

EUROPEANIZATION, DOMESTIC POLITICAL CHANGE AND
CIVIL-MILITARY RELATIONS IN TURKEY

A Ph.D. Dissertation

by

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ABSTRACT

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This dissertation explores the impact of the European Union on domestic political change in the area of civil-military relations in Turkey. The history of modern Turkey is characterized by the objective of becoming a full member of the European society of states. For this purpose, Westernization and modernization are the constituting discourses and practices of the modern Turkish Republic. Yet beginning in the 1960s and culminating in the 1990s, the deepening of the process of European economic and political integration has led to serious transformations in the European state system and society. Recent works studying the nature and scope of this change conceptualize this process as Europeanization. According to these studies, the European Union is the main variable triggering domestic transformation in the member states and candidate countries. The impact of the European Union is also strongly felt in Turkey, which is a candidate for membership in the phase of pre-accession. This dissertation analyzes domestic political change in the realm of civil-military relations from the perspective of the Europeanization approach. The framework proposed to study the Turkish case is intended to contribute to the knowledge of Europeanization and Turkey-European Union relations.

Keywords: Europeanization, Civil-Military Relations, Turkey and European Union

ÖZET

AVRUPALILAŞMA, SİYASAL DEĞİŞİM VE TÜRKİYE’DE SİVİL-ORDU İLİŞKİLERİ

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Bu tez Avrupa Birliği’nin Türkiye’de siyasal değişime olan etkisini incelemektedir. Bu bağlamda, çalışmanın odağı Avrupalılaşma ve sivil-ordu ilişkileridir. Modern Türkiye tarihinin belirleyici özelliklerinden bir tanesi Avrupa devletler topluluğunun tam üyesi olma hedefidir. Bu amaçla, Batılılaşma ve modernleşme söylem ve uygulamaları modern Türkiye Cumhuriyeti’nin oluşturucu öğelerindendir. Ancak, 1960’lı yıllardan başlayarak günümüze Avrupa ekonomik ve politik entegrasyon süreci derinleşmiştir. Bir siyasi bütünleşme projesi içeren bu süreç, Avrupa devlet sisteminde ve Avrupa toplumlarında önemli dönüşümlere yol açmıştır. Bu oluşumu inceleyen son dönem çalışmaları bu değişim sürecini Avrupalılaşma olarak nitelermektedirler. Bu çalışmalara göre, Avrupa Birliği üye ülkelerde ve üyeliğe aday olan ülkelerde siyasi, ekonomik ve toplumsal dönüşüm süreçlerinin en belirleyici ögesidir. Avrupa Birliği’nin etkisi üyelik müzakereleri sürecinde olan Türkiye’de de azımsanamayacak ölçüde hissedilmektedir. Bu tez, Türkiye’de sivil-ordu ilişkileri alanındaki siyasal değişimi Avrupalılaşma açısından ele alan bir perspektifle analiz etmektedir. Türkiye örneğini incelemek üzere önerilen bu kuramsal yaklaşım, Avrupalılaşma teorilerine ve Türkiye-Avrupa Birliği ilişkileri konusunda sürdürülen akademik çalışmalara katkıda bulunmayı amaçlamaktadır.

Anahtar Kelimeler: Avrupalılaşma, Sivil-Ordu İlişkileri, Türkiye ve Avrupa Birliği

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CHAPTER 1

INTRODUCTION

Over the past decade, Turkey's reform process aimed at opening accession negotiations with the European Union (EU) has been remarkable. Turkey's political will to become a member of the EU can be considered an extension of its modernization and Westernization politics, going back to the establishment of the Republic of Turkey. However, relations between Turkey and EU, which date back to the 1960s, have been marked by ups and down. One of the important aspects of this uneasy relationship is that according to the EU, Turkey has to fully comply with the Copenhagen political criteria in order to become a member. The customs union, which went into effect in January 1996, and Turkey's EU membership candidacy at the end of 1999, made the policy option of a Turkey more integrated with Europe more viable. These developments were major motivations towards fulfilling the political criteria for membership. In response, successive Turkish governments (1999-2006) undertook major political reforms and showed their willingness to ease Turkey's relations with the EU.

In this context, the improvement of the democratic governance of civil-military relations is a major component of the ongoing process of Turkey's Europeanization.

Starting with the Association Agreement (1963) and extending to Turkey's membership application (1987), on several occasions the EC/EU has voiced concerns about democratization and the civilianization of Turkish politics. In this connection, the reports of the European Parliament in particular have included sharp criticisms of the state of civil-military relations in Turkey while referring to past interventions in Turkish politics. After the introduction of the Copenhagen political criteria (1993), and Turkey's inclusion in the pre-accession strategy (1997), EU institutions through the European Commission Regular Reports (1998-2006) and Accession Partnership documents (2001, 2003, and 2006) have communicated more concrete evaluations in this respect. The European Commission Regular Report of November 2001 stated "The basic features of a democratic system exist in Turkey, but a number of fundamental issues, such as civilian control over the military, remain to be effectively addressed" (European Commission, 2001: 97).

Turkey's increasing interest and strong determination to become an EU member is a major factor that has caused the military to rethink and redefine its role in Turkish politics – in particular, its relations with the civilian elites. The military has several times reiterated that the Turkish Armed Forces has always acted as the driving force of modernization, and Turkey's accession to the EU will mediate the realization of this objective. Similarly, successive Turkish governments have undertaken comprehensive reform programs towards complying with the political conditionality in the area of civil-military relations. However, how far Turkey has complied with the EU's political conditionality for membership in this particular area remains an issue of debate in both Turkey and the EU.

An important aspect of these debates is that so far, studies of civil-military relations in Turkey have mostly ignored the relevance of theories of European integration for understanding what is changing or not in the context of Turkey's EU membership process.¹ The available literature on the reforms concerning civil-military relations in Turkey has a tendency to link Turkey's EU candidacy with the broader scholarly literature on democracy and civil-military relations, including "civil democratic control of the armed forces."² These studies diverge over whether the EU provides adequately framed guidelines for reforms concerning its common position on the democratic governance of civil-military relations. However, four common positions that can be derived from these recent studies are insightful. The first is that among other international political actors, such as the North Atlantic Treaty Organization (NATO) and the Organization for Security and Cooperation in Europe (OSCE), the EU plays a particular role in providing a framework for reforms regarding civil-military relations in Turkey. A second, rather critical outlook is that in monitoring and redesigning the framework for reforming civil-military relations, the EU has to take into consideration Turkey's specific domestic political/institutional setting. A related third position is that, in spite of the centrality of the EU's direct legal-institutional reform strategy to trigger democratization in this area, further substantial aspects of institutional adaptation, such as policy alignment and the mindset of the

¹ Sarigil (2007: 40-41) provides supportive argument emphasizing that Turkey's Europeanization process is "an under-investigated issue." According to Sarigil (2007: 40) "more theoretical efforts would not only contribute to our understanding of the reform process in post-Helsinki Turkey, but also contribute to the Europeanization literature in general."

² For diverse approaches to democratic governance of civil-military relations in Turkey, see Güney and Karatekelioğlu (2005), Cizre (2004), Jenkins (2001), Knoonings and Kruijt (2002), Duman and Tsarouhas (2006), Karabelias (2003), Güney (2002a), Danopoulos and Zirker (2006), Greenwood (2006), Narlı (2006), and Drent (2006).

actors running these institutions, need to be explored.³ Studies on the discourse of the military concerning the EU and democracy are of particular relevance to an understanding of these aspects of domestic politics within the framework of Turkey's EU candidacy.⁴ Finally, these works also emphasize the complementary nature of the civilian and military dimensions of EU-triggered domestic political change.⁵ In other words, they point to the need to reinforce the mechanisms through which civilian institutions may be empowered to participate in political processes in general. Moreover, they emphasize the need for furthering the development of civilian knowledge of, and expertise in, national security and defense policies.

1.1 The Purpose of the Study

The distinctiveness of this dissertation is that it analyzes the EU's impact on civil-military relations in Turkey through the lens of the Europeanization approach to European integration. This should help us understand to what extent the EU is an effective outside trigger in stimulating change in this particular area. The process of European integration, now ongoing under the umbrella of the EU, is described as one of the main variables of domestic political transformations in member states and EU membership candidates (Hix, 1999; Nugent, 2004). This process, the subject of a great deal of recent scholarship, is referred to as Europeanization. There are many

³ (Misrahi, 2004: 25) explores the limits of the legal-institutional approach to EU's impact on civil-military relations in Turkey.

⁴ For an in-depth analysis of the discourse of the military in the context of Turkey's EU membership process, see Heper (2005a, 2004).

⁵ Cizre (2004: 118) proposes the study of "civilian empowerment" aspects of the democratic governance of civil-military relations. Similarly, Demirel (2004) demonstrates the relevance of the study of civilian institutions for our understanding of the evolution of civil-military relations in Turkey.

different approaches to explaining Europeanization, with some common ground found in the idea that it refers to the impact of European integration on domestic political change (Olsen, 2002; Hix and Goetz, 2001). A growing number of Europeanization studies are shifting from a focus on the impact of EU membership to one on domestic political change in the candidate countries. In the case of the candidate countries, it is argued that the political conditionality for membership is the major mechanism through which the EU induces domestic change. Moreover, in explaining the process of Europeanization, it is most commonly argued that “national features continue to play a role in shaping the outcomes” of domestic adaptation to the EU (Risse, Cowles and Caporaso, 2001: 1; Börzel, 2002).

The research question of this dissertation is: to what extent does the EU induce change in the area of civil-military relations in Turkey. For this purpose, the study focuses on three aspects of the EU’s political conditionality in this area. Three propositions are developed out of the scholarly work on Europeanization:

1. Through its political conditionality for membership, the EU induces change in formal institutional structures in the area of civil-military relations in Turkey. The focus of this aspect of Europeanization is on the formal, legal aspects of institutional restructuring. EU harmonization laws (*Avrupa Birliği Uyum Yasaları*) are the main mediating variables of domestic institutional adaptation. This process of change is referred to as Europeanization and **formal institutional change**.
2. Through its political conditionality for membership, the EU induces policy change in the area of civil-military relations. This aspect of Europeanization focuses on Turkey’s policies of integration with the EU, which covers the

democratic governance of civil-military relations. The approximation of domestic policy formulation and the alignment of foreign policies are the main mediating variables of change. This process of change is referred to as Europeanization and **policy change**.

3. Through its political conditionality for membership, the EU triggers change in informal institutional structures in the area of civil-military relations. The diffusion of EU norms and discourses is the major mediating variable of this aspect of change. The diffusion of the EU norms is expected to bring about substantial institutional change in mindsets, or attitudes, of domestic political actors, such as the military, the government or the public. In this dissertation, this aspect of Europeanization focuses on the military's change in attitude towards issues arising from Turkey's EU membership process. The process of change is referred to as Europeanization and **informal institutional change**.

The underlying contribution of this study is to further elaborate the links between Turkey's EU membership process and domestic change in the area of civil-military relations. First, the Europeanization approach provides the analytical tools to help delineate EU-driven and domestically driven mediating variables, which either facilitate or hinder the process of change in the context of EU membership. It aids in an understanding of why, how and under what conditions the EU induces change in this specific area. Second, it provides an analytical frame of reference to test whether domestic political change in the area of civil-military relations varies across different legal structures, policy issues, etc. Finally, the study goes beyond the investigation of legal reforms to analyze more substantial aspects of the reform process such as policy change, and also informal aspects of institutional change. By investigating an

area that has not been adequately covered, this study aims to contribute to broader knowledge of the impact of the process of European integration on domestic political change in Turkey with specific emphasis on civil-military relations.

1.2 Methodology

The methodology of this study has two aspects. First, the theoretical framework is based on a review of the literature on the Europeanization approach to the EU's impact on domestic political change. The three propositions of the dissertation are based on this literature review. The second aspect of the methodology is empirical research, which aims to measure and demonstrate these three proposed forms of Europeanization in the area of Turkish civil-military relations.

In order to test the formal aspects of institutional change, the empirical data are based on the content of available official and legal documents. These firstly include documents issued by EU institutions, namely, the Regular Reports of the European Commission, European Council decisions, the Accession Partnership documents, the reports of the European Parliament and other official texts published within the framework of the EU's pre-accession strategy. However, the primary focus is on the reports of the European Commission and the Accession Partnership documents. The underlying reason is that these are binding on the candidate countries if they aim to acquire EU membership status. Second come the legal texts issued by Turkey, which are the Constitution, laws and regulations, the Official Gazette, the National Programme for the Adoption of the Acquis, EU harmonization packages including

reform laws and constitutional amendments, and official documents of the Ministry of Foreign Affairs, Secretariat General for EU Affairs, Secretariat General of the National Security Council (*Milli Güvenlik Kurulu Genel Sekreterliği*), the Turkish Armed Forces, and Ministry of National Defense (*Milli Savunma Bakanlığı*). Finally come the documents issued by the Turkey-EU Association Council, Association Agreement, decisions of the Joint Parliamentary Committee, customs union, and documents related to accession negotiations.

The policy aspect of change is tested through discourse analysis. The analysis centers on the policy discourses of the EU and domestic actors, such as the military and the government. Official EU publications, as cited above, are analyzed to delineate the political conditionality concerning policy alignment. The analysis is completed with a discourse analysis of statements made by the military and the government as they appeared in Turkish newspapers, and official web pages of the political parties, and in official declarations of the military such as the Turkish General Staff (*Genelkurmay Başkanlığı*), the Turkish Armed Forces, and the Secretariat General of the National Security Council. The discourse analysis covers the official policy positions of the government, Parliament and related ministries. The data analysis concentrates on the period before and after the European Commission reports and the European Council decisions so as to measure the extent to which policy change is triggered by EU membership motivations.

Discourse analysis is also employed to test the informal aspects of institutional change. EU rhetoric on Turkey's EU membership as well as its conditionality on informal aspects of institutional change is an integral part of the research. These

include the EU's official reports, public opinion polls and the speeches of EU leaders. Equally important is the analysis of the speeches of senior military officers on EU-related matters over the years. For this purpose, in addition to the official web page of the Turkish Armed Forces, Turkish newspapers are the main sources of information. Similarly, the discourse of the government and Turkish public on EU-related issues is also examined. However, in line with the purpose of the study, the stand of the military is the primary focus of the analysis.

The empirical analysis undertaken in this dissertation focuses on change experienced in the area of civil-military relations in terms of various aspects of legal-institutional reforms, policy alignment and informal aspects of institutional change. Furthermore, the empirical research mainly covers the period from 1999 to 2006, which corresponds to Turkey's EU membership process. However, the study also explores some of the important historical landmarks in Turkey-EU relations. Finally, historical-comparative research is employed in order to examine the pre-existing domestic structures in Turkey and analyze the extent to which there has been change. During the process of research and writing, significant amounts of both secondary and primary data have been analyzed. Qualitative data analysis methods, such as discourse analysis, have been employed, supported by available quantitative data such as surveys, statistical data, and content analysis.

1.3 Overview of the Study

The next chapter, Chapter 2, explains the theoretical framework of the dissertation. First, it reviews earlier approaches to European integration. Second, it explores the

Europeanization approach to the EU's impact on both member states and candidate countries. The chapter's final section explains the three aspects of the Europeanization process, through whose lens change in the area of civil-military relations in Turkey is then analyzed. The theoretical framework proposed is tested, complemented and modified through the findings of the empirical data presented in Chapters 3, 4 and 5.

Chapter 3 analyzes Turkey's legal-institutional reforms in the area of civil-military relations. The first section of the chapter explores the pre-existing legal-institutional setting. The second analyzes the impact of the EU's political conditionality on the formal aspects of institutional change. The analysis covers: (1) the EU harmonization reforms concerning the functioning and composition of the National Security Council (*Milli Güvenlik Kurulu*), and (2) EU harmonization reforms associated with the issue of the accountability and transparency of the military with respect to civilian institutions. The chapter's final section delineates the mediating factors/variables facilitating or hindering Turkey's closer integration with the EU in this particular area.

Chapter 4 analyzes the extent to which the EU's political conditionality induces policy change. The first section of the chapter explores the policy legacy of the military through a historical perspective. The second section analyzes the process of policy alignment along the lines of the EU's political conditionality. The analysis focuses on (1) Turkey's policies of integration with the EU, such as the approximation of domestic policy formulation, and (2) foreign policy alignment regarding the promotion of peaceful relations with neighboring countries, the

European Security and Defense Policy and peaceful resolution of the Cyprus problem. The section investigates mediating factors facilitating or impeding this aspect of Europeanization. The chapter's overall aim is to test whether in the formulation of these policies, the civilian authority has been further strengthened during Turkey's EU membership process.

Chapter 5 analyzes informal aspects of institutional change, such as whether the diffusion of EU norms and discourses has brought about change in the attitudes/mindsets of the military with regard to issues arising from Turkey's EU membership candidacy. The first section explores the factors that are influential in the military's attitude formation. The second focuses on the impact of the diffusion of EU norms and discourses on this attitude. Two major periods are compared to analyze the factors that facilitate or hinder informal institutional change: (1) 1999-2004 is studied as a period when the expectations on Turkey's EU membership were relatively high, and (2) 2004-2006 is studied as a period marked with ruptures in Turkish-EU relations.

In the concluding chapter, the Europeanization approach proposed in Chapter 2 is evaluated through the findings of the empirical analysis provided in Chapters 3, 4 and 5. The three propositions on domestic change covering formal and informal institutions and policies are assessed in terms of what kind of change is coming about and why the EU is a major trigger in stimulating change in the area of civil-military relations in Turkey. The impact of the EU is explained through the mediating variables of Europeanization. This includes a discussion of domestically driven aspects of political change and the EU-driven factors.

CHAPTER 2

THEORETICAL FRAMEWORK: EUROPEANIZATION AND POLITICAL CONDITIONALITY

Europeanization emerged as a new approach making use of the analytical tools of earlier work on European integration. It aims to explain the EU's impact on domestic change in member states and candidate countries. This new approach is an important contribution, as it helps clarify the mechanisms through which the EU induces domestic change. This chapter undertakes a constructive reading of Europeanization studies to reflect on the empirical links between the EU and domestic political change in Turkey. The first section summarizes the theories of European integration upon which the Europeanization approach developed. The second explains the Europeanization approach to European integration. The final section focuses on the theoretical framework with which Turkey's process of Europeanization in the area of civil-military relations is analyzed in this dissertation. Three forms within which Europeanization occurs are identified: formal institutional change, policy change, and informal institutional change.

2.1 Earlier Approaches to European Integration

The process of European integration went hand in hand with theories of European integration. These theories explained the various conjunctures in the evolution of the EC/EU, and the current context determined the dominant approach. Earlier theories of integration explored the reasons for the evolution of the EC/EU as a supranational authority and its impact on nation-states. They studied the consequences of integration on the member states' sovereignty, policy-making capacity and autonomy (Hoffmann, 1966; Milward et al., 1993; Bornschie, 2000; Wallace, 1990; Barkin and Cronin, 1994; Aalberts, 2004). These earlier approaches tended to focus on international relations aspects of integration.

Since the 1990s, new theories have emerged to explain the changing dynamics of integration. With the establishment of the Treaty on the European Union (1993), the EU's impact on the national politics of member and candidate countries grew much more visible. Therefore, relatively recent approaches have shifted emphasis to a theoretical and empirical investigation of European integration's impact on domestic political dynamics (Schmidt, 1999; Hix, 1999; Goetz and Hix, 2001; Börzel, 2002; Mair, 2001; Ladrech 1994). This demonstrates that the study of domestic politics occupies an increasingly important place in contemporary European politics. These studies mostly build on comparative politics. Before explaining Europeanization, we need to cover these earlier approaches.

2.1.1 The 1960s and After: Supranational Versus Intergovernmental Axis

After the establishment of the European Economic Community (1957), the dominant debate over European integration revolved around the neofunctionalist and intergovernmentalist axis (Nelsen and Stubb, 2003). These two approaches have different perspectives for explaining the dynamics of the integration process.

2.1.1.1 Neofunctionalism

In postwar Europe, achieving peace through the spread of liberal democratic norms and values became the dominant political discourse, and the realist approach to international relations was seriously challenged.⁶ The economic and political integration of European states at high levels of regional cooperation was seen as a way to prevent wars, which were blamed on the predominance of state-centered interests in international relations (Haas, 1958). In the 1960s, growing out of the functional approach⁷, the neofunctional approach explored the reasons for the transfer of competencies by member states and the subsequent evolution of the European Coal and Steel Community (ECSC) into the EEC and EC (Rosamond, 2000). Under this theory, the political integration process at the European level is an inevitable function of the process of institutionalization at the supranational level precipitated by economic integration (Rosamond, 2000: 52; Balassa, 1994).

⁶ For a discussion of the realist approach and other approaches to international relations, see Olson (1991).

⁷ The functionalist approach explained integration in terms of the “spillover effect” of functional integration processes from one policy sector to the others (Lindberg, 1994; Haas, 1958).

Neofunctionalism's central claim is that the process of European integration is led by a supranational authority with jurisdictional powers in the member states' territories, and is evolving as an alternative to the political system now governing the modern nation-state (Linberg, 1994). In this sense, neofunctionalism is a challenge to the realist paradigm, as it goes beyond the state-centric vision. Indeed, as it turned into the EU, the EC gradually evolved from an economic community into a political one, along the way acquiring legal and political authority which pushed for domestic change. The EU is evolving as a supranational institution, and most of the political and economic decisions made by its institutions are legally binding on the member states. This has brought a new understanding to the concept of the member states' territorial sovereignty (Held et al., 1999).

2.1.1.2 Intergovernmentalism

Since the 1960s, EU members have made changes to their legal and institutional arrangements to allow for the delegation of authority to a supranational level and the sharing of an increasing number of policy competency areas with the EU (Dinnage and Murphy, 1996).⁸ However, this has led to tensions in relations among the different levels of policy-making.⁹ The Luxembourg Compromise of 1966¹⁰ resulted in more power for the Council of Ministers, the intergovernmental decision-making

⁸ The delegation of policy competencies ranges from economic and social policies to policies relating to justice and home affairs and common foreign and security policy. Depending on the issue of integration in question, the member state share political sovereignty at varying levels (Nugent, 2003).

⁹ Namely, the EU's supranational institutions such as the European Commission, European Parliament and European Court of Justice; intergovernmental institutions such as the European Council and Council of Ministers; and domestic political institutions. For more information on the legal aspects of EU decision-making processes, see Nugent (2003).

¹⁰ The Luxembourg Compromise (1966) came at the time of the French Presidency and introduced unanimous voting at the Council of Ministers on several issues, most relating to the preservation of the member states' national interests (Dinan, 57-59).

body within the EC's institutional framework. Additionally, Europe's economies were hurt by the oil crisis of the 1970s. These economic and political developments led to a slowdown in the political integration process, and this in turn was reflected in theories of European integration.

These developments led European studies to question the validity of the neofunctional approach for explaining the process of integration. Critiques of neofunctionalism focused on the intergovernmental approach, arguing that decisions on economic or political integration came from preference convergence among member states through processes of inter-state bargaining and negotiations at the EC/EU level (Rosamond, 2000). In this sense, intergovernmentalism goes back to state-centric perspectives to explain European integration. Therefore, contrary to neofunctionalist claims, the significance of the relative power of the member states in decision-making processes remained undisrupted by the EC (Moravcsik, 1998b).

According to the intergovernmental approach, policy alignment and integration is proceeding more easily in some policy areas than in others (Hix, 1999). For example, the formulation of common foreign and security policy faces the challenge of member state opposition on issues concerning their immediate national policy objectives. However, trade policies and the common market are evolving with much less controversy. Indeed, the integration process is made up of various stages, and the problematic lies in deepening the political dimensions where member states are reluctant to share major foreign or domestic policy competencies with EU institutions when this appears to conflict with national preferences and interests (Newman, 1996). Furthermore, the diffusion of EU norms in several cases produces

conflict between national identity/preferences and EU-level norms and standards (Meehan, 1993; Wiener, 1998).

In the early 1990s, liberal intergovernmentalism became the dominant approach. The approach came from the need to explain how national interests and preferences are formulated. It follows the logic of classical intergovernmental approaches to European integration. Yet it involves a liberal-pluralist emphasis in which national preferences and interest formation are viewed as a consequence of state-society interactions (Rosamond, 2000; Moravcsik, 1998a). According to this perspective, domestic actors are important variables in explaining the process of European integration. Therefore, there is a necessity to rethink state power along the relative importance of domestic political actors involved in policy-making (Bulmer 1983; Schmitter and Streeck, 1994). Domestic policy-making is a process involving a plurality of actors. EU institutions intervene in this process by setting up an alternative political environment for the domestic actors, i.e. political parties, civil-society, citizens.

2.1.2 The 1990s and After: The Rising Importance of Domestic Politics

The 1987 Single European Act, followed by the 1993 Treaty on the European Union, led to the revival of integration theories to explain the new EU momentum. Historically speaking, from the 1957 Treaty of Rome onwards, the EU has evolved from being an Economic Community into a project of European economic, monetary and political unification. Now the competencies of EU institutions include economic, social, and cultural policy issues along with other areas such as the environment,

foreign and security policy, justice, and home affairs.¹¹ This is a result of the deepening¹² of integration to produce a “panoply of new practices in the context of an expanding European economy and an emerging European polity” (Schmidt and Radaelli, 2004: 183; Sweet and Sandholtz, 2003).

In this context, traditional approaches were revised along the lines of multi-level governance and new institutional approaches. They developed as new paradigms out of the old ones to explain the mechanisms and consequences of the economic and political unification project (Rosamond, 2000). These approaches emphasize the role of intra-state policy-making processes behind national preference and interest formation and their impact on furthering integration.

2.1.2.1 Multi-Level Governance Approach

These theories focus on studying the EU’s governance system. Accordingly, the EU is conceived as a political system coexisting with that of the modern nation-state (Marks et al., 1996). They argue that the integration project faces several hurdles related to tensions between the different levels of governance as a result of the expansion of EU political competencies to many areas (Hooghe and Marks, 2001). Multi-level governance is one of the terms most commonly invoked to explain complex EU policy-making processes involving “overlapping competencies among

¹¹ The areas of competence of the EU are defined in the treaties (Rome, Maastricht, Amsterdam, Nice), as well as in the rules and regulations issued by the supranational (Commission, Parliament, Court of Justice) and intergovernmental (European Council and the Council of Ministers) institutions of the EU. See the EU’s official web site for more information on its legal system: <http://europa.eu>

¹² “Deepening” refers to the process of institutional reforms aiming at either increasing the areas of competencies of the EU or reforming the decision-making mechanisms before the process of enlargement (“widening”). The second reform aims at adapting the institutional framework of the Union to allow for the participation of more member states. For further explanation of discourses and practices relating to the evolution of the European Union, see Dinan (1994).

multiple levels of governments and the interactions of political actors across those levels” (Marks et al., 1996: 41; Marks, Hooghe and Blank, 1996).¹³

The central proposition of these theories is that the “EU has become a polity where the authority is dispersed between different levels of governance and between actors, and where there are significant sectoral variations in governance patterns” (Rosamond, 2000: 110). In this definition, the EU is not conceived of as a monolithic entity but a supranational institutional form of governance. Accordingly, the EU is composed of different member states, governance layers and political actors that interact through bargaining processes at the intergovernmental and supranational levels.¹⁴ In order to influence EU policy decision, these political actors are making use of the new political spaces – which coexist with the traditional national ones.

2.1.2.2 New Institutionalism

New institutional approaches are concerned with the “ways in which institutional configurations have an impact upon political outcomes” (Rosamond, 2000: 113). They focus on the relative importance of institutions in the study of agent-structure relations in determining political change (Knill and Lenschow, 2001b; Knill, 2001).

¹³ Multi-level governance denotes the “differential empowerment of domestic actors” that is translated in “a new process of governing that does not solely rely on centralized, hierarchical form of government” (Kochler-Koch and Eising, 1999).

¹⁴ This perspective on EU governance is developed out of the principle of “subsidiarity”, meaning the empowerment of different levels of government on policy-making. The principle was officially introduced by the TEU (1993) and launched by J. Delors (1989). The underlying argument was that each decision should be taken by the proper political unit. It “appeared as the guiding principle delineating the competences of Brussels versus other administrative authorities, such as national states and regions,” and its implication is that there should be a “separation of the responsibilities between the European Commission, the member state and sub-national governments or other local authorities” (Kerstenbergen and Verbeek, 1994: 231-236). Yet, “subsidiarity” and its implications are largely debated.

In this connection, “structure-based approaches emphasize the role of existing institutional configuration as independent explanatory factors in the analysis of political outcomes and institutional development” (Knill and Lenschow, 2001a: 193). They consider institutional structures to be primary explanatory factors shaping policy and institutional change. The main problem of this first approach is whether the institutions are independent of intervening variables shaping political outcomes. “Agency-based approaches attach a less determining role to institutional factors,” but they “explain policy or institutional development (continuity and change) by reference to the prevailing actor constellation in a given institutional context” (Knill and Lenschow, 2001a: 195). The main problem associated with this latter approach is gauging the extent to which political actors’ resources and behavior is independent of the institutional settings they operate in.¹⁵

In sum, according to new institutionalism, domestic institutions and actors are important variables in explaining the process of domestic institutional change within the context of European integration. The Europeanization approach explores in-depth variants of the new institutional approach such as rational choice, historical and sociological. It uses their analytical tools to explain the varying EU impact on specific domestic institutional settings and political actors’ constellations.

¹⁵ For further descriptions and interpretations of new institutional approaches, see Powell and DiMaggio (1991), March and Olsen (1989), and Thelen, Steinmo and Longstreth (1992).

2.2 Europeanization Approach

As the new millennium began, the EU had accumulated a history of nearly fifty years of economic and political integration, and had come to encompass twenty-seven member states as well as several candidate countries, including Turkey and Croatia, seeking accession.¹⁶ Yet the process of integration, as of 2000 and the years since, has not evolved as smoothly as predicted by theory. The outcomes of legal and institutional adaptation to the EU, and the degree of alignment of policies, norms and standards, have varied across member states. This has led some to argue that there is an urgent need for new analytical frameworks to explain the EU's varying impact on domestic political change in different areas and countries (Jachtenfuchs, 2001; Börzel, 2002). The Europeanization approach transcends the earlier approaches to European integration outlined above. However, it goes beyond perspectives centered on international relations. It mainly builds on approaches that bring in analytical tools of comparative politics into the theoretical literature on the EU.

The theoretical and empirical work to date has conceptualized Europeanization in a variety of ways. It has been used to explain the different trajectories of the process of European integration and the complex set of mechanisms through which it affects the domestic politics of member states. However, the most common agreement is that

¹⁶ The current members of the European Union are Germany, France, Italy, Belgium, Luxembourg, The Netherlands, Denmark, Ireland, United Kingdom, Greece, Spain, Portugal, Austria, Finland, Sweden, Cyprus, the Czech Republic, Estonia, Hungary, Latvia, Lithuania, Malta, Poland, Slovakia, and Slovenia, and the current candidates for EU membership are Turkey and Croatia. In November 2006, the European Commission issued a communication to the European Parliament and European Council explaining its enlargement strategy and the main challenges. The communication introduced the present enlargement agenda covering the countries of the Western Balkans and Turkey. These countries are at various points along the road to accession. The former Yugoslav Republic of Macedonia became a candidate country in December 2005. See the EU's official web site for more information: <http://europa.eu>. Updated information on the EU's enlargement agenda is also available from <http://www.euroactiv.com/en/enlargement>

Europeanization describes the impact of European integration on domestic political change. More importantly, the common ground adopted is that domestic political institutions, policy processes and political actors do matter in delineating the EU's impact.

This study derives from two manifestations of Europeanization process studied in the literature. (1) The impact of the EU¹⁷ on domestic political change in the member states (Olsen, 2002; Hix and Goetz, 2001). (2) The impact the EU's political conditionality in the candidate for membership within the framework of the enlargement process (Olsen, 2002; Wallace, 2001). Turkey is studied as an example of the second process.

2.2.1 The EU's Impact on Domestic Political Change in Member States

One major aspect of Europeanization is concerned with changes in member states. Domestic change emerges as a result of structural change involving the adjustment of institutional norms and values. Thus, Europeanization investigates "how the process of European integration and Europeanization in general affect the domestic structures in the EU." The term is defined as

the emergence and development at the European level of distinct structures of governance, that is of political, legal, and social institutions associated with political problem solving that formalize interactions among the actors, and of policy networks specializing in the creation of authoritative European rules. Europeanization involves the evolution of new layers of politics that interact with older ones. (Cowles and Risse, 2001: 217)

In Risse, Cowles and Caporaso (2001: 4-5), domestic structures are defined as "those components of a polity or society consisting of regularized and comparatively stable

¹⁷ Here the EU is defined as the governance system formed at the supranational level as a result of the European integration process.

interactions” in the sense that change in structures “implies more than changes in the policies or preference of the political actors.” The notion “entails both formal and informal institutions” (March and Olsen, 1989; Powell and DiMaggio, 1991). Institutions are defined in sociological terms as “systems of rules both formal and informal” (Risse, Cowles and Caporaso, 2001: 5). First, formalized institutions are organizations with written norms and procedures, prescribing behavior. Second, domestic structures also encompass informal institutions. They “capture elements of political culture including the understanding and meanings attached to political and societal institutions as well as collective identities” (Risse, Cowles and Caporaso, 2001: 5). Informal institutions embed unwritten norms and value systems. Therefore, change comes from domestic structural adaptation, which comprises formal and informal institutional adjustments, and policy alignment.

Europeanization primarily denotes a process of building institutional structures at the EU level in response to economic, political or policy problems arising from globalization¹⁸ (Cowles and Risse, 2001). This political institutionalization occurs through the development of common rules, procedures, norms, policies and practices at the EU level that are binding on the member states (Cowles and Risse, 2001). Here the Europeanization approach is interested in studying the impact on member states of the emergence of Europe-wide policies, norms and values. Member states both constitute these rules and adjust their national institutions to these emerging European structures. These new practices and rules, structures of meaning and

¹⁸ It is important to distinguish between Europeanization and globalization. Globalization refers to a worldwide phenomenon in which economic and political interdependence between nation-states becomes increasingly visible (Held et al., 1999). Europeanization, on the other hand, denotes the process of regional integration in Europe and explores the mechanisms through which it is becoming an integral part of national political systems in Europe (Axtmann, 1998).

resources have a reciprocal effect on the national and sub-national systems of governance to transform domestic structures (Börzel, 2002).

Therefore, the conception of Europeanization implies a twofold causal process in which a complex set of institutionalization processes at the EU level occurs through the interactions of domestic and EU actors. Europeanization denotes a convergence in policies, political processes and political behavior which is to some extent imposed on the member states and their societies by EU governance (Diez, Agnantopoulos and Kaliber, 2005). In Ladrech's words (1994: 69), "the political and economic dynamics of the EU become part of the organizational logic of the national politics and policy-making." The EU has a direct influence over "domestic discourses, identities, political structures and public policies" (Radaelli, 2000: 4).

However, the extent to which Europeanization is experienced by member states also depends on pre-existing institutions, and political actors operating within the national political systems (Goetz and Hix, 2001; Börzel, 2002; Cowles, Caporaso and Risse, 2001). The compatibility between national policies, objectives and the requirements of policy alignment with the EU is among the important sources of convergence or divergence, depending on the policy issues in question (Hix, 1999; Newman, 1996). In this sense, Europeanization is not only meant to refer to new EU-led political formations but also to investigating the mechanisms of expansion of this political institutionalization into national political systems. An institutional perspective, meaning the evolution of institutionalization patterns in a given country in historical perspective is one of the main components of the Europeanization approach to European integration (Cowles, Caporaso and Risse 2001; Börzel, 2002). According

to this perspective, institutional factors play a central role in explaining a country's Europeanization process.

In sum, Europeanization refers to a set of complex mechanisms through which the EU induces domestic change. The sources of this change are both EU driven and domestically driven. First of all, this change is conceptualized as a process whereby domestic conditions affect the outcome of supranational institution-building and policy-making (Börzel, 2002; Cowles and Risse, 2001). Second, it is seen as a process whereby domestic political structures, including policies, norms and discourses, adjust to European integration (Börzel, 2002; Knill, 2001; Knill and Lehmkuhl, 2002). Thirdly, it is described as a circular and interactive process in which both the first and the second approaches to the impact of European integration are active (Featherstone and Radaelli, 2003; Radaelli and Schmidt, 2004).

Europeanization studies have drawn criticism for using the concepts of convergence, integration and adaptation interchangeably (Rosamond, 2002). Additionally, related criticisms center on analytical difficulties in the delineation of cause-effect relationships. This includes analytical weaknesses in separating structure from agent within the process of Europeanization. Papadimitriou and Phinnemore (2003) argue that a careful disentangling of the mechanisms or mediating factors through which Europeanization transforms domestic politics would be a major step in solving these problems. A delineation of the mechanisms of EU-led political transformation that apply to the present study will appear in the section on three forms of Europeanization later in this chapter. For our current purposes, such criticisms underline the reasons behind the transcendent nature of Europeanization theories. In

order to explain the process of change, this new approach uses the analytical tools of the just-covered interdisciplinary theories of European integration. In this sense, Europeanization is rather an organizing theoretical framework reflecting “renewed efforts to model the dynamics of European change” (Olsen, 2002: 923; Knill and Lehmkuhl, 2002).

2.2.2 The Expansion of EU Governance Through the Enlargement Process

EU enlargement acts as a tool of Europeanization leading to domestic structural changes, meaning the adjustment of institutions, policies, and norms and value. Studies in this field focus on the expansion of the territorial reach of the supranational system of governance to include new members (Olsen, 2002). The argument is that European transformations are not limited to member states but have been extended to include candidates for membership (Wallace, 2001; Nugent, 2004). This process of Europeanization is no different from the previous one applied to member states. Yet the EU’s political conditionality for membership adds an extra layer.

2.2.2.1 Political Conditionality

EU governance extends beyond its territory through the process of enlargement. This mainly consists of the pre-accession process, which is part of the EU’s foreign policy objectives. The Treaty of Rome (1957) states that “any European state may apply to become a member of the Community.” In the post-Maastricht era, the treaty has been amended to fit in with the more concrete criteria required of EU aspirant countries. These criteria are political and economic. According to the Copenhagen criteria,

adopted at the 1993 Copenhagen European Council, EU membership requires that the candidate country has achieved

- stability of institutions guaranteeing democracy, the rule of law, human rights and respect for the protection of minorities (political criteria);
- existence of a functioning market economy as well as the capacity to cope with the competitive pressures and the market forces within the Union (economic criteria);
- and the ability to take on the obligations of membership including adherence to the aims of political, economic and monetary union.

Additionally, in order to create the conditions for political and economic integration, the country has to adopt the *acquis communautaire*¹⁹ and adjust its administrative and judicial structures to that of the EU (Madrid European Council, 1995). The Treaty on the European Union (1993), the Amsterdam Treaty (1997), Agenda 2000 (1997) and the Treaty of Nice (2000) asserted the EU's commitment to the Copenhagen criteria for enlargement considerations. For this purpose, the establishment of a pre-accession strategy²⁰ is envisaged for each of the aspiring

¹⁹ This comprises the entire body of EC legislation that has accumulated and been revised over the last 40 years. It includes the founding Treaty of Rome as revised by the Single European Act (1987) and the Maastricht Treaty (1993), Amsterdam Treaty (1997) and the Nice Treaty (2000), and all the regulations and directives issued by the Council of Ministers as well as the rulings of the European Court of Justice.

²⁰ The pre-accession strategy is the EU's main policy tool to integrate the candidate countries in Community agencies and programs, and to allow for their participation in the meetings relating to the accession process held between the member states and the EU. At the Helsinki European Council on 10-11 December 1999 it was concluded,

Building on the existing European strategy [which developed from the 1993 Copenhagen Council's resolutions], Turkey, like other candidate States, will benefit from a pre-accession strategy to stimulate and support its reforms. This will include financial and technical assistance, participation in community programs, agencies and committees, association agreements and accession partnerships and the national programs for the adoption of the *acquis* towards deepening the relations between the associated countries, the member states and the institutions of the Union (strengthening the structured dialogue).

member. All these decisions denote a process of Europeanization at the EU level on enlargement issues.²¹

The EU communicates its conditionality by recommending political reforms, proposing policies, monitoring reforms and preparing reports on the ongoing reform processes, providing technical and financial support, twinning exercises, etc. (Grabbe, 2001). The process has a normative dimension. It embeds liberal democratic norms of appropriate political behavior, and socioeconomic development discourses into the agenda of EU integration (Manners, 2002; Risse, Ropp and Sikkink, 1999).

