

Democratization and Relations with the EU in the AK Party Period: Is Turkey Really Making Progress?

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ABSTRACT *This brief commentary assesses the progress made by Turkey under the Justice and Development Party (the AK Party) toward European Union (EU) membership and democratization. While it acknowledges positive steps, it notes that the goals of EU accession and democratic consolidation remain elusive. One consideration is that the expectations or “goalposts” for both have moved so that, relative to the objectives of those supporting democratic freedoms and Europeanization, progress in Turkey has still been rather modest. While the democratization package of September 2013 offers some hope for democratization, it remains difficult to see substantial progress in terms of joining the EU.*

Over a decade ago, when the AK Party (*Adalet ve Kalkınma Partisi* [Justice and Development Party]) came to power in Turkey, hopes were high in many quarters that this was the dawn of a “new” Turkey.¹ While the AK Party had Islamist roots and was distrusted by many in the secular establishment, its leaders boasted that the AK Party stood for “conservative democracy,” including a commitment to universal values of freedom.² In the early 2000s, the AK Party was also arguably the most pro-European Union (EU) of all Turkish political parties, with Prime Minister Recep Tayyip Erdoğan proclaiming that Turkey would continue with reforms to meet EU criteria and

aimed to make Europe’s values “Ankara’s values.”³

Much has happened in the past decade, but in 2013 it is still difficult to be sanguine about either the establishment of liberal democracy in Turkey, or, in particular, the country’s EU bid. This is not to say that Turkey has not made considerable progress. It has. In some ways, the country has come further than was imaginable in the 1990s prior to the rise of the AK Party and the imposition of EU conditionality. However, new challenges and problems have emerged, making the goals of consolidating a liberal democracy and joining the EU as elusive as ever. This brief commen-

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tary will suggest that the “goalposts” for both democracy and the EU have moved so that, relative to the objectives of those supporting democratic freedoms and Europeanization, progress in Turkey has been rather modest. Put somewhat differently, Turkish EU membership was (in 2002) and is (today) a long-term and uncertain prospect and, particularly in recent years, Turkey has regressed on its path toward democracy.

Positive Developments under the AK Party

It would be unfair to portray developments under the AK Party in a wholly negative light. In the words of Ihsan Dağı, the AK Party embraced the language of democracy and human rights as a “discursive shield,” and mobilized popular support and worked with various groups in Turkish society to bolster its democratic legitimacy.⁴ This was not, however, merely rhetoric. Particularly during its first term (2002-2007), the AK Party accelerated reforms that were initiated under the previous government, passing constitutional reforms and EU harmonization packages covering issues such as freedom of expression and assembly, minority (e.g. Kurdish) rights, and the prerogatives of the military. Turkish civil society became more active. The AK Party government did face significant opposition, but the party – and Turkey itself – avoided a major crisis in 2008 when the Constitutional Court refused to ban the party, as had been done with some of its Islamic-ori-

ented predecessors. Constitutional reforms as well as the Ergenekon and Balyoz court cases have weakened the power of the “deep state” and removed the threat of a military coup. The AK Party was re-elected in 2007 and 2011, gaining more votes in each election and thereby re-enforcing its democratic credentials. Among the party’s objectives after its election in 2011 was the adoption of an entirely new constitution, one that it promised would create an “advanced democracy.”

The early 2000s were also the “golden age” of Turkish-EU relations, as the EU employed conditionality—holding out the prospect of eventual membership—to encourage domestic political reform. For its part, the AK Party committed itself to adopting reforms in order to launch accession talks. According to Ziya Öniş, if one previously witnessed a “vicious circle of delayed reforms and slow progress toward full membership,” EU pressure helped foster a “virtuous circle” conducive to wide-ranging reform. These reforms were, in his view, “inconceivable in the absence of powerful incentives and pressures from the EU.”⁵ Guenther Verheugen, then the EU’s Commissioner for Enlargement, praised the AK Party government and asserted that “the passage of reforms through [the Turkish] parliament show[ed] the strong determination of the Turkish government to get in shape for EU membership.”⁶ By 2005, Turkey had made sufficient progress to allow accession talks to begin. Ihsan Dağı surmised that the AK Party had “played a historically important

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role in consolidating democracy in Turkey and in integrating Turkey into the EU.”⁷

The Loss of Reform Momentum

In some respects, 2005 can be considered the highpoint of both Turkish-EU relations and domestic political reform. Since then, progress on both fronts has been meager.⁸ The inability to solve the division of Cyprus alongside the emergence of governments in Germany and France that were against Turkey’s EU bid has resulted in the suspension of talks on most accession chapters. Public opinion in many European countries is decidedly against Turkey’s membership bid, and internal EU problems have also dampened enthusiasm for expansion. The Turkish perception that Europe is treating Turkey unfairly and wants the EU to remain a “Christian club” has also resulted in less public support for the country’s EU bid.⁹ At the same time, the Turkey’s growing economy and ambitions in the Middle East have made the EU a less central component of Turkish foreign policy. As such, the EU was a

marginal issue in the 2011 elections. Furthermore, adoption of a “Positive Agenda” between the EU and Turkey in 2012 has yet to eliminate the EU’s visa regime, which is viewed as humiliating by Turks. While it is true that no one wants to “pull the plug” on possible Turkish membership, this can hardly be construed as grounds for optimism.¹⁰ Each side, like in a loveless marriage, expects little from the other, and the decade-old positive energy that characterized relations is long gone. This was epitomized by the comment in September 2013 by Turkey’s Minister for Eu Affairs, who suggested that because of prejudice Turkey would never become a member of the EU.¹¹

