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A Long and Narrow Road: Turkey's Europeanization Process

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ABSTRACT

This article analyzes the challenging Europeanization process of Turkey through its European Union (EU) accession process. Europeanization stands for the political, legal/institutional and societal transformation a candidate country is going through during the course of accession by adopting EU policies, structures and practices. The article examines the internal and external factors dominating Turkey's legal/institutional Europeanization and societal Europeanization. Accordingly, domestic change in Turkey, the conditionality of the EU in this process, diffuse of European values and norms through the transformation are discussed. Turkish case indicates that the legal/institutional Europeanization which had been effective in the 1999-2005 period has been impaired after the opening of the negotiations by the declining conditionality and credibility of the EU, while societal Europeanization has been weak as the diffuse of European values and norms to the society has been limited.

Keywords: Turkey, European Union, legal/institutional Europeanization, societal Europeanization, conditionality

Uzun İnce Bir Yol: Türkiye'nin Avrupalılaşma Süreci

ÖZET

Bu makale, Avrupa Birliği'ne (AB) katılım süreci çerçevesinde Türkiye'nin geçmekte olduğu zorlu Avrupalılaşma sürecini ele almaktadır. Avrupalılaşma, katılım sürecinde bir aday ülkenin, AB'nin politika, uygulama ve yapılarını üstlenerek geçirmekte olduğu politik, yasal/kurumsal ve toplumsal dönüşüm sürecine karşılık gelmektedir. Makale, Türkiye'nin yasal/kurumsal Avrupalılaşma ve toplumsal Avrupalılaşma süreçlerinde etkin olan iç ve dış unsurları incelemektedir. Bu çerçevede, Türkiye'deki yasal/kurumsal reformlar, AB'nin bu süreçteki koşulluluğu ve dönüşüm sürecinde Avrupalı değer ve normların ne ölçüde topluma nüfuz ettiği ele alınmaktadır. Türkiye örneği, 1999-2005 döneminde etkili olan yasal/kurumsal Avrupalılaşmanın müzakereler başladıktan sonra AB'nin azalan koşulluluğu ve kredibilitesi nedeniyle sekteye uğradığını, Avrupalı değer ve normların topluma nüfuzunun kısıtlı bir seviyede kalması nedeniyle toplumsal Avrupalılaşmanın da zayıf kaldığını ortaya koymaktadır.

Anahtar Kelimeler: Türkiye, Avrupa Birliği, yasal/kurumsal Avrupalılaşma, toplumsal Avrupalılaşma, koşulluluk

Introduction

"The road to the EU will be a long and narrow road. It will be a difficult one. They will try to discourage and even humiliate us. But we shall never concede". These were the words of the late Prime Minister Turgut Özal after Turkey's formal membership application to the European Economic Community back in 14 April 1987, referring to the famous poem of Aşık Veysel, Turkish folk poet. Turkish accession process to the European Union (EU) which actually took up after the 1999 Helsinki Council proved Özal right. The road to membership was definitely "a long and narrow road." There were myriad of factors that restrained the accession process. However, not only the road to accession but the domestic Europeanization process of the country was long and narrow.

This article analyzes the internal and external factors behind the challenging Europeanization process of Turkey. Europeanization stands for the political, legal/institutional and societal transformation the country is going through during the course of EU accession by adopting EU policies, structures and practices. As the process is a one-way street from the EU to Turkey affecting policies, institutions, structures, practices and values, external impediments as well as internal issues are scrutinized.

Two logics of change, namely rational choice institutionalism and sociological institutionalism set the theoretical basis in identifying the process of Turkey. These two paths occur simultaneously and represent different levels of the process. Rational choice institutionalism corresponds to legal/institutional Europeanization, while sociological institutionalism holds for societal Europeanization. The article analyzes the internal and external factors dominating Turkey's legal/institutional Europeanization and societal Europeanization. Accordingly, domestic change in Turkey, the conditionality of the EU in this process and the diffuse of European values and norms through the transformation are discussed.

Europeanization not necessarily brings EU accession. Obviously, EU membership depends on many other factors besides effective Europeanization in Turkey. The article does not analyze each and every underlying reason of the prolonged accession process; yet, it touches upon the integration problem of Euro-Turks as an external factor by extending the scope of societal Europeanization.

Europeanization

Early Europeanization studies covered the impact of European integration in domestic change of member states. Particularly after the big-bang enlargement of 2004, the concept of "accession Europeanization" has become a fashionable term in literature focusing on the impact of the EU accession process on new member states and candidate countries.² The concept basically refers to the domestic change in candidate countries within the context of conditional incentives exerted by the EU.

¹ Press Conference of late Prime Minister Turgut Özal on the occasion of the Turkish government's membership application to the European Economic Community on 14 April 1987. Türkiye-AB İlişkilerinin 50 Yıllık Öyküsü: Uzun İnce Bir Yol Belgeseli, Avrupa Birliği Bakanlığı, 2014. http://www.youtube.com/watch?v=KrOv5yPwiIs, (Accessed in August 2014).

² Tanja Börzel and Thomas Risse, "Conceptualising the Domestic Impact of Europe", Kevin Featherstone and Claudio M. Radaelli (eds.), *The Politics of Europeanisation*, Oxford University Press, Oxford, 2003, p.57-80; Frank Schimmelfennig and Ulrich Sedelmeier, "Governance by Conditionality: EU Rule Transfer to the Candidate Countries of Central and Eastern Europe", *Journal of European Public Policy*, Vol.11, No.4, 2004, p.669-687; Frank Schimmelfennig and Ulrich Sedelmeier (eds.), *The Europeanization of Central and Eastern Europe*, Cornell University Press, Cornell, 2005.