Wallace (2001) proposes investigating the impact of the EU's political conditionality on both the candidates and the "next neighbors." She argues that the outcomes can be analyzed from the Europeanization perspective. This approach contributes to understanding the mechanisms of domestic transformation in the aspirant countries (Sedelmeier, 2001; Grabbe, 2001; Lippert, Umbach and Wolfgang, 2001). However, as Papadimitriou and Phinnemore (2003: 8) argue, "a wider use of Europeanization, to account for transformation dynamics outside the geographical boundaries of the EU, requires a rethink of some aspects of the existing literature." Enlargement is part of the European economic and political integration processes. It means a wider Europe participating in the decision-making mechanisms of the EU. Expanding the EU to include new members has the consequence of reconstituting Europe

In Turkey's case enhanced political dialogue, with an emphasis on progress towards fulfilling the political criteria for accession is an additional tool. See for further information the official web page of the Delegation of the European Commission to Turkey: <http://www.deltur.cec.eu.int>

²¹ The decisions on EU enlargement are basically taken at the European Council based on the recommendation of the European Commission. However, in this process the recommendations of the European Parliament to the European Commission and public opinion in the member states are also taking on increasing importance (Nugent, 2004).

economically, socially, culturally and politically. Consequently, institutional, socioeconomic and political considerations are active in shaping the EU foreign policy approach to enlargement (Müftüler-Baç, 2002b; Zienlonka, 2001). Yet the same concerns apply to membership candidates, who are expected to experience domestic political change while becoming EU members. This does not deny the arguments that enlargement is also to some extent a twofold process. According to Mény (1996:8), the Europeanization process “creates a permanent challenge to the national political systems, which are forced to adapt to a normative and strategic environment that they have as yet partially mastered.”

However, the study of Europeanization in membership candidates, such as the Central and Eastern European Countries (CEECs)²² or Turkey, poses relatively few analytical problems compared to the study of member states, since the former, before gaining membership, had no direct involvement in EU decision-making mechanisms (Papadimitriou and Phinnemore, 2003). For instance, candidate states have limited or no power in “the making of the EU *acquis*,” but rather in its adaptation and implementation at the national level. Taking its cue from research findings on the impact of European integration on the CEECs, the argument is that the Europeanization approach provides even more insightful analytical tools for studying candidates for EU membership because the process of pre-accession demonstrates peculiar cases of Europeanization (Grabbe, 2003; Lippert, Umbach and Wolfgang, 2001). Particularly, studies of the CEECs are providing important insights for analyzing the impact of the EU’s political conditionality on various areas of domestic change (Schimmelfenning, Engert and Knobel, 2003).

²² Almost all of the CEECs, including the Czech Republic, Estonia, Hungary, Latvia, Lithuania, Poland, Slovakia, and Slovenia, have been members of the EU since 2004, excepting Bulgaria and Romania, which joined in 2007.

The Europeanization approach allows a clearer view of the mechanisms through which the EU is transforming governance beyond its territory. First, EU-imposed criteria for membership determine what needs to be domestically changed. In this connection, the EU's credibility concerning a country's prospective membership is the major push-factor of political reform (Schimmelfennig, Engert and Knobel, 2003; Tocci, 2005; Uğur, 1999). Second, the political will of the candidate states in fulfilling the requirements for full membership is the main determinant (Müftüler-Baç, 2005). The EU's Copenhagen criteria have a binding effect on the candidates as long as EU membership is a top political priority. The EU provides an agenda that guides and empowers the ongoing process of political transformation (Grabbe and Hughes, 1998). However, membership candidates are not passive receptors of EU prescriptions. Within the framework provided by the Europeanization approach, empirical findings demonstrate that the domestic political dynamics of the candidate states are an important variable that mediates the ways in which change occurs.

How the EU's political conditionality impact on the domestic structures in specific applicant countries requires further exploration. For this purpose, systematic analysis of the relative importance of the domestic institutions, policies and strategies of political actors on different aspects of the evolving relationship between the EU and candidate states is important to explain Europeanization. For instance, domestic responses to European integration might vary based on whether an issue falls under the domain of "low politics" or "high politics" (Hix, 1999). The overall argument is that theories of Europeanization and domestic change can be extended to study the membership candidates. This will contribute to "the refinement of the rather blurred conceptual content of the theories of Europeanization and provide the analytical tools

to understand transformation beyond the existing members” (Papadimitriou and Phinnemore, 2003; Wallace, 2001).

Work on Europeanization and enlargement assumes that empirical research based on smaller, precise case studies is relatively more helpful for understanding the reform process in membership candidates. According to this perspective, it allows for a clearer view of “the differing meanings of Europeanization across different sectors and countries as well as to locate the different mechanisms and the diverse domestic settings that mediate its success” (Papadimitriou and Phinnemore, 2003). This is one reason why this dissertation’s exploration of the impact of European integration confines itself to studying domestic structural change in the realm of civil-military relations within the framework of the EU’s political conditionality.²³

2.2.2.2 Turkey as an Example of the EU’s Enlargement Process

Turkey is an important component of the European enlargement strategy. Although there has been wide-ranging research on the EU’s impact on CEECs, Turkey’s candidacy is a relatively recent area for study in political science (Zielonka, 2001).²⁴ In any discussion of Turkey’s Europeanization process, there is a need to explore how available study of the impact of the EU on domestic political change bears on the Turkish case.

Starting with Turkey’s EU membership candidacy in 1999, several themes in Turkish politics are studied. The political unification of Europe and its consequences for the

²³ That is, focusing on the political aspects of the Copenhagen criteria.

²⁴ For further studies of the CEECs, see Papadimitriou and Phinnemore (2003), Schimmelfennig, Engert and Knobel (2003), Phinnemore (2006), and Grabbe (2001).

Turkish nation-state (Tekeli and İlkin, 2000; Müftüler-Baç, 2001), the EU's political conditionality and its impact on Turkey's democratization process (Aydın and Keyman, 2004; Hale, 2003b; Rumford, 2001), and the impact of Europe on the transformation of Turkey's social and economic structures (Keyder, 2003) have been the main areas studied to date. Additionally, the impact of the EU's conditionality on various policy issues and institutions has only recently been probed, and researches remain rare.²⁵

Several insights on the EU impact on domestic politics can be derived from these recent Turkey-EU studies.²⁶ The first contribution is a multidimensional analysis of Turkish-EU relations. The international context, EU-level developments and domestic political processes are important for explaining the results so far of Turkey's quest for EU membership. Secondly, a shift in focus from external to domestic processes that have affected Turkey's relations with the EU stresses the importance of domestic politics in understanding change (Canefe and Uğur, 2004: 8). Accordingly, public opinion, domestic institutional and policy designs, discourses, and political actors all matter. In this respect, delineation of the various conditions under which the EU induces domestic political change is facilitated. In this connection, the framework proposed by Diez, Agnantopoulos and Kaliber (2005) is a significant departure in terms of extending the Europeanization literature to studying the cases of EU aspirants. They identify four aspects of domestic change produced by the EU's conditionality. First, the Europeanization of policies refers to the impact of European integration on policy-making. Second, the Europeanization of political

²⁵ For diverse analysis of EU's impact on various aspects of Turkish politics, see Sofos (2001), Bek (2003), Çayhan (2003), Çarkoğlu (2004), and Sarıgil (2007).

²⁶ For further studies on Turkey-EU relations, see Uğur and Canefe (2004), Tocci and Evin (2004), and Çarkoğlu and Rubin (2003).

processes refers to the impact of European integration on domestic institutional structures. Third, the Europeanization of identity or “societal Europeanization” refers to a process of change in collective identities and appropriate norms of political behavior in the context of European integration. Fourth, the Europeanization of the public discourses or “discursive Europeanization” refers to analysis of the extent to which reference to the EU has increased in public discourse. With reference to this approach, empirical works analyzing domestic change argue that the EU is an intervening variable which leads through the EU’s political conditionality to the democratization of the legal and institutional context domestic actors operate in (Müftüler-Baç, 2005). Additionally, the EU’s pre-accession strategy provides material support as well as a normative basis for domestic actors favoring reforms (Tocci, 2005; Rumelili, 2005). A complementary finding is that the EU has strengthened the pre-existing pro-reform actors who have supported and given direction to Turkey’s Europeanization process (Göksel and Güneş-Birden, 2005). The three forms of Europeanization that are identified in this dissertation build on these approaches to the impact of the EU on domestic politics covered in section 2.2.

2.3 Three Forms of Europeanization

So far, theoretical and empirical findings on Europeanization have been shown to be insightful in understanding the mediating factors and varying consequences of the impact of the European integration process on both member states and candidates. Olsen (2002: 923), based on his finding that the “different conceptions of Europeanization complement rather than exclude each other” in the sense that “they refer to different but related phenomena,” has proposed “categorical models of

Europeanization” relevant to the case at hand in order to enable the systematic study of EU-induced change.²⁷

Following this line of argumentation, this final section distinguishes between three forms of Europeanization relevant for the study of the EU impact on civil-military relations in Turkey. These forms come out of the current studies on member states and candidates explored in the previous section. They cover the formal and informal aspects of institutional change, as well as policy change. The three forms of Europeanization are employed in the empirical chapters to demonstrate the extent to which the EU’s political conditionality produces change in the specified areas of civil-military relations in Turkey.

2.3.1 Formal Institutional Change

Europeanization can be approached from a formal, legalistic perspective. This refers to the impact of the process of European integration on formal “domestic institutional structures and political processes” (Risse, Cowles and Caporaso, 2001; Diez, Agnantopoulos and Kaliber 2005: 4). It focuses on legal-institutional aspects of transformation. The main mechanism through which formal institutional change occurs is the legal harmonization process and consequent domestic institutional adaptation. These processes aim at coordinating national political structures with the EU. Thus, the implementation of the EU’s common policies at domestic levels is facilitated through structural adaptation.

²⁷ Similarly, the emphasis of Cowles and Risse’s (2001: 217) approach is on the necessity to identify the Europeanization process relevant to the empirical domain.

Studies of member states have focused on formal dimensions of the EU impact on the adaptation of the national executives, administrative structures and judicial structures (Goetz, 2001; Heritier, 2001; Conant, 2001). Empirical research in this field demonstrates that Europeanization occurs at varying degrees and that “national responses varied considerably according to national characteristics” (Diez, Agnantopoulos and Kaliber, 2005: 5; Knill and Lehmkuhl, 2002; Cowles and Risse, 2001). These studies emphasize the relative importance of the national institutional settings. European integration is conceived either as a trigger or as an intervening variable in domestic legal and institutional developments rather than the major driving force. Thus, the EU facilitates legal change rather than causing it outright.

Additionally, research on Europeanization in member states has also explored the expansion of these legal and institutional restructurings on domestic political actors such as parties, interest groups, parliaments, local governments and voters (Börzel, 2002; Raunio and Hix, 2001; Ladrech, 2002; Gabel, 2001; Cowles, 2001). Empirical findings demonstrate that one outcome of European integration is the empowerment of certain national political actors. The EU empowers these actors by providing them with new exit opportunities, veto points and informational advantages (Hix and Goetz, 2001). The new or amended legal and institutional arrangements allow for the redistribution of powers in the political system. This captures an important dimension of EU-induced political change. These actors’ usage of such new opportunity structures has a significant role in guiding the trajectory of domestic political reform. In this connection, EU-induced change does not necessarily reinforce national governments and executives but does alter the positions of other political actors within the national political system.

To some extent one can draw the basic tenets of common EU standards and practice from the *acquis communautaire* and supporting official documents. However, as empirical research has demonstrated, the institutional adaptation of member and candidate states to the EU level has taken varying degrees (Börzel, 2002). The pace of adaptation depends on pre-existing domestic structures such as legal, administrative or policy.²⁸ In this respect, one can argue that domestic inputs are decisive in designating the extent of EU-led transformation.

The analysis of Europeanization in candidates requires a rethinking of these theoretical assumptions and empirical findings. The pre-accession strategy of the EU underlines legal harmonization/approximation. In this context, Europeanization refers to the impact of the EU's political conditionality on formal, legal aspects of institutional change in the membership candidates. Political reforms cover the EU harmonization laws and corresponding formal aspects of institutional change. The guidelines provided by the EU are set forth in the regular reports, Accession Partnership documents as well as in the National Programme for the Adoption of the Acquis. For example, the EU recommends reforms in the governance of civil-military relations in Turkey. Compliance in this case involves the military's institutional adaptation to reform legislation. The process of legal harmonization also applies to changes to the Foundations Law as well as laws concerning freedom of expression. These involve the adaptation of the judicial and civil society institutions. These legal reforms concerning the civilian dimension aim at expanding political participation. Therefore, a number of political actors are empowered to influence

²⁸ For further studies of the EU impact on institutional change, see Knill and Lenschow (2001), and Knill (2001).

policy decisions relating to, for instance, the content of political reforms (Müftüler-Baç, 2005).

Mediating Factors Regarding Formal Institutional Change²⁹

The main mechanism of Europeanization in the case of membership candidates is the EU's political conditionality. However, delineating the mediating factors of Europeanization is important for gauging how major a driving force the EU has been for legal-institutional change in Turkey. There are both EU-driven and domestically driven factors that either facilitate or hinder domestic reforms.

To begin with EU-driven factors mediating change, following empirical studies of Europeanization in membership candidates, scholars have argued that the impact of the EU can be observed in the form of direct interference in domestic political transformations (Papadimitriou and Phinnemore; 2003; Grabbe, 2001). The EU's political conditionality directly influences political reforms through reinforcement. In order to become a member, political reforms need to be adopted. According to Schimmelfennig, Engert and Knobel (2003), the EU reinforces compliance through several strategies, ranging from increasing financial and technical assistance to strengthening institutional ties.³⁰ Integration into the common market and the promise of EU membership are important tools for reinforcing compliance with EU

²⁹ "Mediating factors" primarily denotes the domestic political factors (i.e. institutions, actors) through which the EU's pressures and challenges toward Europeanization are mediated to produce domestic political change or continuity (Risse, Cowles and Caporaso, 2001: 9-12). The usage of this analytical tool helps to establish links between the domestically driven and EU-driven sources of Europeanization and domestic change.

³⁰ The EU provides several incentives to candidate states to support the adaptation of economic and political structures, including financial and technical assistance, trade and cooperation agreements via association agreement, and accession partnership.

norms and standards. These entail benefits from trade and investment and participation in EU decision-making mechanisms (Nugent, 2004; Grabbe, 2003).

The EU's credibility plays an important role in the pace of domestic reforms (Schimmelfennig, Engert and Knobel, 2003). A related factor is the implementation of EU democracy standards within the member states. Furthermore, the positive outcomes of compliance with the political conditionality for the membership candidates reinforce the position of the EU as a credible anchor to guide the domestic reform process (Uğur, 1999). These factors reinforce compliance.

Equally important are the domestically driven factors that play a determinant role in the Europeanization process. This implies that the reasons for legal and institutional reforms are not restricted to reinforcement mechanisms applied by the EU. Compliance with the political criteria for membership depends on several domestic factors. The domestic conception of the prospect of EU membership is a major incentive behind the political reforms. A main mechanism through which the EU induces domestic political change is the EU's political conditionality as long as membership remains a top domestic and foreign policy goal.

First, the adoption of legal reforms depends on the domestic political cost of compliance for both the government and other political actors such as state institutions, civil-society etc. Therefore, one of the membership candidate's dependent functions of compliance with the political criteria is the role of domestic political preferences in fulfilling the political criteria. On the one hand, domestic actors consider the potential impact of EU harmonization laws on pre-existing

institutional settings, on the “security and integrity of the state, on the government’s [political actors’] domestic power base, and its core political practices for power preservation” (Schimmelfennig, Engert and Knobel, 2003: 499; Lippert, Umbach and Wolfgang, 2001). On the other, they consider the material gains from financial support and increased institutional ties with the EU. Effective support from domestic actors for EU reforms depends on the strength of these actors to influence governmental policies. Harmonization laws are an integral part of membership candidates’ policies of integration with the EU. These legal and institutional reforms are expected to alter domestic policy structures to varying degrees (Lippert, Umbach and Wolfgang, 2001; Knill and Lehmkuhl, 1999). These reforms open up new political spaces by expanding, for example, the scope of political participation through political and civil rights. According to empirical findings, as harmonization laws alter domestic actors’ opportunity structures, the reform-oriented or pro-European sectors are expected to gain more power over shaping policy decisions (Knill and Lehmkuhl, 2002; Oğuzlu, 2004a). Hence, reforms affect the distribution of power and resources among domestic political actors. Furthermore, identification with European norms and values facilitates the reform process and deepens structural changes (Schimmelfennig, Engert and Knobel, 2003). How much the beliefs and expectations of domestic actors are altered by the spread of EU norms are complementary determinants of compliance with EU conditions (Grabbe, 2001). This latter mediating factor is further elaborated in section 2.3.3 vis-à-vis the informal aspects of domestic institutional change.

Second, theoretical and empirical studies of Europeanization have concluded that “the domestic impact of Europe,” among other variables, “is institution-dependent”

(Börzel, 2002: 27; Cowles, Caporaso and Risse, 2001; Goetz and Hix, 2001; Knill and Lenschow, 2001b). Domestic political change in the candidate countries is dependent on pre-existing domestic formal institutional settings. The varying outcomes of Europeanization across countries or political issues are mostly attributed to degrees of “adaptational pressures” as a result of a fit or misfit between pre-existing institutional designs and EU pressures for adaptation (Risse and Cowles and Caporaso, 2001: 6-9).

Institutional factors can facilitate or hinder political change. Risse, Cowles and Caporaso (2001: 6-12) propose a three-step approach to study Europeanization and domestic institutional change. Under this approach, the process of Europeanization at the EU level is the first step of analysis. This refers to formal and informal rules, regulations and practices at the European level that the candidate countries have to adopt. In the present case, the political conditionality for EU membership corresponds to the relevant process of Europeanization at the EU level. The first mechanism of Europeanization is the EU’s conditionality providing a framework of legal and institutional adaptation at the domestic level.

Europeanization at the domestic level consists of institutional adaptation to the political conditionality. This means mainly the political reform process. This is the second level in identifying the EU impact on domestic change. It focuses on domestic responses. With the framework provided in this approach, the “goodness of fit” is a main factor determining the extent of Europeanization (Cowles and Risse, 2001: 221-222). This refers in the present case to the degree of compatibility of domestic legal and institutional designs to the EU political conditionality. When

incompatibility arises, high “adaptational pressure,” which corresponds to high levels of change in the pre-existing institutional structure, can result (Börzel, 2002). Conversely, resistance to change is another probable outcome.

Therefore, the major determinants of Europeanization at the domestic level are the mediating factors (Risse, Cowles and Caporaso, 2001: 10). These factors range from domestic institutional structures – including legal, political and organizational cultures – to power channels and the strategies of political actors. The direction of the relation between domestic political actors and domestic institutional settings plays a central role in determining the parameters of Europeanization (Hix and Goetz; 2001). Pre-existing domestic structures act as constraints on the formation of political actors’ preferences. Indeed, the main works on Europeanization base their theoretical framework on the analytical tools provided by historical, sociological and institutional approaches. They imply that historicity and the sociological construction of political institutions both matter in analyzing Europeanization. They help to clear up the ways in which they influence the behavior of political actors in a given political system (Knill and Lehmkuhl, 1999; Risse, 2001; Knill and Lenschow, 2001a). The study of institutions and their historical development is central in understanding the scope of Europeanization. However, the “rational choice” variant of the new institutional approach brings in a complementary factor (Hix and Goetz, 2001; Knill and Lenschow, 2001a). One aspect of political reform is that it involves change in the existing domestic power structures. In other words, political reforms significantly alter the opportunity structures of domestic actors, thus providing them with new political rights and resources (Papadimitriou and Phinnemore, 2003). They either resist change or make use of the new resources opened up by the

harmonization process. Domestic actors, though constrained by the surrounding legal and institutional settings, are also capable of changing the domestic structures (Knill and Lenschow, 2001a). In this connection, the EU intervenes in domestic political processes by empowering, at least in some cases, the pro-reform political actors' positions.

In sum, in the case of the candidate states, in addition to the incentives/reinforcement provided by the EU, domestic change also depends on pre-existing institutional conditions. These conditions expand to include the political preferences of the domestic actors. The first form of Europeanization outlined above focuses on formal and legal aspects of institutional change. Therefore, this dissertation's first research question is how much the EU's political conditionality induces legal-institutional change in Turkey's civil-military relations.

However, the impact of Europeanization on membership candidates is even more profound. Legal reforms are also expected to influence domestic policy structures and informal institutions. In fact, the political criteria require not only constitutional and legal changes but also their implementation by the institutions in question. This has consequences for the policies and behavior of domestic actors. It is argued that "Europeanization during the membership candidacy is by no means restricted to formal adaptation processes" (Diez, Agnantopoulos and Kaliber, 2005: 3). The transformations are more substantial, and include changes pertaining to policy structures. Furthermore, collective systems of meaning associated with system-wide domestic structures³¹ are also influenced. Although the starting point of this study is

³¹ This is based on Risse, Cowles and Caporaso (2001: 5) definition that the institutions are situated in "system-wide domestic structures pertaining to the nation-state, its society and economy as a whole.

the analysis of legal aspects of change, the approaches discussed in this chapter so far propose a theoretical understanding of the enlargement process due to the need to go beyond in-depth empirical studies of legal documents. Europeanization in this context is more than EU-ization or harmonization with EU law (Wallace, 2001). It also involves the alteration of policy-making styles, socialization into European norms, and change in collective systems of meanings. These forms of Europeanization are laid out below.

2.3.2 Policy Change

The Europeanization of policy refers to the impact of European integration on domestic policy change. This second aspect of EU-induced change undertaken in this dissertation concentrates on the impact of European integration on policy-making “including political actors, policy problems, instruments, resources and styles” (Diez, Kaliber and Agnantopoulos, 2005: 4; Schmidt and Radaelli, 2004). The analysis covers the study of change in policy structures that “imply more than changes in policy subject matter at the domestic” level but also denotes “political, legal and administrative structures that interpret and carry out policies” (Risse, Cowles and Caporaso; 2001: 5). Policy structures are “issue-area specific and might vary quite substantially across policy sectors in a given domestic polity” (Risse, Cowles and Caporaso; 2001: 5). The main mechanism through which this form of Europeanization occurs is the process of policy alignment at the national level to EU-level common policies and policy propositions.

Often, these structures are embedded historical and cultural practices,” such as collective meanings attached to the nation-state. This broader understanding of institutions is also employed in this study. The dependent variable of the thesis is the military as an institution and civil-military relations as a “domestic structure.”

There is a wide range of policy change analyses in the context of European integration, from ones emphasizing a top-down perspective, to bottom-up approaches that focus on the role of domestic political dynamics. In this section, a combination of these approaches to Europeanization is employed. Studies of domestic policy change in member states have concentrated on the transfer of policy competences to the EU, alignment with EU policies at the national levels, and their coordination and implementation (Hix and Goetz, 2001). In this connection, there are two noteworthy aspects of Europeanization and policy change that emphasize the analytical separation between “the process leading to the formation of a certain policy and the reverberation of that policy in the national arenas” (Radaelli, 2003: 6). The first dimension is the common policies referred to in the *acquis* that the member states must follow and implement (Schmidt and Radaelli, 2004). These common policies are adopted at the EU level and coordinated at the national level. The second dimension concerns issues that are left to domestic regulation or discretion, such as some EU policies relating to social issues and immigration, and various aspect of foreign and security policy. Member states work to develop common policies, but these are decided on and coordinated at the national levels (Schmidt and Radaelli, 2004). Consequently, “EU policies exercise different degrees of institutional pressure for change on the member states” (Schmidt and Radaelli, 2004: 190; Knill and Lehmkuhl, 2002). Therefore, the EU impact on national policies is either direct, through the adjustment of domestic policies to policies “descending from Brussels onto the member states” (including policy competencies transferred to the EU), or else indirect, left to the domestic policy options available in the member states such as the open coordination method, leaving the substance of the policy open to interpretation (Schmidt and Radaelli, 2004).

The Europeanization of foreign policy, gender equality policy and environmental policy are among the subjects of empirical studies conducted in member states. These studies are restricted to a single policy domain (Iokimidis, 2000; Caporaso and Jupille, 2001; Knill and Lehmkuhl, 2002), with the exception of Radaelli (1997,2003) and Schmidt and Radaelli (2004), who employ a broader comparative approach focusing on policy change and discourse in Europe across policy issues.

Policy alignment is demonstrated to take varying degrees. It depends on a number of mediating factors such as the nature and scope of policy issues, receptivity of states, and timing of the policy issue raised (Featherstone and Radaelli, 2003; Hix and Goetz, 2001). “European integration is an explanatory factor in domestic continuity and change,” (Hix and Goetz, 2001: 1) but how far domestic policy designs are capable of adjusting to EU rules and norms does matter. Additionally, alignment depends on how much importance the candidate country places on particular policies.

In the historical development of European integration, governments have often differentiated between ‘high politics’ and ‘low politics’. High-politics issues are those which touch on fundamental definition, identity and security of the nation-state. Low-politics, in contrast, are issues that are not threatening to the viability of the nation-state, such as European economic integration, the single market programme, and EU social and environmental regulation. As a result, governments are more likely to allow supranational policy competences on low-politics issues than high-politics issues [i.e. central to the definition of the nation-state].³²

Mediating Factors Regarding Policy Change

The main mechanism of change in EU candidate countries is policy alignment along the guidelines of political conditionality. In this connection, domestic policy change is partly dependent on the EU’s strategies to stimulate policy alignment, and partly

³² For further study on these aspects of integration, see Hix (1999: 322), and Neil Nugent (2003).

on the existing policy structures at the national level (Cowles and Risse, 2001; Featherstone and Radaelli, 2003). In this respect, the EU has both a direct and an indirect impact on policies in membership candidates.

There are various EU-driven factors that mediate domestic policy change. Empirical studies of policy Europeanization provide more generalizable findings in the study of the domestic impact of integration (Diez, Agnantopoulos and Kaliber, 2005). These studies are applicable to candidates for EU membership. However, these countries have relatively less power in the formulation of the EU's common policies because they do not have membership status. According to Grabbe (2001: 1020), the EU imposes policies or proposes guidelines for policy formulation onto the applicant countries through various tools. These tools are part of the pre-accession strategy, such as the provision of particular policy models, legislative and executive templates, financial aid and technical assistance, giving advice and twinning of administrative staff, formal benchmarking and monitoring, and "gate-keeping".³³

However, there are different rules of compliance for alignment with different EU policy areas. In some cases the EU specifies the rules that countries have to follow, while in others the rules are less specific and may even take the form of suggestions (Grabbe, 2003). In other words, the EU's strategy to ensure compliance is policy-issue dependent. In some cases it is directly involved in the process of change by correlating membership prospects with the implementation of a specific policy. In other cases, it leaves the policy option or its coordination up to the initiative of national governments (Smith, 2000). The main policy areas are set forth in the *acquis*

³³ In Grabbe (2001) "gate-keeping" is used to refer to "access to negotiations and further stages in the accession process." These are important mechanisms used instrumentally by the EU to effect policy change through conditionality for membership.

communautaire, regular reports, and Accession Partnership documents. These cover political criteria, economic criteria and other policy issues.³⁴

Complementing the EU's various rules of compliance for policy alignment, its capacity to mobilize domestic political forces also plays a significant role in policy Europeanization. Mobilization occurs through the alteration of material and moral expectations and normative beliefs "leading to changes in cognition and preference formation" (Papadimitriou and Phinnemore, 2003: 4). Policy discourses and ideas across Europe are thought to influence domestic policies (Schmidt and Radaelli, 2004; Featherstone and Radaelli, 2003).³⁵ Additionally, EU harmonization laws and the credibility of EU policies are important factors that influence domestic policy structures.

Firstly, a number of domestic political actors are involved in formulating policies on issues concerning EU membership. State policies, governmental policies, political

³⁴ These are foreign policy, security policy, justice and home affairs, competition policy, transportation policy, taxation, agriculture, fisheries, social policy and employment policy, science and research, culture and audiovisual policies, environment, consumers and health protection, custom union, etc. See the official web site of the European Union for more information on the EU's common policies: <http://europa.eu>

³⁵ A part of the empirical chapter concerning policy change analysis, and the chapter on the informal aspects of institutional change focusing on the analysis of the spread of EU norms and attitude change, are devoted to discourse analysis method. In Schmidt and Radaelli (2004: 184-192), "discourse is defined in terms of its content, as a set of policy ideas and values, and in terms of its usage, as a process of interaction focused on policy formulation and communication" and argues that discourse must be set in institutional context "in terms of the vast range of rules – culturally framed, path-dependent, or interest-based on the national level, institutionally agreed at the EU level – that affect policy-making in a given socio-political setting." Thus, policy decisions are results of deliberations on alternative policy options, where discourse is a bridge between the institution and the actor. According to Radaelli (2004: 184-192), the EU

discourse helps create an opening to policy change by altering actors' perceptions of the policy problems, policy legacies, and 'fit,' influencing their preferences, and thereby, enhancing their political institutional capacity to change ... discourse is fundamental in giving both shape to new institutional structures, as a set of ideas about new rules, values and practices, and as a resource used by entrepreneurial actors to produce and legitimate those ideas, as a process of interaction focused on policy formulation and communication.

parties and civil society participation as well as public support for these actors' policies all play a role in policy Europeanization. One integral part of the EU-driven dimension of change is its ability to alter domestic divisions and empower the reform-oriented sections of society through harmonization laws. Secondly, the EU's credibility gives legitimacy to domestic policies formulated within the framework of political conditionality (Rumelili, 2005). Specifically in the case of candidate countries, the credibility of EU policies and decisions are demonstrated to be a significant boost in aligning domestic policies with those of the EU (Uğur, 1999). EU membership discourse provides the domestic political actors with a normative and legitimate framework for domestic policy change towards fulfilling the political criteria and policy alignment on a number of issues.

Equally importantly, there are several domestic factors that play an important role in shaping policy Europeanization. First, a consistent EU membership policy is a necessary condition. The political will to become an EU member state facilitates policy alignment. Second, compliance with the political conditionality depends greatly on a candidate country's ability to adopt the EU's common policies. This includes the ability to alter current domestic policy structures when necessary. In this context, domestic institutional settings and policy legacies matter along with the EU's policy incentives and discourse (Featherstone and Radaelli, 2003).

Pre-existing policy structures in a given domestic institutional setting are capable of framing political actors' problem-solving capacities and policy preferences (Schmidt and Radaelli, 2004). Policy Europeanization depends on the degree of challenge and pressure posed by the misfit between domestic policy designs and EU

imposed/proposed ones (Bulmer and Radaelli, 2004). Comparable to the analysis of EU-triggered domestic change in formal and legal institutional structures, several analytical tools of the new institutional approach are employed to analyze this form of Europeanization. Within the analytical framework provided by the historical institutional approach, emphasizing institutional path-dependencies in processes of adaptation, the reason for change is the need for policy adjustment. This is due to the existence of a misfit between longstanding domestic policy legacies and the policies proposed by the EU (Cowles and Risse, 2001). A high level of compatibility signifies that the political structures will adjust to the proposed policies without major problems. Consequently, how much the EU's common policies affect domestic change depends greatly on "policy practices and the political and institutional structures of the country in question" (Heritier, 2001: 44). The institutional capacity to realize policy change and adjust to the EU matters. There are complementary mediating factors which either facilitate or hinder policy change:

These are the policy problems that establish the need for change, the policy legacies that may or may not 'fit' proposed policy solutions, the policy preferences that may or may not change in light of the problems and proposed solutions, the political-institutional capacity of actors to respond to the problems through new policy initiatives even if these reverse policy legacies and preferences, and the discourse that serves to enhance capacity for change by altering perceptions of problems and legacies by influencing preferences (Schmidt and Radaelli, 2004: 186).

In sum, there are various mediating factors facilitating or constraining policy Europeanization. The second research question of this dissertation is how much the EU's political conditionality has induced policy change in the area of civil-military relations in Turkey.

2.3.3 Informal Institutional Change

Europeanization not only affects formal institutions but also informal ones. Europeanization is a process of change in informal institutions, most notably norms and collective identity. The latter denotes “collective understandings of actors” such as norms of citizenship, or collective identities pertaining to nation-state (Risse, Cowles and Caporaso; 2001: 5). This does not mean the substitution of national identities for a European one but the influence of European integration in the construction and reproduction of domestic political identification with reference to the EU and issues arising from prospective membership (Risse, 2001).

There are two noteworthy categorizations of this form of Europeanization in the current literature. First, societal Europeanization is defined as “a process of change in the construction of systems of meaning and collective understandings within the context of European integration” (Cowles and Risse, 2001: 219 cited in Diez, Agnantopoulos and Kaliber 2005: 5). Second, discursive Europeanization is the extent to which “public claims make reference to the EU, specific European actors or policies, and how this has changed over time” (Diez, Agnantopoulos and Kaliber, 2005: 7). Within the analytical framework provided by the sociological institutional approach, these correspond to the investigation of how (self-) conceptions/definitions of the domestic actors evolve through the European integration process. In other words, these two forms of Europeanization relate to the EU’s domestic social and discursive influence in terms of commitment to Western and European identity, and to the norms and values of liberal democracy (Schimmelfennig, Engert and Knobel, 2003). It is argued that the spread of EU norms has an impact upon collective understandings of appropriate behavior. Compliance with these norms supports the

credibility and legitimacy of political actors in the domestic and international environment created by European integration (Sarigil, 2007: 42).

Mediating Factors Regarding Informal Institutional Change

In the case of EU candidate countries, increasing interdependence and interactions lead to cooperation between several political actors at the EU and domestic levels. Additionally, political conditionality for membership has become an integral part of domestic politics through the adoption of political reforms. Political “learning” is one of the factors influencing attitudes. Furthermore, challenges and pressures posed by alignment with the EU’s common policies have resulted in domestic debates on a number of policy issues in this respect (Avcı, 2003; Çayhan, 2003b). As a result, the penetration of the EU’s political discourses into the political system has led to an increase in information about European norms and values (Schmidt and Radaelli, 2004). This is reflected in public discourses. It is argued that the processes through which EU norms are diffused in public discourses serve to influence the political attitudes of the actors to varying degrees. This form of change depends on both EU-driven and domestically driven factors.

The EU’s pre-accession strategy mediates the spread of new rules and regulations, norms and values into the political system. Consequently, the EU intervenes in domestic policy processes through the diffusion of normative discourses which alter domestic actors’ beliefs and expectations (Manners, 2002; Risse, Ropp and Sikkink, 1999). The adoption of rhetoric reflecting European norms and values is one example. The normative discourse of democracy associated with EU membership is

becoming an important frame of reference for acquiring legitimacy in international society (Manners, 2002).

The EU has a clear commitment to norms of democracy, human rights and the rule of law (Risse, Ropp and Sikkink, 1999). According to Manners (2002: 242), the normative basis of the EU consists of “core norms” set forth in the *acquis*. All the member and candidate states should comply with these norms: liberty, democracy, the rule of law, respect for human rights and fundamental freedoms. The theoretical literature looks at the emergence of a common European identity through the process of norm diffusion (Risse, 2001). Additionally, there are norms contested within member states which are left to domestic discretion, as follows: social solidarity, non-discrimination, sustainable development, and good governance “to ensure that basic political and social rights become more widely known to the EU citizenship” (Manners, 2002: 242). With member states, the EU transcends the “Westphalian” norms and impinges on state sovereignty to ensure compliance (Manners, 2002).³⁶

Similarly, compliance with the Copenhagen political criteria embeds a process of socialization into norms and values spread in the international context (Schimmelfennig, 2003). The “commitment to peace, liberty, democracy, the rule of law and human rights” as set forth in the *acquis communautaire* are accepted as international principles governing relations between nation-states and their respective legitimacy within the international system. Particularly important is democratic control of the armed forces (Edmunds and Forster, 2003). Smith (2000) has referred to the role of European ideas in legitimating domestic political reforms in the sense

³⁶ The EU’s strategy is based on its founding principles, which go back to the postwar era, to increase cooperation among the European states, prevent conflicts and sustain peace and development.

that they promise international recognition at most and at least membership status. This relates to the analysis of cases in which the Europeanization process extends to producing change in collective understandings of appropriate forms of political behavior.

In sum, the internalization of the democratic norms and practices set forth in the Copenhagen political criteria aims at deepening democracy along the EU membership process. The EU plays an overt role by spreading these norms in the candidate states through tools provided by the pre-accession strategy. These norms are reconstructing the self-identification/conception of domestic actors in relation to Europe. However, research has demonstrated that the EU's credibility concerning a country's accession facilitates informal aspects of institutional change, such as the attitude of domestic actors with regard the issues arising from EU membership process (Schimelfennig, Engert and Knobel, 2003).

There are also domestic factors shaping this form of Europeanization. Ideas and norms across Europe serve the reconstruction of interests/identity and preferences by domestic actors. However, this process cannot be separated from domestic institutional settings. First, a given country's general positive attitude toward EU membership is a very important factor that facilitates the overall process of institutional change. Overall agreement on legal and institutional reforms and policy change are factors that facilitate informal institutional change. Second, the diffusion of EU norms, values and discourses within the political system does not imply their immediate internalization or change the collective understanding of appropriate

forms of behaviors. Domestic institutions and practices still play a central role in shaping political actors' attitudes.

The influence of political conditionality depends on the prevailing informal institutional structures as mediating factors that might hinder or facilitate change along the spread of EU norms. The evolution over time of the "structure of state-society relations" determines the nature of constraints posed by informal institutions on political actors, such as whether they will internalize the norms and values associated with EU-driven domestic reforms (Checkel, 2001). According to Checkel (2001: 180), two understandings of norms and institutions can be used to explain change in the collective understandings of the actors. First, the constructivist reading of a "thick" understanding of the role of norms and institutions implies that institutionalization matters in providing a sense of belonging and a new understanding of interests. Second, the rationalist conception of a "thin" understanding implies that they are "simply constraining the choices and behavior of self-interested actors." With the fulfillment of the Copenhagen political criteria, informal institutional change can be analyzed based on these variants of institutional approaches.

Empirical findings suggest that a close correspondence between European and domestic ideas leads to high levels of receptiveness to EU norms and rules (Weaver, 2004; Weiner, 1998; Risse, 2001). In this case as well, the degree of compatibility between prevailing informal institutional structures and those in the EU plays a key role in shaping Europeanization. However, the internalization of EU norms does not necessarily correlate with positive attitudes towards membership. Several actors

might still oppose various aspects of political change depending on how much they challenge collective systems of meaning, interests and identities vis-à-vis system-wide structures such as the nation-state (Checkel, 2001). The EU impact on these domestic attitudes might vary from one political issue to the other.

However, positive discourses in the EU towards a country's membership prospects is a most important factor facilitating the deepening of reforms by boosting positive attitudes toward the issues arising from EU membership. In candidate countries, divisions prevail between supporters and opponents of political reforms as well as pro-EU and Euro-skeptical attitudes (Avcı, 2003; Schimelfennig, Engert and Knobel, 2003; Çarkoğlu, 2004). It has been demonstrated that rising expectations that EU membership will bring socioeconomic benefits, the stability of institutions guaranteeing democracy, and the deepening of democratization provide a certain legitimacy to Europeanization (Diez, Agnantopoulos and Kaliber, 2005: 2). Thus, these factors influence the formation of a positive attitude towards supporting the fulfillment of the Copenhagen political criteria.

