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**When Europe does not hit home:**

**Domestic Struggles, Global Power Shifts and EU’s Democracy Promotion in Turkey**

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1. **Introduction**

This paper addresses the substance of EU’s democracy promotion in Turkey which is not adequately examined in the literature. It will assess EU democracy promotion during two consecutive periods, 1999-2012 and 2013-2020. We argue that EU has scaled down the substance of its democracy promotion in Turkey from broad in the first period to the shallow in the second period which could be explained by revisiting three factors: *domestic struggles, power asymmetries, EU resilience politics*. The domestic struggles have become the identifying factor due to the dramatic internal struggles the country went through especially after the corruption scandal of 2013 and failed coup of July 2016. The ongoing democratic backsliding in and increasing misfit was coupled with the EU’s shallow reform agenda that fails to compensate the domestic adoption costs. Instead, the EU largely associated Turkey’s EU accession process with its success in ending the refugee flows to Europe rather than the realization of democratic reforms under official membership conditionality. The externalization of the refugee crisis raised Eurosceptic criticisms against the EU in Turkey and undermined the credibility of the EU’s transformative power for the domestic politics. The second factor which should be re-considered is the shift in the power asymmetries. The emergence of Turkey as a new center of aid and trade to developing countries in Africa, a rising partner for the countries in Central Asia, and a provider of security and stability in Euro-Atlantic region changed the power dynamics and constricted EU’s appeal for Turkey. Moreover, Turkey’s crucial partnership in terms of refugee crisis decreased the degree of interdependency and trimmed down EU’s ability to exert direct influence and adaptational pressure for institutional change in Turkey. Third, with the change in EU Global Strategy, EU turned resilience into one of the cornerstones of foreign and security policy, replacing the earlier focus on democracy promotion. While EU’s resilience politics under the enlargement policy prioritizes stability/security over democracy in Turkey similar to Western Balkans and MENA countries, it opens up new research venues for diverging views about scope and depth of EU’s transformative power in its near abroad. Due to coupling of these three factors, the EU’s democracy promotion for Turkey weakly hits home and instead highlights strategic co-operation on a number of key areas (such as trade, energy, and migration).

1. **EU democracy Promotion- When Europe does not hit home**

Theoretical and empirical state-of-the-art on the EU democracy promotion focused on the mechanisms and tools of its external rule transfer. The research on ‘transformative’ power of Europe elaborated on how under which conditions and to what extent the EU hits home in the countries that are not members (yet). Scholars intensely examined the top-down Europeanisation in the post-communist Europe and identified domestic misfit and membership conditionality as two factors that decisively shape the effectiveness of the EU’s transformative power in the Central and Eastern European accession countries (Kelley 2006; Lavenex 2004; Schimmelfennig/Trauner 2010). If high and credible conditionality combines with policy or institutional misfit, the EU-induced domestic change is likely to occur because the domestic elites reply to the EU pressure for change to reach to benefits and EU offers enough to pay off the domestic adoption costs (Schimmelfennig/ Sedelmeier 2004). Strong incentives combined with domestic misfit generated EU-led domestic reforms and promoted democratization and political liberalization in the Central and Eastern European (Börzel and Risse, 2009, 2012; Lavenex et al. 2015; Schimmelfennig and Sedelmeier, 2005; Vachudova, 2005).

Like in the CEE, EU accession created pressure for the adaptation for deep-seated reforms between 1999 and 2004 when the credibility of EU conditionality towards Turkey was still high (Saatçioğlu 2010; Yılmaz 2011). Sizeable and credible EU incentives empowered pro-reformist coalitions vis-à-vis nationalist forces to push for domestic change (Aydın/Keyman 2004; Baç 2005; Börzel 2012; Grigoriadis 2009; Narbone/Tocci 2009; Noutcheva/Düzgit 2012; Öniş 2007; Tocci 2005). Whether the “prospect of starting accession negotiations worked wonders for Turkey’s transformation” (Kirişci 2011) or reinforced domestic reforms that started long before it received a membership perspective did so (Kalaycıoğlu 2011; Tocci 2005; Uğur 1999; Ulusoy 2005), is an open question. Especially after 2005, the EU certainly has provided not only new opportunities, but also legitimacy for the AKP government to overcome the resistance of veto players in the state structure (such as the military and large parts of the judiciary and bureaucracy) and to introduce domestic reforms which are to a large extent in line with its own political agenda.

Yet, a growing number of studies underscored the fact that EU’s policies triggered largely surface-thin reforms across countries (Wetzel and Orbie, 2015). While some scholars underlined technical and bureaucratic capacity problems leading to implementation gaps (Falkner and Treib, 2008; Mastenbroek and Kaeding, 2006) and pointed out unfavorable domestic conditions limiting EU’s transformative power (Magen and Morlino, 2009; Elbasani 2012; Soyaltin, 2017) some others focused on negative and pathological effects of EU conditionality and revealed how the selective and shallow Europeanisation processes have become instrumental for political leaders to neutralize domestic opponents and reward their domestic capital groups (Börzel and Pamuk, 2012; Dandashly and Noutcheva, 2019; Mendelski, 2015; Soyaltin, 2017a). Yet, as happened in the Balkan countries, the corrupt and authoritarian leaders have even proceeded in the EU accession process not because of fulfilling EU’s democracy criteria but aligning with principles of good neighborly relations. The EU’s focus on stability over democracy and governance problems enabled this progress, stabilized existing regimes instead of transforming them (Bieber 2019) yet undermined the EU’s democracy agenda.

Following the euro-zone crisis, the high influx of asylum seekers in 2015, the UK’s decision to withdraw from EU membership and recent COVID-19 pandemic deepened internal divisions between the member states and further constrained EU’s trasnformative power (Börzel and Schimmelfennig, 2017; Kaliber and Aydın-Düzgit, 2017; Mungui-Pippidi, 2020; Öniş and Kutlay 2019; Schimmelfennig and Sedelmeier, 2019). Scholars have also underlined the rising importance of illiberal externals (such as China and Russia) and the normative rivalry between Western and non-Western actors (Dandashly and Noutcheva, 2021) challenging EU’s democracy agenda in its near abroad (Bieber 2019; Markovic-Khaze and Wang, 2021; Soyaltin-Colella, 2022).