Accession Europeanization focuses on the asymmetrical relationship between the candidate countries and the EU through the impact of the accession process. It is a top-down process where the candidate country and the EU are asymmetrically located. Therefore, the concept stands for a one-way street where the candidate country does not have any power to influence EU policies, practices and institutions.

One of the difficulties in analyzing the Europeanization processes of candidate countries is to identify and distinguish the impact of the accession process on the domestic policies, practices and values vis-à-vis the impact of other factors including global and domestic developments. For instance, global market forces or international financial institutions might be effective for the liberalization of energy markets in the country which is also foreseen by the EU *acquis*. Similarly, domestic actors of candidate countries may take policies or legislative measures that suit their political preferences and justify them through the Europeanization process.

Börzel and Risse conceptualize the adaptational processes in response to Europeanization in two ways: rational choice institutionalism and sociological institutionalism.³ Rational choice institutionalism assumes domestic actors to behave according to "a logic of consequentialism" based on their interests.⁴ It argues that the EU facilitates change through providing incentives for domestic actors. Therefore, rule adoption of the candidate country depends on the capacity of actors to exploit the opportunities and external incentives provided by the EU through the conditionality principle.

The starting point of the process is the "misfit or incompatibility between European-level processes, policies and institutions, on the one hand, and domestic-level processes, policies and institutions, on the other". The incompatibility in policies and institutions lead to domestic change, while institutional change is less direct and more likely to happen in the long-term. The main variables in this model are the external rewards, including the reward of membership and sanctions as well as cost-benefit analysis of rule adoption by the candidate country. The process depends on credible conditionality from the EU. Democratic conditionality requires the candidate country to adopt the fundamental political principles of the EU on human rights and liberal democracy. Similarly, *acquis* conditionality corresponds to the requirements a candidate country has to undertake with regard to the *acquis communataire* on the way to membership.

Sociological institutionalism, on the other hand, assumes that "Europeanization leads to domestic change through a socialization and collective learning process resulting in norm internalization and the development of new identities". Actors guided by collectively shared understandings of what constitutes proper and socially accepted norms behave in accordance with "a logic of appropriateness". Europeanization in this context stands for the emergence of new rules, norms, practices and values. Besides norm entrepreneurs", the key to sociological institutionalism is "a political culture and other

³ Börzel and Risse, "Conceptualising the Domestic Impact of Europe", p.58.

⁴ Ibid., p.63.

⁵ Ibid., p.58.

⁶ Schimmelfennig and Sedelmeier, "Governance by Conditionality".

⁷ Ibid, p.59.

Tanja Börzel and Didem Soyaltın, *Europeanization in Turkey: Stretching a Concept to its Limits*, KFG Working Paper Series, No.36, Freie Universitat Berlin, February 2012, p.8.

⁹ Norm entrepreneurs include actors effective in the decision-making process in the candidate countries as well as the EU and member states. Norm entrepreneurs are critical for stimulating overall support for the Europeanization process in the candidate country. Particularly those norm entrepreneurs of the EU and member states are important for sustaining the credibility of the process through effective conditionality.

informal institutions... which are conducive to consensus-building." The new norms, values and identities that would emerge would be internalized first by the domestic actors and transferred to the society. Here, the concept is extended to cover a societal change. This process, in fact, assumes "increasing transnationalism: that is the diffusion of cultural norms, ideas, identities, and patterns of behavior on a cross-national basis within Europe." Sociological institutionalism is definitely a long-term and challenging path of Europeanization.

These two paths of change are not mutually exclusive. They can occur simultaneously and represent different phases of domestic change. Generally speaking, rational choice institutionalism operates for legal/institutional Europeanization, while sociological institutionalism corresponds to societal Europeanization. A candidate country might adopt a massive amount of EU legislation through legal/institutional Europeanization, yet proper implementation and enforcement requires change in the values, norms and behaviors of the citizens through long-term societal Europeanization.

Internal Dimension of Legal/Institutional Europeanization

Rational choice institutionalism defines accession Europeanization through the political processes and institutional/legal adaptation a candidate country is going through *vis-à-vis* its relations with the EU. As underlined previously, the starting point of the process is the misfit between EU policies, practices and institutions and those of domestic character. Turkey's history of legal/institutional Europeanization indicates that the misfit in a wide range of areas has been translated into change with differential impact.

Since the 19th century Europeanization has been a significant element of Turkish modernization. During the period of decline, inspired by European policies, institutions and norms, the Ottoman political elite undertook a number of legal and administrative reforms. ¹² Turkish modernization in the Republican era carried a highly European character covering almost every aspect of political, social and cultural life. Turkish Republic which was founded on the principles of French secularism and formed a legal system based on Swiss civil code, Italian penal code and French administrative law. In time, the country experienced a vast sociopolitical and sociocultural change with fluctuating but constant impact of European policies and norms.

Since the 1960s, the Europeanization-led modernization has been embodied in the EU process. During the Cold War, the EU had approached Turkey through security considerations while Turkey perceived European integration through an economic outlook. 13 Until the 1990s, economic and technical matters dominated the relationship paving the way for the establishment of the Customs Union between the parties in 1996. Turkish policymakers overlooked the fact that Europeanization was not only about economic integration but it also had a strong democratization aspect as in the case of the transition of Mediterranean countries including Greece, Spain and Portugal. It was only

¹⁰ Börzel and Risse, "Conceptualising the Domestic Impact of Europe", p.68.

¹¹ Kevin Featherstone, "Introduction: In the Name of 'Europe'", Kevin Featherstone and Claudio M. Radaelli (eds.), *The Politics of Europeanisation*, Oxford University Press, Oxford, 2003, p.7.

¹² Metin Heper, "The Ottoman Legacy and Turkish Politics," Journal of International Affairs, Vol.54, No.1, 2000, p.63.