There are several hurdles to measuring informal aspects of institutional change, such as the attitudinal dispositions of domestic actors. With the exception of large polls such as Eurobarometer and analyses of speeches by political and state elites, attitude formation towards issues arising from EU aspirations remains at the interpersonal level. However, attitude change is relatively slow compared to legal and policy changes. This provides reliability to the study. Along these lines, analysis of the impact of the spread of EU norms on the rhetoric of political actors is central. Hence, one major yardstick of attitudinal change is just how much the rhetoric of the

military as an actor/institution on issues relating to the EU's political conditionality has changed since 1999.

In sum, the effect of European integration can be viewed as a process of domestic political change involving new discourses on the democratization of institutions, or policies affecting by varying degrees the collective norms and values of domestic actors. Legal-institutional change and policy alignment are expected to bring about the internalization of EU norms and change the attitudes of domestic actors to influence political behavior. However, there are various EU-driven and domestically driven factors facilitating or hindering the deepening of Europeanization. This is particularly applicable in the case of candidate countries such as Turkey. Therefore, the third research question of this dissertation is how far the EU's political conditionality has induced informal institutional change in the area of civil-military relations in Turkey.

The following chapters test the impact of the EU's political conditionality on civil-military relations in Turkey. The empirical analysis is done from the perspective of the three forms of Europeanization laid out in this section. Chapter 3 focuses on formal, legal aspects of institutional change. Chapter 4 focuses on change in domestic policy structures. Chapter 5 focuses on informal aspects of institutional change.

CHAPTER 3

EUROPEANIZATION, FORMAL INSTITUTIONAL CHANGE AND CIVIL-MILITARY RELATIONS

This chapter focuses on the first aspect of Europeanization. It analyzes the extent to which the EU's political conditionality triggered legal-institutional change in the area of civil-military relations in Turkey. In line with the EU's formal institutional strategy, legal aspects of domestic institutional adaptation are one of the most important issues in the regular reports of the European Commission (1998-2006). The EU addresses two major aspects related to the governance of civil-military relations in Turkey. The first concerns the composition and functioning of the National Security Council, and the second relates to the issue of accountability and transparency building. The first section of this chapter explores the pre-existing institutional setting of these two structures. The second section explores the post-1999 reform process' attempt to comply with the relevant provisions of the EU's political conditionality. EU harmonization laws are the main focus. The final section summarizes factors, which either facilitate or hinder Europeanization and formal institutional change with regard to civil-military relations.

3.1 The Pre-Existing Legal-Institutional Setting³⁷

This section focuses specifically on two major themes. First, it lays out the legal evolution of the functioning and composition of the National Security Council. Second, it explores the development of legal structures related to the issue of accountability and transparency in security and defense affairs. The latter covers the evolution of relations between military and civilian institutions such as the legislature, judiciary, and executive as well as civil society.

3.1.1 National Security Council (NSC)

The NSC is a constitutional institution made up of both civilians and military officials. It is a formal platform for regular meetings aiming to develop policy strategies relating to the country's national security.³⁸ The NSC has gone through several stages of institutionalization. The main sources through which one can trace the institutionalization of the NSC and its consequences for the evolution of civil-military relation patterns are: (1) the legacy of the late Ottoman and early Republican periods, (2) the effects of military interventions (1960, 1971, and 1980) on the legal-institutional setting of civil-military relations, and (3) the constitutional (1924, 1961, and 1982) provisions and complementary legal regulations concerning the institution.³⁹

³⁷ Pre-existing denotes the evolution of the legal-institutional structure before the legislation of EU harmonization packages and constitutional amendments.

³⁸ For further information, see Ministry of National Defense (1998: 9-12).

³⁹ For more comprehensive study of these aspects of the evolution of civil-military relations in Turkey, see Hale (1996), Yazıcı (1997), and Akyaz (2002).

“The military in Turkey has been both the subject and the object of modernization as Westernization” (Heper, 2005a: 33). Going back to late Ottoman times and from the early Republican period to the present, it has been a critical actor in the establishment of modern Turkey. From the 18th century onwards, the military bureaucratic apparatus became the main locus of the state, which framed a modernization project in order to catch up with developments in the West (Harris, 1988; Turfan, 2000). Victory in the War of Independence and the establishment of the Republic in 1923 provided the military with a legitimate basis as a political actor. It became a credible driving force in the modernization and Westernization of the newly founded nation-state built on the model of its European counterparts (Knooning and Kruijt, 2002). Complementarily, military officers recognized democracy as an integral part of Western civilization (Karaosmanoğlu, 1994: 125; Heper, 1988). The founders of the Republic, Mustafa Kemal Atatürk and İsmet İnönü, adopted a parliamentary system of government and started a process of civilianizing politics. This was based on past experience demonstrating that involvement with day-to-day politics would have a detrimental effect on military professionalism (Heper, 2005a: 34; Karaosmanoğlu, 1993). In this context, the military has been an important partner of Kemalist elites in establishing and safeguarding the secular-democratic order, and maintaining a unitary state with a reform agenda and orientation towards Europe (Güney, 2002a).

The 1924 Constitution established the main parameters of a parliamentary system of governance and impelled the separation of the Armed Forces from politics.⁴⁰ The Turkish Armed Forces were empowered to defend the 1924 Constitution – including the unitary nature, secular character and democratic ideal of the Republic – if they

⁴⁰ See the 1924 Constitution.

were ever endangered. In this connection, the functions of the Turkish Armed Forces evolved into the state's safeguard against threats both internal and external (Bölügiray, 1989).

The military intervened in Turkish politics three times: on May 27, 1960, March 12, 1971, and September 12, 1980. Several factors led to these interventions. One of the most important was civilian governments' incompetence at responding to the political and economic problems of a newly modernizing society (Heper and Güney, 2004: 184). Additionally, the consequent rising fragmentation and polarization of the political system led to outbreaks of political violence (Özbudun, 2000). Third, the failure of political elites to act responsibly to safeguard the basic tenets of the Republic led the military to act (Karpas, 1988). The dilemma of these interventions was that they were initiated on the grounds that the military had a legal obligation to act responsibly to safeguard the secular-democratic order (Cizre, 1997). However, during the interventions, "the military did not intend to establish enduring military regimes but rather to restore democracy within a reasonably short period of time" (Özbudun, 2000: 24). Consequently, the institution "started a reform path to democracy" where "the conditions and the modalities of the transition" were carefully controlled (Özbudun, 2000: 24).

Following these interventions, the establishment of the 1961 Constitution, 1971-73 constitutional amendments and the 1982 Constitution had important legal consequences for the functioning and composition of the NSC and the evolution of patterns of civil-military relations. Historically speaking, laws concerning the NSC embedded a conception of the "guardianship role" the military has been tasked with

in Turkish politics (Güney, 2002a; Cizre, 2004). The primary sources of the military's legitimacy in Turkish politics and society are the legal-institutional functions attributed to it by these constitutions and associated legislation. Each time the military believed that national interests were endangered and civilian institutions had become incapable of solving emerging crises, it intervened in the political process "to put things in order" and "to save democracy from itself" on the basis of these legal-institutional obligations (Heper and Güney, 1996). The gradual construction of the military's role in modern Turkey as the "ultimate guardian of the Republic" provided a justification for the predominance of the military in terms of maintaining national unity and secularism (Cizre, 1997; Güney, 2002a).

The 1961 Constitution

The 1961 Constitution formally institutionalized the NSC.⁴¹ This institutionalization aimed at establishing a dialogue between the military and civilians on matters directly related to national security in order to head off future political crises.⁴² The military "had a legal and institutionalized means of conveying its view to the government" that "could lessen the possibility of future military interventions" (Heper, 2005a: 35). Article 111 of the 1961 Constitution defined the institution as

⁴¹ In the postwar period, based on the model of national security institutions in several countries, the evolution of the NSC allowed Turkey to institutionalize its own national security system. First, the General Secretariat of the Supreme Defense Assembly was formed by a decree in 1933 and "was responsible for national mobilization issues." Then reformed in 1949, the role of the National Defense Supreme Board and General Secretariat "was expanded to cover the preparation of national security policy." Finally, Act No. 129, passed on December 11, 1962, "envisaged the establishment of the NSC and the General Secretariat of NSC." For more information, see Ministry of National Defense (1998: 9). Further information on the evolution of the legal-institutional setting of the NSC and General Secretariat of the NSC is also available from <http://www.mgk.gov.tr/tarihce>

⁴² The first military intervention has been justified on the grounds that the Democrat Party government, while oppressing the opposition Republican People's Party, was becoming increasingly authoritarian. It challenged the secular, democratic tenets of the Republic by appealing to the public's religious sentiments and by acting as an irresponsible government through the mobilization of the periphery against the center. This was considered a major reason for political instability. Additionally, the government was accused of economic mismanagement (Karpas, 1988: 137-141).

chaired by the president of the Republic, and composed of the prime minister, the chief of the General Staff (*Genelkurmay Başkanı*), and the ministers and commanders of the forces specified in the law on the NSC and the Secretariat General of the NSC (Law No. 129, dated December 11, 1962).⁴³ Additionally, ministers and experts convoked by the prime minister would participate in the regular meetings depending on the relevant agenda items. The secretary general of the NSC (*Milli Güvenlik Kurulu Genel Sekreteri*) would also attend the meetings. Therefore, it was established as an institution composed of both civilian and military officials and chaired by the president of the Republic. The supremacy of civilian members is observed. Under the law, the NSC met on a monthly basis.

In terms of the functioning of the institution, the 1961 Constitution (Article 111) stipulated that the NSC “conveys” to the Council of Ministers its views on measures to be taken concerning national security matters and required coordination.⁴⁴ The military acquired legal authority to communicate its evaluations on national security matters through the NSC. Therefore, it was originally established as an advisory body to assist the government on both internal and external security issues. In this way, military officials were enabled to influence the process of policy formulation relating to security and defense matters during periods of civilian rule (Özbudun, 2000; Yazıcı, 1997). The constitutional arrangements were supported by the Internal Service Law of the Turkish Armed Forces, Law No. 211 (Article 35), enacted on January 4, 1961, making the military statutorily responsible for “defending both the

⁴³ The cited law on the NSC specifies the deputy prime minister, the ministers of national defense, foreign affairs, interior affairs, finance, labor and transportation, and the commanders of the Army, Navy, Air Forces and the Gendarmerie: <http://www.mgk.gov.tr/kanun.html>

⁴⁴ “Milli Güvenlik Kurulu, Milli Güvenlik ile ilgili kararların alınmasında ve koordinasyonun sağlanmasında yardımcılık etmek üzere gerekli temel görüşleri Bakanlar Kurulu’na bildirir.” (1961 Anayasası, Madde 111).

Turkish fatherland and the Turkish Republic as defined by the Constitution.” Additionally, the Turkish Armed Forces Internal Service Regulations (Article 85) stipulate that the “Turkish Armed Forces should defend the country against internal as well as external threats,” and conferred authority to fulfill this responsibility “if necessary by force.” Consequently, during NSC meetings the military members are expected to act in accordance with these duties. “When the country faced a grave threat and civilian governments seemed indifferent toward or unable to effectively deal with that threat,” the military had legal means to intervene in domestic affairs (Heper, 2005a: 35).

1971-73 Constitutional Amendments

Military interventions in 1971 and 1980 were justified on the grounds that the military fulfilled its legal-institutional obligations. One of the consequences of the 1971 memorandum was to revise the functions granted to the NSC. Article 111 of the 1961 Constitution was amended so as to empower the NSC to “recommend” measures to the government. Prerogatives granted by constitutional amendments from 1971 to 1973 were quite significant. They strengthened the legal basis of the NSC influence over the Council of Ministers. Therefore after the 1960 intervention and following the 1971 memorandum, the competencies of the NSC were enhanced. Consequently, the power of the institution in the formulation of national security policy was increased. This legal institutionalization strengthened the autonomy of the military with respect to civilian institutions within the political system (Cizre, 1997).

The 1982 Constitution

Formulated after the September 12, 1980 intervention, the 1982 Constitution had several legal and institutional consequences for civil-military relations. The constitutional provisions reconstituted the functioning and composition of the NSC. According to Article 118 of the 1982 Constitution, the institution meets under the chairmanship of the president of the Republic and consists of the following members: the prime minister, the chief of the General Staff, the ministers of national defense, internal affairs, and foreign affairs, and the commanders of the Army, Navy and Air Forces and the general commander of the Gendarmerie. Depending on the issue being discussed, relevant officials can also be invited to NSC meetings. The law directed that the NSC secretary general only be appointed from among high-ranking military officers and that the council convene once a month under the chairmanship of the president of the Republic.⁴⁵ Therefore, the military had a quantitative supremacy in the institution. Additionally, according to the new constitutional provisions (1982, Article 118) and legislation (Law No. 2945) on the organizational structure, duties and responsibilities of the NSC and its General Secretariat,

The NSC advises the Council of Ministers of its views on the determination and implementation of national security policy and required coordination. The NSC determines the necessary measures to maintain the existence and independence of the state; the integrity and indivisibility of the country; and peace and security of the society. The decisions taken by the NSC are prioritized for evaluation by the Council of Ministers.⁴⁶

⁴⁵ Law No. 2945 dated November 9, 1983 on the NSC and the Secretariat General of the NSC.

⁴⁶ See also Ministry of National Defense (1998: 11).

Table 1 The Duties of the NSC Under Law No. 2945 (November 9, 1983) on organizational structure, duties and responsibilities of the NSC and the NSC's Secretariat General ¹

- Determination of policies concerning the planning and the implementation of the state's national security policy decisions and the necessary coordination in this regard
- Determination of measures relating to the implementation of national objectives, plans and programs prepared in accordance with national security policy
- Closely monitoring and evaluating national elements of power that influence the state's national security policy and the social, economic, cultural and technological environment and developments. Determination of the fundamental principles that will strengthen them in the direction of national objectives
- Determination of measures required to maintain the existence and independence of the state and integrity of the country and to maintain public peace and security
- Determination of measures to maintain the constitutional order, ensure national unity and integrity, and unite the Turkish nation around the ideology, principles and reforms of Atatürk and the national values and ideals, all of which will guide the nation towards the national objectives
- Determination of views for States of Emergency, Martial Law, mobilization and states of war
- Determination of necessary principles for the inclusion of measures and funds related to the following issues in the development of plans, programs and annual budgets: General defense done by the public, private institutions, organizations and citizens in times of peace or war or in postwar periods, national mobilization and other issues
- Determination of measures for the inclusion of programs and annual budgets, services oriented to society – financial, economic, social and cultural – and other issues required by the general defense services
- Proposing options regarding past and future international treaties in the field of national security. The NSC notifies the Council of Ministers about the views, measures and principles of court decisions and fulfils other tasks specified in the acts

¹ This table covers the legal responsibilities of the institution before the introduction of EU harmonization packages, listed in Ministry of National Defense (1998: 11-12).

The decisions of the NSC are “formulated in line with the definition of the concept of national security” (Güney and Karatekelioğlu, 2005: 446). The legal responsibilities of the NSC under Law No. 2945 are described in Table 1.⁴⁷

Therefore, the 1982 Constitution did not merely maintain the previous legal structure on the NSC but in fact granted additional functions to the institution. The major reason for this legal change can be attributed to the domestic political context that paved the way for the 1980 military intervention.

From the 1960s onward, with the fragmentation and polarization of Turkish politics on the dimensions of the left-right, secular-Islamic, and cultural versus ethnic nationalism, and with the shift of the Republican People’s Party from the center to periphery, the military remained virtually the sole protector of the secular-democratic state in Turkey. (Heper and Güney, 2004: 184)

The effect of the decisions of the NSC was further extended. The Council of Ministers was to consider its recommendations “with priority.” Additionally, the composition of the council was changed. The quantitative influence of its military members on government decisions was increased (Yazıcı, 1997: 185). The NSC, originally established as a forum to maintain dialogue between civilians and the military, gradually evolved into the locus of the military’s “guardianship” role.

3.1.2 Accountability and Transparency in Civil-Military Relations

A complementary legal dimension in the evolution of civil-military relations patterns is related to modalities of accountability and transparency building (Narlı, 2006). The issue of accountability and transparency involves relations between the military and

⁴⁷ This table covers the legal responsibilities of the institution before the introduction of EU harmonization packages, listed in Ministry of National Defense (1998: 11-12).

legislative, executive, and judiciary institutions, including its relations with civil society and the public in the broadest sense.⁴⁸

3.1.2.1 The Legislature and the Military

In this context, the primary issue is parliamentary oversight. This refers to the military's accountability to Parliament on security and defense-related matters. The 1982 Constitution established the basic structures for a well-functioning democracy in Turkey. Additionally, under the 1982 Constitution, sovereignty belongs to the nation. Article 7 states that the "legislative power is vested in the Turkish Grand National Assembly [Parliament] on behalf of the Turkish Nation" and "this power cannot be delegated." Therefore, the legislative process is finalized upon the approval of Parliament. On behalf of Parliament, the Audit Court (*Sayıştay*) reviews the budget of public institutions (1982 Constitution, Article 160). However, legal provisions (Law No. 1488 Article 127) issued in 1971-73 excluded Turkish Armed Forces expenditures of from review by the Audit Court. In addition to these legal limitations, Law No. 832 dated February 21, 1967 on the Audit Court also delimited the transparency of the Turkish Armed Forces' public expenditures. These were exempt from judicial review and control of the Audit Court based on the "secrecy clause" (Narlı, 2006: 168). In connection with the latter, the exemption from Audit Court review and the lack of full knowledge of national security and defense expenditures weakened parliamentary oversight.

⁴⁸ Accountability assumes a responsiveness and responsibility of political action with regard to other political actors within the political system. Transparency building in the defense sector is tightly linked to the issue of accountability in civil-military relations. It refers to the dissemination of information concerning security and defense matters (Narlı, 2006).

A secondary issue is related to wider democratic oversight over the military's activities. This includes defense and security experts, scholars, interest groups, civil society and individual citizens. The civilian dimension is very important in any analysis of civil-military relations and democratic governance. In the Turkish case, the institution of the military enjoys widespread support from most sectors of Turkish society as a state institution responsible for providing security and defending the country. Skepticism over the ability of elected representatives and political parties to deal with political crises and the relative weakness of civil society institutions are major reasons for the relatively high level of trust in the military (Hale, 1996; Demirel, 2004). These factors have been central in the evolution of a political tradition in which the military has become relatively autonomous from civilian institutions (Narlı, 2000). Therefore, they helped structure the legal basis of the military's role in politics and shape the modalities of accountability. They also contributed to civilians' relative lack of expertise on security and defense policy issues. Instead of assuming responsibility themselves, civilians entrusted the Turkish Armed Forces with "protecting secularism and democracy" (Narlı, 2006: 159). Furthermore, previous constitutional amendments made during the 1971-1973 period as well as the 1982 Constitution (prior to recent amendments), while increasing some competencies of the military, also to varying degrees limited channels of political participation (Özbudun and Yazıcı, 2004). These constitutional developments hindered the institutionalization of wider democratic oversight over security and defense matters, in the style of Europe's contemporary liberal democracies.

For comprehensive democratic reforms in the realm of civil-military relations, it is important to grasp that the strengthening of democracy in civilian institutions is as

important as reforming the military. One mark of civilian empowerment in democratic oversight is that it “requires an effort by civil and political society to empower themselves to increase their own capacity for control” (Stepan 1998: 114 cited in Cizre, 2004: 118). This is a major step towards improving government performance as well.

In contemporary Western liberal democracies, elected representatives are expected to collaborate with the military on developing common defense and security policies as well as in their implementation, but the balance of power is on the civilian side, especially in issues outside the realm of military professionalism (Cafario, 1998). However, just as important in this context is that accountability and transparency building is also dependent on several additional political conditions. These are related to the “stability of institutions guaranteeing democracy and the rule of law.” Boosting civilians’ competency and expertise in the formulation of defense and security policies, and in oversight of defense expenditures, is related to the quality of the democratization process. Moreover, a well-informed, educated public improves civilian expertise and knowledge in security and defense policy-making. Though the main structures for such political socialization are present within the political system, the deepening of democracy essentially requires a longer period. The improvement of civilian institutions in Turkey is very important for consolidating accountability and transparency on national security, defense affairs and budgetary matters.

3.1.2.2 The Executive and the Military

The chief of the General Staff is made responsible to prime minister “in the exercise of his duties and powers” (1982 Constitution, Article 117). The roots of the

development of legal provisions concerning the chief of the General Staff's status lie in the era of single-party rule (1923-1946). On May 30, 1949, Law No. 5899 subordinated the chief of the General Staff to the Ministry of National Defense. Following this era, in order to prevent politicization of the military through its being directly accountable to the ministry, the 1961 Constitution (Article 110) and the 1982 Constitution (Article 117) stipulated that the chief of the General Staff is responsible to the prime minister (Yazıcı, 1997: 81).

The president of the Republic represents “the Supreme Military Command of the Turkish Armed Forces on behalf of the Turkish Grand National Assembly,” meaning Parliament (1982 Constitution, Article 104). According to the 1982 Constitution (Article 117), the chief of the General Staff “shall be appointed by the President of the Republic following the proposal of the Council of Ministers.” The chief of the General Staff is in charge of the overall command and control of the Turkish Armed Forces and is responsible for the effective execution of military operations and the readiness of the Turkish Armed Forces.⁴⁹ According to two constitutional provisions (1961 Article 110, and 1982 Article 117), the Council of Ministers is responsible to Parliament “for national security and for the preparation of the Armed Forces for the defense of the country.” The Armed Forces’ defense policy is agreed upon by the Council of Ministers.

According to Law No. 1324 the Turkish General Staff conveys its views to the government and the NSC in the determination of the priorities, principles and main

⁴⁹ More information on the organization of the Turkish Armed Forces is available from the Ministry of National Defense (1998: 51-57). See also the *Defense White Paper 2000* available from <http://www.msb.gov.tr>

programs concerning national security and defense policy.⁵⁰ Additionally, it is consulted in the determination of military aspects in the implementation of international agreements. The institution determines personnel, intelligence, mobilization, education, and logistics issues for the effective conduct of military operations. The Ministry of National Defense, on the other hand, in accordance with Law No. 1325 issued on July 31, 1970 is made responsible for political, legal, social, financial and budgetary services for the duties of national defense.⁵¹ Furthermore, the law stipulates that for the purpose of the integrity and effectiveness of Armed Forces services, the Ministry of National Defense and the Turkish General Staff should work in close coordination and cooperation.⁵² Therefore, the division of power between these institutions is clearly set forth in the legal provisions.

One remaining aspect of the evolution of the relationship between the military and the executive came in the 1980s, with the appointment of several officers to administrative institutions. The Higher Education Council (*Yüksek Öğretim Kurulu*), established by the 1982 Constitution (Article 130), included a military representative among its civilian members. Additionally, the Supreme Council of Radio and Television (*Radyo ve Televizyon Üst Kurulu*) also included a military representative before the advent of EU harmonization laws. The presence of military officers at state institutions responsible for administrating and supervising education and

⁵⁰ The headquarters of the Turkish General Staff has been established to assist the chief of the General Staff in the exercise of its duties and responsibilities. The Turkish Armed Forces operates under the Turkish General Staff, and is composed of the commands of Land, Navy and Air Forces and the general command of the Gendarmerie. See the official web page of the Turkish Armed Forces (available in English): <http://www.tsk.mil.tr>. For further information on the defense structure see also Maliye Bakanlığı (*Ministry of Finance*) (1993/9: 93-95).

⁵¹ For further information, see Ministry of National Defense (1998:51).

⁵² More information on the organization of defense is available at the official web page of the Ministry of National Defense: <http://www.msb.gov.tr>. See also for further information on budgetary issues Maliye Bakanlığı (1993/9: 91-93).

communication policy spurred fierce debate after Turkey gained EU candidate status until the advent of reforms in this area.

3.1.2.3 The Judiciary and the Military

The final aspect of the issue of accountability and transparency is related to the evolution of laws arranging relations between the military and judicial institutions. During the 1970s, high levels of right-left political polarization and fragmentation and widespread incidents of street violence led to various preventive measures. First, the State Security Courts (*Devlet Güvenlik Mahkemeleri*), composed of civilian and military judges, were established in 1973 by constitutional amendments (1961 Constitution, Article 136). The laws authorized these courts to try crimes targeting the security of the state. Article 143 of the 1982 Constitution stipulated that

State Security Courts shall be established to deal with offenses against the indivisible integrity of the State with its territory and nation, the free democratic order, or against the Republic whose characteristics are defined in the Constitution, and offenses directly involving the internal and external security of the State.

In spite of being subject to review by civilian supreme courts and the High Court of Appeals (*Yargıtay*), these new courts gave the military jurisprudence regarding judicial processes (Özbudun and Yazıcı, 1996). This extended to periods of civilian governance.

Second, the declaration of martial law and the establishment of martial law courts were made easier by Article 124 of the 1961 Constitution. According to new legislation, “certain powers of the civilian authorities shall be transferred to military authorities – such as certain judicial powers and security services – under the circumstance of the martial law” (Özbudun and Yazıcı, 2004: 34). However, the

1982 Constitution's Articles 120, 121, and 122 stipulate that civilian authorities make final decisions concerning states of emergency, martial law, mobilization and states of war. These are decided upon by the Council of Ministers meeting under the chairmanship of the president of the Republic after consultation with the NSC. Decisions are submitted to Parliament for approval.⁵³ Additionally, in one or more regions where a state of emergency is declared, it shall not exceed six months. The responsibility resides under the Ministry of Internal Affairs (State of Emergency Law No. 2985), and the regional governor may employ military forces to combat terrorism if necessary. This law also relates to the definition and interpretation of national security policy, as will be explained in the next chapter. According to Article 120 of the 1982 Constitution, the declaration of a state of emergency is based on "indications of widespread acts of violence and serious deterioration of public order." According to Articles 120 and 121, decisions relating to states of emergency are taken

In the event of natural disaster, dangerous epidemic diseases or serious economic crisis ... In the event of serious indications of widespread acts of violence aimed at the destruction of the free democratic order established by the Constitution or of fundamental rights and freedoms, or serious deterioration of public order because of acts of violence.

In this context, in line with the nature of the situation, a number of "fundamental rights and freedoms" may be suspended or restricted.⁵⁴

Third, in 1971, the Supreme Military Administrative Court (*Askeri Yüksek Idare Mahkemesi*) was established and authorized to resolve administrative conflicts

⁵³ "The Assembly may alter the duration of the state of emergency, extend the period, for a maximum of four months only, each time at the request of Council of Ministers, or may lift the state of emergency" (Article 121, 1982 Constitution).

⁵⁴ For comparison, see also the 1982 Constitution (Article 122) on martial law, mobilization and states of war.

concerned with military authorities or matters. Thus, even as the military acquired influence in judicial processes, the powers of the civilian Council of State (*Danıştay*) were restricted (Özbudun and Yazıcı, 2004: 33). Additionally, the State Supervision Council (*Devlet Denetleme Kurulu*), established by the 1982 Constitution (Article 108), functions under the control of the president of the Republic. All administrative institutions, with the exception of the judiciary and the Turkish Armed Forces, are subject to the legal control of this council.

The legal-institutional setting explained so far reinforced the military's institutional role in Turkish political life. Paradoxically, contrary to these developments, following the 1983 election of the Motherland Party (*Anavatan Partisi*), significant degrees of “demilitarization and civilianization of the regime” were seen (Evin, 1994, Karaosmanoğlu, 1993), and relations between the military and civilians seemed to normalize by the mid-1980s (Heper, 1985). After 1985, in terms of the evolution of civil-military relations, Turkey's April 1987 application for EC membership was an important juncture that prepared the ground for prospective reforms in this realm.⁵⁵

3.2 The Impact of the EU on Legal-Institutional Change

Historically speaking, the reactions of EC/EU institutions to military interventions in Turkey constituted an important aspect shaping the trajectory of EC/EU-Turkish relations. The peculiar role of the military in Turkish political life and its past record

⁵⁵ Among other factors such as liberalization policies followed by elected governments, the EC/EU membership process is listed as an important trigger for domestic reforms (Özbudun, 2000).

of interventions in politics raised questions about whether it could be classified among the world's "political armies."⁵⁶ This peculiar role challenged Turkey's closer integration with the EC/EU. The military interventions of 1960, 1971 and 1980 were considered in EU circles both symptoms of political and economic instability and infringements on Turkish democracy, the rule of law and human rights.⁵⁷

The EC's responses to the 1960 and 1971 interventions were not as clearly stated compared to recent official reports about formal institutional factors concerning the military's role in politics. However, during Turkey's transitional military regimes, the EC followed a policy of slowing down relations through suspending bilateral agreements. It emphasized the transition to a democratic regime as a prerequisite for greater economic integration such as the establishment of the customs union (European Community, 1971). This is further demonstrated by events following the September 12, 1980 military intervention. On January 21, 1982, based on the recommendation of the European Commission, the EC unilaterally suspended the Association Agreement "until the political and human rights situation has improved." This act was accompanied by cancellation of the regular meetings of the Joint Parliamentary Committee and Turkey-EC Association Council.

⁵⁶ "Political armies" is used "for those military institutions that consider involvement in – or control over – domestic politics and the business of government to be a central part of their legitimate control." Although debate continues over ideal types of "non-political" military, the former form of military institutionalization is seen as the "antithesis of democratic governance" by the Western alliances (Knoonings and Kruijt 2002).

⁵⁷ This perspective is mainly derived from the reports of the European Parliament assessing problems associated with Turkey's accession to the EU. The institutional setting of the EU allows for the European Parliament to express its position and influence the Union's major policy decisions on enlargement and accession issues. Additionally, similar concerns were also voiced in the meetings of the Turkey-EU Association Council.

The return to civilian government shortly after the coup, and public statements by Turkish state and political elites reaffirming their commitment to democracy and EC membership, contributed to the improvement of Turkish-EC relations (Birand, 2005). By 1986, relations had begun to normalize following Turkey's positive response. The establishment of the 1982 Constitution, elections the next year, economic liberalization policies adopted by the Motherland Party government, and the lifting of both the ban on political parties and political restrictions on participation through the 1987 referendum were among major factors that led to improved bilateral relations with the EC. In this period, legislative initiatives helped repair Turkey's relations with the European Community (Müftüler, 1993).⁵⁸

Against these developments, in 1989, preceding the European Council's rejection of Turkey's application for full membership in the EC, the European Commission presented its list of obstacles to membership. High on the list were the state of democracy in Turkey, the country's relative economic backwardness, the Kurdish problem, Turkey's disputes with Greece, the Cyprus issue and the lack of respect for human rights. However, at the same time, the EU continued to provide incentives in order to ensure Turkey's Westernization. The Commission (1989) "suggested the operation of the Association Agreement and the realization of the Customs Union as foreseen by the Additional Protocol ... and adopted a Package for Turkey" which provided for financial, political and technical assistance in order to finalize the customs union negotiations.

⁵⁸ For a detailed analysis of the reforms adopted in this period, see Meltem Müftüler-Baç (2000), and Özbudun (2000), the reforms are also available in the Official Gazette (1987-1999).

Therefore, the EC's 1989 decision to reject Turkey's application signified that the Community was not yet ready to deepen the process of political integration with Turkey but instead preferred to reinforce economic ties within the framework of the Association Agreement. This aimed at providing further political incentives for liberalization and democratization reforms in Turkey in order to integrate it into the customs union. The 1989 rejection cannot solely be attributed to lack of conformity with the EU's civil-military relations model, which was developed as a major policy concern specifically after the post-Cold War resolutions of NATO, the OSCE and the declaration of the Copenhagen political criteria.⁵⁹ It was mainly attributed to democracy and human rights conditions in general, without any precise idea of what paths the EC/EU's main decision-making bodies (except the European Parliament) envisaged for improving these conditions. Reforms were left to domestic discretion.

Analysis of the discourse of the EC/EU's main decision-making institutions from the Turkish application for membership in 1987 onwards shows the European Council and Commission progressively emphasizing the formal institutional aspects of domestic reforms. These reveal what the EU means by the democratization of civil-military relations in Turkish politics. An ever-growing emphasis on legal reforms to improve the democratic governance of civil-military relations was set as one of the primary conditions for political stability. Therefore, the basis on which Turkish-EU relations were evolving changed significantly after 1993. In the 1990s, the Treaty on European Union (1993) deepened the political dimension by restructuring the

⁵⁹ Note that the Copenhagen political criteria date back to the 1993 post-Cold War period, when the EU, NATO and the OSCE worked on developing a model of democratic governance of the military by civilian institutions. The Barcelona Declaration also dates back to 1995. Consequently, the reasons behind the rejection are multifaceted and include the Cyprus issue, relations with Greece, and the deepening process of the EU, as well as the democratic criteria mainly voiced by the European Parliament.

process of European integration under the umbrella of European Economic Communities, Justice and Home Affairs, and Common Foreign and Security Policy. That same year the EU introduced its project on future enlargement, tracing the basic tenets of its institutional identity. This included the defining criteria for inclusion in the Union (Maastricht Treaty/Treaty on European Union, 1993). The Copenhagen Criteria (1993) reworked the political conditions for membership. They are now “stability of institutions guaranteeing democracy and the rule of law, respect for human rights and the protection of minorities,” and a strategy for enlargement for the preparation of regular reports on the reform process in candidate countries.⁶⁰ All these combined constitute the EU’s political conditionality for Turkey’s membership.

The political conditionality is the EU’s most effective tool for inducing domestic political change in the membership candidates. The fulfillment of political criteria is closely linked with the ability to implement the *acquis* and to accede to the EU (European Commission, 2005). The Agenda 2000 (1997) and the Luxembourg (1997) and Nice (2000) European Council Summit Meetings operationalized the EU’s enlargement strategy and framed pre-accession strategies for Central and Eastern European countries as well as Malta and Cyprus.⁶¹ Although Turkey was excluded from the new wave of European enlargement and the EU expressed reservations concerning its scope of democratization, Turkey has been included in

⁶⁰ Two additional criteria are the ability to take on the obligations of membership, including adherence to the aims of political, economic and monetary union, and adoption of the *acquis* to create the conditions for political and economic integration, including the adjustment of administrative and judicial structures to those of the EU.

⁶¹ A complementary tool of the EU in influencing Turkish politics has been the EUROMED partnership, which is part of the EU’s policy towards the Mediterranean region. The Barcelona Declaration, which institutionalized the political and security pillars of EUROMED, stated that the Mediterranean Partners shall “settle their disputes peacefully and refrain from developing their military capacity beyond their legitimate defense requirements” as well as shall “develop the rule of law and democracy in their political systems,” see also Çelenk (2003).

the pre-accession strategy.⁶² Following the Luxembourg European Council decisions (1997), within the framework of its pre-accession strategy, Turkey was given concrete guidelines for political reforms. The EU's political conditionality is communicated through the European Commission's regular reports, European Council decisions, and Accession Partnership documents. Additionally, the rising power of the European Parliament and influence of EU public opinion on EU enlargement decisions (Kreppel, 2002; Taylor, 1996) also played a substantial part in shaping political conditionality in relation to the EU's perspective on good governance, democracy and civil-military relations.

In response, successive Turkish governments (1999-2006) undertook major political reforms in the period following the declaration of Turkey's membership candidacy and showed their willingness to comply with the EU's conditionality. From 1999 onwards and especially during the period of 2002-2006, eight EU harmonization packages (*Avrupa Birliği uyum paketleri*) including major constitutional amendments (2001 and 2004) were passed by the Turkish Parliament.⁶³ The following parts of this section focus on the civil-military relations aspects of these legal reforms.⁶⁴

⁶² Scholarly debates over the EU's policy towards enlargement have identified several factors in explaining the EU's decision to exclude Turkey, to wit: CEECs importance for the EU, economic concerns, institutional factors, foreign and security policy concerns, democracy concerns and the cultural argument (Müftüler-Baç, 2002a).

⁶³ As of this writing, the ninth reform package is being prepared by Parliament's EU Harmonization Committee, further information is available from <http://www.tbmm.gov.tr>

⁶⁴ EU harmonization laws concerning the NSC and the issue of accountability and transparency are listed in Table 2. Detailed information about these legal reforms can be retrieved from "*Political Reforms in Turkey*" published by the Directorate for Political Affairs of the Secretariat General for EU Affairs, available from <http://www.abgs.gov.tr>. See also the 1982 Constitution (December 2006 edition) for in-depth details on constitutional amendments within the framework of EU harmonization laws. EU Harmonization packages are also available from <http://www.belgenet.com/yasa>

Table 2 EU Harmonization Laws on the NSC and the Issue of Accountability and Transparency ¹

EU Political Conditionality	Legal Reforms
2001, 2003 Accession Partnership	March 24, 2001 , Turkey's National Programme for the Adoption of the Acquis (NPAA) set forth the priorities of the reform agenda in line with the Accession Partnership
	July 2003 , Revised version of the NPAA in line with the Accession Partnership Document (2003)
Reforming the functioning and composition of the NSC	October 17, 2001 , Constitutional Amendments including Article 118 on the functioning and the composition of the National Security Council aiming at increasing civilian authority and democratic governance.
	August 7, 2003 (Seventh Harmonization Package), Article 4, Article 13, Article 5, and Article 15 of the Law of the National Security Council and the General Secretariat of the National Security Council are amended so as to revise the duties, functioning and composition of the institution. Articles 14 and 19 of the same law are repealed. Additionally, the new bylaw on the rules and procedures regarding the Secretariat General is published in the Official Gazette on January 8, 2004. On December 10, 2003 a law abrogating the confidentiality of the bylaw and staff of the Secretariat General of the National Security Council is passed by Parliament.

¹ Date on which the law enters into force is mentioned in the table (upon publication in the Official Gazette). The approvals by the Turkish Grand National Assembly (Parliament) and by the president of the Republic are available at <http://www.tbmm.gov.tr>. Further details on EU harmonization Laws mentioned in Table 2 are available from <http://www.abgs.gov.tr> in *Political Reforms in Turkey* published by the Directorate for Political Affairs of the Secretariat General for EU Affairs. See also the 1982 Constitution (December 2006 edition) for in-depth details on constitutional amendments within the framework of EU harmonization laws. EU Harmonization packages are also available from <http://www.belgenet.com/yasa>

Improvement of accountability and transparency in defense and security matters	February 19, 2002, April 9, 2002, January 11, 2003, July 19, 2003, First, Second, Fourth and Sixth Harmonization Packages amending Article 16 of the Law on the Establishment and Proceedings at State Security Courts to reduce detention periods, strengthen provisions to safeguard the rights of prisoners and detainees, and extend the provisions of the Code of Civil Procedures in cases under the jurisdiction of these courts.
	July 19, 2003, Sixth Harmonization Package, amending Article 6 of the Law on the Establishment and Broadcasts of Radio and Television Stations, removed the representative of the Secretariat General of the National Security Council from the Board of Supervision.
	August 7, 2003, Seventh Harmonization Package amending Article 11 of the Law on the Establishment and Trial Procedures of Military Courts removed the competencies of the trial of civilians by these courts in cases of criminal offenses such as discouraging the public from military duty and undermining national resistance, inciting soldiers to mutiny and disobedience. In 2006, Ninth Harmonization Package, Military Criminal Code is changed in accordance with EcHR (European Court of Human Rights) rulings that no civilian will be tried in military courts Article 12 has been added to the Law on the Audit Court introducing provisions allowing the court to audit accounts and transactions upon the request of Parliament in all areas where public means are used. The package provided for the drafting of a bylaw to establish the principles and procedures to be observed when auditing state property in the possession of the armed forces.

	May 7, 2004, Constitutional Amendments (Eighth Harmonization Package) including the abolition of State Security Courts (Article 143 annulled), Article 131 of the Constitution on Superior Bodies of Higher Education is amended so as to remove the member of the Council of Higher Education selected by the chief of the General Staff. Equally importantly, within the framework of the Ninth Harmonization Package in June 2004, abolished the right of the National Security Council to appoint a representative to the Supreme Board of Radio and Television. Article 160 of the Constitution on the Audit Court is amended, with a view to ensure transparency in auditing state property in possession of the armed forces, deleting the paragraph stating that “the procedure for auditing state property in possession of the armed forces shall be regulated by law in accordance with the principles of secrecy necessitated by national defense.”
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3.2.1 Turkey's EU Candidacy: 1999-2002 Legal Reforms

At the Helsinki European Council Summit of December 1999, it was officially decided: "Turkey is a candidate destined to join the Union on the basis of the same criteria as applied to the other candidate states" (European Council Conclusions, 1999). The decision significantly accelerated Turkey's domestic political reforms, because the EU officially included Turkey in the new enlargement framework. It established further institutional links through financial support and technical assistance, and enhanced political dialogue and the establishment of cooperative institutions such as EU harmonization committees. These developments increased the credibility of the EU's policy of integration with Turkey.