Against these challenging dynamics inside and beyond its borders, the EU seems to downscale its democratic transformative power in the world and embrace more pragmatic principles as enshrined in the EU Global Strategy (EUGS) of 2016 (Barbé and Morillas, 2019). Instead of state-building and democracy promotion, the EUGS has defined the concept of resilience as one of the cornerstones of EU foreign and security policy. This is bound to promote the EU’s image as a resilience builder (Stollenwerk et al., 2021; Tocci, 2020) yet undermines its role as a democracy promoter.

Based on these results, this paper re-evaluates the EU’s democracy promotion capacity and introduces a theoretical framework[[2]](#footnote-2) to explain when Europe does not hit home. We argue that when political misfit is high and is not compensated by great and credible incentives the domestic change is unlikely. Yet, despite high misfit, substantial costs, and few incentives, we do find evidence for the EU’s influ­ence in various policy areas before in Turkey which can be explained by domestic incentives (Nas/Özer 2012; Noutcheva/Düzgit 2012, Soyaltin 2017, Balkır/Bolukbası 2016). As long as EU demands align with the political preferences or survival strategy of (semi-) authoritarian elites, the latter can use EU policies and institutions to push their own political agenda and consolidate their power ([Noutcheva and Düzgit 2012](#_ENREF_7" \o "Noutcheva, 2012 #7091); [Börzel and Pamuk 2012](#_ENREF_2); [van Hüllen 2012](#_ENREF_10)). This factor explained selective reform process in Turkey.

The ongoing lack of reforms and democratic backsliding cannot be only explained by domestic misfit or domestic incentives. We argue that domestic power struggles at home have become the identifying factor especially after the corruption scandal of 2013 and failed coup of July 2016 and dramatically increased the political costs for the government at home (Soyaltin-Colella 2021). The ongoing democratic backsliding in and increasing misfit was coupled with the EU’s shallow reform agenda that fails to compensate the domestic adoption costs. Instead, the EU largely associated Turkey’s EU accession process with its success in ending the refugee flows to Europe rather than realization of democratic reforms under official membership conditionality. The externalization of the refugee crisis raised Eurosceptic criticisms against the EU in Turkey and undermined the credibility of the EU’s transformative power for the domestic politics.

The second factor which should be re-considered is the shift in the power asymmetries between Turkey and the EU. The degree of interdependence crucially shapes the pressure for adaptation the EU is able to exert and the power of the target country to resist such pressures. In principle, accession candidates have much to gain by closer relations with the EU which then increases the EU’s ability to exert pressure. However, some states possess resources (gas, oil) the EU is interested in, are of strategic importance and/or have the potential to create substantial negative externalities for the EU (illegal immigration, cross-border crime) (Börzel and Risse 2012). The emergence of Turkey as a new center of aid and trade to developing countries in Africa, a rising partner for the countries in Central Asia, and a provider of security and stability in Euro-Atlantic region constricted EU’s appeal for Turkey. Turkey also became a crucial partner of the EU in terms of managing the refugee crisis after the signature of EU-Tukey deal in 2016. The new power dynamics changed the degree of interdependency and trimmed down EU’s ability to exert direct influence and adaptational pressure for institutional change in Turkey.

Third, with the change in EU Global Strategy (EUGS), EU turned resilience into one of the cornerstones of EU foreign and security policy and replaced the earlier focus on democracy promotion. As indicated in the EUGS of 2016, resilience building does not entail giving up on the promotion of human rights, democracy, and the rule of law, but redirects attention to societies and communities rather than the state. It requires the EU to leave its state centric strategies of capacity-building towards strengthening the adaptive capacities of societies and local communities. Resilience building forwards attention to non-state actors in local communities rather than concentrating on free and fair elections. Although this approach is defined for countries which are part of the EU’s partnership programmes or neighbourhood policy with no membership perspective, the rapid influx of Syrian refugees to Europe in 2015 situated Turkey as a partner to maintain effective governance of the refugee crisis. This approach turns EU’s democracy promotion strategy for Turkey to the promotion of resilience, prioritizes stability/security over democracy and more importantly highlights strategic co-operation between Turkey and the EU on a number of key areas (such as trade, energy, and migration) instead of membership.[[3]](#footnote-3)

Due to the coupling of these three interlocking factors in a rapidly shifting international context, combined with the COVID pandemic, EU democracy promotion for Turkey weakly hit home. This approach opens new research venues for different views about scope and depth of EU’s transformative power and democracy agenda in its near abroad.

**3. EU’s democracy agenda for Turkey From broad to shallow**

Although the mechanism and outcomes of the EU’s efforts of democracy promotion have been widely discussed, there has been less attention on the substance of democracy promotion. Several studies in the literature focusing on what the EU promotes in third countries, found the EU to have a technocratic orientation that priorities state capacity, market related reforms and governance over democracy (Carothers 2009; Reynaert 2011; Hout 2010; Youngs and Pishchikova 2013).

The authors of this paper will follow the framework designed by Wetzel and Orbie, based on the comprehensive conceptualization of liberal democracy models developed by Linz and Stepan (1996) and Merkel (2004). In this analysis, the five factors of Merkel’s embedded democracy mode, namely, democratic electoral regime, political rights of participation, civil rights, horizontal accountability, and effective power to govern by democratically elected representatives (Merkel 2004: 37) are considered as internal factors, and the democratic consolidation conditions of Linz and Stepan (1996: 7-15) such as stateness, state administrative capacity, civil society and socioeconomic development are taken into account as supporting external conditions. The model elaborates on the expectations that the substance may be shaped by the differences in power between the EU and a target country; EU internal institutional factors; differences in the target countries’ domestic contexts; and differences in the interorganizational field. By assigning values on a scale ranging from ‘no or very minor attention’ (−), through ‘some’ (+) and ‘focused’ (++), to ‘major’ (+++) attention for the EU’s implementation activities regarding each component, the findings are evaluated. Based on the extent of substance that is being promoted, they distinguish five possible types of democracy promotion ranging from broad, full, narrow, and shallow democracy promotion agenda. Under the “Broad agenda” besides the five partial regimes, the EU also significantly supports the advancement of the external conditions, while under the “Full agenda” the EU mainly promotes the five partial regimes of liberal democracy. The third is “Narrow agenda” under which some partial regimes are promoted while others are neglected. The fourth is the “Shallow agenda” where the EU mainly supports the advancement of the external conditions.