¹³ Atila Eralp, "Turkey and the European Union in the Post-Cold War Era", Alan Makovsky and Sabri Sayari (eds.), *Turkey's New World: Changing Dynamics in Turkish Foreign Policy*, The Washington Institute for Near East Policy, Washington, 2000, p.173-188.

in the late 1980s that democratization moved into Turkey's Europeanization agenda. EU process has emerged as a driving force for political reforms for the first time during Turkey's membership application in 1987. In return to the calls of the European Parliament, Turkey first accepted the right for individual petition to the European Court of Human Rights (ECtHR) in January 1987 and afterwards accepted the compulsory jurisdiction of the ECtHR in September 1989. ¹⁴

The first major EU-led Europeanization emerged through the establishment of the Customs Union in the 1990s. In 1996, Turkey became the first country to be a part of the Customs Union without being a member and thus, not being a part of the policy making mechanism. Accordingly, Turkey and the EU abolished all customs duties on imports of industrial goods from each other, while Turkey reached a high level of alignment to the Community Customs Legislation. However, the Customs Union was more than a commercial agreement. Turkey harmonized EU rules and practices in the field of intellectual and industrial property rights, competition, state aids, monopolies and technical legislation. Despite its shortcomings, Customs Union proved to be an important means for boosting competition in certain sectors and thus, contributing to the integration between Turkish and European businesses.

Meanwhile, democratic conditionality went hand in hand with *acquis* conditionality. Even though the establishment of the Customs Union was an economic matter, political reforms were asked from Turkey particularly on the Kurdish issue. In order to meet the European Parliament's condition to ratify the decision on Customs Union, Turkey amended its Constitution and the Anti-Terror Law on the articles of freedom of expression. Yet, the democratization measures were more about transposing individual pieces of legislation than a structured adaptation of legal/institutional reforms.

Ups and downs continued in Turkey's legal/institutional Europeanization until 1999. After it was granted candidate status in the 1999 Helsinki Council, Turkey experienced a relatively strong Europeanization process by taking significant steps for democratization. AK Party government that took office in 2002 was particularly enthusiastic for the EU bid since the process would be a means for a major change in the former political and economic policies and structures of the country. Another factor that emerged as a driving force for further reform was the need for stabilization and restructuring of the Turkish economy in the aftermath of the 2000/2001 economic crisis. The EU would accompany IMF's financial restructuring process particularly through its legislative conditionality. ¹⁵

In particular, as the reward of the start of accession negotiations was concrete and strong, the impact of EU's democratic conditionality worked effectively on legal measures in a wide range from the normalization of civilian-military relations, broadcasting in languages other than Turkish, abolishment of the death penalty and State Security Courts and the termination of the state of emergency in the Southeast. One third of the Constitution was amended through two Constitutional amendments in 2001 and 2004. 218 articles of 53 basic legislation were amended under 8 harmonization packages. The EU officials regarded this performance as a "miracle". ¹⁶

¹⁴ Ali Resul Usul, Democracy in Turkey: The Impact of EU Political Conditionality, Routledge, 2011.

¹⁵ Ziya Öniş, "Domestic Politics versus Global Dynamics: Towards a Political Economy of the 2000 and 2001 Financial Crises in Turkey", Ziya Öniş and Barry Rubin (eds.), *Turkish Economy in Crisis*, Frank Cass, London, 2003, p.1-30.

¹⁶ Meltem Müftüler-Bac and Lauren McLaren, "Enlargement Preferences and Policy-Making in the European Union: Impacts on Turkey", *European Integration*, Vol. 25, 2003, p.26.

The boom turned into a bust once again after the accession negotiations started in 2005. Turkey's legal/institutional adaptation weakened as a result of the declining conditionality. Even though the impact of the EU gradually declined since 2007, Turkey continued to take legal measures and steps in implementation in the field of democratization, human rights, rule of law and judiciary. Prime Minister Erdoğan stated that in case the accession process was blocked by some member states, Turkey would replace the Copenhagen Criteria with "Ankara Criteria" for political reforms. ¹⁷ In other words, Turkey would continue its reforms not through the conditionality of the EU but rather through the agenda and priorities set by the government.

Accordingly, Turkey passed a Constitutional amendment in 2010 that introduced significant changes from individual application to the Constitutional Court to limiting the jurisdiction of the military courts. Five judicial reform packages have been enacted since 2010. Significant pieces of legislation were put into force on freedom of expression and freedom of press. Ombudsman and Human Rights institutions were established to strengthen checks and balances. The government returned the properties of minority foundations to their rightful owners. In 2014, the fifth judicial reform package was approved through which the regional heavy criminal courts were abolished and the maximum length of pre-trial detention was decreased from 10 to 5 years. This time the legal transposition was driven by political preferences and incentives of domestic actors rather than the conditionality principle. The legislative amendments on democratic conditionality were differential depending on the priorities set by the government.

Turkey has been transposing EU legislation covering extensive socioeconomic aspects of daily life, as well. Since 2001, 364 primary legislation and 1900 secondary legislation have been adopted, including legal amendments on political criteria. Interestingly, even though the *acquis* conditionality as well as the democratic conditionality had declined after 2007, Turkey has not slowed down the legal transposition process. Since 2007, 164 primary legislation and 987 secondary legislation have been adopted. Transposition of the relevant *acquis* continued on a wide range of policy areas from the standards of toys to specifications of elevators, to restrictions on diesel fuel use which are all perceived as steps to lift up the living standards of the citizens. With all its shortcomings, legal/institutional Europeanization continued as the EU process overlapped with the Republic's founding philosophy of modernization which has acted as a means of legitimization of domestic policies.