In response to Turkey's EU candidacy in 1999, the then coalition government composed of the Democratic Left Party (*Demokratik Sol Parti*), Nationalist Action Party (*Milliyetçi Hareket Partisi*) and Motherland Party launched a series of political reforms. As a result of Turkey's national policy objective to become an EU member, harmonization laws came to top the government's policy agenda. Domestic actors, such as the government, state elites, civil-society, and individual citizens, are important determinants that can either facilitate or hold back Turkey's process of Europeanization in this area. The EU's guidelines for reforms, positive incentives, and the guarantee of closer integration if Turkey complied with the political criteria are important mechanisms through which the EU empowered pro-reform actors and provided legitimacy to their arguments. Regardless of longstanding institutional structures, these actors opted for the passage of reform laws so as to align domestic

structures with EU norms and standards. In this context, the period from 1999 to 2002, legal reforms covered mainly the composition and the functioning of the NSC.

3.2.1.1 Constitutional Amendments and the NSC

The European Commission communications of the EU's political conditionality relating to the NSC appear under the heading of "democracy and the rule of law." In the first Regular Report on Turkey's progress towards accession issued in December 1998, the European Commission directly referred to the constitutional provisions on the composition and the functioning of the NSC. The report stated

the lack of civilian control of the army gives cause for concern ... the existence of this body shows that, despite a basic democratic structure, the Turkish constitution allows the Army to play a civil role and to intervene in every area of political life ... The NSC demonstrates the major role played by the army in political life.

The next Regular Report issued in October 1999 emphasized similar concerns, remarking that "through the NSC, the military continues to have an important influence in many areas of political life." Therefore, the EU directly mentioned the need to reform the functioning and composition of the NSC as a primary step in restructuring civil-military relations in Turkey. Equally importantly, the third regular report of November 2000 evaluated domestic reform processes in light of the political conditionality. It stated that despite several legislative improvements concerning democratization process,

there has been no change in the role played by the NSC in Turkish political life. Its conclusions, statements and recommendations continue to strongly influence the political process ... it appears that at present the views of the NSC in practice seriously limit the role played by the government.

However, the same report also noted that “the possibility of increasing the number of civilian members of the [NSC] is currently under debate within political and military circles.”

Following the European Commission’s recommendation that Turkey be made a candidate, in December 2000 the European Council decided to provide detailed guidelines for the political reforms needed by Turkey and for this purpose prepared the first Accession Partnership document. In March 2001, the first version of the document was officially agreed upon. In conformity with the pre-accession strategy, the Accession Partnership covered short- and medium-term reform objectives in line with the Annex of the European Commission’s November 2000 Regular Report. The document introduced “alignment” into the lexicon of conditionality. According to the document, Turkey was expected to prepare, in response, a national program compatible with the conditions set forth by the Accession Partnership. Among several other political reforms, alignment of “the constitutional role of the NSC as an advisory body to the government in accordance with the practice of EU member states” was declared a medium-term priority.⁶⁵

The Accession Partnership is an important policy tool demonstrating the EU’s commitment to integrate Turkey into the Union. This step was a major incentive that accelerated the introduction of constitutional amendments on the NSC. The National Programme for the Adoption of the Acquis was agreed upon in March 2001.⁶⁶ It addressed the guidelines provided in the Accession Partnership. It set forth a reform

⁶⁵ The Accession Partnership with Turkey (2001, 2003, and 2006), available from <http://www.abgs.gov.tr>

⁶⁶ The first National Programme for the Adoption of the Acquis by 2001 was published in the Official Gazette.

program including the short- and medium-term priorities for closer integration with the Union.⁶⁷ Thus, it contained a comprehensive reform agenda that delivered the preparatory harmonization packages.⁶⁸ These were partially initiated by the above-mentioned coalition government composed of the Democratic Left Party, Nationalist Action Party and Motherland Party. That government started to initiate a number of legal reforms (October 2001, February, March and August 2002). For this purpose it established several institutions for alignment with EU norms and standards, including the Secretariat General for EU Affairs, Parliament's EU Harmonization Committee, and the departments responsible for EU affairs in the various ministries. The coalition government envisaged a review of relevant articles of the Constitution and other legislation to redefine more clearly legal structures such as the functioning and the composition of the NSC. Following governmental initiatives in response to the EU's conditionality for membership, Parliament approved harmonization reforms.⁶⁹

One of the most important aspects of formal institutional change introduced through EU harmonization laws concerned the functioning and composition of the NSC, and constitutional changes in October 2001 addressed this by amending Article 118. First, the number of the civilians was increased. Indeed, the 1982 Constitution (Article 118) stipulates that

⁶⁷ According to the European Commission,

The National Programme for the Adoption of the Acquis is part of an ongoing process under the pre-accession strategy ... Turkey is encouraged to revise the document in order to update it to the latest developments and strengthen its planning character, to ensure better prioritization of actions including clear timetables and deadlines, as well as the establishment of budgets necessary for investments. The priorities of the Accession Partnership should be fully taken into account during the revision of the document (European Commission, 2002).

⁶⁸ They are preparatory in the sense that they incorporate measures to be taken in advance of formal negotiations based on the *acquis* itself. The National Programme for the Adoption of the Acquis is available from <http://www.abgs.gov.tr>

⁶⁹ These reforms were approved during the 21st legislative period of the Turkish Grand National Assembly.

The NSC shall be composed of the Prime Minister, the Chief of the General Staff, Deputy Prime Ministers, Ministers of Justice, National Defense, Internal Affairs and Foreign Affairs, the Commanders of the Army, Navy and Air Forces and the General Commander of the Gendarmerie, under the chairmanship of the President of the Republic. Depending on the particulars of the agenda, Ministers and other persons concerned may be invited to meetings of the Council and their views heard.

Second, the provision on the effect of NSC recommendations on Council of Ministers decisions was amended. Accordingly, NSC decisions again acquired an advisory character, returning to their status in the 1961 Constitution.

The NSC shall submit to the Council of Ministers its views on the advisory decisions that are taken and ensuring the necessary coordination with regard to the formulation, establishment and implementation of national security policy of the state. The Council of Ministers shall evaluate decisions of the NSC concerning the measures that it deems necessary for the preservation of the existence and independence of the state, the integrity and indivisibility of the country and the peace and security of the society. The agenda of the NSC shall be drawn up by the President of the Republic taking into account the proposals of the Prime Minister and the Chief of the General Staff (1982 Constitution, Article 118).

These legal reforms concerning the NSC's composition and clarification of the status of its recommendations were welcomed as positive progress towards Turkey's integration into the EU (European Commission, 2001; European Parliament, 2002). However, the EU signaled that the extent to which these steps would "enhance de facto civilian control" would have to be monitored. The report (2001) stated that

as part of the constitutional reform package, the provision of Article 118 concerning the role and the composition of the NSC has been amended. The number of civilian members of the NSC has been increased from five to nine while the number of military representative remains at five. In addition the new text put an emphasis on the advisory nature of this body, stressing that its role is limited to recommendations. The Government is now required to "evaluate" them instead of giving "priority considerations". The extent to which the constitutional amendment will enhance de facto civilian control over the military will need to be monitored.

Likewise, the Regular Report issued in October 2002 further emphasized the importance of the implementation of these amendments. It mentioned that changes in

the composition of the NSC did not seem to have altered “the way in which NSC operates in practice,” nor the influence of its recommendations. Further elaborated in subsequent chapters, the EU’s political conditionality in this respect underlined that formal legal-institutional changes needs to be substantiated. However, these constitutional reforms passed by Parliament were still fundamental steps for restructuring the NSC’s role along the guidelines of the EU.

3.2.2 Opening of Accession Negotiations: Legal Reforms (2002-2004)

As a major incentive in support of Turkey’s continuing alignment with EU norms and practices, on December 13, 2002 the Copenhagen European Council concluded that “if in December 2004 the European Council, based upon the report and recommendation of the European Commission, decides that Turkey sufficiently fulfills the criteria”, the Union would “open accession negotiations without delay.” The decision can be interpreted as an integral part of the EU’s direct legal-institutional strategy to push forward the domestic reform process. Therefore, the EU recommended that the government “address swiftly the remaining shortcomings in the field of the political criteria, not only with regard to legislation but also in particular with regard to implementation” so as to ensure the accession negotiations would be opened. Meanwhile, the European Council and Turkey agreed on the revised version of the Accession Partnership published in the official journal of the European Union on June 16, 2003. As an integral part of the political criteria and enhanced political dialogue, the adaptation of “the functioning of the NSC in order to align civilian control of the military with practice in EU member states” became a priority for 2003-2004.

The Justice and Development Party (*Adalet ve Kalkınma Partisi*) government, elected on November 3, 2002, welcomed the decisions of the European Council.⁷⁰ By the end of 2002, the European Council, European Commission and European Parliament's resolutions on Turkey's accession negotiations process reinforced the credibility of the EU's enlargement strategy. This provided justification to the government's reformist rhetoric. The newly elected government, Justice and Development Party, and main opposition party in Parliament, the Republican People's Party (*Cumhuriyet Halk Partisi*), from 2002 to 2006, passed the most important parts of the EU harmonization reforms. During this period, the National Programme for the Adoption of the Acquis⁷¹ prepared in 2001 was revised and agreed upon in July 2003 in line with developments on the reform agenda. The first term of the government was marked by significant legal reforms towards strengthening democracy and civilian authority. The legal changes introduced during this term include the most comprehensive reforms yet towards aligning civil-military relations in Turkey to EU standards and practices. The reforms undertaken in this period were related to both the NSC and accountability and transparency building in security and defense affairs.

3.2.2.1 EU Harmonization Laws and the NSC

Parliament approved the seventh EU harmonization package in July 2003. This was significant in terms of the implementation of 2001 constitutional amendments. The new legislation brought about fundamental amendments to the law governing the

⁷⁰ Then Prime Minister Abdullah Gül's evaluation on European Council decisions in the Parliament's General Assembly on December 17, 2002.

⁷¹ See the Official Gazette (July 2003). The National Programme for the Adoption of the Acquis is also available from the Secretariat for EU Affairs, <http://www.abgs.gov.tr>

organization, duties, and functioning of the NSC and its Secretariat General (Law No. 2945 dated November 9, 1983). The new law (Article 4) stipulates that

The NSC, within the framework of the definitions on national security and the national security policy of the State as stated in Article 2, take advisory decisions on issues pertaining to the establishment and implementation of the national security policy of the State, and shall provide its views to ensuring necessary coordination; it shall submit these advisory decisions and views to the Council of Ministers, and fulfill duties given by laws. The Prime Minister may entrust a Deputy Prime Minister with the responsibility of submitting to the Council of Ministers the advisory decisions and views of the NSC to be evaluated, and of coordinating and following the implementation of these advisory decisions should they be approved by the Council of Ministers.⁷²

These new legal texts emphasize the NSC's "advisory role" and confine its scope to national security affairs in line with the state's security approach. Equally importantly, they increased the quantitative representation of civilian members.⁷³

Additionally, reform laws repealed Article 9 on "distribution and steering of the decisions" and Article 14 on the competencies of the Secretariat General. These overridden articles previously empowered the Secretariat General to follow up, on behalf of the president of the Republic and prime minister, the implementation of NSC recommendations. Furthermore, provisions authorizing unlimited access of the NSC to any civilian agency were repealed. The deleted Article 19 on Information and Documents had stated that "the Ministries, public institutions and organizations and private legal persons shall submit regularly, or when requested, non-classified and classified information and documents needed by the Secretariat General of the NSC." At the same time, the abrogation of the law on "the confidentiality of the staff of the Secretariat General of the NSC made it more accountable to the parliament and the public" (Narlı, 2006: 165). The harmonization laws also brought an

⁷² Available from the NSC official web-page, <http://www.mgk.gov.tr/kanun.html>

⁷³ On January 15, 2003, the law was amended to comply with the 2001 constitutional amendment on the composition of the NSC.

amendment to Article 13 of the law limiting the competencies of the Secretariat General to function as a secretariat of the NSC. The secretariat was transformed into a consultative body that is no longer able to conduct national security investigations on its own initiative. Furthermore, the amendment to Article 5 lengthening the interval between regular meetings of the NSC from one month to two and canceling the prerogatives of the chief of the General Staff to convene meetings has implications for the institution's relative influence on governmental policies. Finally, an amendment to Articles 15 and 17 revised the appointment procedure of the NSC Secretariat General. Previous legal arrangements stipulated that "the Secretary General of the Council shall only be appointed from among the high-ranking military officials." According to the new text, the secretary general is appointed upon the proposal of the prime minister and approval of the president, allowing a civilian to serve in the office. These new legal arrangements were implemented on January 8, 2004 by publication of the new regulations governing the NSC Secretariat General in the Official Gazette.⁷⁴ The regulations redefining the duties, functioning and composition of the NSC demonstrated the government's determination to implement all the legislative initiatives undertaken during 2001-2003. In September 2004 this regulation was put into practice, and Ambassador Yigit Alpogan, who had been serving in the Foreign Ministry, was appointed as the first civilian Secretary of the NSC. This was a major amendment in terms of civilianization.

As a result of these legal-institutional changes triggered by the EU's political conditionality for membership, today the NSC is essentially a consultative body as it was originally set up by the 1961 Constitution. The reforms brought significant

⁷⁴ The new regulation on the Secretariat General of NSC is available from the official web-page of the NSC, <http://www.mgk.gov.tr/yonetmelik.html>

limitations to the executive powers of the institution in terms of follow-up on the implementation of NSC recommendations, the correlative transformation of the Secretariat General into a purely advisory body, and the end to its right to access the documents of any civilian public agency or legal person. Therefore, the NSC no longer has extensive executive powers, does have a civilian Secretary General, and no longer recommends its views on ministries but conveys its views upon request. Moreover, the government is no longer obliged to give priority to the Council's advice, but only to assess the views conveyed.

Subsequently, the Regular Report and strategy paper published near the end of 2003 reaffirmed the December 2002 European Council decisions on the possibility of opening accession negotiations with Turkey. Under the heading "National Security Council," it commended the legal reforms adopted by the Turkish government as remarkable steps towards complying with the political conditionality in the realm of civil-military relations. The composite strategy paper on enlargement stated that the functioning and composition of the NSC had been substantially changed and progress had been made in "bringing the framework of civil-military relations closer to practice in EU member states."

3.2.2.2 EU Harmonization Laws, Accountability and Transparency Building

The second aspect of the political conditionality for membership is related to the issue of accountability and transparency building in defense and security matters. From 1999 to the present, and particularly in 2002-2006, reforms introduced by EU

harmonization laws also restructured several aspects of the relations between the military and legislative, executive and judiciary institutions.

The Legislature and the Military

A first issue addressed by the EU relates to the establishment of “full parliamentary oversight” over defense and security policies, including the defense budget. The European Parliament, particularly relating to these issues, has addressed the need for “alignment to European standards and practices” (European Parliament, 2003). In this respect, earlier reports emphatically state that the “lack of governmental control over the army gives causes for concern.” The European Commission (2000) in this connection decried how “there seems to be too little accountability to the Parliament with regard to defense and security matters.” The 2002 report returned to this point, stating that “the Armed Forces enjoy a substantial degree of autonomy in establishing the defense budget ... [yet] details of the military budget have been made public via the press,” which is an important step in transparency. However, according to the report, “there are still two extra-budgetary funds available to the military in spite of the efforts of the Government to close such funds and make expenditures subject to normal budgetary procedures” (European Commission, 2002).⁷⁵

Following the EU’s guidelines, Parliament approved a number of harmonization reforms during 2003-2004. These reforms improved legal arrangements for the transparency of defense budgeting and expenditures. They expanded the mandate of the Audit Court to audit military expenses and introduced the new Law on Public

⁷⁵ The extra-budgetary funds referred to in the Regular Reports are the Defense Industry Support Fund and the Turkish Armed Forces Strengthening Foundation.

Financial Management and Control. As explained in the history section, it is fair to say that the main structures for parliamentary oversight exist in Turkey. However, the military was given some prerogatives by the way a 1971 constitutional amendment exempted the Turkish Armed Forces budget from Audit Court oversight. This privilege was eliminated by the legal amendments introduced through passage of the seventh EU harmonization package. The Article 12 added to the Law on the Audit Court (No. 832 dated February 2, 1967) states that upon the request of the Parliament, the Court “audits the accounts and transactions of all public bodies and institutions.”⁷⁶ Thus, the Audit Court exercises such control on behalf of Parliament upon the request of Parliament’s Presidency based on the decision of parliamentary committees. The reformed law also includes an innovation that provides transparency for auditing the state property in the hands of the Armed Forces, while referring to the principle of confidentiality as required by the national security services. The transparency of defense expenditures was improved under the seventh harmonization package of political reforms. The reformed Law on the Audit Court (Article 12, Law No. 832 dated February 2, 1967) provides that

the principles and procedures for this auditing shall be regulated by a bylaw classified “SECRET” which shall be prepared by the Ministry of National Defense, in consultation with the General Staff and the Audit Court and be approved by the Council of Ministers.⁷⁷

The Regular Report of 2003 welcomed these legal-institutional developments addressing the political conditionality. However, the EU still expressed interest in the development of further policies to expand the scope of these legislative changes and

⁷⁶ EU harmonization laws, seventh harmonization package approved by the Parliament on July 30, 2003, published in the Official Gazette on August 7, 2003. Also available from <http://www.belgenet.com/yasa/k4963.html>

⁷⁷ EU harmonization laws, seventh harmonization package approved by the Parliament on July 30, 2003, published in the Official Gazette on August 7, 2003.

implementation of the reforms. Concerning the seventh harmonization package's provisions on financial accountability and transparency matters, the report noted

In spite of the extension of the remit of the Audit Court to national defense, the Armed Forces continue to enjoy a substantial degree of autonomy in preparing and establishing the defense budget and public procurement in the defense-related area ... there are still two extra budgetary funds available to the military.

Additionally, in the “Strategy Paper and Report on Continued Enlargement” issued in 2003, the Commission added concerns about accountability. In this respect it stated that “full parliamentary control over the military expenditures must be ensured both in terms of approving the budget and in terms of auditing.” The report states that the narrow legalistic approach must be complemented by a simultaneous diffusion of norms and change in the attitudes of the political actors operating through these institutions in order to ensure effective alignment.

Following the October 2003 report, an amendment to the Law on Public Financial Management and Control (Law No. 5018 dated December 10, 2003) was passed that December, bringing all extra-budgetary funds into the overall state budget. It required more information and documents to be attached to the budget proposal, including defense budget proposals. The law (which went into force in January 2005) was amended to provide inclusion of hitherto extra-budgetary funds in the budget of the Ministry of National Defense. These funds are now subject to direct audit by Parliament, and the time period of debate and negotiation is extended. This increases accountability to Parliament. Under the law, the Finance Ministry is “the central governmental unit in setting standards and monitoring implementation.”⁷⁸ Additionally, the budgeting method was changed to require “performance report for

⁷⁸ Further information on the duties and responsibilities of the Finance Ministry is available in its webpage, <http://www.mfa.gov.tr>

efficiency audit to be submitted to the Parliament and to the related institutions.”⁷⁹

This aims to bolster Parliament’s information resources concerning the outcome of defense spending.

Constitutional amendments introduced in the first half of 2004 further strengthened the legal-institutional structure in terms of accountability and transparency building. Following this period, Article 160 on the Audit Court was amended in October 2005 to delete a paragraph imposing restrictions on the inspection of funds of the Armed Forces.⁸⁰ The defense secrecy clause was also removed from the Constitution. The procedure for auditing is done on behalf of Parliament. Under the changes, the Audit Court, on Parliament’s behalf, has the right to request that the government reveal, explain and justify policy and plans in the defense domain. Therefore, at the behest of Parliament, the Audit Court is to inspect all areas where public means are used in line with the bylaw establishing the principles governing audits of state property provided to the Armed Forces.⁸¹ Parliament’s 2005 and 2006 budget sessions conformed to the new laws.⁸²

Furthermore, as mentioned in the Accession Partnership documents (2001, 2003), the civilian dimension is central in establishing the democratic governance of civil-military relations in Turkey. In this respect, the authoritarian legacy was eliminated not only through constitutional amendments but also by several complementary EU

⁷⁹ For more detailed analysis, see (Narh. 2006: 171).

⁸⁰ The ninth harmonization package passed by Parliament in 2006 implemented constitutional change by amending the Law on Audit Court authority to audit military expenditures: “All public expenditures without any exceptions and without exempting any institution from being accountable shall be subject to judicial control of the Audit Court.”

⁸¹ See 1982 Constitution, Article 160 (as amended on October 29, 2005).

⁸² Available from <http://www.tbmm.gov.tr> (assembly records – *meclis tutanakları*).

harmonization laws passed between February 2002 and August 2003 to guarantee citizens' democratic right to participate in political processes.⁸³ These legal reforms are also referred to as "democratization packages" (Özbudun and Yazıcı, 2004). These packages are an integral part of Turkey's process of Europeanization. While enlarging the scope of certain fundamental rights and liberties such as the freedoms of thought, expression, and association, they also consolidated and expanded the channels of political participation. Constitutional Amendments in 2001 and in 2004 significantly widened the scope of fundamental rights and liberties written into the 1982 Constitution, strengthened their safeguards, reinforced the rule of law, and eliminated certain military prerogatives (Özbudun and Yazıcı, 2004). These reforms concern the expansion of political rights. They are significantly related to domestic political change concerning accountability and transparency building in civil-military relations. These reforms are significant in terms of democratic oversight because they legally improve civilian competencies to oversee or participate in the formulation of government decisions on defense and security matters, among other equally important policy issues.

Therefore, from 2003 to 2006, these harmonization laws addressed the issue of improving parliamentary oversight over defense and security affairs and budgets, following the guidelines of the political conditionality. Turkey's policy goal of opening accession negotiations with the EU was the major factor pushing the initiation of these reforms.

⁸³ See the 1982 Constitution (December 2006 edition) for in-depth details on constitutional amendments within the framework of EU harmonization laws. For detailed information about these legal reforms, see *Political Reforms in Turkey* published by the Directorate for Political Affairs of the Secretariat General for EU Affairs, available from <http://www.abgs.gov.tr>. EU harmonization laws are also available from <http://www.belgenet.com/yasa>

The Executive and the Military

A second aspect of legal reforms has to do with relations between the military and executive institutions. As explained above, legal reforms relating to the NSC resulted in a redefinition of the powers of the institution within the executive branch of government. The reforms empowered the Council of Ministers in this respect. However, the Regular Report published near the end of 2000 stated:

Civilian control over the military still needs to be improved. Contrary to the EU, NATO and OCSE standards, instead of being answerable to the Defense Minister, the Chief of the General Staff is still accountable to the Prime Minister.

Here the EU refers to the division of powers among the Ministry of National Defense, the chief of the General Staff and the prime minister. The EU leaves the option of adopting the “best practice” available in member states to the initiative of the government and parliamentary committees. However, it refers to EU, NATO and OSCE standards to guide Turkish authorities in their reform plans.

The EU’s expectations concerning the status of the chief of the General Staff answering directly to the prime minister rather than through the Ministry of National Defense have yet to be met. The legal-institutional setting is a hindrance in this case. The issue of direct accountability to the prime minister was addressed in the 2000 report, but the government paid it no heed. The government argued that existing arrangements in Turkey provide sufficient grounds for a functioning democracy. In other words, according to government authorities, subordinating the chief of the General Staff to the Ministry would not suit Turkey’s current needs.⁸⁴ The main reason for the reluctance to adopt this reform is the fear that it would serve to politicize the institution of the military. The Ministry of National Defense and the

⁸⁴ “Genelkurmay AB için çalışma grubu kurdu” (The General Staff established an EU working group), *Radikal*, January 11, 2000.

Turkish General Staff work in close cooperation. Yet, for the effective functioning of these institutions, the latter is directly responsible to the prime minister. Despite the hierarchical supremacy of the prime minister to the national defense minister, in practice this specific law does not contradict the principle of military accountability to civilian authority (Soysal, 1979: 271-272).

In addition to this, the regular reports voiced concerns about the presence of military members in several state institutions. The EU referred to the military representative sitting on Higher Education Council (European Commission, 2000). Furthermore, the European Commission's Regular Report (2003) also included concerns about military representatives on civilian boards such as the Supreme Council of Radio and Television. This latter issue remained unresolved despite the removal of military representatives from the Cinema, Video and Music Supervision Board by an amendment to Law No. 3257 under July 2003's sixth harmonization package. Following these reports, in May 2004 the 1982 Constitution (Article 131) was amended so as to remove the military representative from the Higher Education Council. Furthermore, the ninth harmonization package of June 2004 abolished the NSC's right to appoint a representative to the Supreme Council of Radio and Television. Therefore, EU harmonization laws wiped away the NSC's power to influence education, art and broadcasting policies. The removal of military representatives from these supervisory institutions by EU harmonization package-related constitutional amendments also reflects the role of the EU's political conditionality in triggering legal-institutional changes.

The Judiciary and the Military

The first aspect of legal reforms in this area bears on the relationship between judicial institutions and the military. In the late 1990s and early 2000s, European Commission and European Parliament reports on Turkey regularly criticized the existence of State Security Courts. The composition of these courts was questioned especially within the context of the independence of the judiciary and the rule of law. In one early report the EU criticized the discrepancy in the judicial system these courts represented, saying

the judicial system includes emergency courts (the state security courts), which are not compatible with a democratic system and run counter to the European Convention on Human Rights ... This is the only example in Europe in which civilians can be tried at least in part by military judges ... Major efforts need to be made to ensure the real independence of the judiciary and to give the judicial system the human and material resources it needs to operate in a manner consistent with the rule of law (European Commission, 1998).

Following this report, as a step towards civilianization of the State Security Courts, in 1999 Article 143 of the 1982 Constitution was amended to exclude military judges and public prosecutors from these courts. Subsequent EU reports (1999-2003) voiced similar concerns, but noted “the replacement of the military judge by a civilian one in State Security Courts” as a positive development. According to the European Commission, this represented “a clear improvement in terms of the independence of the judiciary.” The Accession Partnership document of March 2001 also addressed this issue as a short-term priority, urging Turkey to “improve the functioning and efficiency of the judiciary, including the state security court in line with international standards.”

The EU harmonization laws approved by Parliament between February 2002 and August 2003 introduced several legal changes along these lines. The seventh

harmonization package of August 2003 amended the Law on the Establishment and Trial Proceedings of Military Courts (No. 353, 1963) with a view to ending military jurisdiction over civilians in accordance with the principle of the rule of law.⁸⁵ It also aligned the detention procedures of military courts with other courts. The provision on the Council of State (Article 155) was amended on August 13, 1999, expanding the power of higher courts to review decisions and judgments handed down by all administrative courts. However, military concerns about the independence of the administrative courts from the executive were among the hurdles to further reforms in this respect.⁸⁶

After being totally civilianized by the 1999 reforms, the State Security Courts were abolished altogether in June 2004 through amendments to the 1982 Constitution (Article 143 annulled). Thus, one of the institutions inherited from military governments of the past was eliminated from the constitutional order in line with the EU's conditionality. Equally importantly, in June 2006 the Military Criminal Code was amended in line with the priorities of the Accession Partnership document issued that January. The law now stipulates, "No civilians will be tried in military courts in peacetime unless military personnel and civilians commit an offense together." The law also introduced the right to retrial in military courts if there is a European Court of Human Rights ruling in favor of military or civilian persons who have been tried by these courts. They can seek a retrial. The abolition of the State Security Courts,

⁸⁵ The harmonization laws bringing several changes to the Law on the Establishment of and Proceedings at Military Courts were subsequently approved by Parliament on February 6, 2002 (first package, Law No. 4744), March 23, 2002 (second package, Law No. 4748), June 19, 2003 (sixth package, Law No. 4903), and July 30, 2003 (seventh package, Law No. 4963). Available from <http://www.tbmm.gov.tr>, and <http://www.belgenet.com/yasa>

⁸⁶ For further information on the relations between the judiciary and military, see Yazıcı (1997).

along with several changes to the law on military courts to end military jurisdiction over civilians, are noteworthy in terms of the independence of the judicial system.

3.3 Toward Closer Integration

At its year-end 2004 summit, the European Council decided to open accession negotiations with Turkey on October 3, 2005. The domestic reform pace of 2001-2004 was a major factor in the EU's decision to integrate Turkey more closely with the Union. Additionally, the latest reports of the European Parliament recognized "the impressive efforts of the Turkish authorities to achieve substantial legislative and institutional convergence in Turkey towards European standards." This development is significant as the European Parliament has been noted for its generally negative attitude towards Turkey's membership bid. In light of the reform process, the European Parliament (2004) called "upon the European Council to open the accession negotiations with Turkey without delay."

More specifically, the 2001-2004 period was very significant in terms of the restructuring of civil-military relations. The provision of a clear EU prospective on Turkey's membership fueled reform-oriented domestic preference convergence. In addition to the EU incentives for formal institutional change, domestic political responses were also very influential in shaping Turkey's path of Europeanization in this area. Constitutional amendments and supporting legislation, enacted through Parliament's passage of EU harmonization packages, signaled a clear evolution towards domestic alignment with EU norms and practices. In this connection,

Turkey's commitment to closer integration with the EU was a major mediating factor. Despite several institutional constraints, this commitment led to preference convergence among a plurality of domestic political actors relating to Turkey's legal reform process. In this context, political conditionality for membership legitimated the pro-EU actors in initiating legislation that reformed longstanding legal-institutional structures. Changes in the composition and functioning of the NSC meant a revision of its executive powers and a legal redefinition of the power of its military members. Additionally, reforms related to accountability and transparency building were important move towards strengthening civilian authority.

However, the EU still has reservations concerning Turkey's legal reform process. Addressing the issue of democratic governance and civil-military relations, subsequent reports from EU institutions and particularly those of the Commission (2004-2006) were markedly different in tone from previous ones. Though acknowledging that "the government has increasingly asserted its control over the military," a 2004 report struck a cautionary note in saying that "the process of fully aligning civil-military relations with EU practice is underway" (European Commission, 2004). Therefore, according to the EU, several issues remain to be addressed.

First, the EU provided for additional guidelines in terms of legal-institutional reforms and their implementation. Recent reports note, "as regards the institutional framework, there are legal and administrative structures which are not accountable to the civilian structures."⁸⁷ According to the revised version of the Accession

⁸⁷ These formal structures referred to in the reports (2004-2006) are particularly related to the EU's evaluations of the implementation of legal reforms. They concern the consolidation of democratic

Partnership document of January 23, 2006, as part of the democracy and rule of law condition of enhanced economic and political criteria, Turkey has to

continue to align civilian control of the military with practice in EU member states ... Take steps towards bringing about greater accountability and transparency in the conduct of security affairs. Establish full parliamentary oversight of military and defense policy and all related expenditure, including by external audit. Abolish any remaining competencies of military courts to try civilians.

The EU has emphasized the importance of further increasing overall institutional capacity for the implementation of reforms and coordination of EU funds, since domestic institutions are the most effective bodies in implementing these reforms (European Commission, 2005).

Second, as will be seen in the following chapters, the EU (2004-2006) further stressed the processes of policy alignment and the informal aspects of domestic institutional change as integral parts of the conditionality for opening and continuing accession negotiations. Subsequent reports stated, “Further efforts are needed to raise awareness among elected members of the Parliament and to continue to build up relevant expertise among civilians” (European Commission, 2005). Therefore, a significant shift in the EU’s emphasis is on the centrality of the civilian dimension of the reforms, demonstrating that all the political reforms associated with the political conditionality for membership are intertwined.

governance to establish full parliamentary democratic oversight in defense and security affairs, the abolition of any remaining competencies of military courts to try civilians, the Internal Service Law of the Armed Forces (which seems to provide for an extensive interpretation of the duties and responsibilities of the institution according to the EU), and the division of power between the Ministry of National Defense, prime minister and chief of the General Staff. Additional legal reforms in this sphere are related to reorganization of the Ministry of National Defense so as to further integrate its departments’ military and civilian apparatuses and thus facilitate coordination and cooperation on defense and security issues.

Again, in the EU-Turkey Association Council (2006), the EU communicated its common stance. The primary emphasis is on the consolidation of legislative changes. The deepening of political reforms is seen as meaning implementation of the reform processes and making them irrevocable. In this respect, it stated that the improvement of domestic institutional capacity to digest legal reforms would be supported by EU financial and technical aid. Concerning reforms in civil-military relations introduced from 2001 to 2005, EU-Turkey Association Council resolutions emphasized that it is essential that “Turkey consolidate reforms adopted in previous years and remains committed to further reforms in this area.”

On Turkey’s side, the EU’s positive incentives, such as the granting of membership candidacy and the expression of the political will to start accession talks with Turkey, were significant for the establishment of a certain *modus vivendi* between the government and other political actors in the realm of legal reforms relating to civil-military relations. This is not to argue that state and political elites unanimously accepted all the reforms emanating from Turkey’s EU membership candidacy, but that the EU empowered those reformist sections (or at least allayed Euroskeptic tendencies) of the state and political elites through its policy of inclusion towards Turkey. The Republican goal of being recognized as an integral part of the European order is the main source of legitimacy for the legislation of harmonization laws introduced so far for improving the democratic governance of civil-military relations. Parliament’s passage of most of the legal reforms (2001-2006) demonstrates to a significant extent the preference convergence among domestic actors, including the military, towards overcoming discrepancies in Turkey’s process of Europeanization. From 1999 to the present, the Parliament has passed nine EU harmonization

packages with a considerable consensus established between the government and the opposition.⁸⁸

In this connection, the Turkish General Staff has established an EU working group for the purpose of coordinating legal-institutional harmonization reforms.⁸⁹ According to the Turkish General Staff, structures to guarantee the democratic governance of civil-military relations already exist in Turkey.⁹⁰ In 2005, then Chief of the General Staff Hilmi Özkök stated

There are some demands (from the EU). Some are suitable, others are not. Some will become suitable in the long run. The Turkish Armed Forces is under civilian authority. Our duties are set forth in the Constitution and the laws. We comply with them ...what matters is the control of the civilian authority.⁹¹

This statement suggests various concerns raised by senior officers such as whether the political reforms would weaken the functioning of the NSC.⁹² In this connection, the NSC's first civilian secretary general, Yiğit Alpogan, mentioned that there are structures similar to the NSC in EU member states as well.⁹³ The position of the military was also reflected in a 2004 statement made by General Yaşar Büyükanıt, who was then deputy chief of the General Staff:

⁸⁸ General Assembly Records (1999-2006), available from the Parliament, <http://www.tbmm.gov.tr>

⁸⁹ "Genelkurmay AB için çalışma grubu kurdu" (The General Staff established an EU working group), *Radikal*, January 11, 2000.

⁹⁰ "Genelkurmay AB için çalışma grubu kurdu" (Turkish General Staff established an EU working group), *Radikal*, January 11, 2000.

⁹¹ "Özkök: Zaman içinde uygun" (Suitable in the long run), *Milliyet*, November 5, 2005 ("Zaten bazı talepler var. Bazıları uygun bazıları değil. Bazıları belki zaman içinde uygun hale gelebilir. TSK siyasi kontrolün altındadır. Görevimiz Anayasa ve yasalarda bellidir. Onların dışına çıkmayız. Çıkıldıysa onun gereği yapılır ... Önemli olan biçim değil özdür. O da siyasi otoritenin kontrolüdür.")

⁹² "TSK Objects to the Seventh Package," *Turkish Daily News*, July 19, 2003.

⁹³ "Orgeneral Kılınç: 7. Uyum Paketi MGK'yı işlevsiz bıraktı" (Seventh harmonization package leaves the NSC without purpose), *Milliyet*, August 25, 2003.

During deliberations on the seventh reform package, we conveyed our views to the government. Some were accepted, others were not. Now that Parliament has passed them into law, it is our duty to comply with them. We only hope that our concerns and worries prove groundless.⁹⁴

Additionally, several concerns on making the chief of the General Staff responsible to the Ministry of National Defense have been voiced as well, such as the question of whether such legal reforms carry the risk of politicizing the Turkish Armed Forces and making it ineffectual, in view of Turkey's past experiences.

Addressing the remaining point of concerns voiced by the EU, General Büyükanıt said in 2006 that the current practices are in line with democracy and the supremacy of civilian authority.⁹⁵ Accordingly, the legal arrangements firstly stipulate that the promotion of national security is the responsibility of the Council of Ministers, which is accountable to Parliament, and for this reason, according to Article 117/4 of the Constitution, the chief of the General Staff is responsible to the prime minister.⁹⁶ Second, the role and the responsibilities of the military, including the issues of accountability and transparency, are clearly defined in the Constitution and related current laws.⁹⁷ In this respect, during the preparation of annual budgets, the related state institutions oversee military expenditures and the process is clearly explained in applicable regulations.⁹⁸ Finally, the General Staff underlines that the Armed Forces' main responsibility as defined by law is protecting the Republic and safeguarding the

⁹⁴ Cited in (Heper, 2005a: 38). See also "Alpogan, AB üyesi iki ülkede Türkiye'dekine benzeyen yapıda MGK olduğunu söyledi" (Alpogan said in two EU countries there are similar structures to NSC in Turkey), *Milliyet*, December 1, 2004.

⁹⁵ The speech of General Yaşar Büyükanıt in the opening of the 2006-2007 academic year of Military Academies on October 2, 2006.

⁹⁶ See also the speech of General Yaşar Büyükanıt in the opening of the 2006-2007 academic year of Military Academies on October 2, 2006.

⁹⁷ See also the speech of Deputy Chief of the General Staff İlker Başbuğ on July 8, 2004.

⁹⁸ The speech of General Yaşar Büyükanıt in the opening of the 2006-2007 academic year of Military Academies on October 2, 2006.

secular democratic regime, and that fulfilling these functions with due respect to the rule of law does not constitute involvement in politics.⁹⁹ In this connection, former Chief of the General Staff Hilmi Özkök once said, “Turkey should reform its legal system to conform to the EU criteria without ignoring the republican characteristics of its state.”¹⁰⁰

In conclusion, Turkey’s EU accession process has resulted in comprehensive legal reforms in the area of civil-military relations. Despite institutional constraints, domestic actors approved the legal reforms in order to integrate Turkey closer to the EU. However, from 2003 onwards the EU reports have demonstrated a clear shift from formal, legal aspects of institutional reforms to more substantial aspects, such as policy change and the internalization of political reforms. The formal aspects of institutional change explored so far are expected to “spillover” into policy processes and informal institutional structures. The following chapters undertake the analysis of these two aspects of change triggered by Turkey’s EU accession process.

⁹⁹ See “Org. Büyükanıt: Cumhuriyeti korumak siyaset değil görev” (Protecting the Republic isn’t politics, it’s a duty), *Milliyet*, August 29, 2006, and “Orgeneral İlker Başbuğ: İrticai tehdit kaygı verici boyutlarda” (Reactionary threat is at worrying dimensions), *Radikal*, September 26, 2006. See also the retirement speech of the Chief of the General Staff Hilmi Özkök on August 28, 2006.

¹⁰⁰ Cited in (Heper, 2005a: 39-40).

CHAPTER 4

EUROPEANIZATION AND POLICY CHANGE: DEMOCRATIC GOVERNANCE OF CIVIL-MILITARY RELATIONS

This chapter analyzes the impact of the EU's political conditionality on policy change in the area of civil-military relations in Turkey. The first section explores the evolution of policy structures related to civil-military relations from a historical perspective. The second section focuses on policy Europeanization. These policies include approximation of domestic policy formulation as well as alignment of foreign policy. The underlying reason for this structure is that, first, the EU's conditionality for membership proposes the approximation of domestic policymaking with the "best practice" in member states.¹⁰¹ This includes strengthening civilian policy competencies and finding civilian solutions to domestic policy problems. Second, political conditionality covers foreign policy alignment along the EU's common policies and policy guidelines. These include promotion of peaceful relations with neighboring countries, alignment with the European Security and Defense Policy, and peaceful resolution of the Cyprus problem. These issues are

¹⁰¹ In terms of domestic policy issues, the EU proposes the approximation of policy formulation in the area of civil-military relations with the "best practice" in the member states, because internal security and defense requirements differ from one country to another. The common ground is the assertion of civilian initiative in the formulation of these domestic policies. However, relating to foreign policy issues, the EU specifies alignment with its common foreign and security policies in the area in which both Turkey and the EU have comparable concerns.

components of Turkey's national security policy, an area where the EU sees considerable military influence. The overall aim of the chapter is to test whether the civilian authority in the formulation of these policies has been further strengthened during Turkey's EU membership process (1999-2006).