At the same time, not coincidentally, Turkey’s domestic reform impetus has slowed and, by some measures, the country appears to be regressing. A primary problem has been frequent invocation of anti-terrorism laws to clampdown on dissent. The results, which are rather well known, include the imprisonment of journalists, academics, and, in particular, Kurdish activists. According to the 2013 *Reporters Without Borders* Press Freedom Index, Turkey ranks 154th out of the 179 countries surveyed, lower than Russia, the Democratic Republic of the Congo, Iraq, and Zimbabwe. This is a significant change from its 2005 ranking, when it was 98th out of 167 countries.¹² The Eregenkön trials against alleged coup plotters in the military and state bureaucracy have also been criticized, with some calling them “showtrials” because of the questionable use of evidence and the

impression that the trials were used to squash any form of dissent. In short, they cast “a shadow of doubt over the AK Party’s intentions to expand democracy.”¹³ *Freedom House*, in its 2013 report, downgraded Turkey on its civil liberties score, primarily out of concern about freedom of expression and rule of law, resulting in the same ranking it held in 2003.¹⁴ Further, women’s rights, a major issue of social and political liberalization, re-

to cite “limited progress” with respect to democratic reforms, whereas from 2001-2004 the EU often acknowledged “some” or even “good” progress.¹⁶ The EU’s report on enlargement strategy in 2011 observed that, despite “substantial” overall progress in the past decade, the EU and Turkey need to “work to launch a new virtuous circle” with a “fresh and positive agenda.”¹⁷

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main problematic. For example, in the 2012 Global Gender Gap Index prepared by the *World Economic Forum*, Turkey ranks 124 out of 135 countries, lower than Algeria, Jordan, and Cameroon, and its raw score shows little progress since 2005.¹⁵ Lastly, the EU’s own progress reports have become increasingly critical of Turkey on all the issues cited above, as well as numerous others: rules on political parties, promotion of minority languages, trade union rights, allegations of torture, corruption, discrimination against homosexuals, and bans on Internet sites have been cited.

Firat Cengiz and Lars Hoffmann have coded EU Progress Reports throughout the 2000s and argue that, since 2005, the norm has been for the EU

The Turkish government, however, has been less receptive to outside criticism. For example, Prime Minister Erdoğan, who had earlier suggested he was fully committed to advancing “European values,” responded to a European Parliament report on arrested journalists by stating, “their duty is to prepare the report, and ours is to go our own way.”¹⁸ All of these reports and concerns pre-date the 2013 Gezi Park protests, which – although they were a manifestation of a more confident Turkish civil society – were met by harsh crackdowns by authorities, some of whom, in rhetoric reminiscent of Vladimir Putin, blamed the events on foreigners. For the time being, the construction of a new constitution also seems stymied due to profound distrust among Turkish political parties.

The long-awaited democratization package announced by the government at the end of September 2013 does represent a bright spot. Among other things, it proposes Kurdish-medium education in private schools, greater protections for freedom of assembly, changes to the electoral law, and a commission to investigate hate



crimes. Although Kurds and Alevis thought it did not go far enough and the main opposition parties criticized the government's sincerity and some even thought it went too far, it was viewed positively by many in the EU. This in turn helped temper the October 2013 EU Progress Report on Turkey, which, as expected, was very critical of the government's handling of the Gezi protests but suggested that this package, if adopted and fully implemented, would reinvigorate the country's democratization process.¹⁹

Assessing the AK Party Years

Nevertheless, it would be erroneous to paint a black-and-white picture of

Turkey under the AK Party. There has been discernible progress. However, it is still of a "step forward, step back" variety, calling into question the security of any established reforms. Part of the problem about drawing conclusions, however, is that the criteria of what is enough to be "democratic" or worthy of EU membership is uncertain and has changed over recent years.

Consider, for example, the question of democracy. Turkey has free and fair elections, voters choose among multiple parties, and based upon voting results, the government reflects the will of the people. There are lively print and electronic media, there is greater public space for religion, and

European Council chief Herman Van Rompuy (R) and Turkey's Prime Minister Recep Tayyip Erdogan review an honour guard during a welcoming ceremony in Ankara.

AFP

civil society is more engaged in a variety of issues than before the AK Party came to power. Kurdish identity is now recognized, there is an important Kurdish presence in parliament, and since the 2011 elections the AK Party seems more committed, than any previous government, to find a political solution to the long and bloody Kurdish conflict. The judiciary is now more accountable to elected branches of government, and one prominent historical threat to Turkish democracy—the military—has been neutralized. It is clear that electoral democracy in Turkey is secure.