EU accession process has also contributed to the improvement of the administrative structures in Turkey. Turkish bureaucracy accumulated vast expertise on EU matters since 1970s particularly through the work carried out on the association relationship.¹⁹

Starting from the 1980s and followed by the establishment of the Customs Union, Europeanization process went hand in hand with globalization triggering the liberalization of markets, which

¹⁷ Burak Erdenir, "Türkiye'nin Siyasi Reform Sürecinde Avrupa Birliği'nin Demokratik Koşulluluğu", *TODAIE Amme İdaresi Dergisi*, Vol.45, No.4, December 2012, p.114.

¹⁸ Compiled by the author from the Turkish Ministry for EU Affairs' sources.

¹⁹ Turkey developed the administrative structures for the harmonization process long before the accession talks started. Following the application for full membership in 1987, a Decree Law was published on 4 May 1989 for the establishment of departments responsible for EU affairs in public institutions. Following the 1999 Helsinki Council, Secretariat General for EU Affairs (EUSG) was established to oversee the accession process and coordinate the legal harmonization process undertaken by public institutions. EUSG which became the lead actor in the central executive for legal/institutional Europeanization process was transformed into a fully-fledged Ministry in July 2011.

brought the establishment of institutions with regulatory function. As the state started to confine its role in supervision and regulation in the economic field, independent regulatory institutions were established: Capital Markets Board (1981), Turkish Competition Authority (1994), Banking Regulation and Supervision Agency (1999), Turkish Accreditation Agency (1999), Energy Market Regulatory Authority (2001), Turkish Sugar Authority (2001), Tobacco and Alcohol Regulatory Authority (2002) and Public Procurement Authority (2002).

After the start of the negotiations, new bodies were formed to fulfil opening/closing benchmarks including the establishment of Development Agencies, Vocational Qualifications Authority in 2006, Public Oversight, Accounting and Auditing Standards Authority in 2011, National Human Rights Institution and Ombudsman Institution in 2012.

Yet, legal/institutional Europeanization remains incomplete unless the rules and norms are enforced properly. Implementation of the legislation and norms without any doubt requires a transformation in the mentality of civil servants who are involved in implementation including security forces, judges, prosecutors etc. Even though, thousands of civil servants have attended vocational training through TAIEX and Twining projects funded by the EU for the internalization of these rules and norms, proper enforcement still emerges as the weakest link in Turkey's legal/institutional Europeanization process.

External Dimension of Legal/Institutional Europeanization: Declining Conditionality

According to rational choice institutionalism, change occurs if domestic actors are empowered with external incentives. Conditionality principle that functions effectively is the *sine qua non* of a proper adaptation process. A hierarchic relationship emerges between the EU as a normative power and the candidate country which is obliged to assume a set of rules and norms. EU closely monitors the accession process of candidate countries through the conditionality principle which is based on specific criteria.

Turkey's institutional/legislative Europeanization attempts for democratization emerged as a "success story" for EU's conditionality principle in the 1999-2005 period. Turkey had undertaken its commitments since the reward of starting the accession negotiations was concrete. However, after the start of the negotiations, the EU's leverage in the political reform process and its credibility have been weakened as a result of stricter conditions brought before Turkey and increasing political intervention of certain member states. The process has been further blurred by political matters, particularly by the "Cyprus" issue which has been imported into the EU since May 2004.

After the 2004 enlargement, the Brussels European Council decided to introduce a new approach for accession negotiations. Opening and provisional closure of each chapter would be evaluated based on the benchmarks proposed by the Commission and the decision of opening and closing of chapters would require unanimity of member states. Through the introduction of new mechanisms, the national preferences of member states began to determine the EU policy. The control of individual member states over the negotiation process became apparent in Turkey's accession process. In 2007, the former French President Sarkozy blocked the opening of 5 chapters with the argument that

these chapters have "direct bearing on full membership". In the EU General Affairs Council meeting of December 2009, Greek Cypriots declared that they set the unilateral "normalization" of relations as a condition for the opening of 6 chapters. Including the chapters blocked due to the Additional Protocol,²⁰ the total number of politically blocked chapters reached 18.²¹ As the negotiation process came to a standstill, the benefits started to fade away.

As the Brussels European Council of December 2004 introduced new mechanisms for negotiations with candidate countries, the Negotiation Framework of Turkey dated 3 October 2005 similarly contained strict rules that blurred the reward of membership. The shared objective of the negotiations was accession; yet the Council underlined that the negotiation process was an open-ended process, the outcome of which could not be guaranteed beforehand. Besides, it was stated that "if Turkey is not in a position to assume all the obligations of membership it must be ensured that Turkey is fully anchored in the European structures through the strongest possible bond", 22 implying alternatives to membership. There was also a reference to the "absorption capacity" introduced as part of the Copenhagen Criteria, indicating that undertaking the requirements by Turkey was essential but not sufficient for membership since the Union's capacity to absorb was as significant. Besides, a provision on the suspension of the negotiations was introduced in case of a serious and persistent breach by Turkey of the principles of liberty, democracy, respect for human rights and fundamental freedoms and the rule of law on which the Union was founded. With a Negotiation Framework containing provisions "open-ended process", "absorption capacity" and "suspension of negotiations", Turkey's negotiations took off with an already unclear perspective of membership.

According to the external incentives model "a state adopts EU rules if the benefits of EU rewards exceed the domestic adoption costs". The most significant reward for the conditionality to work effectively is the expectation of membership. As former Commissioner Rehn underlined "Conditionality only works if the countries can trust in the EU's commitment to eventual membership, even if that is many years away". Turkish accession is impaired by the lack of real commitment and clear membership perspective.