Among the five possible types of democracy promotion classified by Wetzel and Orbie (2015:8) the Turkish case can be classified under the “externally embedded liberal democracy promotion”. The EU, besides the five internal factors, significantly supports the advancement of the external conditions and this can be mapped as a ‘broad agenda’, best explained by institutionalist and power-based approaches in the first period, while in the second period of the study, referring to the same framework, the “domestic context” becomes the main identifying factor due to the dramatic internal struggles the country has been going through. The challenge to map the substance of EU democracy promotion in Turkey was based mainly on Progress Reports, Commission Communications, Strategy Papers and Opinion Papers.

The accession negotiations with Turkey opened on October 3rd, 2005, after a long period of being in the queue for accession. The Agreement of Association, known as the Ankara Agreement, between Turkey and the European Economic Community (EEC) was signed on September 12th, 1963, and the ultimate goal of membership was acknowledged in the Association Agreement. Following the 1987 application for full membership which was not accepted by the EU due to Turkey’s political and economic conditions of the time, plus the Kurdish issue and the Cyprus conflict, the only viable option left for Turkey was to conclude the Customs Union with the EU in line with the Additional Protocol, and this took effect on January 1st, 1996. Through the EU–Turkey Customs Union, Turkey became part of the European internal market and had to adopt large parts of the acquis, regardless of its membership process. At the 1999 Helsinki Summit, Turkey was granted candidacy status, after which democratization reforms were initiated, including two major constitutional packages in 2001 and 2004, and nine legislative packages between 2002 and 2004. Following the decision to open accession negotiations with Turkey, the EU continued to monitor the progress of political reforms mainly by paying major and focused attention, respectively, to the partial regimes and external conditions.

The first period under study covered the period starting with granting candidacy status to Turkey at Helsinki Summit in 1999 to 2012[[4]](#footnote-4) and the second period is between 2013- 2020. In the findings of the first period concerning ***the electoral regime***, the EU paid comparatively little attention to the issue of electoral democracy in Turkey, where free and fair elections were held regularly and conducted properly. The Progress Reports mainly concentrated on the issue of inclusive active suffrage because of the 10 percent electoral threshold for parliamentary representation, along with the underrepresentation of women and minorities in parliament. However, in the second period, when irregularities were observed in elections, the EU paid *focused attention* to the *electoral regime.* Concerning the Parliamentary elections of 2015 and 2018, striking presidential elections of 2014 and 2018, public referendum of April 2017 regarding the transition from parliamentary system to the presidential system and eventful local elections of March 2019, the EU Turkey Reports repeatedly mentioned the uneven playing ground between the incumbent and the opposition including the misuse of state resources in favor of the government and the prime minister during the 2014 Presidential Election;[[5]](#footnote-5) and biased media coverage giving advantage to the incumbent government and the leader in all succeeding elections.

A series of actions taken after the 2019 local elections damaged local democracy. Several elected mayors, mostly from the Peoples’ Democratic Party (Halkların Demokratik Partisi, HDP) but also from People’s Republican Party (Cumhuriyet Halk Partisi, CHP) were placed in pre-trial detention on charges of terrorism and non-elected trustees were appointed in their place.

Concerning ***civil rights,*** the EU paid a major attention in both periods, concentrating on individual rights of protection of life, freedom, and property. During the first period, the EU paid major attention to human rights violations that are mainly related to the conflict with the Kurdistan Workers’ Party (PKK) and the prevention of torture and ill-treatment[[6]](#footnote-6) Major attention has been given to cultural diversity, promotion of respect for and protection of minorities in accordance with ECHR decisions, legal protection of minorities, minority education, languages, broadcasting, participation in public life, reducing attacks on minority religions by extremists and enhancing tolerance [[7]](#footnote-7).

During the second period, gender-based violence, discrimination and hate speech against minorities, and respect for the rights of lesbian, gay, bisexual, transgender, and intersex (LGBTQ+) persons were the major areas of concern[[8]](#footnote-8). According to the 2021 Rainbow Europe Map published by the International Lesbian, Gay, Bisexual, Trans and Intersex Association (ILGA)-Europe, Turkey was ranked 48th among 49 countries as regards the human rights of LGBTQ+ people. Turkey's LGBTQ+ community has long been subjected to state harassment and discrimination. Changes were not introduced to the military disciplinary system and medical regulations which define homosexuality as a ‘psychosexual disorder/illness’”[[9]](#footnote-9). Issues concerning illegitimate arrest, exile, terror, torture, or unjustifiable intervention into personal life came to the agenda mainly in the aftermath of Gezi protests[[10]](#footnote-10) and particularly, July 15 coup attempt. Most significant critics on human rights violation in the EU Progress reports were written in the 2016 Report following the attempted coup, after which around 40 000 people had been detained and more than 31 000 remain under arrest, including 81 journalists. 129 000 public employees remain either suspended (66 000) or have been dismissed (63 000). Over 4 000 institutions and private companies were shut down, their assets seized or transferred to public institutions. Additional 10 000 civil servants were dismissed by decrees under the state of emergency at the end of October and further media outlets closed and journalists detained.”[[11]](#footnote-11) Under the state of emergency Turkey notified the Council of Europe of its temporary suspension of the ECHR, in line with its Article 15 derogation provision.