4.1 The Evolution of Policymaking Patterns: From “Intervention” Towards “Non-Intervention”

Viewed historically, an evolution of the military's policy styles can be seen from direct intervention in politics towards non-intervention. A ruling style as the “product of Turkey's specific cultural, social and institutional context” has been influential in the evolution of patterns of civil-military relations (Narlı, 2000: 119). Three main legacies are influential in shaping the policies of the military. The first is the Ottoman legacy, against which the military has developed a “mentality of modernization and Westernization,” as well as the “Young Turks tradition” from which military reformism in politics is inherited (Harris, 1988; Turfan, 2000). The second is the legacy of victory in the Turkish War of Independence, which provided legitimacy to the military in the eyes of the Turkish people as the founders of modern Turkey (Knoonings and Kruijt, 2002; Güney, 2002a: 163). The third is the legacy of Kemalist policies, which provided the military with a normative basis centered on the principles of secularism, democracy and integrity of the Turkish Republic (Hale, 1988: 160).

During the decline of the Ottoman Empire and the establishment of a modern Turkish nation-state, the function ascribed to the military was that of being the driving force of policies of modernization conceived as Westernization (Heper, 2005a; Hale, 1996).¹⁰² The army had a central role throughout the Ottoman Empire, and particularly the 19th century onwards. It was one of the main state loci supporting and initiating modernizing reforms in order to establish a modern independent nation-state modeled on its European counterparts for the sake of international recognition (Harris, 1988; Hale, 1996). The Republic of Turkey was founded upon the norms and principles of the Kemalist elites, who won the national struggle of independence against foreign invaders as well as the old regime. The military's support for Kemalist policies strengthened its role in the polity. Therefore, the Kemalist heritage forms the foundation of the mentality of the Turkish Armed Forces and remains influential in military policies. Kemalist policies aimed at the political modernization of relations between the state and society by extending reforms to the civilian sphere (Mardin, 2002). Kemalist thought provided the foundation for a project of political modernity aimed at creating a nation-state in which the ideals of an imperial, Islamic state were replaced by the principle of secularism and the people were unified under Turkish national identity. The reforms initiated during this period laid the basis for policies meant to sustain Republican principles.¹⁰³

¹⁰² The modernization process in the empire first started in these institutions, such as developing military-bureaucratic professionalism with regard to conjunctural changes as well as technological developments (Heper and Evin, 1988).

¹⁰³ As an integral part of reform policies, the six principles of the Republic were republicanism, nationalism, étatism, secularism, populism and reformism. For a chronology and detailed information of reforms initiated in the early Republican period (1920-1946), see Mustafa Kemal Atatürk's *Speech* (October 15-20, 1927), İnönü (2006 ed.), Tunaya (2002), and Özerdim (1974).

During Turkey's modernization process, the principle of secular democracy and the conception of nation and state as indivisible elements of the Republic came to constitute the main norms to be upheld (Mardin, 2002). Democracy was seen as an integral part of Westernization, one whose institutions would be established to progressively mediate national sovereignty and ensure civilian rule (Rustow, 1988). To this end, Atatürk and İnönü highlighted the importance of separating civilian and military institutional functions for the purpose of strengthening military professionalism and effectiveness in all defense- and security-related functions (Heper and Güney, 2000: 195; Karaosmanoğlu, 1993). The transition to multiparty politics in 1945 was a demonstration of the state elites' commitment to a functioning democracy on the model of European states. İnönü, as the chairman of the Republican People's Party, characterized multiparty politics as the opposition's "freedom to debate and challenge any of the principles of the ruling party", excepting "the Kemalist tenets of republicanism and secularism" (Karpas, 1988: 138).

However, during this period, the Republic faced several challenges such as the lack of a strong democratic tradition on the model of the West.¹⁰⁴ This was a result of the longstanding Ottoman mode of governance, as well as the strong influence of Islamic tradition as a potential challenge to secularism (Güney, 2002a). Additionally, the integration of the center and the periphery presented a challenge for establishing a centralized, modern state (Mardin, 2002). These challenges were among the sources of several policy problems faced throughout Republican history. The democracy conception of the military evolved from this period onwards into a "rational

¹⁰⁴ This conception of democracy started to evolve in the late Ottoman era (Heper, 1985). The parliamentary model of democracy has its roots in the empire's first (1876) and second constitutional eras (1908). In Western Europe (both on the continent and in Britain), by contrast, parliamentary structures had already evolved by the 16th century (Poggi, 1978).

democracy” understanding (Heper, 2002a: 139). Under this conception, “political actors primarily seek what is best for the country through intelligent and patriotic debate for the purpose of deciding upon the best policy option” in which responsibilities to the Republic take precedence over responding to particular social groups or individual interests – although the former does not necessarily exclude the latter (Heper and Güney, 2000: 636).

As explored in the previous chapter, Turkey underwent three military interventions, which had important consequences for the evolution of the military’s policy styles. Interventions can be considered policy strategies employed by the military to fulfill its constitutional functions (Güney, 2002a). The interventions, by reformulating the content of national security policy, were central in underlining civilian institutions’ lack of initiative in terms of the follow-up and implementation of national policies. Thus, viewed from a liberal-democratic perspective, direct military interventions are infringements on governmental policies (Kooning and Kruijt, 2000; Cafario, 1998).

By 1983 the Turkish experience demonstrated that there is civilian initiative in policymaking in defense and security related matters as well, especially following the 1983 election of the Motherland Party (Evin, 1994; Karaosmanoğlu, 2000). Despite the military’s continued influence through the NSC, a competent government was able to develop economic and social policies and to extend its area of competence from domestic and foreign policy to defense and security policy-related matters as well, including overview of the defense budget (Evin, 1994; Karabelias, 1999). In terms of domestic policy issues, the military held back from involving itself in areas that fell under the competencies of civilian institutions (Hale, 1996: 248).

Civil-military relations appeared to have normalized by the mid-1990s. The military attitude towards democracy, such as the political responsiveness of political elites to various social groups, softened (Heper and Güney, 2000: 139). However, the early 1990s was also an era marked by the rise of ethnic nationalism and political Islam, both of which gradually came to be considered major challenges to the integrity of the nation and the secular-democratic order of the Republic (Özbudun, 2000; Aydın and Keyman, 2004). These developments dramatically affected Turkish political and social life. The rise of radical religiously oriented political parties and social movements, of Kurdish separatism and PKK terrorism, and of nationalism in the form of exclusionism in several sectors of Turkish society were factors that raised concerns within the military (Güney, 2002a; Karaosmanoğlu, 2000).

At the February 28, 1997 meeting of the NSC, concerns were communicated to the Council of Ministers about rising threats to the secular-democratic order, while emphasizing that Article 24 of the Constitution had been violated.¹⁰⁵ NSC measures resulted in the resignation of the coalition government made up of the Welfare Party (*Refah Partisi*) and the True Path Party (*Doğru Yol Partisi*). Whether what came to be known as the February 28 process can be described as a “postmodern coup,” one marking a shift in style of military interventions in governmental policies, is still being debated (Güney, 2002a; Moskos and Burk, 1994). The military’s reactions to the political events that led to the February 28 process can be considered an illustration of just such a shift. In a break with the past, the challenges to the secular-democratic order of the Turkish Republic were handled without recourse to a direct

¹⁰⁵ Article 24 of the 1982 Constitution reads: “No one can exploit or misuse religion, religious feelings or things considered religious in whatever form or amount with the aim of making the basic social, economic, political or legal order of the state dependent on religious rules for political or personal interest or to exert influence.”

military coup (Heper and Güney, 2004). The military acted through the NSC by persuading governmental actors and gathering support from a significant chunk of Turkish society (Bölügiray, 1999: 122).¹⁰⁶ Following this period, the military, instead of acquiring further institutional competencies as in previous interventions, showed its willingness to withdraw from the political arena (Heper, 2005a).

Historically speaking, in Turkey's case, the policy competencies of the military can be seen as the result of the lack of a strong democratic tradition. The problem reveals itself in petty party politics, high levels of corruption, and the inability of civilians to solve political and economic crises (Güney and Karatekelioğlu, 2005: 443). Obviously, it would be unreliable to study Republican history only as the sum of policy decisions made by the military. On the contrary, through the existence of a parliamentary system, free and fair elections, and the major institutions of the Western model of democracy, civilians have been active in the formulation of all governmental policies (Hale, 1996). Throughout the Republican experience, civilians have acquired considerable power in conducting domestic and foreign policies to the extent that they do not conflict with the basic tenets of the Republic. Yet depending on the policy issue in question, it may be observed that the military is influential to varying degrees, specifically relating to Turkey's security and defense concerns. The next section briefly explores these policy issues in which the military has been influential.

¹⁰⁶ For a detailed analysis of the February 28, 1997 process, see also Heper and Güney (2004).

4.2 Policy Issues: Definition of National Security

Besides a country's geopolitical location, domestic and international factors are also influential in shaping national security and defense policies. The decisions of the NSC are made according to the definition of national security.¹⁰⁷ The Law on the NSC and its Secretariat General (December 9, 1983, No. 2945, Article 2a) defines national security as

the protection and maintenance of the state's constitutional order, national presence, integrity, all political, social, cultural and economic interests on an international level, and contractual law against any kind of internal and foreign threat¹⁰⁸

In Article 2b of the same law, the state's national security policy is defined as

the policy covering the principles of the course of internal, external and defense actions determined by the Council of Ministers within the views set by the NSC with the aim of ensuring national security and achieving national objectives.

Analysis of the resolutions of the NSC is an important resource for grasping the evolution of the content and scope of national security policy. National security policy documents are formulated in line with the main parameters of national security matters discussed by the NSC.¹⁰⁹ Its resolutions are important to the extent they have an impact on policymaking. First, NSC resolutions cover a number of

¹⁰⁷ Press releases of NSC meetings are available from <http://www.mgk.gov.tr> (*MGK Toplantılarının Basın Bildirileri*).

¹⁰⁸ "The elements of 'constitutional order, national presence, integrity, national interests and contractual law' defined under national security are among national values of vital importance to the State," see Ministry of National Defense (2000: 12), available from <http://www.msb.gov.tr>. See for further information on the Law: <http://www.mgk.gov.tr/kanun.html>

¹⁰⁹ On October 31, 1997 the NSC approved the national security policy document. The document includes the threat of separatist and reactionary activities, the threat of political Islam for Turkey, and the rise of extreme forms or tendencies within Turkish nationalism. In terms of the country's foreign policy priorities, it covers the strengthening of relations with the Turkic republics, Turkish-Greek relations, the perceived threat from Greece and measures to prevent conflict, the goal of Turkey's achieving full EU membership EU, the negative attitude of some governments toward Turkey's EU bid, and the need for increased economic efforts – including privatization – to integrate Turkey with the globalizing world.

domestic policy issues. Threats to the secular-democratic order, the rise of ethnic forms of nationalism and the situation in Turkey's southeast have been on the NSC's agenda since the 1970s.¹¹⁰ Second, the Cyprus issue and relations with Greece have been on the foreign policy agenda for quite a long time, especially since the 1974 Cyprus crisis (NSC, 1974 and 1987). Foreign policy issues related to relations between Turkey and the EC/EU, and NATO, are also set forth as policy objectives. Additionally, Turkey's relations with neighboring countries in the Eastern region have also been important items on the national security policy agenda (NSC, 1961-1990).

From the early Republican era on, Turkey has followed a policy of neutrality and peaceful relations with neighboring countries. However, the international conjunctures have been influential in shaping Turkey's policies since then (Hale, 2003). During the Cold War era, Turkey became a NATO ally, and set the foundation of its EC/EU membership objectives. Starting in the 1960s and extending to the present, the EC/EU has provided additional impetus for Turkey's modernization and Westernization policies. It is argued in this dissertation that from the 1990s onwards policies of modernization have combined with policies of Europeanization since the declaration of the Copenhagen criteria for membership and particularly since Turkey gained candidate status. This is demonstrated by how Turkey's Western orientation and its aspiration to become an EU member took the form of policies of EU harmonization within the framework of the pre-accession strategy.

¹¹⁰ Press releases (1970-1998), available from the web page of the NSC: <http://www.mgk.gov.tr>

4.3 Turkey's Compliance with EU Conditionality: Towards Strengthening Civilian Authority in Policymaking

This section analyzes policy change along the guidelines of the EU's political conditionality. In Turkey's case, EU-triggered policy change has occurred through the provision of particular policy models, the insistence on specific policy standards, and public rhetoric. These include the strengthening of civilian authority in the formulation of foreign, security and defense policies. Therefore, policy harmonization regarding civil-military relations consists of issues of high politics such as those relating to national security policy, an area where the EU sees a direct influence from the military. These aspects of change are explored below under the sections on domestic policy approximation and foreign policy alignment.

4.3.1 Approximation of Domestic Policy Formulation

Turkey's civilian authority has increasingly been seen to assert its control over the policies of the military. Especially from 2001 to 2006, the passage of major political reforms – also referred to as democratization reforms – opened the way for further strengthening of civilians' role in domestic policymaking processes. The following parts of this section aim to demonstrate this process of domestic policy change through analyzing government and military responses to EU policy guidelines for domestic politics.

4.3.1.1 EU Policy Guidelines for Domestic Politics

Historically speaking, the EC/EU expressed its opinion on a number of domestic policy issues well before the first regular report published at the end of 1998. These mainly included concerns about military interventions, as policy strategies to respond to domestic problems, from the viewpoint that the policies followed by elected representatives were inadequate to meet the country's needs.¹¹¹ Meanwhile, both the European Parliament (1991, 1992) and European Commission (1989) communicated their concerns about the negative consequences for political stability of weak societal channels of political participation. In these reports, Turkey's democracy, rule of law and respect for human rights were deemed inadequate.

Following this period, there are three major domestic policy guidelines that can be deduced from the official EU reports (1998-2006). (1) Strengthening of civilian institutions. These include democratization reforms to increase civilian competencies in domestic policymaking. (2) Translating these reforms into policy practices. (3) Formulating civilian solutions for domestic policy problems related to national security. According to the EU, these policies should be formulated with due respect for democracy, human rights and the rule of law.

The first aspect of the political conditionality for the approximation of domestic policy structures concerns the adoption and implementation of legal-institutional

¹¹¹ Following the 1980 coup, the EC decided to freeze the Association Agreement and blocked the fourth financial protocol. This signified that during the military regime, policy decisions were not legitimate from the perspective of the EC. Relations gradually stabilized after the restoration of a civilian government by 1983 and the Turkish application for EU membership in 1987. See the introduction to the 1998 European Commission Regular Report, which provides an overview of Turkish-EU relations.

reforms. Starting with the inclusion of Turkey in the pre-accession strategy, the EU progressively provided official guidelines for legal harmonization and institutional adaptation. The military dimension of the reform process has been covered above, in Chapter 3, under the sections on the NSC and the issue of accountability and transparency. Additionally, by the end of 1999, subsequent Turkish governments had initiated a series of political reforms towards improving democratic institutions with civilian dimensions. These reforms focused on enhancing channels of political participation and improving parliamentary oversight over security and defense policies. These reform laws passed by Parliament in 2001-2006 are an integral part of Turkey's policies of integration with the European Union. EU harmonization laws mediated variables of Europeanization and change in domestic policy processes.

The second aspect of the EU's political conditionality relates to the implementation of legal reforms in the realm of civil-military relations, or the spillover of legal changes into policymaking processes. The EU expressed on various platforms that it would monitor the extent to which political reforms in Turkey "enhance de facto civilian control over the military" (European Commission, 2001). The EU mentioned that the military is employing several direct and indirect strategies to exercise influence on government policy. In this respect, the military's influence on formulating, coordinating and implementing national security policy was emphasized. Additionally, the European Commission said that military members of the NSC

also played an active role in the debate about reforms to comply with the EU political criteria. They have been particularly active on issues such as cultural rights, education and broadcasting in languages other than Turkish (European Commission, 2002).

Furthermore, the European Commission (2005) questioned the broad definition of national security in Article 2a of the Law on the NSC. It contended that the law defines “national security in such broad terms, that it could, if necessary, be interpreted as covering almost all policy areas.” In this respect, EU institutions stressed the importance of strengthening the hand of civilian institutions in security and defense policymaking (European Commission, 2005; European Parliament, 2004). Similarly, the Accession Partnership document (2006) stated, “it should be ensured that civilian authorities fully exercise their supervisory functions, in particular as regards the formulation of the national security strategy and its implementation.” The EU particularly emphasized the implementation of legal reforms towards improving democracy in policymaking processes and further civilianization of policy designs within the scope of the national security policy. In this connection, the expansion of civilians’ political rights would improve the democratic governance of civil-military relations.

The third aspect of the EU’s policy guidelines is related to the improvement of domestic institutional capacities toward strengthening democracy and the civilian authority in coming up with “civilian solutions” to domestic policy problems (European Commission, 1999; European Parliament, 2001). Accordingly, the EU proposed several guidelines for the resolution of domestic policy problems back in the Agenda 2000 on enlargement, as adopted on July 15, 1997:

Turkey has a government and Parliament resulting from multi-party democracy, democratic elections and an administration capable of framing and applying legislation compatible with the *acquis communautaire*. Despite political recognition of the need for improvement and certain recent legislative changes, Turkey’s record in upholding the rights of the individuals and freedom of expression falls well short of standards in EU.¹¹²

¹¹² EU views of the situation in southeast Turkey were restated at the April 1997 Turkey-EU Association Council. Moreover, the 1998 report raises concerns of excessively broad interpretation of

Additionally, the Commission (1998) stated that “Turkey should have no doubt that the Union upholds the territorial integrity of Turkey and all countries in the region, and condemns terrorism.” It added, however, that “in combating terrorism in the southeast, Turkey needs to exercise restraint, to make greater efforts to uphold the rule of law and human rights and to find a civil not a military solution” (European Commission, 1998).¹¹³ The Commission stated that Turkey should

intensify efforts to develop a comprehensive approach to reduce regional disparities, and in particular to improve the situation in the southeast, with a view to enhancing economic, social and cultural opportunities for all citizens.

One can infer from these reports that the EU associates these political problems with the relative weakness of policy programs designed to reduce sources of inequality among citizens, which in turn threaten to deteriorate into illegal activities such as terrorism. Furthermore, the Accession Partnership documents (2001, 2003, and 2006) emphasized the short- and medium-term need to develop policies aimed at the improvement of fundamental rights and liberties, political and civil rights, and the rule of law. The improvement of democratic institutions was characterized as a component of Turkey’s accession prerequisite as well as a step towards the resolution of several internal political problems – to the extent that these would provide for the improvement of democratic pluralism, freedom of expression. The

the Anti-Terror Law, which concerns crimes against the state, and its national and territorial integrity. The law was also criticized for muzzling public criticism of the armed forces. It was argued that to some extent the law contradicts the principle of freedom of expression, so long as it is non-violent. Thus, the law was seen as restricting political participation despite the 1995 constitutional amendments, which aimed at strengthening the fundamental rights of citizens of the Republic. See the Regular Report of the European Commission, 1998.

¹¹³ The report (1998) mentions that “a civil, non-military solution must be found to the situation in the southeastern Turkey, particularly since many of the violations of civil and political rights observed in the country seems to be connected in one way or another with this issue,” such as the impact of the then state of emergency on daily life for all citizens in these provinces, with consequences for the restrictions of the political rights of citizens in general. The European Commission back in 1998 proposed in this connection that a civilian solution might include “the recognition of certain Kurdish cultural identity and greater tolerance of the ways of expressing that identity, provided that it does not advocate separatism or terrorism.”

EU's policy approach was that in addition to strengthening the political, civil, economic and social rights enjoyed by all Turkey's citizens, the expansion of cultural rights would help resolve potential internal security problems. The EU also stated that freedom of expression should be guaranteed, so long as it is both non-violent and does not support acts of terrorism. The EU emphasized that it would support democratization efforts through providing technical and financial assistance.

In sum, the assertion of civilian initiatives in policymaking concerning matters of national security and defense is the most important component of the political conditionality in the area of civil-military relations. The main mechanism through which policy Europeanization occurs is the process of approximation of policies at the national level with the policy guidelines provided by the EU.¹¹⁴

4.3.1.2 Government Policies

Government policies towards strengthening the civilian authority constitute a central plank of improving democratic governance of civil-military relations within the context of Turkey's Europeanization process. As an integral part of Turkey's policy of integration with EU, subsequent governments addressed all three aspects of the EU's political conditionality discussed above.

Under the 1999-2002 coalition government of the Democratic Left Party, Nationalist Action Party and Motherland Party, a series of democratization reforms was passed

¹¹⁴ Common policy issues are also discussed on several platforms such as the Joint Parliamentary Commission and the Turkey-EU Association Council (i.e. which met in April 2002) in which Turkey's progress in meeting the Copenhagen political criteria – in particular in the area of human rights and fundamental freedoms – is discussed. Additionally, there have also been exchanges of views on the Cyprus issue, the peaceful settlement of border disputes, and the fight against terrorism.

by Parliament. These reforms addressed the expansion of citizens' rights and liberties provided by the Constitution. Turkey's candidacy process, which started in December 1999, legitimated the government's reformist policies. EU policy rhetoric empowered the arguments of reform-oriented elites.¹¹⁵ Despite objections from the Nationalist Action Party, abolition of the death penalty and changes to the law on learning and broadcasting in languages other than Turkish were approved by Parliament.¹¹⁶ In the words of then Prime Minister Bülent Ecevit, "Turkey has no alternative besides the EU." The coalition government under the prime minister affirmed that Turkey was committed to following policies of integration with the EU.¹¹⁷ The National Programme for the Adoption of the Acquis adopted in March 2001 contained most of the policy priorities, particularly in connection to strengthening democracy, the rule of law and the improvement of fundamental rights and liberties, as defined in the Accession Partnership (2001).

Following the November 2002 general elections, which toppled the coalition in an election upset, the new government of the Justice and Development Party reasserted Turkey's commitment to democratization along with its EU membership process.¹¹⁸ In this period, the European Council's decision to give a date to open accession negotiations with Turkey not later than 2004 reinforced the credibility of its EU membership hopes. Recep Tayyip Erdoğan, the ruling party leader who would later become prime minister, stated on December 14, 2002 that

¹¹⁵ Lale Sariibrahimoğlu, "EU seeks to see Turkish democratic reforms on ground," *Turkish Daily News*, September 21, 2001.

¹¹⁶ "The Battle Lines in Turkey," *The Economist*, January 13, 2001.

¹¹⁷ For a detailed analysis of the 1999-2002 period, see Cem (2005).

¹¹⁸ "Gül: AB reformlarında kararlıyız" (Gül: We're determined on EU reforms), *Hürriyet*, May 20, 2003, and "Murat Sungar: AB'den Başka seçenek yok" (Murat Sungar: There is no option besides the EU), *Hürriyet*, May 8, 2003. Murat Sungar was then secretary general for EU affairs.

Turkey has devoted considerable efforts on the way toward EU membership. Impressive constitutional reforms have been done. Turkey will continue to take decisive steps concerning EU membership. The majority in Turkey wants to reach the level of contemporary civilization, while preserving their own values. The Copenhagen summit decision provides Turkey with an opportunity to acquire more democracy.¹¹⁹

Therefore, the government conceived of Turkey's EU membership process as a valuable contribution to the strengthening of democratic structures in Turkey. In this period, sweeping reforms, such as the seventh EU harmonization package, were approved by Parliament. Additionally, the revised version of the National Programme for the Adoption of the Acquis was agreed upon in July 2003, stating that

Accession to the European Union is the principal project that will carry Turkey to its goal of prosperity. Turkey's aim of integration with the European Union is a social reform project that will affect both the present and the future of every citizen ... Every political, legal, economic or social reform on the path to membership, whilst increasing the living standards of the individual, also increases international economic influence, democratic respectability, and the security of the country, in line with international standards.

The political reforms aimed at strengthening democracy and civilian authority are part of the government's policies.¹²⁰ These cover increased legal protection in the areas of freedom of thought, expression and communication, prevention of torture, freedom of individual security, and freedom of association. Political reforms are major mechanisms in the approximation of domestic policy structures in line with the

¹¹⁹ Erdoğan was initially unable to take the premiership due to a political ban which was overturned in early 2003, and he became prime minister that March (current President of the Republic Abdullah Gül served as prime minister from November 2002 until then). Erdoğan's speeches (2002-2007) are available at the Justice and Development party website, <http://www.akparti.org.tr> (archives). ("Türkiye AB yolunda çok ciddi bir gayret sarfetti. AB üyesi ülkeleri bile şoke edecek Anayasa değişiklikleri yapıldı. Türkiye AB üyeliği konusunda kararlı adımlar atmaya devam edecektir. Türkiye'nin çoğunluğu kendi değerlerini koruyarak çağdaşlaşmak istiyor. Türkiye, Kopenhag Zirvesi'nden çıkan kararlar daha çok demokrasi elde etme olanağıyla karşı karşıyadır.")

¹²⁰ Detailed information about these legal reforms can be retrieved from "*Political Reforms in Turkey*" published by the Directorate for Political Affairs of the Secretariat General for EU Affairs, available at <http://www.abgs.gov.tr>. See also the 1982 Constitution (December 2006 edition) for in-depth details on constitutional amendments within the framework of EU harmonization laws. Also available at <http://www.belgenet.com/yasa>

priorities of Accession Partnership documents. These reforms complement legal-institutional change regarding the military as listed in Chapter 3, Table 2.

The reform policies adopted at the governmental level are a demonstration of the broad-based political will for EU membership in Turkey.¹²¹ There has been considerable support from major civil society groups.¹²² The 2004 European Commission report also affirmed that there has been a strong consensus between the ruling party (the Justice and Development Party) and the main opposition (the Republican People's Party) on the policy of pursuing EU accession, meaning that many EU-related reforms have been adopted by a large majority.¹²³

In this connection, Prime Minister Erdoğan stated, “Turkey will become a civilized country to the extent these reforms are internalized.”¹²⁴ Here, the prime minister's policy rhetoric is in conformity with the EU's regular reports, which emphasize the substantiation of legal reforms by institutional practices. The prime minister also repeatedly emphasized that the Copenhagen criteria were being adopted so as to improve the quality of life of Turkish citizens and not necessarily solely for the EU to accept Turkey as a member state.¹²⁵ According to him, these criteria could also be referred to as the “Ankara criteria.” Meanwhile, then Foreign Minister (and future

¹²¹ Cited from the Secretariat General For EU Affairs (June 2004).

¹²² “Sivil Girişim: Şimdi Sıra AB’de” (Civil Initiative: Now it’s the EU’s turn), *Hürriyet*, October 7, 2002.

¹²³ “Baykal: AB için her adım atılmalı” (Baykal: All steps should be taken for the EU), *Hürriyet*, May 20, 2003.

¹²⁴ Recep Tayyip Erdoğan speech on December 17, 2002.

¹²⁵ “Türkiye’ye müzakere tarihi verilmeyişi çifte standartın ta kendisidir!” Recep Tayyip Erdoğan’s speech on December 9, 2002, and “Dünya Habercileri İstanbul Buluşması” Prime Minister’s speech on November 3, 2006.

president) Abdullah Gül, as a demonstration of the continuance of pre-existing Turkish foreign policy under their government, stated that Turkey would continue with great decisiveness the political and economic reforms.¹²⁶ He argued that these reforms were in the interest of the people.¹²⁷

To follow up the implementation of legal reforms and coordination of EU affairs, administrative units were established, such as the General Secretariat for EU Affairs, and EU units in public institutions. The Interior and Justice Ministries distributed circulars to ensure effective implementation of the legal reforms.¹²⁸ Ali Babacan, then minister of state responsible for the economy and chief EU negotiator, stated that all administrative units should cooperate in the EU harmonization process and increase institutional capacities to adopt the EU *acquis*.¹²⁹ The government's strong commitment to implement Turkey's policies of integration with the EU was also demonstrated by Gül and Babacan's declaration on "Turkey's program for harmonization with the EU *acquis*." The declaration was made in response to a slowdown in the negotiation processes in late 2006 due to problems arising from the Cyprus issue. At an April 2007 press briefing, the foreign minister declared that the government had prepared a road map for the reforms needed by Turkey. He said the road map was the result of cooperation with 130 civil society groups and 200 public

¹²⁶ "Türkiye'nin yolu bellidir, bu yolda ilerlemek kendi halkımızın çıkarına olduğu için ilerliyoruz," speech of then Prime Minister Abdullah Gül on December 14, 2002.

¹²⁷ "Türkiye'nin yolu bellidir, bu yolda ilerlemek kendi halkımızın çıkarına olduğu için ilerliyoruz," speech of then Prime Minister Abdullah Gül on December 14, 2002.

¹²⁸ Cited from the Foreign Ministry Secretariat General for EU Affairs Directorate for Political Affairs. June 2004. *Political Reforms in Turkey*. Available from <http://www.abgs.gov.tr>

¹²⁹ "Hayırlı Yolculuklar," *Radikal*, October 13, 2005.

institutions, including the chief of the General Staff.¹³⁰ Following the declaration, Prime Minister Erdoğan stated that it was in the interest of the Turkish people that the reform process, along the lines of the EU's conditionality for membership, go forward whether the EU accepts Turkey or not.¹³¹

The reform process demonstrates a clear shift in government policies in terms of prioritizing Turkey's democratization process on the way toward integration with the EU. Domestic actors' cost/benefit analysis of compliance with EU policy design has been a determining factor of change. Projected benefits of EU membership won over the domestic costs of compliance. In this context, the EU's conditionality empowered the arguments of reform-oriented sectors of political society by altering opportunity structures and expectations, and provided a legitimate basis for new domestic policy preferences.

However, several aspects of the reform policies are still widely contested in Turkey.¹³² Although European integration provides for additional opportunity structures through political reforms, domestic political actors are still constrained by the prevailing policy structures in which they operate. For instance, the government, opposition party and civil society organizations have not yet reached agreement on changes to controversial Article 301 of the Penal Code so as to improve legal

¹³⁰ "AB'ye Uyum Programı'yla Günlük Hayat Değişecek" (With the EU reform program, daily life will change), *Milliyet*, April 18, 2007.

¹³¹ "AB'ye ister alsınlar ister almasınlar yolumuza devam edeceğiz" (Whether they let us in or not, we will continue), *Milliyet*, April 23, 2007.

¹³² For further analysis of political cleavages regarding Turkey's EU membership, see Avcı (2003).

protection for freedom of expression.¹³³ Additionally, in 2002-2006, there were several instances of disagreement between the opposition Republican People's Party and ruling Justice and Development Party over whether some of the reforms would weaken Turkey's fight against terrorism, increase the potential threat of political Islam to the secular-democratic regime, or harm Turkey's national security interests in the region.¹³⁴ However, according to the government, democracy and security are complementary issues. In 2004 then Foreign Minister Gül argued that "freedom and democracy cannot be experienced if there is no security. Democracy and the fight against terrorism are not mutually exclusive, they are complementary."¹³⁵ Therefore, according to the government, the improvement of democratic institutions could possibly solve domestic policy problems and facilitate Turkey's EU membership bid.

4.3.1.3 Military Policies

Turkey's policy objective of integration with the EC/EU is one of the major reasons for changes in the policy styles of the military, such as their relations with the civilian authority and their perspectives on policy solutions to domestic political problems. To begin with, by 1999, mounting a direct military coup had become a less feasible option for the military. Supporting the argument, when asked in an interview

¹³³ "Erdoğan: 301 için somut öneri gelirse, biz gereğini yaparız" (If there is a concrete proposition for 301, we will do what is necessary), *ABHaber*, October 5, 2006.

¹³⁴ "CHP Genel Başkanı Baykal, Milliyet'in Sorularını Yanıtladı" (CHP leader Baykal Speaks to Milliyet), *Milliyet* daily newspaper, May 24, 2007, and "CHP Genelsekreter Yardımcısı Hacaloğlu: AB Projesi, AKP'nin Tek Başına Taşıyamayacağı Kadar Büyük ve Önemli bir Projedir" (The EU project is a great, important project which cannot be undertaken by the JDP single-handedly), June 8, 2006.

¹³⁵ "Gül: Geriye gidiş yaşanmaz," *Radikal*, April 19, 2004. ("Güvenliğin olmadığı yerde özgürlük ve demokrasinin tadını tadamazsınız. Demokrasi ve terörle mücadele, birbirleriyle zıt değil, birbirini tamamlayıcı şeyler.")

how he sees the need for change in Turkey to gain EU membership, General Çevik Bir stated, “The military officers say, ‘There will be no interventions’ – isn’t that a change?”¹³⁶

In the years since Turkey was made an EU membership candidate, the military has given considerable support to the government’s policies of harmonizing domestic structures with EU structures. The military sees EU membership as an extension of Turkey’s policies of modernization and Westernization. The Turkish General Staff has declared that EU membership is an instrument that will help realize the national objectives set by Atatürk, namely “to reach the level of contemporary civilization.”¹³⁷ However, the institution adds that the EU’s bid to become a global power would also benefit from Turkey’s membership.¹³⁸ Speaking to a Greek newspaper, former Chief of the General Staff Hilmi Özkök said:

The Turkish Armed Forces fully supports the reforms undertaken by Turkey within the framework of the Copenhagen criteria on the way towards Turkey’s EU membership ... The Turkish military believes that Turkey’s EU membership will strengthen the social state, economic development and quality of life.¹³⁹ Democracy is the only thing Turkey needs. I believe that our country, through democracy, will grow stronger in the region, and democratization efforts will continue.¹⁴⁰

¹³⁶ Ferai Tınç, “Artık Darbe Yok” (No more military coups), *Hürriyet*, November 1-3, 1999.

¹³⁷ “Genelkurmay Başkanlığı Basını Bilgilendirme Toplantısı” (Press briefing by the Turkish General Staff), November 2, 2004.

¹³⁸ “Genelkurmay Başkanlığı Basını Bilgilendirme Toplantısı” (Press briefing by the Turkish General Staff), November 2, 2004.

¹³⁹ “Özkök’ün sözleri 8. uyum paketi sayılır” (The words of Özkök count as the eight harmonization package). Retrieved June 29, 2006 from <http://www.tumgazeteler.com/fc/ln.cgi?cat=33&a=192750> (“TSK Türkiye’nin AB üyeliği yolunda Kopenhag kriterleri çerçevesinde gerçekleştirilen reformlara tam destek vermektedir ... Türk ordusu, Türkiye’nin AB üyeliğinin sosyal devletin güçlenmesini, ekonomik kalkınmayı, yaşam seviyesinin ve kalitesinin artmasını sağlayacağı inancındadır”)

¹⁴⁰ “Tek ihtiyaç demokrasi” (The only need is democracy), *Milliyet*, August 25, 2006.

Therefore, according to the military, Turkey's policies of EU integration will in the long run bring benefits such as socioeconomic development, improved democracy, and a strengthening of Turkey's security in the region.

However, the military did raise several concerns, principally on proposed reforms such as the Law on Foreign Education and the Learning of Different Languages and Dialects by Turkish Citizens, and the Law on the Establishment of Radio and Television Enterprises, arguing that these could weaken national unity.¹⁴¹ Equally importantly, the military approved of democratization packages to the extent that they conformed to the principle of secularism set forth in the Constitution. The military's reservations came from concerns of the possible weakening of Turkey in its "struggle against the 'lingering' twin threats of political Islam and Kurdish separatism" (Heper, 2005a: 38). In April 2002, then Chief of the General Staff Hüseyn Kıvrıkoğlu said this about Turkish-EU relations:

The armed forces do not discuss the issue of whether Turkey should enter the EU. Membership in the EU will ensure many benefits for Turkey. Turkey wants to increase its welfare, and this could be much easier in the EU. The Turkish people and bureaucracy will gain discipline and dynamism, and have to comply with some rules. However, what we say is that the critical position of Turkey, the geostrategic position of Turkey that always creates problems, should be taken into consideration as membership efforts are made. Do not ignore the secular character and unitary structure of Turkey. These are the main principles of the Republic of Turkey. Numerous freedoms will be available if Turkey becomes a member of the EU, but these should not violate democracy and human rights.¹⁴²

Therefore, the military supports the political reforms adopted by the government because it views these reforms as steps towards integrating Turkey closer to the EU. But it also expresses several sensitivities concerning the preservation of national

¹⁴¹ "Copenhagen criteria and the attitude of the TSK," *Turkish Daily News*, June 24, 2000.

¹⁴² "Gen. Kıvrıkoğlu blasts Erdoğan," *Turkish Daily News*, April 25, 2002.

unity along a secular-democratic identity. Later evaluations made by the chief of the General Staff reflect similar concerns. Firstly, the military argued,

secularism is the driving force behind the development of Turkish democracy. Yet any attempt at transforming the Republic into a moderate Islamic state will be opposed by the nation. The success of democratization in the region is dependent on domestic political initiatives.¹⁴³

The commitment of the Justice and Development Party government to the principle of secularism continues to be questioned in Turkey. However, the military's stand can be argued to have softened compared to past experiences, when such reservations were often accompanied by the closure of political parties. According to former Chief of the General Staff Hilmi Özkök, "the nation is the guarantee of secularism."¹⁴⁴

Additionally, the military is committed to the constitutional principle that "the Turkish State, with its territory and nationhood, is an indivisible entity" and "the people of Turkey who founded the Turkish Republic are called the Turkish nation."¹⁴⁵ In an April 2005 speech, Özkök expressed the military's concerns that the PKK exploits the Kurdish issue in order to reach its separatist goals:

The terror organization, which aims to damage the unitary structure of the Republic of Turkey, in addition to its armed struggle, has started to look for other ways to reach its aim ... they have exploited the favorable atmosphere created by the democratic steps taken by our country in the process of EU accession and carried the issue which they call "the Kurdish question" to the EU platform. As a result of these initiatives, the organization tries to impose its demands for cultural rights via the EU ... and gradually increases its political demands.¹⁴⁶

¹⁴³ The speech given by the Commander of the Turkish Armed Forces, General Hilmi Özkök at the Turkish War Colleges on April 20, 2005.

¹⁴⁴ "Laikliğin garantisi ulustur" (The nation is the guarantee of secularism), *Milliyet*, August 29, 2006.

¹⁴⁵ The speech given by the Commander of the Turkish Armed Forces, General Hilmi Özkök at the Turkish War Colleges on April 20, 2005.

¹⁴⁶ The speech given by the Commander of the Turkish Armed Forces, General Hilmi Özkök at the Turkish War Colleges on April 20, 2005.

The military has had reservations about several policies relating to the expansion of group rights, arguing that these could give rise to the disintegration of Turkey along lines of ethnic differences.¹⁴⁷ However, the military also started to emphasize the need to differentiate between the Kurdish issue and PKK terrorism. It refers to the need to enhance civilian, humanitarian solutions to protect the people in the region from political violence and terrorism.¹⁴⁸ Indeed, Deputy Chief of the General Staff İlker Başbuğ stated that it is crucial to differentiate between the people in the region and PKK terrorists.¹⁴⁹ He emphasized the need for spelling out the reasons behind participation in the terrorist organization supporting ethnic nationalism and advocating separatism.¹⁵⁰ However, he added that as long as terrorist activities continue in the region, security forces will continue to take measures to combat terrorism, by force if necessary.¹⁵¹ Equally importantly, the military designed socioeconomic development projects to improve the situation in the southeast.¹⁵²

¹⁴⁷ “Genelkurmay Başkanlığı Basını Bilgilendirme Toplantısı” (Press briefing by the Turkish General Staff), November 2, 2004.