Finally, conditions and rules asked from the candidate country shall be clear and fair. As Kochenov underlines, "Conditionality can only become a true principle of enlargement, when the whole accession process is mostly moved away from the sphere of politics into the realm of the law." ²⁵ In the case of Turkey, the process shifted from the realm of law into realm of politics by the import of a long-

²⁰ Under a compromise reached for the opening of accession negotiations between Turkey and the EU, Turkey signed the Additional Protocol in July 2005 regarding the adaptation of the Ankara Agreement to extend the Customs Union to ten new Member States including Cyprus. Yet, Turkey made a declaration that signing, ratification and implementation of the Protocol would not mean any form of recognition of the "Republic of Cyprus" referred to in the Protocol. On the grounds that Turkey would not open its seaports or airspace to Greek Cypriots, the EU General Affairs and External Relations Council took the decision in December 2006 to block the opening of 8 chapters until Turkey fulfilled its "commitments" under the Additional Protocol. This was also a requirement for the provisional closure of every chapter.

²¹ Chapter 22 was unblocked and opened to negotiations in November 2013.

²² European Council, *Negotiating Framework-Turkey*, 3 October 2005, Luxembourg. http://ec.europa.eu/enlargement/pdf/turkey/st20002_05_tr_framedoc_en.pdf (Accessed in May 2014).

²³ Schimmelfennig and Sedelmeier, "Governance by Conditionality", p.672.

²⁴ Geoffrey Pridham, "Change and Continuity in the European Union's Political Conditionality: Aims, Approach and Priorities", *Democratization*, Vol.14, No.3, 2007, p.464.

²⁵ Dimitry Kochenov, EU Enlargement and the Failure of Conditionality: Pre-accession Conditionality in the Fields of Democracy and the Rule of Law, Wolters Kluwer, 2008, p.312.

lasting political dispute into Turkey's accession process: the Cyprus issue. It was ironic that while the solution of the Cyprus issue was not a condition for the accession of "Cyprus" itself, the issue became one of the most important impediments in a third country's accession process. Unsurprisingly, Greek Cypriots abused their veto power in the Council and blocked additional chapters in Turkey's negotiations, furthering damaging the conditionality principle.

As a result of the political manipulations of certain member states, topped up with the Cyprus issue, the negotiation process lost its technical character. The negotiation process had literally come to a halt after the opening of unblocked chapters. 9 years have passed since the start of the negotiations and only 14 chapters could be opened since then. With the impaired conditionality principle, the size and credibility of EU incentives have become insufficient to encourage Turkey's domestic actors for further progress in legal/institutional Europeanization.

Internal Dimension of Societal Europeanization

Even though Europeanization dominantly represents the legal and administrative power of the EU, it also has a societal dimension that encompasses the diffusion of values, norms, identities and patterns of behavior. As Schimmelfennig puts it, from this perspective, "Europeanization can be understood as a process of international socialization, entailing the internalization of constitutive beliefs and practices". Since the *acquis communautaire* contains legislation covering a wide array of sociopolitical and socioeconomic aspects of daily life, the legal transposition process of the candidate country inevitably brings changes in norms and values, albeit in the long-run. Candidate country cases demonstrate that societal Europeanization falls way behind institutional/legal Europeanization since the process encounters strong domestic inertia particularly in countries where misfit with European norms is sharper.

Similarly in Turkey, there have been shortcomings in the spread of values and norms in the society despite the fact that legal/institutional transposition process brought significant changes particularly in the 1999-2005 period. A striking example of how societal Europeanization did not follow legislative Europeanization has been the case of death penalty. Back in 2002, Turkey was the only European country who had not been a party of the Protocol No.6 to the European Convention on the Protection of Human Rights and Fundamental Freedoms. Death penalty was clearly not a European norm. Even though no death penalty was executed in Turkey since 1984, the debate on death penalty was linked to the execution of Abdullah Öcalan. According to a survey carried out in 2002, only 38% of the people supported the abolishing of death penalty.²⁷ Despite the opposition of the majority of the people, the political elite had pushed for the removal of the death sentence with the reasoning that the EU would not open the negotiations otherwise. In order to facilitate the opening of accession negotiations, Turkey had abolished the death penalty in 2002.²⁸ After more

²⁶ Frank Schimmelfennig, "International Socialization in the New Europe: Rational Action in an Institutional Environment", European Journal of International Relations, Vol.6, No.1, 2000, p.111.

²⁷ Ali Çarkoğlu, "Who Wants Full Membership? Characteristics of the Turkish Public Support for EU Membership", *Turkish Studies*, Vol.4, No.1, Spring, 2003, p.171-194.

²⁸ The amendment abolished the death penalty except in times of war and imminent threat of war. Death penalty was totally removed from the Turkish legal system and replaced with aggravated life sentence through a constitutional amendment in 2004.

than a decade, the public perception on death penalty has not changed much. According to a public survey carried out in 2012, around 80% of the respondents want death penalty to be reintroduced into Turkish legislation. ²⁹

Debate on adultery was another remarkable example. In 2004, the government introduced a proposal for recriminalizing adultery in the draft penal code.³⁰ At a very critical time prior to the decision on starting negotiations with Turkey, EU officials and European politicians reacted to the proposal. After all, adultery was not a criminal act in any of the member states. The government decided to withdraw the bill to avoid any crisis before the critical decision. At that time, 80% of the society believed that adultery should be a criminal offence.³¹ Public perception on adultery remained similar since then. According to the European Values Survey of 2008, 88% of the respondents never justify adultery.³²

The two cases indicate that despite legislative Europeanization, the diffusion of cultural norms and values do not transpire smoothly. Since the basic reforms demanded by the EU were not driven by grassroots forces, Europeanization in such policy areas have not given rise to the emergence of new identities, norms and values for the wider public.