Concerning property rights EU reports emphasized that Turkey should ensure full respect to property rights of the non-Muslim religions[[12]](#footnote-12) and the political commitment to resolve ongoing cases needs to be translated in practice. Concerning freedom of cultural rights, the 2013 legislation that allowed campaigning in languages other than Turkish by political parties and candidates was implemented. The number of universities offering Kurdish language and literature programs increased to four. University programs in Kurdish, Arabic, Syriac, and Zaza continued. Education in mother tongues other than Turkish is not allowed apart from minority schools recognized under the Lausanne Treaty.[[13]](#footnote-13)

Concerning ***political rights***, the third partial regime, The EU paid *major attention* to this issue in both periods, mainly focusing on the area of the freedom of speech, thought, press, association, and assembly. During the first period, generally, there were no outright prohibitions on independent political or civic groups or press. Although a new Penal Code, Code of Criminal Procedure Law and Press Law that adopted European standards entered into force due to constitutional amendments and harmonization packages of 2000s, escalating terror starting from 2006 led Turkish government to extend its list of actions that are considered as terrorist offense. A massive backsliding in the areas of freedom of expression and speech has started in the second period due to Gezi Protests but mainly because of the coup attempt on the 15th of July 2016. Imprisonments, arrests, expulsions, disciplinary and criminal proceedings continued, including a case named “Academics for Peace”. [[14]](#footnote-14)

Concerning the right to political communication that included freedom of press, throughout the 2010s EU Reports on Turkey paid a significant attention pointing out the “pressure on the media by state officials, widespread self-censorship, the firing of critical journalists and frequent website bans.”[[15]](#footnote-15) Many mainstream TV channels were concentrated in the hands of pro-government of industrial conglomerates that are close to the government.[[16]](#footnote-16) Turkey’s refusal to implement ECtHR rulings, notably in the cases of HDP co-leader Selahattin Demirtaş and Osman Kavala[[17]](#footnote-17), further increased concerns regarding the judiciary’s adherence to international and European standards. Turkey’s withdrawal from the Istanbul Convention also put into question its commitment to standards concerning gender equality.

Concepts such as ‘general morality’, ‘Turkish family structure’, ‘national security’, and ‘public order’ were used widely and allowed too large a margin of discretion to authorities, hindering the respect in practice of freedom of association.” As a result, LGBTQ+ associations and associations dealing with human rights, and Kurdish issues in particular faced closures.[[18]](#footnote-18) Particularly, following Gezi protests and more importantly in the aftermath of the July 15, 2016, Coup attempt, there has been a considerable backsliding in the areas of freedom of assembly and association. The state of emergency expanded the government’s powers to restrict the right to peaceful assembly and COVID-19 pandemic further enabled the government to introduce new restrictive measures to limit opposition. As part of the extraordinary measures to prevent the spread of the coronavirus, the government prohibited all meetings and civil society activities. The negative trend regarding freedom of expression continued. Particularly concerning trends included the systematic intimidation of opposition media through detaining, arresting and prosecuting journalists, which has eventually led to self-censorship. Turkey’s position in the World Press Freedom Index was 154 in 2020 (out of 180 countries).

Regarding the fourth partial regime, ***horizontal accountability***, the EU continued to pay major attention during both periods. Occasional political influence on the judiciary in courts that existed during the 2000s became a common practice during the 2010s. The absence of effective checks and balances, and the excessive concentration of power in the president being head of the executive at the expense of the legislative and judiciary has become a basic characteristic of the political system following the 2017 constitutional amendments and transition to a presidential system.

While the EU Progress Reports of 2000s concentrated on questioning the independence and impartiality of Turkish judiciary in cases related to Kurdish problem, Reports of 2010s paid major attention to the complications created to the separation of powers with the amendments to the law on the High Council of Judges and Prosecutors (*Hakimler ve Savcılar Yüksek Kurulu* –HSYK) and the independence, impartiality and the efficiency of judiciary particularly to the cases related to Gülen organization in the aftermath of the July 15 coup attempt. Under the state of emergency, the Parliament's key function as legislative power was curtailed, as the government resorted to emergency decrees with 'the force of law’, also regulating issues which should have been processed under the ordinary legislative procedure.”[[19]](#footnote-19) The President’s role was further reinforced when the power to govern by decree was given under the state of emergency to the Council of Ministers under the chairmanship of the President.[[20]](#footnote-20)

Coming to the fifth partial regime, ***effective power to govern***, Turkey is one of the few instances in which the EU promoted the effective power to govern, due to the strong role of the military in domestic politics. The focused attention to effective power to govern during the 2000s, later changed into a major attention. The power that the Turkish military exerted in politics through both institutional and non-institutional mechanisms and the dominant role it played in the National Security Council has always been criticized.[[21]](#footnote-21) While Turkey Reports of early 2010s was still busy stating the positive developments in civil-military relations, starting from the mid 2010s the main “effective power to govern” issue had become the Gülen Organization which managed to penetrate at every level of the government including parliament, judiciary, bureaucracy, security forces as well as the education and health sectors among many others. This organization had been working as a parallel structure to the government. The coup attempt led to the increase in civilian control over the military by expanding the powers of civilian institutions over the military.[[22]](#footnote-22) As a reaction to the coup attempt, “a large number of high-ranking officers were dismissed and arrested on the grounds of their alleged involvement in the attempted coup.” [[23]](#footnote-23) Furthermore, National Intelligence Agency (MIT) was brought under the authority of the President and its powers to gather intelligence about the Turkish armed forces and its personnel was reintroduced.[[24]](#footnote-24) Although the civilian control of the military was achieved, democratic control of the military was still far from being realized, as could be seen by the disproportionate use of force by security forces in the south-east[[25]](#footnote-25).