However, for many in and outside of Turkey, electoral democracy is not enough. Both the European norm and the expectation created in the early 2000s was that Turkey should move toward a liberal democracy, one that would prioritize individual rights and diminish the power of the state. Turkish democracy, however, can hardly be described as liberal. Journalists or activists who cross the government risk arrest. Newspapers critical of the government may become special targets of the tax police. Self-censorship is becoming more and more commonplace. Protests have been shut down with force. The judicial process has become overly politicized. The political environment is exceptionally polarized, and the government, armed with its parliamentary majority, has shown little interest in engaging with its political rivals or those in civil society that have competing agendas. All of this was highlighted in the most recent EU progress report.

While some might suggest that the problem is the AK Party's alleged embrace of political Islam – there are without question many in Turkey who fear the AK Party's intentions – the larger problem is unchecked power by what is becoming, like the PRI in Mexico or Unity in Russia, a hegemonic political party that delegitimizes the opposition. Indeed, to the extent that the AK Party remains popular and views itself as the only and true repository of democracy and Turkish nationalism,²⁰ it is able to justify its exclusionary policies. To date, it has, to its credit, shown more flexibility on the Kurdish issue,²¹ but, as Ziya Öniş notes, the “new Turkey” of the AK Party has given little leeway for secularists or religious minorities such as Alevis to express their identity and advance their agendas. He concludes that neither the “old, Kemalist” Turkey nor Turkey under the AK Party “represent genuine examples of political pluralism with mutual respect for diversity and genuine co-existence within the same polity by contrasting elements of Turkish society.”²²

This may nevertheless suit the government. The net effect is that, in many ways, the AK Party has adopted the same statist and nationalist line as its former opponents. No longer the outsider party, it “occupies all social and political space,” capable of “perpetuating its political power and legitimacy.”²³ Indeed, insofar as the AK Party controls the state machinery, has demonstrated a willingness and ability to cow dissent, and presides over an economy that continues to

grow (and can thus provide resources for patronage), it is hard to envision a serious challenger to its continued rule.

Put somewhat differently, Erdoğan *may* have been right in claiming that he spoke for the Turkish majority in cracking down on Gezi, but this is a very majoritarian and perhaps narrow and dangerous view of democracy. The government should not be able to do whatever it wants, and it should not instinctually de-legitimize opposing viewpoints. These are, however, often its *modus vivendi*. The undisguised effort to change the constitution to give more power to the presidency – which Erdoğan is confident of winning – and concomitant efforts to limit the ability of the constitutional commission to public comment or scrutiny is but one area of concern. The broader issue, according to one assessment, is that Turkey lacks a genuine constitutional process so that “a meaningful debate on the country’s long-standing problems with the potential of achieving consensus seems highly unrealistic.”²⁴ While a grand bargain may yet be struck to draft a new constitution, the AK Party’s actions in recent years give good reason to doubt that the constitution, particularly if it centralizes executive authority, would significantly further the cause of political liberalization.

As for the EU, there has always been debate concerning its true desire to add Turkey,²⁵ and unclear or shifting goalposts for eventual membership (e.g. what Turkey must do to join,

whether it would be held to the same criteria as other new member-states, whether “permanent safeguard clauses” would leave Turks with second-class status, and whether Turkey would be offered a “special relationship” in lieu of full membership). Beken Saatcioğlu has suggested that, even when the EU opened accession

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talks, it was clear that several member states questioned both the material costs of Turkish membership and Turkey’s European identity.²⁶ In this regard, the opening of accession talks merely signaled that Turkey met the basic requirements to *begin* the process, but it would be, as the EU itself emphasized, open-ended. As such, unlike in the case of Central and Eastern Europe, there would be no guarantee of membership even if Turkey met the EU’s criteria. It does appear that EU Progress Reports add more to Turkey’s “to-do” list each year, and that the EU seems to want to micromanage Turkish politics and society, drawing attention to issues of “low politics” such as civil service reform, legal aid for the poor, child care, and state auditing procedures. At the very least, two things are clear: first, joining the EU will not be as simple

as previously imagined; and second, despite the numerous reforms made since 2000, it is hard to ascertain how much further – in terms of both time and legislative and constitutional action – Turkey has to go. Given the long list of items with which the EU has tasked Turkey (as well as the EU's own internal problems), it remains doubtful that Turkey is closer to EU membership now in 2013 than it was in 2005.

What is clear, however, is that the EU has less influence on Turkey, while Turkey itself is less and less focused on the EU. For example, Turkey froze its relations with the EU in the second half of 2012 during the Cypriot EU Presidency. Furthermore, in 2013, Erdoğan floated the idea of Turkey joining with Russia, China, and the non-democratic Central Asian states in the Shanghai Cooperation Organization. "Europeanization" – the adoption of European standards and practices in various policy arenas – may occur in some areas, including the visa regime, but it has often taken on the form of "we will do what we want when we want to."²⁷ All of this represents a major break from the more enthusiastic, hopeful period in EU relations, a time that was less than a decade ago but in some respects seems like a distant memory. ■

Endnotes

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