¹⁴⁸ Fikret Bila’s interview with Air Forces Commander General Faruk Cömert in *Milliyet* daily newspaper on September 8, 2006. See also “Bölücü Terörle Mücadelede İçinde Bulunulan Sürecin Değerlendirilmesi Toplantısı” (Assessment Meeting on the Fight Against Separatist Terror), July 19, 2005, and “Genelkurmay Başkanı Orgeneral Hilmi Özkök’ün Uluslararası Sempozyum Açış Konuşması” (International Symposium opening speech of Chief of the General Staff, General Hilmi Özkök), March 23, 2006.

¹⁴⁹ “TSK saldırılara kayıtsız kalamaz” (The TAF cannot ignore the attacks), *Radikal*, August 26, 2006.

¹⁵⁰ “TSK saldırılara kayıtsız kalamaz” (The TAF cannot ignore the attacks), *Radikal*, August 26, 2006.

¹⁵¹ “TSK saldırılara kayıtsız kalamaz” (The TAF cannot ignore the attacks), *Radikal*, August 26, 2006 (“Güvenlik güçleri, terör örgütünün bulunduğu bütün bölgelerde terör örgütünü etkisiz hale getirinceye kadar operasyonlara devam edecektir”). See also the October 2, 2006 speech of General Yaşar Büyükanıt, which says that the fight against terrorism will continue as long as the PKK, which has been recognized as a terrorist organization by NATO and the EU in the context of the Washington agreement on the international fight against terrorism, continues its armed struggle (“Terör örgütü için tek çare silahını kayıtsız şartsız bırakıp Türk adaletine sığınmaktır...Bildığınız gibi, NATO tarihinde ilk defa terörle dünya çapında mücadele için Vaşington Anlaşması’nın kolektif savunmayı öngören 5’inci maddesini yürürlüğe sokmuş, bu amaçla Akdeniz’de bir hareket başlatmış, hem AB hem de NATO PKK’yı terörist örgüt ilan etmiştir.”)

¹⁵² “Genelkurmay Başkanlığı Basın Toplantısı” (Press Briefing by the Turkish General Staff), February 27, 2004. See also “2000 Yılı İç Güvenlik Harekatı Değerlendirmesi” (Evaluation of Year 2000 Internal Security Operation), report issued by the Turkish General Staff on December 7, 2000.

This conforms to EU policy guidelines to solve the problem. In several press briefings, the Turkish General Staff spoke about socioeconomic measures meant to improve the situation in Turkey's east and southeast.¹⁵³ Additionally, at a May 2002 NSC meeting, the council decided to lift the state of emergency from the southeast regions.¹⁵⁴ These developments demonstrate a shift in policy styles. Turkey's EU membership process is one of the factors that mediated this change.

A final issue is the EU's concerns about the military's influence in the conduct of national security policy. In a February 2003 press release, the Turkish General Staff declared that

the Turkish Armed Forces has always refrained from action that would influence the "will" of Parliament, but when deemed necessary conveys its views on legitimate platforms.¹⁵⁵

Procedurally, in accordance with the 2001 and 2003 reforms, the government is entitled to consider NSC recommendations to the extent it deems essential for Turkey's security and defense. Therefore, the military is consulted on matters of security and defense, but the final authority resides in civilian authority. These issues are open to public information and debate through press releases and briefings. The military's major sensitivity on this issue is summed up in a recent speech at the War Academies. Chief of the General Staff Yaşar Büyükanıt stated, "protection of the Republic cannot be considered involvement in politics, it is a legal responsibility,"

¹⁵³ "Bölücü Terörle Mücadelede İçinde Bulunulan Sürecin Değerlendirilmesi Toplantısı" (Assessment Meeting on the Fight Against Separatist Terror), press briefing by the Turkish General Staff on July 19, 2005, and "Genelkurmay Başkanı Orgeneral Hilmi Özkök'ün Uluslararası Sempozyum Açış Konuşması" (International Symposium opening speech of Chief of the General Staff Hilmi Özkök), March 23, 2006. See also Fikret Bila's interview with Air Forces Commander General Faruk Cömert in *Milliyet* daily newspaper, September 8, 2006.

¹⁵⁴ In May 2002, the NSC recommended lifting the state of emergency in the southeastern provinces by the end of the year.

¹⁵⁵ Press release by the Turkish General Staff. Retrieved October 26, 2006 from <http://www.tsk.mil.tr/basac/2003/a04.htm>

and that the military's reservations are confined to the essentials of national security.¹⁵⁶ The national security policy document, which the NSC agreed to in October 2005, among several issues relating to national security such as the fight against terrorism and the preservation of the secular-democratic regime, covers the centrality of safeguarding national interests during the process of EU accession negotiations, referring in particular to the Cyprus issue.¹⁵⁷ The government's position is that civil authority rules and all institutions should confine themselves to the limits of their constitutional functions.¹⁵⁸

These developments demonstrate that in their public rhetoric, both the military and government increasingly refer to the EU's concerns about the military's influence on policy, and state that the civilian authority has the final word concerning all policy decisions. In this respect, it is fair to say that military and government policies are becoming aligned with the EU's political conditionality. Furthermore, in almost all of the policy cases studied above, the military has complied with the government's decisions.

4.3.2 Foreign Policy Alignment

Foreign policy alignment is an integral part of the EU's enlargement strategy. The EU, in line with the pre-accession strategy, has expressed at various times how important it is that Turkey "continues to align its foreign policy objectives with the

¹⁵⁶ "Org. Büyükanıt: Cumhuriyeti korumak siyaset değil görev" (Protecting the Republic isn't politics, it's a duty), *Milliyet*, August 29, 2006.

¹⁵⁷ "Yeni 'Siyaset Belgesi tamam' (New 'Security Document' is ready), *Radikal*, October 25, 2005.

¹⁵⁸ "Erdoğan: TSK da Anayasa'ya uyacak" (The TAF will also comply with the Constitution), *Milliyet*, October 3, 2006.

EU's common foreign and security policy structures" (European Commission, 2004).

This section analyzes the process of foreign policy alignment by demonstrating the extent to which the civilian authority (that is, the government) has asserted control in the formulation of these foreign policy matters.

There are three main foreign policy issues that the EU refers to within the framework of Turkey's closer integration. The first is improving regional peace, cooperation, and stability through the promotion of peaceful relations with neighboring countries (European Council, 2001). The second concerns the establishment of enhanced political dialogue between Turkey and the EU relating to the European Security and Defense Policy (European Commission, 2001). Finally, peaceful settlement of the Cyprus issue is stated as a policy priority in the Accession Partnership documents (2001, 2003, and 2006). These issues are addressed while taking into consideration Turkey's geopolitical location. Foreign policy matters listed in EU reports such as relations with neighboring countries, the European Security and Defense Policy, and the centrality of the Cyprus issue also appear as top priorities on the policy agenda of the government and the NSC.¹⁵⁹ The EU, in this connection, specifies the importance of the assertion of civilian control in the formulation of these policies.

4.3.2.1 Promoting Peaceful Relations with Neighboring Countries

Turkey's uneasy relations with Greece in the Aegean and with several countries in the Middle Eastern region such as Syria, Iran, and Iraq have influenced EU considerations about the extent to which Turkey's security problems will be brought

¹⁵⁹ Foreign policy issues within the framework of Turkish-EU relations are available from, <http://www.mfa.gov.tr>. Press releases of NSC meetings (1997-2007) are available from <http://www.mgk.gov.tr>

under the Common Foreign and Security Policy (CFSP) umbrella in case of full membership (Müftüler-Baç, 2000a). By the end of 1999, Turkish governments had started to deepen policy alignment with the CFSP. In this respect, the promotion of peaceful relations with neighboring countries, while preserving national security interests, was a priority policy issue. Turkey has been committed to relatively compatible goals throughout Republican history (Sander, 1998). Furthermore, there is the long-declared national goal of Turkey's inclusion in the Western community of developed democracies. These led to the evolution of foreign policies meant to maintain multidimensional relations with major global actors and a foreign policy emphasis on international cooperation (Hale, 2003a: 110).

In the 1990s, with the end of the Cold War, political circumstances changed. The restructuring of NATO¹⁶⁰, and the deepening of European political integration following the 1993 Treaty on European Union, have deeply impacted Turkey's geopolitics. The assertion of Turkey's new role in Western security and defense structure became a main policy question due to the country's geostrategic location (Müftüler-Baç, 2001). However, Europe's deepening political integration and enlargement policies have also brought new challenges for Turkey. These challenges sprang from Turkey's quest for EU membership, which necessitated improving democratic institutions while responding to potential domestic and foreign security challenges defined in national security policy. Among several domestic political reasons, the lack of a clear European perspective on Turkey's prospective membership has been a major factor constraining reformist domestic actors (Uğur, 1999; Tocci, 2004). In 1997, the exclusion of Turkey from the new wave of

¹⁶⁰ For detailed information on the restructuring of NATO, see Williams (2002:45).

enlargement while, by contrast, Central Eastern European countries and especially Cyprus were admitted, led to questioning of the role attributed to Turkey in European foreign and security policy structures (Bilgin, 2003). A series of political dialogues between Turkey and the EU resulted in the 1999 Helsinki decision to grant Turkey membership candidacy. This has been an important factor pushing the foreign policy alignment favored by Turkey's political elites. As explored in the previous section, in the 1990s an ever-growing emphasis on respect for human rights as a norm for international recognition also gradually become an integral part of Turkey's policies in the context of EU integration (Hale, 2003b). For the purpose of enforcing human rights practices in the country, successive Turkish governments have ratified several important international agreements.¹⁶¹

In this connection, military authorities have often expressed their support for Turkey's EU membership, arguing that "it will pave the way for Turkey's inclusion into the world of developed democracies" and make an important contribution to security prospects for both Turkey and Europe (Kuloğlu and Şahin, 2006: 101). Recently, the Justice and Development Party government affirmed its commitment to implement political reforms and evaluate foreign policy issues relating to national security and defense within the framework of new legal arrangements.¹⁶² In the post-Cold War process of adapting to the emerging security environment, Turkey's policy objectives of developing peaceful relations with neighboring countries towards

¹⁶¹ Several international treaties so far ratified are available from the web page of the Ministry of Foreign Affairs: <http://www.mfa.gov.tr>

¹⁶² Uğur Dündar, interview with the prime minister on October 16, 2006, *CNN-Türk* TV. See also "Gül: AB konusunda dönülmez yoldayız" (Gül: No turning back from our EU path), *Hürriyet*, May 23, 2003.

becoming an integral part of the process of European integration have grown in importance. The National Programme for the Adoption of the Acquis (2003) states

In international relations, Turkey's EU candidacy advances its position in strategic, security and political terms. Turkey shall continue to develop its relations with its neighbors and adjacent regions in accordance with peace loving foreign policy objective.

During its EU membership process, Turkey has continued to develop its relations with Central Asia, the Turkic republics and Russia within the framework of sustaining peaceful relations with these countries.¹⁶³ Additionally, relations with Greece and Middle Eastern countries have also improved. The remainder of this section focuses on these two foreign policy issues.

Turkish-Greek Rapprochement

Historically, the main bones of contention between the two Aegean countries have been sovereignty rights over the Aegean Sea including the continental shelf, territorial waters, sovereignty over the islands and airspace, Greek minority rights in Turkey as well as Turkish minority rights in Greece, and the Cyprus issue.¹⁶⁴ Following Turkey's EU gaining membership candidacy in 1999, Commission reports have mentioned that Turkey is already in a process of alignment with the Common Foreign and Security Policy in essential respects. But these reports also state that it is essential for Turkey to resolve its conflicts with Greece (European Commission, 2000). Accession Partnership documents (2001, 2003) concerning Turkey mentioned as a medium-term priority peaceful resolution of conflicts between Turkey and Greece.

¹⁶³ Details of bilateral relations between these countries are available at the official website of the Foreign Ministry, <http://www.mfa.gov.tr> (Department of Bilateral Relations).

¹⁶⁴ For an insightful study of contemporary Greek politics, see Allison and Nikolaydis (1999).

Since 1999, relations between Greece and Turkey have shown substantial improvement. The Greek position towards Turkish membership has clearly undergone a transformation, as shown by the way it agreed within the framework of the European Council granting Turkey membership candidacy status and the start of accession negotiations. Turkey's membership candidacy as well as the opening of accession negotiations in 2005 contributed to confidence building between Greece and Turkey. Turkish governments from 1999 to the present have argued that sustained economic, political and cultural cooperation between Greece and Turkey is vital for strengthening the geopolitical position of both countries. These governmental objectives are also stated in the National Programme for the Adoption of the Acquis (2003): "Turkey will continue to undertake initiatives and efforts for the settlement of bilateral problems with Greece through dialogue." Then Foreign Minister Ismail Cem (of the Democratic Left Party), during his official visits to his then Greek counterpart George Papandreou, demonstrated the Turkish government's policy objective of improving its relations with Greece. He stressed the importance of foreign policy measures to prevent a hostile environment in the southern Mediterranean (Cem, 2005). Cem (2005: 222) stated that the foreign policy document on Greece had been prepared by the Foreign Ministry and was then agreed on by the NSC. In this respect, he underlined civilian initiatives. Meanwhile, rising economic relations under the Black Sea Economic Cooperation contributed positively to the rapprochement of Greece and Turkey and other countries in the Black Sea region: Armenia, Bulgaria, Russia, Romania, Azerbaijan, and Ukraine.¹⁶⁵ Economic and political cooperation agreements are also positive developments for promoting regional cooperation between the two countries in line with the EU model

¹⁶⁵ Further information is available from the web page of Black Sea Economic Cooperation: <http://www.bsec-organization.org>

of regional integration. Later, in 2006, then Foreign Minister Abdullah Gül (of the Justice and Development Party) spoke of his government's commitment to Turkey's conventional role in supporting economic and political cooperation and stability in the region, including the enhancement of political and cultural dialogue with Greece.¹⁶⁶ Additionally, civil society initiatives have helped to build mutual dialogue between the two neighbors (Rumelili, 2005).

The military acted in accordance with these foreign policy decisions of the government. In November 2006, Chief of the General Staff Yaşar Büyükanıt visited Greece upon the invitation of his Greek counterpart Admiral Panagiotis Chinofotis, the first such visit by the head of the Turkish military in 40 years. According to the Turkish General Staff, the aim of the visit "was to exchange views on matters of common interest and explore ways to enhance mutual confidence and understanding" within the framework of Confidence Building Measures.¹⁶⁷ In line with decisions made at the meeting to create "a committee of Chiefs of Defense level of the Balkan states, which will meet periodically in order to promote regional security and also discuss military issues of common interest," in April 2007 General Büyükanıt participated in a meeting of this committee held in Thessalonica, Greece.¹⁶⁸ He stated that the military is ready to cooperate on security and defense matters with

¹⁶⁶ "Türkiye ile Yunanistan arasında 8 koldan işbirliği" (Enhanced cooperation between Greece and Turkey), *Zaman*, June 11, 2006, and "Gül ve Bakoyanni yeni güven artırıcı önlemleri görüştü" (Gül and Bakoyanni meeting on new confidence building measures), *Hürriyet*, September 19, 2006.

¹⁶⁷ "Barış için ortak tabur önerisi," *Milliyet*, November 4, 2006.

Details of the official visit of General Yaşar Büyükanıt on November 4, 2006 are available from <http://www.tsk.mil.tr/eng/release/2006/pr05.htm> (Retrieved February 24, 2007)

¹⁶⁸ "Atina'ya 'Ege' de silahsız uçmaya hazırız mesajı" (Message to Athens: We're ready to fly over the Aegean unarmed), *Milliyet*, April 18, 2007, and "Yeni bir devlet kurulamaz" (No new state can be founded), *Milliyet*, April 23, 2007.

Greece, and added that civilian initiatives are also very important in promoting enhanced political and economic cooperation between the two countries.¹⁶⁹

These recent developments demonstrate that the establishment of common structures for cooperation on defense and security is being launched at the military level, as a supplement to governmental and civil society initiatives for Greek-Turkish rapprochement. Therefore, the military acted in line with civilian initiatives for peaceful resolution of the conflicts between Turkey and Greece. The policies of rapprochement between the two countries are evidently part of Turkey's foreign policy for complying with the EU's political conditionality.

Bridging the East-West Divide

A second aspect of foreign policy change that can be studied within the framework of the EU's condition that peaceful relations with neighboring countries be promoted relates to relations with Middle Eastern countries. In its section on common foreign and security policy, the European Commission's Regular Report (2004) stated,

Turkey is an important actor in promoting stability and security in its region (Balkans, Caucasus, Mediterranean, Middle East) and has taken a number of relevant initiatives ... Turkey continues to support the road map for the Middle East peace process. It has taken an active stance in contributing to the efforts to achieve peace and stability in the Middle East ... Bilateral relations between Iran and Syria developed well including in the area of cooperation against terror ... The Turkish Government announced in November its decision not to send troops to Iraq. Turkey has an important role as the principal base for humanitarian assistance from the international community to Iraq ... Turkey should continue to promote security and stability in its region ... the efforts of Turkey to improve and deepen its relations with the neighboring countries are welcome.

¹⁶⁹ "Atina'ya 'Ege' de silahsız uçmaya hazırız mesajı" (Message to Athens: We're ready to fly over the Aegean unarmed), *Milliyet*, April 18, 2007, and "Yeni bir devlet kurulamaz" (No new state can be founded), *Milliyet*, April 23, 2007.

Indeed, Turkey participates in the Middle East peace process and in the Alliance of Civilizations (*Medeniyetler Ittifakı*) project.¹⁷⁰ Policies adopted during the Justice and Development Party government underlined the importance of deepening cultural dialogue and understanding between Muslim communities and the West in view of the negative consequences of the September 11, 2001 terrorist attacks. Prime Minister Erdoğan stated that Turkey intended to play a mediating role in enhancing cultural dialogue and understanding between the East and the West.¹⁷¹ Meanwhile, several visits to Syria, Iran and Saudi Arabia were made at the governmental level.¹⁷² The former Chief of the General Staff, Hilmi Özkök, broadly praised the government's foreign policy approach in the Middle East in relation to Turkey's changing security environment.¹⁷³ However, he added that Turkey is a secular democracy and that "secularism is the main driving source of the development of Turkish democracy."¹⁷⁴ Thus, the present government has taken policy decisions to improve Turkey's relations in the Middle East. However, the military has several times brought up how Turkey is the only secular, majority-Muslim democracy in the region. Therefore, the military subscribes the government's Middle East policies to the extent they are in line with the secular-democratic principles of the Republic of Turkey.

¹⁷⁰ "Medeniyetler İttifakı dünya basınında geniş yer buldu" (The Alliance of Civilizations had been widely covered in world press), *Zaman*, November 14, 2006.

¹⁷¹ "Dünya Habercileri İstanbul Buluşması" (Istanbul Meeting of the World Press), Prime Minister's speech on November 3, 2006.

¹⁷² Available from <http://www.akparti.org.tr>

¹⁷³ "The speech given by the Commander of the Turkish Armed Forces, General Hilmi Özkök at the Turkish War Colleges," April 20, 2005.

¹⁷⁴ "The speech given by the Commander of the Turkish Armed Forces, General Hilmi Özkök at the Turkish War Colleges," April 20, 2005. See also "Luncheon Remarks by General İlker Başbuğ, Deputy Chief of Turkish General Staff."

Furthermore, in the run-up to the March 2003 U.S. invasion of Iraq, responding to strong public opposition, Parliament voted against the deployment of Turkish troops in Iraq, while officially declaring that the Turkish government gives primary importance to the preservation of Iraq's territorial integrity.¹⁷⁵ Earlier that year, then Foreign Minister Abdullah Gül stated

The policy of the government is a state policy. Therefore, there is no difference among the policy of the government, the military, the President of the Republic or any other section. The government takes decisions and everyone implements them. Turkey has a single policy concerning Iraq.¹⁷⁶

The Turkish General Staff executed the decision of the government. General Yaşar Büyükanıt (2007) told a recent press briefing that the General Staff favors a military operation in northern Iraq. Yet, he added that Parliament has the final word, so they will act in accordance with the decision of the civilian authority.¹⁷⁷ Although beyond the scope of this study, the current war in Iraq is a very sensitive issue in terms of Turkey's defense and security interests, not only because of the PKK's presence in northern Iraq but also because Iraq is Turkey's immediate neighbor (Tocci, 2004). Therefore, since relations with Iraq rank as one of Turkey's major political issues, the EU's impact remains very limited.

To conclude this section, the foreign policies explored above can be evaluated as part of Turkey's commitment to preserve peace and stability in its relations with neighboring countries in line with the EU's conditionality. Therefore, Turkey's EU

¹⁷⁵ Fikret Bila, "Ankara'nın iki kuşkusu," (Ankara's two suspicions) *Milliyet*, March 2, 2003.

¹⁷⁶ Then Foreign Minister Abdullah Gül's declaration on January 12, 2003 ("Türkiye'nin Irak'a dönük tek bir politikası vardır. Bu politikayı da hükümet yürütmektedir. Bizim politikamız da Irak'ın siyasi ve toprak bütünlüğünü muhafaza etmektir")

¹⁷⁷ "Meclis Yetki versin, Kuzey Irak'a gireriz," (If Parliament gives us authority, we will conduct a military operation in northern Iraq) *Vatan*, April 13, 2007.

membership process is one of the factors that has led to foreign policy change. In this connection, the military's policy influence has arguably remained limited to the essentials of national security and defense, while it has affirmed that the final decisions rest with the civilian authority. In terms of the European Council's decision to open accession negotiations with Turkey by October 2005 (European Council, 2004), these developments were cited as positive ones.

4.3.2.2 European Security and Defense Policy (ESDP)

Turkey is a member of NATO and has been an associate member of the EC since 1963. Thus, it has been an integral part of Western European Union (WEU) decision-making structures. At the December 1999 European Council meeting in Helsinki, the EU decided to strengthen the effectiveness and capabilities of the Common Foreign and Security Policy pillar.¹⁷⁸ For this purpose, the European Council agreed

to advance ESDP, stating its determination to develop an autonomous capacity to take decisions and where NATO as a whole is not engaged, to launch and conduct EU-led military operations in response to international crises.

¹⁷⁸ The ESDP is part of the CFSP pillar, institutionalized by the Treaty on the EU in 1993. Previous to its institutionalization, the Western European Union was established as the political and security locus of the EC. Yet, cooperation on foreign and security policy has been particularly difficult since a prerequisite was the convergence of national preferences of each of the member states on issues directly related to national sovereignty, defense-security and objectives. Therefore, the EC decided to postpone this issue until political integration on these matters of "high politics" become more feasible. In this period, the WEU continued to be an integral part of NATO. During this period, in response to the changing international security environment, the idea of Combined Joint Task Forces based on "separable but not separate" operational structures evolved. Accordingly, the EU member states, in view of the diverging opinions between NATO and EU on several foreign and security matters, could enable the WEU to utilize NATO forces and equipment for objectives defined in EU's CFSP. The 1999 meeting between the EU and US in Bonn asserted the need for the enhancement of a European capacity to respond to international crises. The evolution of a European Security and Defense Identity was mainly based on the evolution of these policy ideas and structures. Thus, following the establishment of the CFSP (mainly an intergovernmental structure, where mostly unanimous voting determines common policy decisions) by the EU, the member states decided to build the ESDP, which would also include European military capabilities (i.e. a European army) in order to undertake operations independent from NATO's direction, but that would use the cooperation of non-EU NATO members when required. For more details, see Mütütler-Baç (2000: 221-223), Oğuzlu (2004a), Bağcı Yıldız (2004).

A Political and Security Committee, a Military Committee and a military staff were created in March 2000 within the framework of European security and defense management. Thus, the EU members agreed to build, by 2003, a military force capable of performing autonomous operations. In June 2000 at the Santa Feira summit, and in December 2002 at the Nice summit, EU member states agreed to set forth the foundations of the ESDP. The new arrangements would allow non-EU NATO members to contribute to military crisis management to allow the ESDP to benefit from the “force-planning expertise at the military level” of the Alliance.

Civilian and military authorities strongly objected to the fact that Turkey would be excluded from direct ESDP decision-making mechanisms, since according to the resolutions only EU member states would participate in final decision-making.¹⁷⁹ A representative from the Turkish authorities expressed Turkey’s position:

In the case of autonomous EU operations that do not require NATO assets, once Turkey states that the operation lies within the geographic proximity to its territory or affects its vital interests, the EU must assure Turkey of participation in the decision-making process and the operation. Turkey sought an automatic invitation to be made by the ESDP for the operations to be staged in Turkey’s close proximity, such as the Balkans, where Turkey does not have any bilateral dispute but has a close interest.¹⁸⁰

The issue came up on the agenda of the NSC.¹⁸¹ The then chief of the General Staff stated, “We have been observing the formation of the military union of the EU and

¹⁷⁹ İlter Türkmen, “Ordu ve Avrupa Birliği” (The military and the European Union), *Hürriyet*, December 28-30, 1999. Foreign Ministry (press releases), July 18, 2000. See the Foreign Ministry web page: <http://www.mfa.gov.tr> for more details of the government’s concerns about this issue.

¹⁸⁰ Lale Sariibrahimoğlu, “Turkey and EU fail to Bridge the Gap on ESDP,” *Turkish Daily News*, November 13, 2000.

¹⁸¹ National Security Council resolution (2000-2001) press releases available from <http://www.mgk.gov.tr>

we also desire to participate in it.”¹⁸² According to the military, Turkey has demonstrated its peacekeeping capabilities in line with security operations led by NATO and the UN, when participating in joint peace operations within the framework of international military missions in Bosnia, Somalia, and Afghanistan. These are cited as part of policy alignment in defense matters.¹⁸³ Furthermore, the military has stressed Turkey’s regional importance and its contribution to EU security and defense structures, such as the mediator role that Turkey could play in the region due to its geopolitical and strategic centrality.¹⁸⁴

NATO-EU-Turkish relations are particularly important in this context. Turkey has the power, through NATO’s Security Council, to veto decisions relating to the ESDP that would require the cooperation of the Alliance. In 2000 the European Commission proposed the establishment of structured political dialogue with Turkey in terms of reaching a common position on this issue. Troika meetings between the EU presidency and Turkey, and EU-Turkey Association Council Meetings, are the main components of this dialogue. In December 2001, a compromise agreement was reached that made it possible for EU countries to have access to NATO assets while “Turkey’s security concerns would be addressed without undermining European security forces’ independent decision-making” and granting Turkey’s access to the Convention on the Future of Europe (Laeken European Council, 2001). The inclusion of Turkey into the ESDP structure, though it did not fully satisfy Turkey’s

¹⁸² “The speech given by the Commander of the Turkish Armed Forces, General Hilmi Özkök at the Turkish War Colleges,” April 20, 2005.

¹⁸³ 2004-2007 speeches and press releases from the Turkish General Staff, available from <http://www.tsk.mil.tr>

¹⁸⁴ “Orgeneral Büyükanıt’ın Genelkurmay Başkanlığı Devir-Teslim Töreni Konuşması,” the speech of General Büyükanıt on August 28, 2006.

policy position, can be seen as an important step toward solving the security concerns on this issue.

Yet Turkey's request for full membership in the EU, compounded with several political and economic hurdles in its accession process, renders the consolidation of European security identity formation even more complicated (Çayhan, 2003b; Kirişçi, 2004). Indeed, the centrality of Turkey's role in the EU's security and foreign policies has been voiced within the Union. Its role towards strengthening European security and defense capabilities has been particularly underlined.¹⁸⁵ The exclusion of Turkey from this structure is thought to be disadvantageous compared to the security challenges that its membership could possibly bring. First, the EU's need for NATO expertise includes Turkey's military knowledge and capabilities as well as its consent through the Security Council. Second, Turkey's location remains important in terms of linking trade roads from Central Asia to include Caspian oil and gas routes in the framework of the Blue Stream Project (*Mavi Akım Projesi*) in the region. Additionally, the potential role it could play in the mediating longstanding territorial disputes in the Mediterranean and Middle Eastern regions and finding a peaceful solution to these disputes must be considered. Third, in terms of geostrategic location and military infrastructure, Turkey remains an important partner for the EU's security structures (Karaosmaoğlu, 2004: 161). Finally, the 2001 terrorist attacks were a revelation of the scope of the threat posed by international terrorism and crime, among which was noted rising fundamentalist activities. Turkey's ratification of international conventions (i.e. the Washington Agreement)

¹⁸⁵ "Solana's visit has not ended discussions over ESDI" (referring to the predecessor of the ESDP), *Turkish Daily News*, June 2, 2000.

on international cooperation in fighting terrorism is also considered a major step of policy alignment in European Commission and Parliament reports (2002).

Therefore, post-Cold War developments serve to “intensify the security value of Turkey, which could be a model of liberal market economy and secular democracy, to an Islamic world beset by Islamic radicalism, repression and economic failure” (Kirişçi, 2004: 8). In this context, Turkey’s role in the ESDP can be conceived as of promoting stability, peace and security in the region. As explored so far, the government policies that are evolving towards further emphasizing democracy and economic cooperation as part of foreign policy objectives could strengthen Turkey’s hand in terms of ESDP formulation. In this connection, the military’s policies are in line with the government’s policy decisions. However, without Turkey’s full membership in the EU, the defense and security policy alignment process could well remain limited.

4.3.2.3 The Cyprus Issue

One very important issue that remains highly contested within the framework of Turkey’s EU membership is Cyprus policy.¹⁸⁶ Since the Greek Cypriot community applied for EU membership in 1990, Cyprus has been one of the top foreign and security policy issues of both Turkey and Greece as well as the EU.¹⁸⁷ For quite

¹⁸⁶ For in-depth analysis of the history of Cyprus, see Dodd (2006, 2002). For a chronology of events, see <http://www.euractiv.com/eng/enlargement/turkey-accession-cyprus/article-135940>.

¹⁸⁷ Recognition of the sovereignty rights of both Turkish Cypriots and Greek Cypriots remains a central problem hindering resolution of the issue. Turkey’s official position is that no recognition of the southern Cyprus is achievable before the recognition of the political rights of the Turkish Republic of Northern Cyprus (*Kuzey Kıbrıs Türkiye Cumhuriyeti*) representing the Turkish Cypriots. Turkey’s foreign policy framework is available at <http://www.mfa.gov.tr>

some time successive governments and the military, in their policy rhetoric, have stressed the centrality of resolution of the Cyprus issue within the framework of Turkey's security concerns.¹⁸⁸ Turkey's national security policy underlines that the best policy option to resolve the problem is recognition of the Turkish Republic of Northern Cyprus. Turkish concerns revolve around the centrality of the geostrategic location of the island and the protection of the rights of its Turkish Cypriot community. Greece's concerns center on the potential threat of Turkey's domination over the island as well as on unification of the island under Greek Cypriot rule (Müftüler-Baç, 1999: 560). Additionally, the military buildup, within the framework of policies of deterrence, in both the northern and southern parts of Cyprus is also a serious security concern. The geostrategic location of Cyprus, the importance of the Greek position within the EU in terms of its veto power in the European Council on issues such as enlargement, and Cyprus' admission to the EU in 2004 have all led efforts to resolve the policy problem to an impasse (Suvarierol, 2003; Tocci, 2004).

In relation to the EU's policy, there is a reluctance to continue the prolonged dispute within its enlargement zone to the extent that it challenges the supranational institution's security identity (Müftüler-Baç, 2002b). The goal of peaceful settlement of the Cyprus dispute has appeared in all of the relevant EU official reports to date. This includes the impact, already felt, of the issue on Turkey's current accession negotiations process. The Accession Partnership document (2003) states as a short-term priority that the European Council should

in the context of the political dialogue, strongly support efforts to find a comprehensive settlement of the Cyprus problem, through the continuation of the United Nations Secretary General's mission of good offices and of negotiations on the basis of its proposals.

¹⁸⁸ Press releases from NSC meetings (1974-2007), available from <http://www.mgk.gov.tr>

Despite military's reservations regarding the substance of UN plans,¹⁸⁹ it can be seen that in 2003-2006 there has been a clear shift in Turkey's foreign policy rhetoric from prioritizing security towards underlining the need to find a democratic settlement to the Cyprus issue. The National Programme for the Adoption of the Acquis (2003) clearly states that

as part of the enhanced political dialogue, Turkey will continue to support the efforts of the United Nations Secretary General in his good offices mission aimed at a mutually acceptable settlement, with a view to establishing a new partnership in Cyprus, based on the sovereign equality of the two parties and the realities of the Island. Turkey supports the steps taken by the Turkish Cypriot side, which will foster an environment of confidence and pave the way for a comprehensive solution.

Accordingly, finding a peaceful settlement of the conflict that benefits both Cypriot communities will have priority over security and defense considerations. This has been also evident in view of the Turkish government's support in 2004 of the negotiation process over the fifth and latest version of the peace plan developed by then UN Secretary-General Kofi Annan and the April 24, 2004 referendum on the plan in Cyprus.¹⁹⁰ This is not to argue that the opposition party (Republican People's Party) and the government are in full agreement on the plan, but that there has been a substantial change in Cyprus policy during this period (Gülmez, 2007). The argument here is that the most important factor for Turkey's policy change was its policy objective to start accession negotiations with the EU.

However, resolving the Cyprus problem goes beyond being a mere issue of conflict among Greece, Turkey and the EU. It also involves the establishment of peaceful coexistence through democratic means, between the Turkish Cypriots and the Greek

¹⁸⁹ "Genelkurmay Başkanı Orgeneral Hilmi Özkök'ün Konuşması" (The speech of the Chief of the General Staff, General Hilmi Özkök), April 13, 2004.

¹⁹⁰ See also "Dünya Habercileri İstanbul Buluşması" (Istanbul Meeting of the World Press) Prime Minister's speech on November 3, 2006.

Cypriots living on Cyprus (Müftüler-Baç, 1999). Starting in 1999, as resolved at the Helsinki European Council summit, negotiations between the two governments of Cyprus accelerated. Yet both of Cyprus' communities found it difficult to agree on a series of plans developed by the UN.¹⁹¹ On the one hand were the Turkish side's requests for mutual recognition, equal sovereignty rights and the establishment of a federal (or con-federal) model of governance in Cyprus (Dodd, 2005). On the other hand, the Greek Cypriots remained reluctant to consider the Turkish Cypriots as having equal sovereignty rights over Cyprus. The Greek Cypriot community wants unification of Cyprus under the Greek government (Thsonas, 2001).

The Turkish Cypriots and a majority of pro-EU state and political elites in Turkey supported the comprehensive settlement plan proposed by then UN Secretary-General Kofi Annan.¹⁹² However, the Greek Cypriot community rejected the plan in the April 2004 referendum, even though it seemed to their advantage. So the issue remained unresolved. Neither a federal solution nor a system for sharing of sovereign and constitutional rights between the Turkish Cypriots and Greek Cypriots could be achieved. As one observer argued, political manipulation of the feelings of insecurity of the island's two populations during "Yes" and "No" campaigns before the referendum fomented a deep distrust (Christophorou, 2005). This came from concerns over whether Turkey would implement the plan, whether the island would become a Turkish protectorate, and whether there would be a secure future after partition of the island (Christophorou, 2005).

¹⁹¹ For detailed analysis of UN plans, see Clement Dodd (2005). See also <http://www.un.org>, and <http://www.euractiv.com/eng/enlargement/turkey-accession-cyprus/article-135940>

¹⁹² "Cyprus Reunification Fails," *BBC news*, April 24, 2004.

The support provided by the reformist section of the political and state elites for democratic settlement of the Cyprus issue can be considered part of foreign policy change within the framework of Turkey's Europeanization process. During the search for a viable solution to the Cyprus issue, democratic concerns seem to have prevailed over security ones. However, it can be argued that the Greek Cypriot community's rejection of the UN plan has rendered the issue more complicated than ever. After the plan's rejection, the Turkish government was able to show that it had given its full support to settling the dispute through peaceful, democratic means.¹⁹³

During this period, the military acted in accordance with the government's policy on Cyprus. However, after the referendum results, it clearly expressed its views. As then Chief of the General Staff Hilmi Özkök (2005) said,

the Turkish Armed Forces has always supported a just and lasting solution to the Cyprus issue ... There have been two consequences of the April 24 referendums; no longer can anyone accuse either Turkey or the Turkish Republic of Northern Cyprus of causing an impasse on the Cyprus issue ... Turkey could recognize a new order emerging from a negotiation process to be held among parties with equal political status on the island, one which would not be a continuation of the 1960 Republic of Cyprus. This new order must not harm the rights of Turkey arising from the Treaties of Guarantee and Alliance.¹⁹⁴

Therefore, the Turkish authorities, including the military, expressed their criticisms of the EU's one-sided policies with regard to resolution of the problem. Specifically they criticized consideration of the issue in the context of Turkey's accession process, and the weakness of channels for the EU's political dialogue with the

¹⁹³ "Kıbrıs konusu BM zemininden AB zeminine çekilemez," *Zaman*, November 14, 2006.

¹⁹⁴ "The speech given by the Commander of the Turkish Armed Forces, General Hilmi Özkök at the Turkish War Colleges," April 20, 2005.

Turkish Republic of Northern Cyprus.¹⁹⁵ According to the Turkish government, the EU's admission of the Greek Cypriot government, which does not represent the Turkish Republic of Northern Cyprus, has made efforts to settle the issue peacefully even more thorny. The government of the Turkish Republic of Northern Cyprus has voiced similar criticisms. In an interview with *Berliner Zeitung*, President Mehmet Ali Talat said, "We want a federal state composed of two regions and two people. And, we want for there to be political equality between the two sides. For us this is indispensable. The decision in a united Cypriot state shall reflect equality."¹⁹⁶

The change in Cyprus policy along the guidelines set forth in the Accession Partnership contributed to the European Council's decision to open Turkey's accession negotiation talks by the end of 2005. However, it is clear that a peaceful resolution of the situation in Cyprus, to the benefit of both Cypriot communities, has become one of the preconditions to guarantee prospective Turkish membership. Indeed, the pace of Turkey's accession negotiations seems to depend on finding such a resolution. On December 11, 2006 the European Council decided to partially suspend accession negotiations with Turkey on the grounds that it had failed to implement its obligation under the Association Agreement to remove trade barriers to the Greek Cypriots. Enlargement Commissioner Olli Rehn stated that the Turkish Parliament "must ratify the Customs Union Additional Protocol in order for the accession negotiations to proceed."¹⁹⁷

¹⁹⁵ "AB Komisyonu Türkiye 2003 İlerleme Raporunu Açıkladı," speech of then Foreign Minister Abdullah Gül on November 5, 2003, and "KKTC'nin 20. Kuruluş Yıldönümü Kutlamaları," Prime Minister Erdoğan's speech at the 20th Anniversary of TRNC on November 15, 2003.

¹⁹⁶ "Yeni bir ortaklığa ihtiyacımız var" (We need a new partnership), *ABHaber*, August 6, 2006.

¹⁹⁷ Available from <http://www.euractiv.com/eng/enlargement/turkey-accession-cyprus/article-135940>

The current government has expressed its objections, while questioning the legitimacy of the order that resolution of Cyprus is a precondition for Turkey's EU membership.¹⁹⁸ Prime Minister Erdoğan stated, "Nobody shall expect us to open the airports and ports unless the isolation of Northern Cyprus is relieved."¹⁹⁹ The Turkish government has offered several policy propositions to the EU ranging from the importance of lifting EU restrictions on the isolation of the Turkish Republic of Northern Cyprus, extending all the way to its recognition. It has also proposed that the Greek Cypriots open their ports and airports to Turkish Cypriots. Furthermore, Onur Öymen (2006), deputy leader of the Republican People's Party, said that the Greek Cypriots' EU membership violates international law, and this membership has become a tool to impede Turkey's accession process. Thus, he concluded, it is difficult for Turkey to make any concession before the Turkish Republic of Northern Cyprus is recognized as politically equal or Turkey becomes a member of the EU.²⁰⁰

According to the government, a lasting solution is solely dependent on a plan that would take into consideration the demands of the Turkish Cypriots.²⁰¹ These are set as Turkey's conditions for considering lifting the barriers to trade with Greek Cyprus so as to implement the *acquis* and make it possible to recognize Southern Cyprus within the framework of the Customs Union Agreement and other negotiation frameworks within the EU. In 2006, then Foreign Minister Abdullah Gül agreed that

¹⁹⁸ "Erdoğan'dan AB'ye ilk yanıt" (First response to EU from Erdoğan), *ABHaber*, December 12, 2006. See also "AK Parti TBMM Grup Toplantısı" (AK Party Parliamentary Group Meeting) on December 12, 2006.