Regarding the first external supporting condition, stateness, the Kurdistan Workers’ Party (PKK) and the Gülen movement are considered to be the greatest security threats. During both terms, military clashes continued to take place between Turkish armed forces and the PKK in the southeast of the country. The EU paid focused attention when Turkish state faced challenges to its monopoly over the use of force and state identity due to the PKK terrorist attacks throughout the 2000s. While the EU noted the intensification in PKK terrorist attacks and listed it as a terrorist organization,[[26]](#footnote-26) its focus was on civil rights (rather than on stateness and Turkey’s territorial integrity), repeatedly indicating that the Turkish government’s fight against terrorism should be conducted with due respect for human rights and rule of law.[[27]](#footnote-27) While the government has a legitimate right to fight terrorism, anti-terror measures need to be proportionate.

The challenge to stateness, the challenge to government’s monopoly on the legitimate physical force during the 2010s continued not only with PKK attacks but also with the activities of Fethullah Gülen organization that involved controlling part of the security forces and the military. After coup in July 2016, government’s primary security objective became purging the Gülen movement from state structures, especially army and intelligence services. Although throughout the 2010s, Turkish state faced challenges to its monopoly over the use of force by a parallel state created by Fethullah Gülen organization, interestingly enough the EU again acted the same way and rather than exposing Gülen movement’s attempt to initiate a coup to dismantle the popularly elected government, it concentrated on how the state of emergency –that was declared in the aftermath of the coup attempt by the government to fight Gulen organization— violated human rights in the country.

***“State administrative capacity”*** was the second external condition, and in the first period, the EU denoted a functioning administration over the years along with anti-corruption policy indicating the government’s will to combat corruption, even with limited effectiveness. However, in the second period flaws of the legal framework and institutional architecture allowed undue political influence in the investigation and prosecution phases of corruption cases. Absence of anti-corruption strategy and action plan indicated a lack of will to fight decisively against corruption, considering that most of the Council of Europe’s Group of States against Corruption (GRECO) recommendations were not implemented.

Concerning the third external condition, the ***civil society***, the focused attention of the EU was mainly on legislative and bureaucratic obstacles, enhancement of their administrative and communication skills, and encouragement of civil society dialogue between Turkey and the EU. Turkish civil society organizations “continued to face increasing pressure, in particular following the high number of detentions and arrests of civil society activists and human rights defenders. Smear campaigns in some media outlets against some of these activists, including accepting funds from international donors, became a recurrent feature and a matter of serious concern.”[[28]](#footnote-28) Many organizations were closed as part of the post-coup measures taken by the government for alleged links to the Gülen movement.” [[29]](#footnote-29) There has been serious backsliding regarding civil society as it came under increasing pressure, notably in the face of a large number of arrests of activists, including human rights defenders, and the recurrent use of bans of demonstrations and other types of gatherings, leading to a rapid shrinking of space for fundamental rights and freedoms. Many rights-based organizations remained closed as part of the measures under the state of emergency and they were not offered any legal remedy in relation to confiscations**.** The map of civil society organizations has started to change significantly, with a more visible role given to the pro-government organizations.[[30]](#footnote-30)Since October 2018, following the amendment of the Parliament's rules of procedure, civil society organizations are excluded from the legislative consultation process at parliamentary committees. Inclusive mechanisms for consulting across society became impossible[[31]](#footnote-31).

The EU focused strongly on the ***socioeconomic development,*** as the fourth external condition context, indicating that poverty and inequality are pronounced and partially structurally ingrained.   
In the second period, the institutional and regulatory environment weakened further and there are persistent issues with the predictability, transparency, and implementation of regulations.[[32]](#footnote-32) The Central Bank remains directly linked to the presidency, which undermines its independence. The provision of State aid lacks proper rules on implementation, enforcement, and transparency. Supported by loose monetary policy until the autumn 2020 and favorable regulatory measures, bank lending grew strongly, spurred mainly by state-owned banks. The pandemic had a deeply negative impact on the labor market and on poverty.

The functioning of the Customs Union shows that Turkey has achieved a good level of preparation for the free movement of goods. Although some technical barriers to trade remain, as well as the preparations in the areas of freedom of movement for workers, right of establishment, freedom to provide services and free movement of capital are at an early stage.

To sum up, the EU’s democracy promotion in Turkey can be classified as externally embedded liberal democracy promotion. The Union, besides the five partial regimes, also significantly supported the advancement of external conditions. Concerning the partial regimes, the EU paid major attention to democracy promotion in Turkey regarding civil rights, political rights, and horizontal accountability; it also paid focused attention on the effective power to govern, while paying some attention to the electoral regime. Concerning external conditions, the EU paid major attention to socio-economic development and focused attention on stateness, state administrative capacity and civil society. The substance of EU democracy promotion in Turkey can be mapped as a ‘broad agenda’, which can be explained by institutionalist and power-based approaches in the early stages of the process, and by the domestic approach in the later stages.

**4.The analysis of the shift in the substance of EU’s democracy promotion**

*4.1 Domestic Struggles*

Bertelsmann Stiftung’s Turkey report states that the country in 2022 faces three major problems: the consolidation of authoritarianism, economic vulnerability, and an increasingly conflictual foreign policy.[[33]](#footnote-33) The two of the major problems have materialized during the time of Justice and Development Party (AKP), which won three successive elections with increasing votes. Coupled, with the economic growth of the country and the resulting tripled increase in the per capita income of average citizen after 2010, AKP under the leadership of Erdogan consolidated its power. The state’s role in the economy became strong and non-transparent. The institutional checks and balance mechanisms were eroded, along with the freedom of expression and independence of media and judiciary. Many achievements between 2002 and 2012 concerning the EU standards, the Copenhagen criteria, and universal values on human rights, democracy, and free market principles, were drained. 2013 Gezi Park protests, and the response of the state can be considered as the beginning of democratic backsliding in Turkey. The protests began as part of a longstanding campaign against the destruction of the park, one of the last green spaces in central Istanbul, as part of the redevelopment of Taksim area. Protests, which were intended to raise environmental awareness, evolved into nationwide anti-government protests. Many protestors were arrested, including academics and journalists.[[34]](#footnote-34)