Generally speaking, people support EU membership for pragmatic and economic reasons considering the material advantages it might bring. For Turks, the top three reasons for supporting membership are "economic prosperity", "social protection" and "freedom to travel, study and work anywhere in the EU". Otherwise people have a hard time adopting European cultural values and norms. According to a survey, the majority believe that increasing relations with Europe would impair moral values of the youth (64.8%), religious values (64.5%) and family structure (60.1%) in Turkey. This could be attributed to the conservative character of the society, which seems to have increased in the last 20 years.

As the Europeanization of the political cultural is highly correlated to the consolidation of democracy in the country, the change in value orientations particularly with regard to religiosity, interpersonal trust and social tolerance would be an indicator on the extent of societal Europeanization in Turkey.

Turkish people hold high levels of religiosity with regard to both practice and faith.³⁶ Studies indicate that religiosity does not have significant correlation with support for democracy and there-

²⁹ http://www.ensonhaber.com/gezici-arastirma-sirketinin-secim-anketi-2012-11-24.html (Accessed in May 2014).

³⁰ Adultery used to be a criminal act in Turkey until the Constitutional Court repealed the relevant articles of the Penal Code in 1996 (adultery by men) and in 1998 (adultery by women).

³¹ http://www.theguardian.com/world/2004/sep/12/turkey.theobserver (Accessed in May 2014).

³² www.europeanvaluesstudy.eu (Accessed on May 2014).

³³ Standard Eurobarometer 63, *Public Opinion in the European Union, National Report, Turkey: Executive Summary,* European Commission, Spring 2005, p.S. http://ec.europa.eu/public_opinion/archives/eb/eb63/eb63_exec_tr.pdf (Accessed in May 2014).

³⁴ Hakan Yılmaz, *Türkiye'de Avrupa Şüpheciliği, Karşılaştırmalı Bulgular: 2003-2012,* Boğaziçi Üniversitesi ve Açık Toplum Vakfı, İstanbul, 2012.

³⁵ Yılmaz Esmer, Değişimin Kültürel Sınırları: Türkiye Değerler Atlası 2012, Bahçeşehir Üniversitesi, İstanbul, 2012, p.136; Ali Çarkoğlu and Ersin Kalaycıoğlu, The Rising Tide of Conservatism in Turkey, Palgrave Macmillan, 2009.

³⁶ While around 75% of the respondents in Turkey think that religion is very important in life, this proportion is 34.4% in Italy, 13% in France, 11.2% in Germany and only 9.3% in Sweden (worlvaluessurvey.org).

fore, religiosity might not be an impediment in the spread of democratic values and norms.³⁷ However, the version of the faith to which the people adheres is significant. In Turkey, majority of the people tend to hold an exclusionary version of their religion. Moreover, societies with Muslim majority population lag behind the rest on gender issues. Esmer's study indicates that religiosity in Turkey has significant and inverse correlation with gender equality values.³⁸ Undeniably, status of women which is an important variable in societal Europeanization emerges as one of the outstanding issues in Turkey.

Interpersonal trust and social tolerance emerge as two significant cultural values critical for the consolidation of democracy in any society. World Values Survey data indicate that the level of interpersonal trust and tolerance are quite low among Turks, which have implications on sustaining democracy. With low levels of trust among citizens, it is no surprise that civic engagement through membership in voluntary associations does not have a strong tradition in Turkey. Around only 10% of the society is engaged in civic organizations.

Meanwhile, the Europeanization process has contributed to the flourishing of the civil society in Turkey. The process contributed to the civil society not only through the legal framework on the operation of NGOs but also through the EU funds where a "project culture" has flourished enabling the NGOs to develop projects in a myriad of areas. The amount allocated for civil society projects through the EU accession process reached €166.8 million for the 2002-2013 period. Networks established between Turkish NGOs and their European counterparts through these projects have emerged as a platform of Europeanization, as well. The Civil Society Dialogue Project undertaken by the Turkish EU Ministry linked around 2 million people from Turkish and European NGOs in the last decade. However, due to the frail culture of civic engagement, the power of the civil society as a strong actor in the policy making process has been limited.

In short, Europeanization emerges as a tricky concept when it comes to its impact on the values and norms of the Turkish society. High levels of religiosity that has consequences on gender equality combined with low levels of social tolerance and interpersonal trust restrict societal Europeanization. However, one should keep in mind that there has been an increasing interaction between the Turkish and European societies through business contacts, cultural exchanges and education programs. The possibility of societal Europeanization in the long-term through this continuous interaction should not be overlooked.

³⁷ Gerd Pickel, Religion Monitor: An International Comparison of Religious Belief, Gütersloh, Germany, Bertelsmann Stiftung, 2013; Yılmaz Esmer, "Islam, Gender, Democracy, and Values: The Case of Turkey, 1990-2001", Thorleif Pettersson and Yılmaz Esmer (eds.), Changing Values, Persisting Cultures: Case Studies in Value Change, Brill, Leiden, 2008; Pippa Norris and Ronald Inglehart, Sacred and Secular: Religion and Politics Worldwide, Cambridge University Press, Cambridge, UK, 2004; Mark Tessler and Ebru Altinoglu, "Political Culture in Turkey: Connections among Attitudes toward Democracy, the Military and Islam," Democratization, Vol.11, No.1, 2004, p.22–51.

³⁸ Yılmaz Esmer, "Islam, Gender, Democracy and Values", p.286.

³⁹ Lucien Pye, "Political Culture" Seymour Martin Lipset (ed.), The Encyclopedia of Democracy, Routledge, 1995, p.967.

⁴⁰ According to WVS data, Turkey had the second lowest interpersonal trust score among 57 countries. www. worldvaluessurvey.org (Accessed in May 2014).