¹⁹⁹ "Erdoğan links ports issue with lifting of Turkish Cypriot isolation," *Turkish Daily News*, March 22, 2006. See also "TSK sivil iradenin dışına çıkamaz," (TAF cannot act beyond civil authority's will) *Hürriyet*, October 2, 2006.

²⁰⁰ "Türkiye AB için vakit geçirmeden 'B planı' geliştirmeli," (Turkey has to develop a B plan for EU before it is too late) *ABHaber*, December 26, 2006.

²⁰¹ "AK Parti TBMM grup toplantısı" (AK Party Parliamentary Group Meeting), December 12, 2006.

no option besides recognition of the political equality of the two Cypriot communities is acceptable.²⁰² In sum, the Turkish government expects the EU to pursue economic and foreign policies towards relieving the isolation of the North and to support a plan for international recognition of the Turkish Republic of Northern Cyprus. Meanwhile, the military is in line with the position of the government in light of recent developments. The military has also stated that withdrawing the Turkish troops from the island is not possible until a peaceful resolution is achieved to the satisfaction of all the parties involved.²⁰³

It can be argued that by accepting Cyprus' membership in May 2004, well before the conflict was resolved to the advantage of the both Cypriot communities, the EU has impeded foreign policy Europeanization in Turkey, and weakened the EU's normative power to promote a lasting solution to the Cyprus issue (Suvarierol, 2003; Oğuzlu, 2004a). Unless Turkish-EU confidence builds in terms of Turkey's full membership, resolution of the Cyprus problem will remain a controversial issue. Additionally, it must be noted that finding a stable solution to the Cyprus issue involves the peaceful coexistence of Turkish Cypriots and Greek Cypriots, which depends on restoring confidence between the two communities.

In conclusion, in the Turkish case, foreign policy alignment varies across policy issues. Europeanization of policies depends on the degree of challenge and pressure posed by the "fit/misfit" between domestic policy designs and EU imposed/proposed ones. Certain policy problems that have priority from the perspective of the EU may

²⁰² "Kıbrıs konusu BM zemininden AB zeminine çekilemez," (Cyprus issue cannot be brought from the Un platform to the EU) *Zaman*, November 14, 2006.

²⁰³ Press declarations from the Turkish General Staff (2003-2007), available from <http://www.tsk.mil.tr>

or may not have the same importance attached to them at the national level, or perspectives on solutions to policy problems may differ. Therefore, Turkey's ability to adopt EU policies is dependent on prevailing policy structures. Yet, domestic actors are capable of framing Europeanization of Turkey's foreign policy as long as there is political will for full membership. In this case, compliance is highly dependent on the credibility of membership. Therefore, domestic institutional settings and foreign policy legacies matter along with EU policy incentives and rhetoric during the process of foreign policy alignment. However, one general conclusion that can be drawn from the study of foreign policy alignment is that particularly in 2002-2006, the military acted in accordance with the policy decisions of the government. This indicates a clear shift towards further strengthening civilian authority in the formulation of foreign security and defense policies, as has been stipulated in the EU's political conditions for membership.

Chapter 3 and Chapter 2 analyzed legal-institutional and policy aspects of the impact of the EU's political conditionality on domestic political change in the area of civil-military relations. EU reports in 2003-2006 have progressively emphasized the military's "informal mechanism of influence" in Turkish political life. The next chapter complements the study by undertaking an analysis of informal aspects of institutional change.

CHAPTER 5

EUROPEANIZATION AND INFORMAL INSTITUTIONAL CHANGE: THE IMPACT OF EU NORMS AND RHETORIC ON THE MILITARY'S ATTITUDE

This chapter aims to complete the study of Turkey's Europeanization in the area of civil-military relations by analyzing the impact of the diffusion of EU norms and discourses on informal institutional change. This final aspect of Europeanization is tested through studying the military's attitude in the context of Turkey's membership process. The first section discusses factors that have influenced the formation of the military's attitude. The underlying argument is that the credibility of the EU's rhetoric on Turkey's EU membership is a key factor that can positively sway domestic attitudes, and facilitates the internalization of EU norms triggering informal institutional change. This is demonstrated in the final sections of the chapter through the study of two consecutive periods, as follows: (1) Rising expectations about Turkey's EU membership (1999-2004), and (2) The post-2004 period: ruptures in mutual understanding and dialogue. An implicit aim of the chapter is to test whether the military's public rhetoric is line with that of the civilian authority.

5.1 EU Rhetoric on Turkey's Membership: An Influential Factor on Military Attitude Formation

There are several factors influencing the military's attitude formation regarding issues arising from Turkey's integration with the EU. One critical factor is the credibility of the EU's rhetoric on Turkey's EU membership. Turkish-EU relations with reference to the EU's political conditionality are increasingly becoming an integral part of the rhetorical tool of domestic actors in Turkey. This chapter argues that the existence of ambivalent rhetoric in the EU regarding Turkey's membership is a major factor stalling full compliance with the remaining points of concern of EU political conditionality, points associated with the informal aspects of institutional change. A related factor influencing the military's attitude formation is the attitude of civilians – i.e., the government and the public – towards Turkey's EU membership, a factor itself also partially shaped by the EU's credibility.

Providing this, there are complementary factors facilitating or hindering the informal aspects of institutional change. First, there are norms and values associated with the military's role within Turkish polity. These are the preservation of the founding principles of the Republic, and the continuity of Turkey's Western orientation, including Turkey's European vocation. These originate from a conception of modernization as Westernization of which democracy and a "commitment to Europe" are integral parts. In this connection, the role attributed to the military by Turkish society is an integral part of the military's attitude formation. In terms of the evolution of civil-military relations, Turkey's political history is marked by overwhelming support for the military by large sectors of Turkish society. According

to opinion polls measuring attitudes toward domestic political institutions, support for the Turkish Armed Forces is relatively high.²⁰⁴ This is a result of public concerns about the credibility of political elites in responding to domestic political demands in view of high levels of political corruption. Civilian elites, when faced with challenges to the Republican order, have relied on the military's capabilities and given it legal authority to solve political crises rather than taking responsibility for themselves. Turkey's security environment also plays an important role in raising the level of public support for the military.

A second factor is the domestic and international developments associated with changing conceptions of security and defense. Until the mid-1980s, there has been a set of ideals, which the officers came to nurture, entailing

staying out of politics because it is harmful to professional integrity, but intervening in politics whenever it is necessary for the protection of the secular and democratic regime; safeguarding the democratic regime and contributing to the process of democratization (because democratization is part and parcel of Westernization), but refraining from acting as an instrument of the political government; joining the Western community of nations to become an integral part of it, but maintaining a guard against the West.²⁰⁵

The increase in economic and political liberalization from the mid-1980s onward in Turkey's domestic and international political environment has also affected the military's attitude formation. Some scholars argue that this period is marked by a reformulation of the relations between civilian and military institutions towards assigning a more moderate role to the military in Turkish polity (Evin, 1994; Hale,

²⁰⁴ According to the European Commission evaluations of Autumn 2004 Standard Eurobarometer results, the most trusted institution both in Europe (69%) and Turkey (89%) is the military, while trust in the government in Turkey is only 80%, while in EU countries it is just 34%. See also Taha Akyol, "Orduya Güvenmek" (Trusting the Military), *Milyet*, October 4, 2006.

²⁰⁵ This also reflects awareness of "realist" international politics in foreign policy orientations while at the same time aspiring to become a part of the European society of states based on "constructivist" assumptions (Karaosmanoğlu, 1993: 32).

1996). In the early 1990s, former Chief of the General Staff General Necip Torumtay said that

there is no conflict between the military and civilian officials. The Turkish Armed Forces commanders know very well that the civilian authority always has the final word. The Army knows where it stands ... Of course, in meetings with civilian officials differences of opinion will arise. But this is only to be expected.²⁰⁶ ... Our Army is under the authority of the political will but outside politics ... Keeping the Army absolutely outside politics is one of the important factors both for its own discipline and for the protection of our national security and stability.²⁰⁷

From this period onwards, in contrast to the period of 1961-1980, the military's rhetoric has been restricted to issues of high politics, such as political issues which touch upon the fundamental definition, identity, security and defense of the nation-state.

In the 1990s, additional factors influencing domestic politics were Turkey's 1987 application for EC membership and the opening of its membership process by the European Council in December 1999. The following sections analyze the informal institutional aspects of EU-triggered domestic political change and question the prospects for deepening Europeanization in Turkey in the area of civil-military relations. In these sections the formal speeches of senior officers are of particular relevance to the extent that they reflect the official position of the military.²⁰⁸ The public statements of the military reflect the attitude of the institution.

²⁰⁶ Cited in Karaosmanoğlu (1993: 33).

²⁰⁷ Cited in Torumtay (1994: 131-132) ("Ordumuz, siyasi iradenin emrinde ve fakat siyasetin dışındadır. Ordunun mutlak surette siyasetin dışında tutulması, gerek kendi disiplininin ve gerek milli güvenliğimizin ve istikrarımızın korunmasında önemli etmenlerden birisidir.")

²⁰⁸ The analysis of rhetoric undertaken in this chapter and elsewhere in this thesis is primarily based on senior officers' public declarations (i.e. participating in National Security Council meetings as well). The institution of the military is at significant levels a cohesive and homogenous professional body. Officers receive the same secular education based on the founding principles of the Republic and demonstrate a similar sense of professionalism (Karaosmanoğlu, 1993: 21). Therefore, there is less of an issue of representativeness compared to other institutions.

In sum, there are several factors influencing the scope and frequency of public statements made by high-ranking military officers in the context of Turkey's EU membership process, i.e., institutional definitions associated with the military's role such as national security and defense, the levels of societal identification with the EU such as public opinion about the membership process, and most importantly the EU's rhetoric on Turkey's membership. In this connection, the military's evaluations of Turkey-EU relations are influenced not only by European Council decisions and European Commission official reports but also by the recommendations of the European Parliament as well as the public speeches and declarations of EU leaders and the attitude of member states towards Turkey's membership. The analysis of the military's attitude in the context of Turkey's Europeanization process undertaken in the following sections is specifically concerned with the main conjunctures in Turkish-EU relations.

5.2 Rising Expectations on Turkey's Membership (1999-2004)

As early as 1960, the prospect of EC membership was brought up publicly in Turkey. Membership had been primarily conceived in political terms as the realization of the founding principles of the Turkish Republic and national objectives to be recognized as a Western nation (Müftüler-Baç, 1997). By the 1990s the Copenhagen political criteria and Turkey's membership process became an additional impetus for modernization policies. In 2003, then Chief of the General Staff Hilmi Özkök said in this connection,

the Turkish Armed Forces has always acted as the driving force of modernization in Turkey. Turkey's accession to the European Union will

mediate the realization of this objective ... Turkey's EU membership should be accomplished with conditions equal to those of other members and with our national and geographical unity protected.²⁰⁹

From 1999 to 2006, Turkey's EU membership process was an important factor accelerating the diffusion of EU norms within the Turkish political system. Political reforms and policy alignment along with Turkey's project of EU membership explored in previous chapters led to a major restructuring of the relations between civilian and military institutions. Then deputy Chief of the General Staff Yaşar Büyükanıt asserted the military's commitment to Turkey's EU membership by stating that the

Turkish Armed Forces cannot be against Turkey's EU membership because membership in the European Union is a necessary condition, in geopolitical and geostrategic terms, for the fulfillment of Mustafa Kemal Atatürk's objectives of modernization oriented to Turkish society. Turkey's European Union project overlaps with social, political, economic and security objectives ... Turkey is an integral part of Europe and will join the EU.²¹⁰

The military's prevailing attitude, with regard to the continuity of Turkey's Westernization process as a national objective and a security concern, is an important mediating factor for its approval (or disapproval) of government policies in the context of Turkey's Europeanization. Despite several reservations, elaborated on later in this chapter, the military has increasingly referred to the "consolidation of democracy" and "deepening of democracy" and expressed a positive attitude towards

²⁰⁹ "AB'ye karşı değiliz ama onurumuzla girelim" (We're not against the EU), *Hürriyet*, May 29, 2003. ("TSK daima modernleşmenin öncüsü olmuştur. AB'ye girmek de, o amacı gerçekleştirmenin en etkili aracı olacaktır. Türk ordusu zaten 50 yıldır NATO yoluyla Avrupa'nın içindedir, bu nedenle, TSK'nın Türkiye'nin AB'ye girişine karşı olduğu iddiası büyük bir haksızlıktır. TSK AB'ye karşı değil, aksine AB'ye uyumun deneyimli vasıtasıdır. Ancak dikkat çekmek istediğimiz husus AB'ye her şeye rağmen değil, onurla, eşit şartlarda, milli ve coğrafya bütünlüğümüzü koruyarak girmektir.")

²¹⁰ "Orgeneral Büyükanıt: Ordu AB'ye Karşı Değil" (General Büyükanıt: The military isn't against the EU," *Hürriyet*, May 29, 2003. ("TSK Avrupa Birliği karşıtı olamaz. Çünkü Avrupa Birliği Mustafa Kemal Atatürk'ün Türk toplumuna gösterdiği çağdaşlaşma hedefinin, jeopolitik ve jeostratejik bir zorunluluğudur. Bu zorunluluk aynı zamanda; Türkiye'nin sosyal, politik, ekonomik ve güvenlik hedefleri ile de tam olarak örtüşmektedir. Türkiye Avrupa'nın bir parçasıdır ve Avrupa Birliği'ne girecektir.")

Turkey's prospects of membership in the EU (Heper, 2004: 23).²¹¹ However, during this period the military's attitude towards issues arising from Turkey's membership has been greatly shaped by the EU's rhetoric on Turkey.

At the December 1997 European Council summit in Luxembourg, a decision was made to exclude Turkey from the forthcoming enlargement. At the same time it was decided that the EU would open the way for the accession of Central and Eastern European countries, along with Cyprus and Malta. The EU's position on enlargement was reaffirmed three years later at the Council's Nice summit. During the 2000 summit, the institutional structure of the EU was revised so as to include all the candidate countries, with the exception of Turkey. Accession negotiations with Turkey were not on the agenda because it had been assumed that the economic and political conditions had not yet been satisfied. Turkey's political reactions were highly critical, both at the governmental and state level, including the military (Çalış, 2006; Güney, 2002b). The coalition government under Prime Minister Mesut Yılmaz declared that the government would gradually suspend bilateral relations until the EU provided a clear perspective on Turkey's membership.²¹² The military's concerns were reflected in the NSC meeting of December 1997. They "criticized the EU for keeping Turkey outside and adopting an attitude that almost ignored and even complicated Turkey's legitimate security concerns."²¹³ Preceding the Luxembourg European Council meeting, high-ranking officials voiced their resentment of

²¹¹ Heper (2002: 138-146) in his article "The Consolidation of Democracy versus Democratization in Turkey," defines and compares these two aspects of the process of democratization fundamental to our understanding of democracy in Turkish politics.

²¹² "Rest Kargaşası" (Ultimatum Conflict), *Hürriyet*, December 19, 1997. See also Cem (2005: 60-67).

²¹³ Demir, Metehan. "Military warns Europe that excluding Turkey from Europe will cost too much," *Turkish Daily News*, November 13, 1997.

Europe's attitude toward Turkey's membership. As one senior officer said, "The objective of Turkey's full membership in the EU should be maintained, yet the negative attitudes of some member states should not be disregarded."²¹⁴

Attitudes towards Turkey's prospective membership vary across the EU. The political reality is that Turkey has legally been a candidate for membership since 1999. Moreover, at the December 2001 European Council meeting in Laeken, the EU decided to include Turkey in the Convention on the European Constitution. From the perspective of the European Commission, these moves demonstrate the political will to integrate Turkey into the EU (Verheugen, 2007). The EU's decisions provided positive incentives to Turkey toward compliance with the political conditions such as strengthening democratic structures in the country. Then Chief of the General Staff Hüseyin Kıvrıkoğlu stated, "EU membership is to the benefit of the Turkish people and state; therefore, the army supports the decision."²¹⁵ A subsequent important development occurred at the Copenhagen European Council summit (December 2002), where in view of Turkey's progress towards complying with the political criteria, it was concluded that the EU would give Turkey a date for the opening of accession negotiations by the end of 2004. The then commissioner responsible for enlargement, Günter Verheugen, declared that the EU would prepare an action plan to prepare Turkey for accession negotiations.²¹⁶ The European Commission (2002) communicated the necessity of sustaining the current reform process and addressing

²¹⁴ Ferai Tınç (interview with General Çevik Bir), "Avrupa'sız bir Türkiye Düşünülemez" (Turkey without Europe is unthinkable), *Hürriyet*, November 3, 1999.

²¹⁵ "Kıvrıkoğlu: AB kararını destekliyoruz" (We support the EU decision), *Milliyet*, December 18, 1999. ("Türk Silahlı Kuvvetleri, Türk halkının ve devletin yararına olan her şeyi en fazla destekleyecek kuruluştur. O bakımdan biz, AB üyeliğini Türkiye'nin uzun vadede, gelecekte gerçekten yararına olacak bir teşebbüs olarak görüyoruz, bunu tüm kalbimizle destekliyoruz.")

²¹⁶ "AB'den eylem planı" (Action plan from the EU). *Hürriyet*, November 21, 2002.

all remaining institutional reforms set forth in the Accession Partnership and the National Programme for the Adoption of the Acquis. Following the EU's decisions, the high command of the Turkish Armed Forces and the majority of the officers overtly approved "Turkey's bid for membership, as this will mean the final achievement of Turkey's modernization process started by Atatürk" (Konijnenbelt, 2006: 171).

However, following the European Council's decision, Turkey's accession negotiations were widely debated in the EU. Gradually some sectors of the EU public, opposed to Turkey's membership, came to question the legitimacy of the European Council's decisions. The debates mostly revolved around whether Turkey belongs in Europe in terms of its political and cultural structures. The president of the European Convention on the future of Europe, former French President Valéry Giscard d'Estaing, said several times that "Turkey cannot belong to the EU," citing economic, demographic and cultural factors to support his claim.²¹⁷ Furthermore, during this period, the language of the May 2003 European Parliament report was very critical of Turkey's political system, including the 1982 Constitution, while questioning whether Kemalist values are compatible with Turkey's EU membership process. Additionally, the report contained some severe criticisms of the role of the army in Turkish political life. The European Parliament report (2003) stated that "the army maintains a central position in the Turkish state and society" and "notes with regret that the army's excessive role slows down Turkey's development towards a democratic and pluralist system." The report is not binding for the candidate countries, yet it still has an impact on the decisions of the European Commission.

²¹⁷ "Giscard D'Estaing: 'Türkiye AB'ye ait olamaz' " (Giscard D'Estaing: 'Turkey cannot belong to Europe'), *BBC Turkish.com*, November 25, 2004.

EU's criticisms raised skeptical attitudes in Turkish society with regard to membership. These are issues of high politics related to Turkey's national sovereignty. Issues associated with political unification, or convergence on matters of high politics, are sources of fierce dispute within the member states (Hix, 1999). This is due to tensions rising when national structures and the EU prove incompatible, or when national preferences diverge on issues relating to policy priorities in which the members are reluctant to share their sovereign powers (Newman, 1996). The legitimacy of the EU's conditions matters to the extent to which the rules applying to candidate countries are also shared by the member states, whether they are clearly defined and coherently applied in the EU, because " 'double standards' fail to exert the same compliance pull" (Schimmelfennig, Engert and Knobel, 2003: 500).

The EU's stance towards Turkey's accession has increasingly become a subject of debate in domestic politics due to rising concerns in the Union regarding Turkey's membership. These include the compatibility of collective norms and values associated with the nation-state. According to the Turkish General Staff, owing to several factors arising from Turkey's region, the safeguarding of Turkey's national security interests is very important. Thus, the claim is that "countries that have concerns regarding Turkey's geography, administrative structure, economy, religion, history etc., with reference to the protection of their own security interests, need a peaceful and secure Turkey."²¹⁸

²¹⁸ "Genelkurmay Başkanlığı Basını Bilgilendirme Toplantısı" (Press briefing by the Turkish General Staff), November 2, 2004 ("Türkiye'yi coğrafyası, yönetim yapısı, ekonomisi, dini, tarihi vb. nedenlerle sorgulayan ülkelerin en çok da kendi güvenliklerini korumak için huzurlu ve güvenli bir Türkiye'ye tahminlerinden daha fazla ihtiyaçları vardır.")

Additionally, former Land Forces Commander Aytaç Yalman argued that

the Turkish Armed Forces has played a pioneering role in the integration of Turkey to the West, and therefore, nobody should think that the Turkish Armed Forces could be against the EU and democracy.²¹⁹ ... Atatürkism [one of the major principles upon which the Turkish Republic is based] is a progressive worldview; it is neither in contradiction with contemporary requisites nor a pro-status quo worldview ... if there is democracy in Turkey this is due to the Turkish Armed Forces, which is the guarantee of not only the Republic but also of democracy. The army is an institution that opens the way for democratization.²²⁰

The military has affirmed at various times that it supports Turkey's EU membership and related governmental policies, since the fundamental values of the Republic, which are shared by the majority of Turkish people as well as the military, are consonant with EU norms and values. Supporting this argument, on New Year's Eve 2004, then Chief of the General Staff Özkök stated, "We see membership in the EU as an important tool that will help realize the objective set by Atatürk, which is to 'take Turkey beyond the level of modern civilizations'."²²¹ In this connection, the military pointed to ways to enhance mutual dialogue to ensure understanding and stability in Turkey-EU relations.

²¹⁹ Cited in Heper (2005a: 39).

²²⁰ "Kara Kuvvetleri Komutanı'ndan önemli mesajlar" (Important messages from the Land Forces commander), September 29, 2003 ("Kemalizm, diğer bir deyişle Atatürkçülük; bu modernitenin zirvesidir ve birçok talihsiz açıklamada olduğu gibi statükocu değil, ilerici ve atılımcı fikirler ile çağdaşlığı hedeflemektedir. Ancak bu özelliğimiz kimi ortamlarda Silahlı Kuvvetlerinin görevi ve devletin bekası ile Avrupa Birliği sürecinin işletilmesi arasında bir tercih faktörü olarak sunulmakta, bazı ülkeler ve uluslararası kuruluşlar, Türk silahlı kuvvetlerinin pasifize edilmesine yönelik olarak, bu fikri benimseyenlere adeta akıl hocalığı yapmaktadırlar"), and Fikret Bila, 'TSK demokratikleşmenin önünde engel değildir' " (The TAF is not an obstacle to democratization), *Milliyet*, August 31, 2003. ("Türkiye'de demokrasi varsa, yalnızca Cumhuriyet'in değil, demokrasinin de teminatı olan TSK sayesinde. Ordu, demokratikleşmenin de önünü açan bir kurumdur.")

²²¹ "Genelkurmay Başkanı Orgeneral Sayın Hilmi Özkök'ün Yeni Yıl Mesajı" (New Year's message of Chief of the General Staff, General Hilmi Özkök), December 31, 2004 ("Avrupa Birliği üyeliği'nin ulu önder Atatürk'ün bizlere vermiş olduğu 'Türkiye'yi çağdaş uygarlığın ilerisine taşıma hedefi' için önemli bir araç olarak görmekteyiz.")

However, the military's positive attitude toward Turkey's EU membership and political reforms does include several concerns, such as the centrality of the preservation of fundamental national interests and values while meeting the political conditions for membership. In this connection, Özkök, emphasizing at various times the "difficult geography where Turkey is located" as compared to its European counterparts, said that

the Turkish Armed Forces is saddled with new and difficult tasks as a consequence of the reactionary and separatist movements that continue to become even more critical as time goes by ... new democratic values and changing concepts of sovereignty make it necessary that we come up with new ideas and doctrines for the better fulfillment by the Turkish Armed Forces of arduous tasks in question.²²²

Although expressing a positive attitude towards domestic adaptation to transforming international circumstances, the military has expressed a number of concerns about the EU's credibility. Whether all member states would support Turkey's full membership on the condition that the membership criteria were met was the main concern. Furthermore, whether EU policies fail to grasp Turkey's geopolitical conditions as well as its historical specificity has been questioned. As the Turkish General Staff stated in a press briefing:

We believe in the importance of firmly upholding our national interests during the process of accession negotiations with the EU. It should not be forgotten that just as the EU will bring us benefits, Turkey's membership would mediate the EU to become a global power.²²³

On the one hand, as the public statements of the military clearly show, a high value is placed on full EU membership in order to strengthen political and cultural ties with Europe. On the other hand, there is a tendency to respond to some of the concerns

²²² Cited in Heper (2005a: 41).

²²³ "Genelkurmay Başkanlığı Basını Bilgilendirme Toplantısı" (Press briefing by the Turkish General Staff), November 2, 2004 ("Sayın Cumhurbaşkanımızın da daha önce ifade ettikleri gibi Avrupa Birliği ile müzakere sürecinde ulusal çıkarlarımızın tam bir kararlılıkla korunmasının önemine inanmaktayız. Avrupa Birliği'nin bize sağlayacağı yararlar kadar, Türkiye'nin üyeliğinin Avrupa Birliği'ni küresel bir güç olmaya taşıyacağı unutulmamalıdır.")

raised by EU member states by reminding them of Turkey's geopolitical importance. In so doing, the military seeks to remind Europe that Turkey's national security interests, which include preserving the founding principles of the Republic, are also important for European security. The military underlines that secularism, as defined in the Constitution, is a major driving force of democracy in Turkey, considering the region in which it is located.

A clear shift from the formal aspects of institutional change to more substantial aspects of transformation can be seen in the rhetoric of the EU. Particularly starting in 2003, in the regular reports issued by the European Commission and European Parliament, and in the public speeches of EU leaders, the informal aspects of institutional change have been stressed more and more. This covers the deepening of the political reform process so as to achieve Turkey's closer integration with the Union. The 2004 Communication from the Commission to the European Council and European Parliament on Turkey's progress towards accession states that

Turkey is at present going through a process of radical change, including a rapid evolution of mentalities. It is in the interest of all that the current transformation process continues. Turkey would be an important model of a country with a majority of Muslim population adhering to such fundamental principles as liberty, democracy, respect for human rights and fundamental freedoms, and the rule of law.

From a European perspective, the irreversibility of Turkey's membership process is dependent on the internalization of political reforms. These would empower pro-reform and pro-EU attitudes reflected in the rhetoric of the domestic political actors. Allesandro Missir di Lusignano, the desk officer for Turkey in the Directorate General Enlargement of the European Commission, said, "The irreversibility of the

reform process will need to be confirmed over a longer period of time.”²²⁴ Therefore, one can observe the importance that the EU attaches to the internalization of political reforms so as to deepen the implementation and follow-up of reform policies. The EU’s position is that if Turkey fully achieves the implementation of the political reforms it will become an EU member.

In this connection, one of the main components of the conditionality regarding civil-military relations is that Turkey must deal with the “informal mechanisms” of the military’s influence so as to further assert civilian initiative in Turkish politics (European Commission, 2005). Near the end of 2003, the European Commission expressed the EU’s concerns about the “informal mechanisms” through which the military is considered to wield influence in political processes. Previously, European Parliament recommendations had referred to collective norms and values attributed to the military by Turkish society that might constraint the assertion of civilian supremacy in political matters and hinder Turkey’s overall process of Europeanization (European Parliament, 2003). In this connection, the public rhetoric was cited as an important mediator of political influence. As the European Commission noted:

Apart from the NSC, the armed forces in Turkey exercise influence through a series of informal mechanisms. On various occasion military members of the NSC expressed their opinions about political, social and foreign policy matters in public speeches, statements to the media and declarations (European Commission, 2003).

According to the EU, the public declarations of the members of the armed forces are signs of their involvement in domestic and foreign policy processes.

²²⁴ See the speech given by Allesandro Missir di Lusignano (2004: 6, 8), the desk officer for Turkey in the Directorate General Enlargement of the European Commission.

These concerns raised in the 2003 reports came up again in the 2004 Regular Report of the European Commission. Concerning military matters, according to the report, the overall reforms of the previous year, including the functioning of the NSC and accountability and transparency-building efforts, further shifted the balance of civil-military relations towards civilians and encouraged debate in this area (European Commission, 2004). The report confirmed the need to sustain a general positive attitude in Turkey toward EU membership. However, the EU's official reports also stressed that "civilian control over the military institution" needs to be asserted in the long run (European Parliament, 2004). Apart from formal, legal-institutional reforms and processes of policy alignment in the context of European integration, it can be gathered from the official reports that the EU continues to be concerned about the informal aspects of institutional change (European Commission, 2004). The 2005 and 2006 reports also mention this issue as an area of remaining concern.

In response to the EU's reports, the military has frequently asserted that it is not involved in politics. From 2004 onwards, high-ranking officers increasingly made it clear in their public rhetoric that, in their view, the military is not interested in getting involved in daily political and social matters. In April 2004, then Chief of the General Staff Hilmi Özkök told a press conference

recently we feel that there is an expectation from the media and the public that the Turkish Armed Forces should take a stand on every important matter ... we respect this opinion, yet the Turkish Armed Forces should neither be expected to express its attitude on every subject nor to share everything with the public.²²⁵

²²⁵ "Genelkurmay Başkanı Orgeneral Hilmi Özkök'ün Konuşması" (The speech given by the Chief of the General Staff, General Hilmi Özkök), April 13, 2004. ("Son zamanlarda medyada ve halkımızda şöyle bir beklenti olduğunu hissediyoruz. 'TSK her zaman önemli konularda evet veya hayır diyerek kesin tavır koymalıdır, hatta koymak zorundadır ve bunu da kamu ile paylaşmalıdır.' Elbette, bu düşünceye saygılıyız. Ancak, TSK'nın her konuda tavır koyan taraf olması veya her şeyi kamuoyu ile paylaşması da beklenmemelidir.") The speech of General Özkök covers the situation in Cyprus and current debates over the role of the Turkish Armed Forces.

In a press briefing that November, it was explained that media briefings are ways to inform the public about the agenda of the Turkish General Staff and are restricted to issues relating to security and defense.²²⁶ These matters are part of the responsibility of the Turkish Armed Forces, said the briefing. These speeches are made with due respect to the legal framework and with consideration of transparency issues in line with the EU's conditionality on informing the public and sharing information, the General Staff said. Accordingly, as stated by the Turkish General Staff at a press conference:

As you all know in the report [of the European Commission] there is a statement on the influence that the Turkish Armed Forces continue to exercise through informal mechanisms. The briefings are cited in this connection ... informing the press and the public is a method supporting the principles of sharing information and informing the public that are also advocated by the European Union. This method aims at informing the press on issues concerning the security of both the country and the region.²²⁷

Therefore, the military considers these briefings part of its efforts to increase transparency in the conduct of defense and security affairs. This is particularly relevant for raising public knowledge of security and defense matters affecting the country. It can be argued that these public briefings integrate the wider political society in the formulation of defense and security policy. In relation to the duty of the military, General Hilmi Özkök said that the Turkish Armed Forces stand for “the safeguarding and protection of the national and territorial integrity of the Turkish

²²⁶ “Genelkurmay Başkanlığı Basını Bilgilendirme Toplantısı” (Press briefing by the Turkish General Staff), November 2, 2004.

²²⁷ “Genelkurmay Başkanlığı Basını Bilgilendirme Toplantısı” (Press briefing by the Turkish General Staff), November 2, 2004 (“Hepinizin bildiği gibi raporda TSK’nın resmi olmayan yolları kullanarak etkisini sürdürdüğüne ilişkin cümle yer almaktadır. Yapılan brifinglerde bu kapsamda gösterilmektedir ... TSK’nın basını ve kamuoyunu bilgilendirmeye devam etmesi, Avrupa Birliği’nin de savunduğu kamuoyunu bilgilendirme ve bilginin paylaşımını destekleyen bir yöntemdir. Bu yöntemle basının ülke ve bölge güvenliğiyle ilgili konularda TSK’dan bilgi almasına önem verilirken, doğruluğu tartışmalı kaynaklar üzerinden yanlış ve spekülatif bilgi alınmasının önüne geçmek de hedeflenmektedir.”)

Republic as well as the main tenets of the Republic, namely, the democratic, secular and social state governed by the rule of law.”²²⁸ Accordingly, the public statements reflected the military’s attitude towards several internal or external issues that are considered part of its professional domain.

As explored in previous chapters, the European Council’s decision was reaffirmed on December 17, 2004 when the EU finally decided to open accession negotiations with Turkey by October 3, 2005. The decision stated, “Turkey sufficiently fulfills the Copenhagen political criteria to open accession negotiations.” The December 3, 2004 European Parliament report was also supportive of the Commission’s 2004 resolution. According to the Directorate General for Enlargement’s desk officer responsible for Turkey, affirming the political will of the EU,

the decision to open accession negotiations should also be seen in the wider context of peace, stability and prosperity. Turkey is an important regional actor ... As a result of its combined population, location, economic and military potential, it has the capacity to affect regional and international stability. A prosperous, stable Turkey is conducive to stability in the area, while an economically weak, unstable Turkey wracked by religious, ethnic and political turmoil would be a source of instability in all neighboring regions. In a world increasingly marked by the emerging divide between the Moslem world and what can loosely be defined as the West, it is worth reminding that Turkey is endowed with unique characteristics: the combination of a secular, democratic state with a prevalently Muslim population.²²⁹

The European Council (2004) also added that the EU’s institutions would continue to monitor whether far-reaching reforms undertaken by Turkey’s government would be sustained in the long run. This relates to the relative importance attached by the EU

²²⁸ “Genelkurmay Başkanı Orgeneral Hilmi Özkök’ün Konuşması” (The speech given by the Chief of the General Staff, General Hilmi Özkök), April 13, 2004 (“TSK’nın bugüne kadar daima taraf olduğu ve bundan sonra da taraf olmaya devam edeceği konu; Cumhuriyetin demokratik, laik, sosyal bir hukuk devleti niteliğiyle, Türkiye Cumhuriyeti’nin ulusu ve toprağıyla bölünmez bütünlüğünün sonsuza kadar korunması ve kollanmasıdır.”)

²²⁹ The speech given by Allesandro Missir di Lusignano (2004: 26), desk officer for Turkey in the Directorate General Enlargement of the European Commission.

both to the full embrace of the legal reforms and to the will of domestic political actors to implement these reforms. Accordingly, the extent to which domestic actors assimilate the EU's norms and values forms a constitutive part of the process of legal harmonization. As the European Commission declared,

the changes to the Turkish political and legal system over the past years are part of a longer process and it will take time before the spirit of the reforms is fully reflected in the attitude of executive and judicial bodies, at all levels and throughout the country (2004).

In this respect, the attitude of domestic political actors, including the military, regarding the implementation and sustained development of the reform process is emphasized. The EU's decision to launch accession negotiations provided a major impetus for the deepening of political reforms in Turkey, in view of how compliance effectively leads to further integration.

As argued so far, the EU's normative discourse concerning the strengthening of democracy is part of transformations in international politics in which norms of recognition associated with appropriate state behavior and international image become prevalent. In view of the current global changes, then Chief of the General Staff Hilmi Özkök, in an April 20, 2005 speech at the Turkish War Colleges, touched upon "the relations of Turkey with global actors and effects of the changing security strategies on Turkey." In his speech, he emphasized that Turkey needs to grasp recent developments in order to adapt to rising security and defense restructuring needs within the current global context marked by the fall of the Soviet Union and the September 11, 2001 attacks, which are significantly reshaping today's world. Özkök stressed that Turkey's foreign policy's focus on becoming a member of the EU should be considered a positive factor in terms of security and stability in the region:

Every country has different needs, conditions, values, histories, societal concerns and dynamics ... The EU is a great commercial, economic and military partner of Turkey. This has been the case for many years. As a nation which regards Western values as coinciding with our own, we have always wanted to be with them and act in line with similar values from the beginning. We have, for a long time, aspired to the economic and political union that the West has set up in a long process. Turkey's interest lies in being a full member of the EU. It is quite inappropriate to consider membership as a favor the EU would do for us. Both the EU and Turkey would benefit from this unification.²³⁰

5.3 The Post-2004 Period: Ruptures in Mutual Understanding and Dialogue

Following the 2004 report of the European Commission and the decision of the European Council, the issue of enlargement in general and Turkey's membership process in particular has increasingly attracted debate within the European Union. During this period (2004-2006), Turkey's eligibility for membership has drawn rising controversy within the Union.²³¹ On the one hand, several political actors within the EU consider Turkey's accession a necessity for the Union's strategic concerns, including policies towards enhancing dialogue between cultures.²³² On the other hand, Turkey's possible impact on the Union, such as the capacity of EU structures to absorb Turkey, has been called in question (European Parliament, 2004). Moreover, Turkey's accession is debated in terms of its population size,

²³⁰ "The speech given by the Commander of the Turkish Armed Forces, General Hilmi Özkök at the Turkish War Colleges," April 20, 2005.

²³¹ "Türkiye ile müzakereler çıkmaz sokağa doğru" (Negotiations with Turkey towards an impasse), *ABHaber*, November 5, 2006. More details available from <http://www.euractiv.com/en/enlargement/ey-turkey-relations/article-129678>.

²³² "Schröder: Türkiye'nin AB'ye tam katılımından başka bir çözüm yok" (Schröder: There is no solution besides Turkey's full accession), *ABHaber*, November 5, 2006. See also "Belçika'dan Türkiye'ye AB Desteği" (Support for Turkey's EU membership from Belgium), *ABHaber*, May 23 2003.

economy, democratic credentials, security, and geographical location as well as its cultural and religious traits.

Currently, the Christian Democrats in the European Parliament (267 seats) are skeptical or even opposed to Turkey's EU membership. However, the Socialist Group (201 seats), and the Liberal Democrats (89 seats), have expressed themselves in favor of Turkey's inclusion in the EU, on the condition that it complies fully with the political criteria.²³³ They believe Turkey's accession would contribute to the "accomplishment of democracy and plural diversity in Europe." At the same time, public opinion polls show low levels of support in several EU member states, including France, Austria and Germany, for Turkey's full membership.²³⁴ However, according to Eurobarometer polls, support for Turkish accession is considerably higher in Southern European countries such as Italy, Portugal and Spain, as well as in the United Kingdom.

The EU presidency is also a very important factor, since most of the debates on Turkey's status in the EU took place during the Austria Presidency (January-July 2006).²³⁵ At the governmental level, the Germany Presidency of the EU (January-June 2007), the Christian Democrat party government, proposed a "privileged

²³³ "AB, Türkiye konusunda ikiye bölündü" (Two splits in the EU on Turkey's membership), *Hürriyet*, October 7, 2007. Information on political groups in the European Parliament is available at <http://www.euoparl.europa.eu>

²³⁴ European Commission, Member States Eurobarometer (1999-2006), Available from http://ec.europa.eu/public_opinion/standard_en.htm

²³⁵ Information on the institutional functions of the Presidency of the EU is available from <http://europa.eu>

partnership” for Turkey.²³⁶ In line with this proposal, several other governments, such as the French under Jacques Chirac’s presidency, have also offered to consider such an arrangement with Turkey in response to their electorates.²³⁷ Finally, the president of the European Commission, Jose Manuel Barosso, declared that the process of EU enlargement should be paused at least for a period of time, until the EU overcomes its constitutional problems.²³⁸ Barosso also referred to the European public’s concerns about enlargement in general and Turkey’s accession in particular and, in this connection, the need to strengthen transnational civil society dialogue. His argument was based on the prevailing idea that without the introduction of new reforms to EU institutions, the process of European integration would face serious difficulties. However, Barosso expressed a strongly favorable opinion on the continuance of the process of accession negotiations with Turkey.²³⁹

In spite of these issues and their reverberations in European public opinion, the European Council (2004) and European Parliament (2004) had proposed to strengthen political and cultural dialogue with Turkey. It was hoped that this would ameliorate doubts and problems in the public. However, during this period, cleavages between the pro-EU enlargement faction who want to include Turkey and those who

²³⁶ Beril Dedeoğlu, “Privileged partnership, discriminative partnership,” *Today’s Zaman*, March 21, 2007. According to the European Constitution (Article 57), “privileged partnership” under the new neighborhood policy “is intended to give special treatment to neighbors or other partners with a strategic interest for the European Union” (i.e. Israel, Egypt, Morocco, Ukraine etc.). “This initiative does not apply to Turkey, which is explicitly mentioned as an EU candidate country and therefore not eligible under this instrument ” (Missir di Lusignano, 2004: 6). For more details, see <http://www.euractiv.com/en/enlargement/ey-turkey-relations/article-129678>

²³⁷ “Chirac’ın Türkiye Karnesi” (Chirac weighs in on Turkey), *ABHaber*, April 16, 2007. See also *Turkish Daily News*, January 17, 2006. It should be underlined that during his presidency, Chirac tried to keep a balanced attitude towards Turkey’s EU membership, as was particularly clear at the Helsinki summit (1999). He also pointed to the geopolitical importance of Turkey on several occasions.