Between 2007 and 2012, under the alliance of AKP and Gulen organization[[35]](#footnote-35), high-profile Kemalists, including high-ranking officers of the Turkish Armed Forces, faced a series of trials and purges, under reports of involvement in a secret society codenamed "Ergenekon." This was supported by both pro-Islamist prosecutors, security officials, and media. The purges op[ened the way for lower-rank Islamist officers to assume high-ranking military positions. Additionally, some military officers were said to be involved in a separate alleged plot, Sledgehammer. The AKP's alliance with Gülen started to collapse during 2013 as Gülenists targeted the AKP using corruption charges. After the split with the Gülen Movement, Erdoğan decided to restore relations with the army, which ended in April 2016 by the Court of Cassation ruling overturning the "Ergenekon" convictions based on the fact that the existence of the network was unproven. Erdoğan also signed a bill on 13 July, giving Turkish soldiers immunity from prosecution while taking part in domestic operations in Kurdish-inhabited areas. The immunity bill was seen as part of the truce between the government and the armed forces.

Things got worse with the 15 July 2016 coup d'état attempt, which was carried out by a faction within the Turkish Armed forces, the leaders being linked to the Gulen Movement. The Turkish army has historically intervened four times in politics as it sees itself as the protector of Turkey's secularism and democracy. The military has had tensions with Erdogan's Justice and Development Party (AKP) over its brand of political Islamism. However, as opposed to previous political interventions by the Turkish military, 15 July 2016 coup attempt was not motivated by allegiance to Kemalist Ideology, but rather claimed to the vast political, economic, and religious network led by U.S.-based Muslim cleric Fethullah Gulen. Following the failed coup attempt of 15 July 2016, all institutions were purged of opposition elements, mainly the military, judiciary, and the media. The EU’s concerns on continued deterioration of the rule of law, fundamental rights and the independence of the judiciary and the weakening of effective checks and balances in the political system were not been credibly addressed by Turkey, being aware that there was almost no chance of EU’s transformative power to block the growing retreat towards illiberal democracy, due to the absence of credible commitment to Turkish membership negotiations which has generated an intense sense of resentment among the public. Erdogan used this opportunity to tell the public that it is the first time that domestic affairs were being shaped by the Turkish political actors, and not outside forces.

 The democratic backsliding elevated after the 2016 coup. The structural deficiencies of the presidential system facilitated the process. The local democracy was weakened by the pressure on mayors from opposition parties on terrorism-related charges. Mayors was replaced by government-appointed trustees which in many cases kept the municipal assemblies suspended. There were arrests from the Peoples' Democratic Party, the HDP, which is the second largest opposition party in Turkey, representing Kurds, including its co-leader Selahattin Demirtaş, who has been in prison since 2016, despite two European Court of Human Rights rulings in favor of his release. As the security situation in the south-east remained disturbing with recurrent terrorist acts by the Kurdistan Workers’ Party (PKK), this gave government the reason to carry out domestic and cross-border security and military operations.

Coming to the economic side of the picture,the political turmoil after the attempted coup, the war in Syria, political tensions with the United States, the European Union and Russia), and the COVID-19 pandemic had adversely affected the economy, mainly FDI, trade, and tourism. After enjoying high growth rates between 2002 and 2017, reform momentum faded and growth was supported with credit booms and a demand stimulus, aggravating internal and external vulnerabilities. A persistent current account deficits financed by short-term portfolio flows, high private sector debt, high inflation, and high unemployment left the economy vulnerable to shocks. The Turkish economy grew 1.8% in 2020 and 11% in 2021, the fastest among the G20 countries. The interest rate cuts in September 2021 to support demand, amplified macro-financial instability, which, combined with spillovers from the Ukraine-Russia war, is expected to reduce 2022 growth to 1.4 %. The monetary stimulus approach also caused deteriorating financial conditions, portfolio outflows, Turkish Lira depreciating to record lows and inflation rising to record highs. Central Bank dipped into foreign reserves to support the lira and the government deployed tax rate reductions and fuel subsidies to dampen the impact of inflation.[[36]](#footnote-36)

*4.2 Power asymmetries*

The degree of interdependence crucially shapes the pressure for adaptation the EU is able to exert and the power of the target country to resist such pressures. In principle, accession candidates have much to gain by closer relations with the EU which then increases the EU’s ability to exert pressure. However, some states possess resources (gas, oil) the EU is interested in, are of strategic importance and/or have the potential to create substantial negative externalities for the EU (illegal immigration, cross-border crime) (Börzel and Risse 2012).

Turkey has embarked on an ambitious foreign policy agenda in the last decades characterized by middle power activism (Kardaş 2013; Öniş and Kutlay 2017; Parlar Dal 2016) which changed the power asymmetries. Among other strategies, Turkey’s middle power activism involved deepening engagement with its neighborhood, being a vocal advocate of global issues such as underdevelopment and the humanitarian suffering in Africa and questioning the key components of the liberal world order (Kardaş 2013: 637–53). Ankara’s increasing economic involvement in the Balkans, the Turkish-speaking nations of Central Asia, and the Caspian region is coupled with its growing influence as a regional power promoting peaceful resolution of the Middle East conflicts (Kirişçi 2011: 320).

Turkey has also emerged as a donor for the developing countries (Aydin Düzgit 2020; Cihangir-Tetik and Müftüler-Baç, 2020) especially in the Sub-Saharan Africa. During the pandemic Turkey has stretched ‘a helping hand to 156 countries and nine international organizations in the fight against the coronavirus (AA, 23.11.2020). Presenting Turkey as a reliable global actor, Erdoğan criticized the current structure of the world order which ‘favored a handful of strong actors over righteous masses and rich over poor people, where international organizations including the EU failed to respond to the ongoing crises, which uncovered their apathy in the wake of the pandemic.’

For the EU, Turkey has been also an important partner for the governance of the refugee problem.