⁴¹ The level of tolerance in Turkey towards different groups is remarkably low compared to Western societies, as well. WVS data indicate that the majority of the Turks would not prefer to have unmarried couples, homosexuals, Jews, Christians or Roma people as their neighbors. www.worldvaluessurvey.org (Accessed in May 2014).

⁴² Ayça Ergun, "Civil Society in Turkey and Local Dimensions of Europeanization", *Journal of European Integration*, Vol.32, No.5, 2010, p.507-522; Ahmet İçduygu, "Interacting Actors: The EU and Civil Society in Turkey", *South European Society and Politics*, Vol.16, No.3, 2011, p.381-394.

⁴³ Compiled by the author from the Turkish Ministry for EU Affairs' sources.

⁴⁴ Compiled by the author from the Turkish Ministry for EU Affairs' sources.

External Dimension of Societal Europeanization: Integration of Euro-Turks

In the Europeanization literature focusing on Turkey, one important factor is somewhat overlooked: societal Europeanization of the Turkish immigrants living in European countries; in other words the "integration" issue. The integration issue might be perceived not very much relevant to the domestic Europeanization process; yet it emerges as the extension of the societal Europeanization in Turkey and besides has significant implications for shaping the image of Turkey in European societies and thus, feeding the discourse on Turkey's accession to the EU. As Stelzenmüller underlines: "For a German to take a stance for or against Turkey's membership in the EU implies taking a stance on the integration or not of Turks in Germany itself."

Integration issue of 5 million Turks living in EU countries is in fact an extension of societal Europeanization in Turkey. It has been mirrored to the debate on Turkish accession since the failure in integration of Turkish migrants are presumed as the possible failure of Turkey in undertaking its membership commitments and adopting the norms and values: "This expected failure of integration fans fears about the negative impact of Turkey's accession to the EU, as well as the inability of EU conditionality to transform the inherently 'different' Turkey into accepting European values, beliefs and codes of action". Azrout *et.al.*'s study demonstrate that the key predictor of support for Turkey's EU membership is the citizens attitudes toward immigrants and the presence of Turkish immigrants in a member country reduces support for Turkey's membership. Unsurprisingly, countries where the majority of the public opinion is against Turkish membership are those that host high number of Turkish immigrants. According to Eurobarometer data, 85% of Austrians, 77% of Germans, 71% of French, 63% of Belgians and 62% of Danes are against Turkish accession to the EU.

The outflow of Turkish guest workers started with the signing of the Turkey-West Germany Labor Recruitment Agreement in 1961, which preceded similar agreements with Austria, Belgium and the Netherlands in 1964, France in 1965 and Sweden in 1967.⁴⁹ By the end of 1961, the number of workers entered into Germany was 8.700. In a time-span of 15 years, the outflow increased massively and in 1975 the aggregate number of Turkish workers settled in all European countries reached 1.35 million.⁵⁰ The number increased particularly through family reunification, marriage migration and high birth rates. The political turmoil in Turkey in the second half of 1970s boosted the outflow through political asylum seekers. Only in the year of 1980, the number of asylum seekers to Germany reached 58.000.⁵¹ In fact the sharp number of increase in asylum seekers was the reason why Germany

⁴⁵ Constanza Stelzenmüller, "Turkey's EU Bid: A View from Germany", Nathalie Tocci (ed.), Conditionality, Impact and Prejudice in EU-Turkey Relations, IAI-TEPAV Report, 2007, p.110.

⁴⁶ Nathalie Tocci, "Unpacking European Discourses", Nathalie Tocci (ed.), Conditionality, Impact and Prejudice in EU-Turkey Relations, IAI-TEPAV Report, 2007, p.29.

⁴⁷ Rachid Azrout, Joost van Spanje and Claes de Vreese, *International Journal of Public Opinion Research*, "Focusing on Differences? Contextual Conditions and Anti-immigrant attitudes' Effects on Support for Turkey's EU Membership", Vol.25, No.4, Winter 2013, p.480-501.

⁴⁸ Eurobarometer 69, *Public Opinion in the European Union*, European Commission, 2008, http://ec.europa.eu/public_opinion/archives/eb/eb69/eb69 annexes.pdf (Accessed in May 2014).

⁴⁹ Nermin Abadan-Unat, Bitmeyen Göç-Konuk İşçilikten Ulus Ötesi Yurttaşlığa, İstanbul Bilgi Üniversitesi, 2006, p. 58.

⁵⁰ Arif Köktaş, Avrupa Birliğinde İşçilerin Serbest Dolaşım Hakkı ve Türk Vatandaşlarının Durumu, Nobel, Ankara, 1999, p.94.

⁵¹ Kees Groenendijk and Elsbeth Guild, Visa Policy of Member States and the EU Towards Turkish Nationals After Soysal, İKV, No.257, İstanbul, 2012, p.62.

introduced visa for Turkish citizens in October 1980. Other member states followed suit and introduced visa for Turks.

Since these workers were perceived as guest-workers that would eventually return to their countries, permanent settlement and integration policies were not designed to address their long-term social, cultural and economic issues. Turkish workers turned into migrant communities as their stay prolonged. The relationship between migrant communities and host societies transpire in three forms: assimilation, integration or exclusion. Generally speaking, Turkish migrant communities preserved their distinct cultural and religious values and practices which prevented assimilation. Yet, as basic integration theories suggest, they could have kept their cultural backpacks and at the same time integrate into the host societies by adopting the political culture and internalizing the political values through education, command of the host-society language and intermarriage. However, the outcome has been exclusion where the migrant communities opted for setting up their parallel communities in their own ethnic claves.

