannot be said that EU makes negative discrimination.¹⁹ As Turkey could not realize expectations about Cyprus issue, in 29 November 2006 the Commission suggested closing 8 chapters over total 35 ongoing chapters and as long as this problem is not solved; any new chapters will be opened.

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¹⁹ Baç, Meltem-Müftüler, **Enlarging The European Union: Where Does Turkey stand?**, TESEV, 2002, s.24