In 2015, when the EU faced the Syrian refugee crisis, the EU leaders reached out to Turkey for containing the refugee flows. This ‘externalization phase’ resulted in the EU-Turkey Statements of 29 November 2015 and 18 March 2016. These statements – in particular, the March 2016 ‘refugee deal’ - secured Ankara’s agreement for hosting the refugees in exchange for: (a) a 6-billion-euro aid package (granted under the Facility for Refugees); (b) “re-energized” EU-Turkey accession talks; (c) the (conditional) prospect of visa liberalization for Turkish citizens in the Schengen area; (d) closer EU-Turkey dialogue and cooperation in various issue-areas including the upgrading of the 1995 EU-Turkey Customs Union (CU) agreement; and (e) ‘1:1 scheme’ foreseeing the resettlement of one Syrian refugee from Turkey in Europe for every irregular migrant that Turkey would receive from the Greek islands. Despite moral criticisms coming from human rights organizations, the deal managed to stop illegal trafficking in the Aegean Sea to a great extent and increased the EU’s dependency on Turkey. However, these relations have become increasingly more difficult to manage for both sides as the conduct of Turkish foreign policy have become more politicized, more aggressive and dictated by short-term interests determined by the president’s office (Bertelsmann Stiftung 2022:39).

Next to the refugee crisis, the UK’s decision to withdraw from EU membership, the recent COVID-19 pandemic and illiberal challenge at home have also weakened the EU and deepened the integration crisis in the EU. The recent democratic backsliding in the EU’s new member states (Poland, Hungary, Slovakia, Bulgaria, Romania) has made it clear that the EU’s instruments for the protection of democracy, the rule of law, and good governance in its member states have remained rather weak (Mungiu-Pippidi and Warkotsch, 2017; Sedelmeir, 2016; van Hüllen and Börzel, 2015). Until now, the EU has failed to activate Article 7-related sanctions against the illiberal governments in Hungary and Poland, given the procedures and voting rules within the Council and member governments’ reluctance to do so (Closa 2020; Kelemen and Blauberger, 2016; Kochenov *et al*., 2016; Schlipphak and Treib, 2016; Sedelmeier 2014, 2016; Soyaltin-Colella 2020). The recent COVID-19 pandemic has also led to fragmentation among European actors and constrained responses to illiberal tendencies in its member states (Börzel and Schimmelfennig, 2017; Buhari Gülmez and Gülmez, 2020; Buzogány *et al.* 2021; Mungui-Pippidi, 2020; Sedelmeier, 2016; Soyaltin-Colella 2020). Known as the Visegrad Group, the alliance of the Czech Republic, Hungary, Poland, and Slovakia has become an area of increasing political concern as their leaders increasingly embrace policies that undermine rule of law and democratic rights, and that diverge from EU’s common strategies in the handling of recent crises, most notably the refugee crisis. Their move towards illiberal democracy and nationalist/protectionist policies when it comes to migration has not only found public support at home but also in other EU member states where far right populist parties adopt hard line positions on immigration, prioritize security over democracy, and politicize their relations with neighbors (Buzogány *et al.,* 2021; Góra, 2021; Morillas 2017). The EU’s security interests overshadow the promotion of its democratic values and norms, weakening the normative actorness of the EU (Hackenesch *et al.,* 2021). The new power dynamics changed the degree of interdependency and trimmed down EU’s ability to exert direct influence and adaptational pressure for institutional change in Turkey.

*4.3. Resilience politics*

The changing domestic dynamics in Turkey and in the EU member states are accompanied by new policies at the EU level. Resilience is defined as the cornerstone of EU foreign and security policy and attention to bottom-up democracy building rather than top-down democracy promotion. Resilience is the capacity to cope with, adapt to, and recover from various external and internal challenges. Moreover, “resilience ought to be seen as a form of ‘self-governance,’ which places the emphasis on the ‘local’ and the ‘person’ in inside-out processes of learning and capacity-building to help a self-referential agency to find its own equilibrium”. With the rapid influx of Syrian refugees to Europe in 2015, the EU’s democracy promotion strategy for Turkey has turned into the promotion of resilience that situates Turkey as a partner for effective governance of the refugee crisis. To foster refugee resilience in Turkey, the EU has provided funding for educational infrastructure investments, including school constructions as well as school equipment and capacity building, job creation, strengthening municipal services and Turkish language training. The EU’s policy that associates Turkey’s EU accession process with its success in ending the refugee flows to Europe overshadow the legitimacy of the EU and highlights strategic co-operation between Turkey and the EU on a number of key areas (such as trade, energy, and migration) instead of membership. This policy choice leaves more room to Turkey to engage with other authoritarian countries (e.g., Russia and China) and endangers Turkey’s involvement in democratic and multilateral initiatives (Bertelsmann Stiftung 2022:43).

Scholars have already defined alternative ways for the governance of EU-Turkey relations. While both sides will not manage to make a fundamental improvement in the existing relationship, they will also not clash over issues of common concern and diverge from each other. Instead, the conflictual cooperation scenario that will define the EU-Turkey relationship by 2023 will be determined by security, migration, energy, and economics. As defined by Saatçioğlu et al (2021) the institutional relationship format between two parties will be a dynamic association (DA). DA aims to mitigate conflictual dynamics while fostering cooperation – and potentially, trends towards convergence – through a rules-based framework. DA includes upgraded EU-Turkey CU and functional areas of cooperation such as trade, migration, security and energy. DA promises to serve as a platform which can foster interactions despite the effectively frozen accession track. DA is comprehensive and flexible enough to feed both cooperative and convergent dynamics in the EU-Turkey relationship. We argue that DA also fits the EU’s resilience-building policies as it makes cooperation possible outside of the membership box. The rule-based nature of the DA might also trigger structural reforms in Turkey without top-down enforcement and strengthen the self-governance capacity of domestic actors. While the DA weakens the EU’s capacity to hit domestic politics from above, it allows the EU to put emphasis on resilience building in Turkey.