Sociologist Michele Tribalat's study on Turkish migrants in France demonstrates that "French-Turks were the most resistant to integration or assimilation". According to Tribalat, they preferred not to speak French; they preferred not to engage in intermarriage with the French; and were less interested in education. Stelzenmüller lists the outstanding issues of German-Turks who had opted for exclusion: "Turkish ghettoes and parallel societies in many German cities; Turkish mothers who do not speak a word of German; Turkish girls who are not allowed to go to school or attend certain classes, school sports and trips; and high violence and crime rates among male Turkish adolescents". Sa

However, it is a fact that integration success stories have emerged after half a century among the second and third generation migrants. There is a growing "Turkish lobby" effective in politics, arts, business, media etc. Thousands of Turkish entrepreneurs provide employment for hundreds of thousands of Europeans, while many Turkish origin politicians are active in local and national politics. As Kaya and Kentel underline "today's German-Turks have little in common with the old 'guest-worker' stereotypes of the past".⁵⁴

According to Kaya and Kentel's extensive study, Euro-Turks are equally split into two with one half successfully integrated holding cosmopolitan cultural identities, while the other half that has not been able to integrate still has a strong orientation to the homeland, including extreme religious and nationalist persons/groups. Styte, the mainstream media and right-wing political parties put the latter in the spotlight. Turkish communities are not represented through success stories in the media; rather Turks are characterized by strong clichés and stereotypes. Even though the prejudices and preconceptions are weaker among elites, the masses still hold the belief that Turkish migrants do not and cannot integrate into the social, political, economic or cultural life of host countries.

Meanwhile, as Turkey has been going through a major socio-economic transformation becoming more and more affluent, many migrant families have been returning to their home countries. Ac-

⁵² Michele Tribalat, "The French 'Melting Pot': Outdated –or in Need of Reinvention?", Susan Milner and Nick Parsons (eds), Reinventing France: State and Society in the Twenty-First Century, Hampshire, Palgrave, 2003, p.127-42.

⁵³ Stelzenmüller, 'Turkey's EU Bid", p.108.

⁵⁴ Ayhan Kaya and Ferhat Kentel, Euro-Turks: A Bridge or a Breach between Turkey and the European Union? A Comparative Study of French-Turks and German-Turks, CEPS EU-Turkey Working Papers No.14, 1, January 2005, p.3.

⁵⁵ Kaya and Kentel, Euro-Turks, p.69.

cording to German Migration Office's figures, reverse migration has been happening since 2006 as more Turks are leaving Germany than those who are settling in the country. Yet, many Europeans still prefer to perceive Turkish accession through those "never integrated" migrant communities. That is why the Negotiation Framework Document of 2005 foresees long transitional periods for the free movement of persons and that is why Turkey is still the only candidate country whose citizens are subject to visas. It is plausible that integration issues and stereotypical judgments will remain to be a part of Turkey's challenging Europeanization process by dominating the debate on Turkish accession.

Conclusion

While the EU gradually lost its conditionality, impact and credibility in domestic change in the post-2005 period, Turkey, with its established statehood, relatively capable public institutions and government with strong electoral support, has been opting to pick and choose EU policies, which Börzel and Soyaltın call "Europeanization à la carte". With a sui generis character, the process could in fact called Europeanization à la Turca. On one hand, Turkey's legal/institutional Europeanization history demonstrates that Turkey has taken significant measures in a wide range of policy areas thanks to the EU process, albeit with limited impact on the values and norms of the society. On the other, since the process has been perceived as an important component of modernization, it has become a means of legitimization of policies and power consolidation for domestic political actors, which unquestionably has consequences for a structural Europeanization process.

The long and narrow road "sometimes seems an endless road" for many Turks, as Aşık Veysel says. According to Eurobarometer surveys, only around one third of the Turkish people are in favor of EU membership⁵⁸, down from 60% in 2005.⁵⁹ Difficult times in the relations pull down the public support⁶⁰ and impair the transformative power of the EU in Turkey. A credible accession process with proper conditionality and clear membership perspective is a necessary condition for legal/institutional Europeanization but not sufficient for societal Europeanization to follow suit. Meanwhile, the country's challenging societal Europeanization process has an external component that comprises the integration problem of Euro-Turks. The integration issue has been mirrored to the debate on Turkey's Europeanization and accession processes since the failure in integration of Turkish migrants are presumed as the possible failure of Turkey in undertaking its commitments and complying with the norms and values. Yet, the socio-economic transformation of the country accompanied with increasing interaction with European societies could contribute not only to a proper Europeanization process with the diffuse of European values and norms within the society but also help fix the stereotypes on Euro-Turks, which would in return pave the way for the "long and narrow road" to EU membership.

⁵⁶ http://www.bamf.de/SharedDocs/Anlagen/EN/Publikationen/Migrationsberichte/migrationsbericht-2011.pdf?___blob=publicationFile (Accessed in May 2014).

⁵⁷ Börzel and Soyaltın, "Europeanization in Turkey", p.16.

⁵⁸ Eurobarometer 80, *Public Opinion in the European Union*, European Commission, 2013, p.66. http://ec.europa.eu/public_opinion/archives/eb/eb80/eb80_publ_en.pdf (Accessed in May 2014).

⁵⁹ Eurobarometer 63, Public Opinion in the European Union, National Report, Turkey: Executive Summary, European Commission, Spring 2005, p.S. http://ec.europa.eu/public_opinion/archives/eb/eb63/eb63_exec_tr.pdf (Accessed in May 2014).

⁶⁰ Even though the public support to the EU process declines in difficult periods of the relations, hard eurosceptism is rather marginal. Even if they might have different views on a number of basic issues related to the process, none of the political parties represented in the Parliament currently hold categorical opposition to the EU vocation of the country.

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