*Conclusion and references TBA*

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2. This paper seeks to introduce a theoretical framework to account for when and under which conditions Europe does not hit domestic politics by taking into account changing domestic and external dynamics. We have for now defined three factors. In the coming days, we aim to work on developing a casual story between these three factors and EU’s thinning democracy agenda for Turkey. All suggestions and comments are welcome! [↑](#footnote-ref-2)
3. Speech by High Representative/Vice-President Josep Borrell in the EP Plenary*“One specific thing that has been raised by several Members [of Parliament] is: “How can you still continue funding Turkey? How can you be prepared to give more money to Turkey?” I think that you are referring to the funding for refugees and, certainly, I think that we will have to continue supporting the refugees that are being hosted in Turkey’s territory. Our support to these refugees is a sign of solidarity and it is also an investment in our stability.”*[*https://audiovisual.ec.europa.eu/en/video/I-208729*](https://avrupa.us13.list-manage.com/track/click?u=c61f738fc613e3d0bd0b8edaf&id=1d077b94e7&e=d5eaa3a02f) [↑](#footnote-ref-3)
4. See C. Balkır and M. Aknur, “Different Trajectories yet the Same Substance: Croatia and Turkey” in Anne Wetzel and Jan Orbie eds., *The Substance of EU Democracy Promotion,* London and New York: Palgrave, MacMillan, 2015, pp. 85-103. [↑](#footnote-ref-4)
5. European Commission 2014 Progress Report, p. 6. [↑](#footnote-ref-5)
6. European Commission Progress Reports 1998, pp. 14–15; 1999, pp.10–11, 2000, p. 15; 2001, p. 22; 2002, pp. 23, 29; 2010, p. 62; 2012, p.18; Council of the European Union 2008,p. 7. [↑](#footnote-ref-6)
7. European Commission Progress reports 2003, 2004, 2005, 2006, 2007, 2008, 2010, 2011, 2012 [↑](#footnote-ref-7)
8. European Commission 2015 Country Report, pp. 20-21. [↑](#footnote-ref-8)
9. European Commission, 2018 Country Report Turkey, p. 39. [↑](#footnote-ref-9)
10. European Commission, 2013 Progress Report, p. 5. [↑](#footnote-ref-10)
11. European Commission, 2016 Country Report, p. 9. [↑](#footnote-ref-11)
12. European Commission, 2014 Progress Report, p.15; 2015 Country Report, pp. 64-65; 2018 Country Report Turkey, p. 38; 2019 Country Report Turkey, p. 37. [↑](#footnote-ref-12)
13. 2015 Country Report, p. 68. [↑](#footnote-ref-13)
14. The case of ‘Academics for Peace’, who signed a declaration in January 2016 condemning the security operations in the south-east and calling for resumption of the peace talks between the government and the PKK. [↑](#footnote-ref-14)
15. 2013 Progress Report, p. 13. [↑](#footnote-ref-15)
16. See details in 2018 Country Report Turkey, p. 37. [↑](#footnote-ref-16)
17. The European Court of Human Rights (ECtHR) has found Turkey guilty in judgments of violating the European Convention on Human Rights, in the cases of Selahattin Demirtaş (former co-leader of the HDP) and Osman Kavala, a businessman and human rights defender. [↑](#footnote-ref-17)
18. European Commission, 2014 Progress Report, p. 52; 2015 Progress Report, p. 64. [↑](#footnote-ref-18)
19. European Commission, 2018 Country Report Turkey, p. 4. [↑](#footnote-ref-19)
20. European Commission, 2016 Country Report, p. 12. [↑](#footnote-ref-20)
21. Balkır and Aknur, “Different Trajectories yet the Same Substance: Croatia and Turkey” p. 94. [↑](#footnote-ref-21)
22. 2016 Turkey Report, p. 13. [↑](#footnote-ref-22)
23. European Commission, 2018 Country Report Turkey, p. 16. [↑](#footnote-ref-23)
24. European Commission, 2018 Country Report Turkey, p. 16. “In the aftermath of failed July 15 coup attempt the legal framework for civilian-military relations had undergone significant changes by making changes to the organizational and educational structure of the Turkish armed forces with the help of the 3rd decree announced following the declaration of state of emergency on Jul 31, 2016. Finally, “the force commanders were attached to the Ministry of National Defence and the civilian executive was granted the power to give orders to top commanders without observing the chain of command. In addition, the decree also introduced changes to the composition of the Higher Military Council (YAŞ). The Prime Minister’s deputies and the ministers of justice, foreign affairs and interior were made members of the YAŞ. This increased the number of civilian members to ten, while the number of military members fell from 12 to four.” [↑](#footnote-ref-24)
25. European Commission, 2016 Country Report, p. 13. [↑](#footnote-ref-25)
26. European Commission, 2010 Progress Report, pp. 18–19, 63; 2011 Progress Report, p. 75; 2012 Progress Report, p.18 [↑](#footnote-ref-26)
27. European Commission, 1998 Progress Report, pp.10, 14–15; 1999 Progress Report, pp. 6, 10–11; 2010 Progress Report, pp. 17, 35; 2012, Progress Report p.12. [↑](#footnote-ref-27)
28. European Commission, 2018 Country Report Turkey, pp. 15-16. [↑](#footnote-ref-28)
29. European Commission, 2016 Country Report Turkey, p. 6. [↑](#footnote-ref-29)
30. European Commission, 2019 Country Report Turkey, p. 15. [↑](#footnote-ref-30)
31. European Commission, 2019 Country Report Turkey, p. 4. [↑](#footnote-ref-31)
32. [↑](#footnote-ref-32)
33. Bertelsmann Stiftung, BTI 2022 Country Report — Turkey. Gütersloh: Bertelsmann Stiftung, 2022. [↑](#footnote-ref-33)
34. Osman Kavala, a businessman and philanthropist was accused of orchestrating and financing nationwide anti-government protests that erupted. Later, he was accused of being part of the attempted coup in 2016. [↑](#footnote-ref-34)
35. Fethullah Gulen is a powerful Muslim cleric residing in US. [↑](#footnote-ref-35)
36. https://www.worldbank.org/en/country/turkey/overview#1 [↑](#footnote-ref-36)