²³⁸ “Times: AB’ye Eylül Darbesi” (September break for the EU), *ABHaber*, November 6, 2006.

²³⁹ “Sonucuna katlanırsınız” (You will suffer the consequences), *Milliyet*, May 24, 2007.

are skeptical about the benefits that Turkey's membership would bring to the Union have grown more visible.²⁴⁰ As noted above, apart from remaining concerns raised by the European Commission and Parliament reports, on EU platforms Turkey's eligibility for membership is not only considered in terms of processes of democratization, but also in light of socioeconomic aspects, cultural compatibility and institutional burdens that Turkey's membership could bring to the EU. The European Parliament's September 2006 evaluations, including several sharp criticisms of discrepancies in Turkey's fulfillment of the Copenhagen criteria over the protection of non-Muslim minorities, also led to public debate. In this connection, under the ninth EU harmonization package, several provisions of the Law on Foundations were revised by Parliament in September-October 2006.²⁴¹

Furthermore, the negative attitude toward Turkey reflected in the statements of some member states' leaders called into question the extent to which compliance with political criteria was a top priority of the EU's conditionality for Turkey's membership. In France, the two candidates in the spring 2007 presidential race had divergent opinions on Turkey. Socialist leader Segolene Royal proposed leaving the decision to referendums. But the former interior minister, conservative Nicolas Sarkozy, who eventually bested Royal, was outspoken in his opposition to Turkey's membership. He stated that once he became president, he would develop policies to exclude Turkey from enlargement because this is what the French public wants.²⁴²

German Chancellor Angela Merkel's skepticism about Turkey joining the EU has

²⁴⁰ European Commission, Standard Eurobarometer (2004-2006), available from http://ec.europa.eu/public_opinion/standard_en.htm

²⁴¹ Available from <http://www.tbmm.gov.tr> (2006 October, Assembly records (*Meclis Tutanakları*)).

²⁴² "Fransız adayların Türkiye'nin AB üyeliğine Bakışı" (French candidates' perspectives on Turkey's EU membership), *ABHaber*, April 16, 2007.

had considerable repercussions in Turkish society in view of the two nations' longstanding economic and political ties.²⁴³ France and Germany are among the founders of European economic and political integration. Thus, the attitude of their leaders is seen as a major factor influencing the EU's enlargement decisions as well. These statements, even if balanced out by more pro-Turkey stances, such as those of recently retired British Prime Minister Tony Blair and former Italian Premier Silvio Berlusconi, indicate that public opinion in the EU is divided over whether to grant Turkey membership status or not.²⁴⁴

Equally important, particularly during 2006, relations between Turkey and the EU became tense due to several political reasons, such as the Cyprus issue and Turkey's failure to fully comply with the Association Agreement.²⁴⁵ The European Council's December 2006 decision to suspend several chapters of accession negotiations was seen by the Justice and Development Party government as showing the EU's ambivalence towards Turkey's full membership.²⁴⁶ As a result, the credibility of EU membership is increasingly being questioned in Turkey. This is a major impediment to deepening Turkey's process of Europeanization.

It is argued in this dissertation that these debates over Turkey's eligibility for EU membership have done much harm to the fulfillment of the EU's political conditions

²⁴³ "Is there a place for Turkey in Merkel's Europe," *Today's Zaman*, March 21, 2007.

²⁴⁴ "Destek sözü" (Pledge of support), *Hürriyet*, November 21, 2001.

²⁴⁵ "Türkiye-AB İlişkilerinde Kritik Hafta" (Critical Week in Turkey-EU Relations), *ABHaber*, November 5, 2006.

²⁴⁶ "Ankara AB'nin kararını 'beklenen ama umut edilmeyen' olarak niteledi" (Ankara sees EU decision as "expected but not hoped for"), *ABHaber*, December 12, 2006, and "Babacan: Türkiye, iç reformlar için AB'yi bekleyemez" (Babacan: Turkey can't wait for the EU for domestic reforms," *ABHaber*, April 16, 2007, and "Erdoğan'dan AB'ye ilk yanıt" (Erdoğan's first response to the EU), *ABHaber*, December 12, 2006.

regarding informal aspects of institutional change, such as the deepening of political reforms. On Turkey's side of the spectrum, significant legislative reforms, such as the sixth and seventh harmonization packages, were undertaken as a result of a consensus between the ruling Justice and Development Party, the main opposition Republican People's Party, several sectors of civil society, and the military. The shared opinion was that the opening of the process of accession negotiations would deepen political reforms. "The Turkish state elites see themselves as 'Western' and regard the 'West' as their primary in-group in international relations" (Schimmelfennig, Engert and Knobel, 2003: 508; Kubicek, 1999: 159). Accordingly, Turkey is defined as a secular democracy aligned with the West. This identification has its echoes in the National Programme for Adoption of the Acquis issued in July 2003, which states:

Accession to the European Union is a national target, which is supported by and reflects the common purpose of a vast majority of the people. This aim, which is also an integral part of Turkey's strategic vision, fully corresponds to the founding philosophy of the Republic and Atatürk's vision for the nation's integration with contemporary civilization.²⁴⁷

However, the debates among EU member states on Turkey's accession have weakened the belief that compliance with the political conditions would result in full membership. During 2004-2006, at the governmental level, Prime Minister Recep Tayyip Erdoğan and then Foreign Minister Abdullah Gül, as well as leaders of the main opposition Republican People's Party, all expressed their worries. They argued that Turkey's membership process would make a positive contribution to democracy,

²⁴⁷ Turkey's National Programme for the Adoption of the Acquis (*Avrupa Birliği Müktesabatının Üstlenilmesine İlişkin Türkiye Ulusal Programı*), published in July 2003 in the Official Gazette. Also available from <http://www.abgs.gov.tr>

pluralism and cultural diversity in the EU.²⁴⁸ Additionally, the Secretariat General for EU Affairs published reports on the political reforms which were achieved in Turkey towards closer integration with the EU.²⁴⁹ The reports were supported by additional efforts to persuade the EU about the contributions that Turkish membership would bring to the Union. The government of the Justice and Development Party (2004) prepared a report entitled “The Impact of Turkey’s Membership on the EU.”²⁵⁰ It argued that Turkey’s membership would not be a burden to the European Union but in fact would effectively contribute to the EU’s economy, security and democracy. Finally, some Turkish civil society groups, such as TÜSİAD, İKV and TESEV, prepared reports and bulletins on the effect of Turkey’s membership on both Turkey and the EU.²⁵¹

The military’s attitude towards the EU’s rhetoric on Turkey’s membership was in step with that of the civilian elites. The former Chief of the General Staff Hilmi Özkök said that

opposition to Turkey’s EU membership has emerged in some European countries since December 17 [2004], including decisions taken by the parliaments of certain nations to hold a referendum on Turkey’s membership. Similarly, in certain countries, groups opposing Turkey’s EU membership are working on bills envisioning a “privileged partnership.” Furthermore, some circles have voiced negative and prejudiced assessments regarding Turkey’s possible contributions to the Union.²⁵²

²⁴⁸ “Erdoğan: AB Kriterleri taviz değil” (EU criteria are not concessions), *Hürriyet*, May 29, 2003, and the Prime Minister Erdoğan’s speech on December 10, 2004. See also Onur Öymen’s (RPP) speech on October 12, 2004.

²⁴⁹ “Political reforms in Turkey,” available from <http://www.abgs.gov.tr>

²⁵⁰ “Türkiye’nin Üyeliğinin AB’ye Etkileri” (The Impact of Turkey’s Membership on the EU), December 12, 2004. Available from <http://www.akparti.org.tr>

²⁵¹ “Sivil Girişim: Şimdi Sıra AB’de” (Civilian Initiatives: Now it’s the EU’s turn), *Hürriyet*, October 7, 2002. The reports are available from <http://www.tusiad.org>, <http://www.ikv.org.tr>, and <http://www.tesev.gov.tr>

²⁵² “The speech given by the Commander of the Turkish Armed Forces, General Hilmi Özkök at the Turkish War Colleges,” April 20, 2005.

Clearly, the military was very concerned about the prevailing negative attitude in the EU towards Turkey's prospective membership. In this connection, the military reiterated that the benefits Turkey's EU membership would bring to the European economy as well as to European common foreign and security policy structures should not be overlooked.

Support for EU membership in Turkey itself is another important factor shaping the military's attitude. In recent years, societal support for EU membership among the Turkish people has been relatively high.²⁵³ Nevertheless, according to available surveys, identification with European norms and values varies across domestic political actors depending on their political stands as well as their areas of identification with the EU, such as democratic values, religious values, etc.²⁵⁴ However, in terms of specific issues relating to political or economic reforms, the rates vary across areas of convergence with EU structures. Surveys indicate low levels of knowledge and information about European integration and its impact on domestic political structures.

Since 2004, the expression of dissent in EU member states towards Turkey's membership has been negatively received in Turkish society (Çarkoğlu, 2004; Yılmaz, 2003; Çayhan, 2003). On the one hand, the diffusion of EU norms through legal-institutional changes and reform policies has resulted in rising societal

²⁵³ See European Commission, Candidate Countries Eurobarometer (2002, November 2003, Autumn 2004, Autumn 2005, and 2006), available from http://ec.europa.eu/public_opinion/standard_en.htm. See also "Bir gün mutlaka AB" (EU membership: certainly one day), *Milliyet*, retrieved from <http://www.milliyet.com/2005/10/01/siyaset/axsiy01.html>

²⁵⁴ See European Commission. Autumn 2004. Eurobarometer 62 "Public Opinion in the European Union: National Report Executive Summary Turkey," available from <http://www.deltur.cec.eu.int>. For instance, in a survey conducted by Yılmaz (November 2003), 86% of Republican People's Party supporters favor Turkey's EU membership, compared to 71% of Justice and Development Party supporters. See also Çarkoğlu (2004).

expectations that Turkey's economy and democracy would benefit greatly from prospective membership.²⁵⁵ On the other hand, the existence of negative public opinion about Turkey in several member states has led to rising concerns in the Turkish public as to whether the EU is a credible anchor for the realization of the nation's political and economic reforms.²⁵⁶ Surveys also show that there is concern that Turkey has given up or now shares national sovereignty with the EU even though its EU membership is far from guaranteed. This empowers Eurosceptic attitudes within political society.²⁵⁷ Consequently, cleavages between Eurosceptic and pro-EU domestic actors have become much wider and more visible (Avcı, 2003; Çarkoğlu, 2004).

However, having a pro-EU or anti-EU membership stand doesn't necessarily mean the adoption of an either fully supportive or qualified stance on the processes of political and economic reforms. Among the membership candidates, divisions between EU supporters and those having skeptical attitudes toward EU membership prevail as well, but support for European integration varies considerably across economic and political lines (Schimelfennig, Engert and Knobel, 2003). As cited by the European Commission (2004) in evaluating Eurobarometer results, "there are meaningful differences in the importance the countries attach to different problems" within the framework of the process of Europeanization.²⁵⁸

²⁵⁵ "Genç Türkiye 2002: Ekonomik Yaşam, Tüketim Davranışları, Sosyal Yaşam, Siyasete Bakış, Avrupa Birliği" (Young Turkey 2002: Economic Life, Consumption Behaviors, Social Life, Political Views, European Union), *Milliyet*, July 19, 2002.

²⁵⁶ For detailed analysis of survey findings, see Çarkoğlu (2004).

²⁵⁷ For detailed analysis of survey findings, see Çarkoğlu (2003), and McLaren (2002).

²⁵⁸ See also European Commission, "Member States Public Opinion Analysis", Eurobarometer available from http://ec.europa.eu/public_opinion/standard_en.htm

Public opinion, as an influential factor on the military's attitude, is very important in terms of deepening Europeanization. The evolution of informal aspects of domestic institutional structures within the context of Turkey's EU membership embeds such ideas as commitment to Western and European identity, democracy and the values of liberal political principles. Yet, the ambivalent attitude in some quarters of the EU towards Turkey's membership has led to a backlash in Turkish society. First, this has impeded further integration with the EU in terms of norms and values. Second, this has weakened the arguments of pro-EU sectors of society.

However, from EU's point of view the military's attitude influences public opinion formation in Turkey. During Turkey's EU accession negotiations, from October 3, 2005 onward, the EU's official reports and declarations have continued to express concern about the influence of the military in Turkish polity:

Since 2002, Turkey has made good progress in reforming civil-military relations. It is essential that Turkey consolidates reforms adopted in previous years and remains committed to further reforms in this area ... In particular, statements made by the military should only concern military, defense and security matters and should only be made under the authority of the government, while the civilian authorities should fully exercise their supervisory functions, in particular as regards the formulation of the national security strategy and its implementation, including with regard the relations with neighboring countries (European Commission, 2005).

While the EU has acknowledged the improvement of transparency and public openness of NSC meetings through press releases, it is critical of the public statements made by members of the armed forces. The EU sees these statements as having great influence in the conduct of domestic and foreign political affairs and public opinion formation. However, it has particularly focused on the question of whether the military's public pronouncements are made under the supervision of the

civilian authority or rather autonomously. Indeed, the EU encourages the strengthening of civilian initiatives in this respect.

Against the European Commission's rather diplomatic evaluations of Turkey's current political reform process, Hans Jörg Kretschmer, former ambassador at the Delegation of the European Commission to Turkey, in September 2006 argued,

the Armed Forces ... are exempt from the control of the civilian authority ... the establishment of civil control over the armed forces is a key factor ... the armed forces look from a very broad perspective at the concept of national security, and make declarations in almost all areas of public life ... these declarations have a great influence on the public, considering that the armed forces is the most respected and stable institution in the eyes of the people²⁵⁹

These statements led to critical reactions in the Turkish public in view of the ongoing EU harmonization process. In addition to these arguments on the role of the military in Turkey, the Dutch chief of the General Staff, Dick L. Berlijn, told an ASAM conference in September 2006 that

the EU thinks that the Turkish military should be prepared for a different role in politics. The role of the chief of the General Staff in Turkey should be less visible; in all EU countries, civilians have the last word, and we expect the same to happen in Turkey.²⁶⁰

The fact that this statement came from a military officer has particularly thrown into question the EU's standards on informal institutional change in the area of civil-military relations. These statements negatively affected Turkey's perspective on the EU.

A final EU criticism related to the informal aspects of institutional change concerns the interpretation of the functions of the Turkish Armed Forces. The 2005 report referred to the Turkish Armed Forces Internal Service Law, which the Commission

²⁵⁹ "Kretschmer hedefti" (Kretschmer was the target), *Radikal*, October 3, 2006.

²⁶⁰ "Kretschmer hedefti" (Kretshmer was the target), *Radikal*, October 3, 2006.

said grants “the military a wide margin of maneuver” (European Commission, 2005).

However, the Turkish General Staff had stated,

in almost all countries there are laws similar to Article 35, which stipulates that ‘the duty of the Armed Forces is to protect the Turkish land and the Republic of Turkey as defined by the Constitution’ ... No nation would be open to discussing arrangements that would harm their defense mechanisms.²⁶¹

Accordingly, the Turkish General Staff has mentioned that in the constitutions of some EU member states there are even more sweeping articles defining the functions and responsibilities of the armed forces.²⁶² Therefore, the military has questioned whether the EU has a double standard towards Turkey’s accession process.

It is difficult to demonstrate empirically whether the public statements of the military are made under the supervision of the civilian authority or not. Similarly, the extent to which these statements have a direct influence on forming government policies or public opinion requires further empirical test. In this connection, the Turkish government states that the civilian authority rules Turkey. In response to the EU’s remaining points of concerns, Prime Minister Recep Tayyip Erdoğan from 2003 onwards has expressed several times that in line with the Copenhagen political criteria a new process has started in Turkey where a political, civil will has the

²⁶¹ “Genelkurmay Başkanlığı Basını Bilgilendirme Toplantısı” (Press briefing by the Turkish General Staff), November 2, 2004 (“‘Silahlı Kuvvetlerin vazifesi Türk yurdunu ve Anayasa ile tayin edilmiş olan Türkiye Cumhuriyeti’ni korumak ve kollamaktır’ şeklindeki 35 inci maddesinin hemen her ülkede benzer biçimde varlığına dikkat çekmekte yarar vardır. Hatta bazı Avrupa Birliği ülkelerinin Anayasalarında ve Silahlı Kuvvetlerle ilgili özel kanunlarında Silahlı Kuvvetlere bu çerçevede görev ve sorumluluk yükleyen çok daha kapsamlı maddeler bulunmaktadır. Buradan görüleceği gibi, kendini bir ülke ve ulus olarak tanımlayan hiçbir ulus kendini koruyacak mekanizmalara zarar verecek düzenlemeleri tartışmaya açmaz.”)

²⁶² “Genelkurmay Başkanlığı Basını Bilgilendirme Toplantısı” (Press briefing by the Turkish General Staff), November 2, 2004.

authority.²⁶³ He asserted that the chief of the General Staff is responsible to the prime minister, and the NSC is a civilian institution.²⁶⁴ At an earlier briefing the prime minister said that the NSC does not function above Parliament and that all of its members are conscious of this.²⁶⁵ He explained that a number of issues, including the EU membership process, could be discussed in NSC meetings in view of the fact that “no decisions will be taken above or against the will of Parliament.” He added, “No one has to worry, the Turkish Armed Forces is the pioneer of the processes of modernization and democratization in Turkey.”²⁶⁶ Therefore, in the government’s eyes, the EU’s remaining points of concerns are groundless. Then Foreign Minister Abdullah Gül echoed the prime minister’s position, stating: “The military shares its views with the government and leaves the final decision to the politicians.”²⁶⁷ He underlined that civilian capacity to take the initiative is a very important dimension of implementing the EU’s political criteria.²⁶⁸

Similarly, in response to the latest official EU statements, which persist in questioning the informal role of the Turkish Armed Forces in Turkish political life, Chief of the General Staff Yaşar Büyükanıt stated,

²⁶³ “Erdoğan: TSK sivil iradenin dışına çıkamaz” (Erdoğan: The TAF can’t act outside civilian authority), *Hürriyet*, October 2, 2006.

²⁶⁴ “Erdoğan: TSK sivil iradenin dışına çıkamaz” (Erdoğan: The TAF can’t act outside civilian authority), *Hürriyet*, October 2, 2006.

²⁶⁵ “MGK parlamento üstünde değil” (The NSC isn’t above Parliament), *Milliyet*, May 30, 2003. Uğur Dündar, interview with Prime Minister Erdoğan, *CNN-Türk TV*, October 16, 2006.

²⁶⁶ “Erdoğan: TSK’da Anayasa’ya Uyacak” (The TAF will also comply with the Constitution), *Milliyet*, October 3, 2006.

²⁶⁷ “Gül: Askerler değil siyasetçi suçlu” (Gül: It’s not the military but the politicians that are guilty), *Milliyet*, July 5, 2003.

²⁶⁸ “Gül: Askerler değil siyasetçi suçlu” (Gül: It’s not the military but the politicians that are guilty), *Milliyet*, July 5, 2003.

In recent years the role of the military has been widely discussed in Turkey ... The Turkish Armed Forces is certainly not involved in domestic politics and is not interested in being involved. It is our understanding that soldiers have four main duties: The first is to train the best possible and best-prepared troops for war; the second is to defend the country against foreign threats and maintain national interests; the third is to fight terrorism and all forces aiming to destroy the unitary nature of the country; and the fourth is to preserve the basic principles of the Republic set forth in the first three articles of the Constitution. These four matters, from our point of view, are not related to domestic politics, and these are our legal responsibilities.²⁶⁹

At a later speech at the War Academies in October 2006, General Büyükanıt stated, “Nobody is, nor can be, against democratic values and rights ... There are attempts to paint the Turkish Armed Forces as posing an obstacle to democratization ... The fact is, as soldiers, we are not involved in politics.”²⁷⁰ He emphasized that preservation of the Republic, including the secular-democratic regime and the national integrity of the country, is the responsibility of the Turkish Armed Forces. This, he said, is not considered involvement in daily politics but rather a responsibility granted by the laws and the Turkish people.

Therefore, despite the ongoing processes of legal-institutional reforms towards achieving greater military accountability to civilian authorities, the declarations of

²⁶⁹ “Org. Büyükanıt: Cumhuriyeti korumak siyaset değil görev” (Safeguarding the Republic isn’t politics but our responsibility), *Radikal*, August 29, 2006. (“Son yıllarda Türkiye Cumhuriyeti’nde askerin rolü konusu çok tartışılır olmuştur ... Türkiye’de şüphesiz TSK’nın iç siyasetle ilgisi yoktur ve olmamalıdır ... anlayışımıza göre askerin dört temel görevi vardır: Birincisi, kendisine teslim edilen birlikleri en iyi şekilde eğitmek ve harbe hazır hale getirmektir; ikincisi, dış tehditlere karşı ülkeyi ve ülkenin çıkarlarını korumaktır; üçüncüsü, ülkenin üniter yapısını ortadan kaldırmak isteyen terör dahil tüm mihraklarla mücadele etmektir; dördüncüsü ise, anayasanın ilk üç maddesinde belirtilen cumhuriyetin temel ilkelerine sahip çıkmaktır. Belirttiğim dört hususun hiçbirini, bizim anlayışımıza göre iç siyasetle ilgili değildir ve bu görevler bize yasalarla verilmiştir.”) The press briefing is available from <http://www.tsk.mil.tr> (August 28, 2006).

²⁷⁰ “Genelkurmay Başkanı Orgeneral Yaşar Büyükanıt’ın Harp Akademileri 2006-2007 Eğitim ve Öğretim Yılı Açılış Konuşması” (The speech of the Chief of the General Staff, General Büyükanıt at the opening of the 2006-2007 academic year of Military Academies), October 2, 2006 (“Demokratik değerlere ve demokratik hakların kullanılmasına hiç kimse karşı değildir ve olamaz da ... TSK demokratikleşme önündeki bir engel gibi sunulmaya çalışılmaktadır ... Ben bir askerim ve yasaların bana verdiği görevleri yerine getiriyorum. Asker olarak bizim siyasetle ilgimiz yoktur. Ancak güvenlik ve rejim ile ilgili temel mülhazalarımızdan rahatsızlık duyanlar varsa bu, onların kendi rahatsızlıklarıdır.”)

civilian and military EU officials have led to a backlash from officers. General Büyükanıt has stated, “It has been voiced at various occasions that the Turkish Armed Forces fully supports Turkey’s membership in the European Union.”²⁷¹ Indeed, the previous chief of the General Staff, Hilmi Özkök, had said in his retirement speech held at the military academy that the Turkish Armed Forces played a pioneering role in the development and transformation of Turkish society and will continue to play this role in the future while upholding contemporary values:

The Turkish Armed Forces stands for the effective and legitimate role that it has been playing in terms of the internalization of Atatürk’s principles and reforms, which can be considered the accumulation of the longstanding transformation and evolution process experienced by the West, as well as the preservation and safeguarding of the indivisibility of the nation and the country and the secular, democratic regime of the Republic.²⁷²

He added that it is an urgent necessity to grasp the post-Cold War period’s economic, political and security developments and adapt to emerging forms of international cooperative environments so as to sustain an effectively functioning state.²⁷³ However, he again asserted that Turkey would not compromise on the principle of national sovereignty and integrity, but recognizes the need for cooperation emerging from the post-1990 global transformations.²⁷⁴

²⁷¹ “Genelkurmay Başkanı Orgeneral Yaşar Büyükanıt’ın Harp Akademileri 2006-2007 Eğitim ve Öğretim Yılı Açılış Konuşması” (The speech of General Büyükanıt at the opening of the 2006-2007 academic year of Military Academies), October 2, 2006 (“Türk Silahlı Kuvvetlerinin ülkemizin Avrupa Birliği üyeliğini tamamen desteklediği daha önce de defalarca beyan edilmiştir”)

²⁷² “Genelkurmay Başkanı Orgeneral Hilmi Özkök’ün Devir-Teslim Töreni Konuşması” (Retirement speech of the Chief of the General Staff Hilmi Özkök), August 28, 2006 (“TSK, Batı’nın yaşadığı uzun değişim ve gelişim süreçlerinin özeti diyebileceğimiz Atatürk İlke ve Devrimlerinin toplum tarafından benimsenmesinde, Ulusun ve Ülkenin bölünmez bütünlüğünün ve laik demokratik Cumhuriyet rejiminin muhafaza ve savunulmasında oynadığı etkin ve meşru rolden asla vazgeçmeyecektir.”)

²⁷³ “Genelkurmay Başkanı Orgeneral Hilmi Özkök’ün Devir-Teslim Töreni Konuşması” (Retirement speech of the Chief of the General Staff Hilmi Özkök), August 28, 2006.

²⁷⁴ “Genelkurmay Başkanı Orgeneral Hilmi Özkök’ün Devir-Teslim Töreni Konuşması” (Retirement speech of the Chief of the General Staff Hilmi Özkök), August 28, 2006.

Following these developments, at an October 2006 press briefing, Olli Rehn, commissioner responsible for EU enlargement, said that the EU is always open to dialogue with Turkey.²⁷⁵ He stated, “Recently there have been instances of mutual misunderstandings between Turkey and the EU.”²⁷⁶ He added that “we have no concerns about the professionalism of the Turkish Armed Forces,” and stressed the importance of enhanced political and cultural dialogue as part of the accession strategy.²⁷⁷ In fact, there is no single standardized practice in the EU due to the fact that the member states have quite distinct political histories and institutional structures as well as different security and defense concerns (Bonstra, 2006). There are institutions similar to the NSC in EU member states as well.²⁷⁸ However, there is some common ground in that the EU norms and standards assume the final authority – *de jure* and *de facto* – should reside in civilian institutions such as the parliament, government, or Defense Ministry (Cizre, 2004). According to EU officials, “the armed forces should be fully and unambiguously subordinated to the government” in practice, and high-ranking members of the armed forces should only speak in their professional domain and with the knowledge of the government, in the example of the “best practice” in the member states (European Commission, 2005). By early 2007 the newly appointed ambassador at the Delegation of the European Commission to Turkey, Marc Pierini, said that falling faith in EU membership in Turkey, among other domestic political factors, also correlated with the expression of a number of negative opinions on Turkey’s membership, such as, “Turkey has no

²⁷⁵ “TSK-AB arasında yanlış anlaşma var” (A TAF-EU misunderstanding), *Milliyet*, April 4, 2007.

²⁷⁶ “TSK-AB arasında yanlış anlaşma var” (A TAF-EU misunderstanding), *Milliyet*, April 4, 2007.

²⁷⁷ “TSK-AB arasında yanlış anlaşma var” (A TAF-EU misunderstanding), *Milliyet*, April 4, 2007.

²⁷⁸ See also <http://www.mgk.gov.tr/tarihce>

place in the EU.”²⁷⁹ However, he cited the legal reality that the accession negotiation process has already begun. While acknowledging the centrality of Turkey’s decisive actions, he said, “Legal reforms are one thing, reforming behavior is another, and we expect both from Turkey.”²⁸⁰

These latest statements by EU officials demonstrate the existence of a political commitment to integrate Turkey closer with the Union as long as the political criteria are met. Günter Verheugen, vice president of the European Commission and a former commissioner for enlargement (1999-2004), stated,

the EU and Turkey are already negotiating because Turkey, the Turkish nation has undergone decisive changes and substantially changed compared to 1999 or even 2002 and in doing so the prospects of Turkish people have improved ... We are not contemplating an act of charity or doing Turkey some kind of favor. This historical project is in our mutual interest because it responds to today’s pressing challenges. In the world of the 21st century the EU needs Turkey as an anchor and even an exporter of stability and democracy ... Turkish diplomacy is very active in the Middle East while Turkish armed forces work side by side with EU Member States armed forces in Lebanon, Afghanistan and the Balkans.²⁸¹

These statements also demonstrate that the EU is aware of the contributions that Turkey’s membership could bring to Europe.

In response to these positive evaluations from EU representatives, at the War Academies on March 16, 2007, Chief of the General Staff Yaşar Büyükanıt said, “The Turkish Armed Forces is a constitutional institution which respects the rule of law.” He added that while the military recognizes current international transformations, and lacks any interest in getting involved in domestic political

²⁷⁹ “AB’nin Kilidi 301” (Article 301 is the Key to the EU), *Milliyet*, April 4, 2007.

²⁸⁰ “AB’nin Kilidi 301” (Article 301 is the Key to the EU), *Milliyet*, April 4, 2007.

²⁸¹ The speech given by Günter Verheugen, January 19, 2007.

matters, Turkey's geographical location makes the country's security concerns vital.²⁸² He said that it was "part of our responsibility to express our worries and opinions" on this matter.²⁸³ In these public statements, a growing emphasis on the army's respect for the rule of law and democracy is observed. Finally, at an April 12, 2007 press conference, General Büyükanıt said that the Turkish Armed Forces acts with due respect for the rule of law and democracy while fulfilling its responsibilities for the security and defense of the Republic of Turkey and the nation.²⁸⁴

It is argued in this dissertation that it is difficult to delineate the actual power relations between civilians and the military other than legal institutional patterns or the policy structure governing these relations along with political rhetoric. According to both high-ranking military officers and the government, the Turkish Armed Forces is under the control of the civilian authority. Following the just-cited speech of the chief of the General Staff, Prime Minister Erdoğan and then former Foreign Minister Gül told the press that the government had been informed prior to the General Staff press briefing.²⁸⁵ They stated that the briefing had been given within the framework of democracy and the rule of law.²⁸⁶ The analysis of rhetoric undertaken in this chapter shows that in their public statements, domestic actors have increasingly addressed the informal aspects of institutional change proposed by the EU.

²⁸² Osman Ulugay "Büyükanıt'ın Konuşması" (Büyükanıt's speech), *Milliyet*, April 8-9, 2007.

²⁸³ Osman Ulugay "Büyükanıt'ın Konuşması" (Büyükanıt's speech), *Milliyet*, April 8-9, 2007.

²⁸⁴ Press briefing by the Chief of the General Staff Yaşar Büyükanıt on April 12, 2007.

²⁸⁵ "Gül: Org. Büyükanıt Başbakan'a bilgi verdi" (Gül: General Büyükanıt informed the prime minister), *Vatan*, April 13, 2007. See also "Erdoğan'dan Büyükanıt Yorumu: 'Demokrasi ve hukuk çerçevesinde konuştu' " (Erdoğan on Büyükanıt: "He spoke within the framework of democracy and the law"), *Milliyet*, April 13, 2007.

²⁸⁶ "Gül: Org. Büyükanıt Başbakan'a bilgi verdi" (Gül: General Büyükanıt informed the prime minister), *Vatan*, April 13, 2007. See also "Erdoğan'dan Büyükanıt Yorumu: 'Demokrasi ve hukuk çerçevesinde konuştu' " (Erdoğan on Büyükanıt: "He spoke within the framework of democracy and the law"), *Milliyet*, April 13, 2007.

In conclusion, the formal aspects of institutional change and policy alignment processes mediate the diffusion of EU norms and values and informal institutional change. However, the deepening of Europeanization depends upon various other mediating factors. First, the existence of negative attitudes in the EU towards Turkey's membership bid has led to the questioning of whether full compliance with the political conditionality will effectively integrate Turkey into the EU. This factor has served to hinder the deepening of the Europeanization process in Turkey. Second, informal institutional structures are more difficult to transform than formal ones. Yet Turkey's EU vocation and high levels of identification with European norms and values within both the military and key political actors in Turkey is an important factor that could facilitate further integration, provided that Turkey's membership status is guaranteed.

In other words, positive incentives from the EU buttressing the credibility of membership prospects should Turkey fully comply with the political conditionality is the most important factor for promoting further internalization of political reforms. It is in that case that the EU membership process, including the norms and ideas that it encompasses, would enable domestic actors to muster support for the deepening of political reforms. The concluding chapter discusses the findings of the empirical chapters and explains how they contribute to the Europeanization approach.

CHAPTER 6

CONCLUSION

This dissertation analyzed the EU's impact on domestic political change in the area of civil-military relations in Turkey through the lens of the Europeanization approach. For this purpose, three forms of Europeanization relevant to the subject matter of the study were distinguished in the theoretical chapter. These cover the formal and informal aspects of institutional change, and policy change. These three forms of Europeanization were tested in the empirical chapters to demonstrate the extent to which EU induced change in the area of civil-military relations in Turkey. While this was done, the EU's political conditionality was identified and corresponding domestic political reforms were explored. In this process, various mediating factors either facilitating or hindering Turkey's process of Europeanization were delineated.

The main conclusion of the study is that in the period of 1999-2006, there has been considerable institutional change and policy alignment towards meeting the EU's political conditionality in the area of civil-military relations in Turkey. The main argument from the analysis is that Turkey's political will to become an EU member is the main driving force behind the process of Europeanization in this area.

However, the credibility of EU policies on Turkey's membership is the major intervening variable that empowers domestic political actors – such as the government, state elites, etc. – to realize the domestic reform process. Indeed, Turkey's EU candidacy by the end of 1999 and the European Council's (2002) decision to give a date for the opening of the accession negotiations on the condition that the political criteria were met were major incentives that accelerated Turkey's reform process. The next sections summarize the main findings of the empirical chapters, such as what has changed or not in the context of Turkey's membership process, and the extent to which the EU is an important external actor triggering domestic reforms in the area of civil-military relations.

6.1 Formal, Legal Institutional Change: Towards Closer Integration

The political conditionality for membership is the EU's most effective tool for inducing legal-institutional change in Turkey, because compliance with the political criteria is a prerequisite for membership. In line with the EU's formal institutional strategy, legal aspects of domestic institutional change were one of the most important issues addressed in the Regular Reports of the European Commission (1998-2006) and the Accession Partnership documents (2001, 2003, 2006). There were two main aspects of reforms addressed in these documents related to the improvement of democratic governance of civil-military relations in Turkey. The first concerned the composition and functioning of the NSC, through which the EU noted that the military is exercising influence in Turkish politics. The second covered the issue of accountability and transparency building in security and defense matters.

According to the EU, there is a need for a democratic restructuring of relations between the military and civilian institutions such as the legislative, executive, and judicial institutions. As a result of Turkey's national policy objective to become an EU member, harmonization laws became a most important item on the policy agenda of successive governments from 1999 to 2006.

The major finding of the analysis is that in the framework of these reforms, the legal competencies of the civilian authority have been strengthened. During this period, the EU's political conditionality for membership triggered significant legal-institutional reforms concerning the functioning and composition of the NSC. Through the introduction of constitutional amendments in 2001 and EU harmonization laws (2003-2006), civilians acquired quantitative supremacy in the NSC. Furthermore, the reforms brought limitations to the executive power of the institution. The NSC no longer recommends its views to the Council of Ministers but instead conveys its views upon request, and the government is no longer obliged to give priority to the institution's advice but only assesses the views that are conveyed. Currently, the NSC has essentially become a consultative branch of the executive.

Equally importantly, the reform laws brought about legal change concerning the accountability and transparency of the military with respect to civilian institutions. EU harmonization laws considerably restructured several aspects of relations between the military and the legislative, judiciary and executive institutions. First, these reforms improved legal arrangements concerning accountability and transparency to Parliament in security and defense matters. They expanded the mandate of the Audit Court to audit military expenditures, introduced the new Law

on Public Financial Management and Control, and strengthened parliamentary oversight by changing budgetary procedures. Furthermore, wider democratic oversight has been improved by the expansion of citizens' civil and political rights so as to enhance political participation in security and defense policy formulation. In this connection, the deepening of democracy in civilian institutions is very important. The legal improvement of civilian competencies to oversee and participate in governmental decisions on these matters requires further testing. Second, the State Security Courts were abolished, and changes to the law on military courts ended military jurisdiction over civilians. These are noteworthy developments with regard to the independence of the judiciary. Finally, military seats were removed from civilian boards such as the Higher Education Council and the Supreme Council of Radio and Television. Therefore, the legislation of EU harmonization laws civilianized these institutions, which supervise education, art and broadcasting policies.

The study delineated several mediating factors that facilitated legal-institutional change within the context of Turkey's Europeanization process. These can be divided into EU-driven and domestically driven factors. The EU had a direct impact on the legal reform process in Turkey by providing guidelines for reforms, financial support and technical assistance and the guarantee of closer integration if the political criteria were met. More specifically, the 2002-2006 period was very significant in terms of restructuring the formal institutional aspects of civil-military relations. The provision of a clear EU perspective on Turkey's membership by the end of 2002 empowered the Justice and Development Party government to legislate major reforms in this area.

However, domestic political responses, or inputs, were also very influential in shaping Turkey's path to Europeanization and formal institutional change. In light of the comprehensive legislative reforms introduced above, it may be argued that the degree of fit between the pre-existing domestic legal-institutional setting and the EU's norms and standards was relatively low. Yet, in spite of high "adaptational pressures," the domestic legal system was adequately harmonized following the guidelines of the political conditionality. Consequently, domestic legal-institutional structures that once hindered Turkey's Europeanization in the realm of civil-military relations were adapted so as to comply with most of the EU's norms and standards.

Given the pace of legal changes, the pre-existing legal-institutional structures did not constitute a major constraint. Turkey's political will to become an EU member state is the main factor mediating formal institutional change. On the one hand, the government opted for the legislation of EU harmonization laws in order to accede to the EU. On the other hand, the military complied with the government's reform agenda, in light of the long-term political and economic benefits that membership would likely bring Turkey. Equally important were the EU's positive incentives for reforms such as the provision of a clear membership perspective by inclusion of Turkey in the pre-accession strategy. All these together served to accelerate EU harmonization laws in the area of civil-military relations. It is argued that a major factor in this respect is that the credibility of membership prospects empowered successive governments by providing them with a legitimate anchor to initiate legislative changes in one of the most challenging areas of Turkish politics.

The constitutional amendments and supportive legislation passed by Parliament demonstrate a clear transformation in Turkey's democratic governance of civil-military relations towards the alignment of domestic structures with the EU's political conditionality. Since 1999, and particularly in the period from 2001 to 2006, significant legal reforms introduced by Parliament demonstrate the importance given to the legal dimension of the reforms by both the EU and Turkey. These reforms, besides leading to the opening of accession negotiations, also opened the way towards the strengthening of the democratic governance of civil-military relations. However, according to the European Commission (2003), several legislative reforms remain to be done. For example the status of the chief of the General Staff, who is directly responsible to the prime minister rather than the Ministry of National Defense, needs to be addressed. Additionally, the EU states that there is a need for further efforts to enhance accountability and transparency in the conduct of security and defense matters.

Both the government and the military have several reservations about these aspects of legislation, stating that they do not fit Turkey's present needs. According to the Turkish General Staff, the current legal-institutional arrangements are in line with democracy and the supremacy of civilian authority. The underlying argument is that the prevailing institutional setting adequately provides the guarantee of a functioning democracy in Turkey. However, it is fair to argue that in the case of the organization of defense, EU norms and standards have failed to provide an adequate model for Turkey. This latter aspect of legal restructuring requires longer-term research towards finding the "best practice" available in the EU member states which is potentially compatible with Turkey's existing institutional setting.

The first approach to Europeanization and domestic change, or the formal, legalistic approach to civil-military relations reform, is limited in the sense that it overemphasizes the procedural aspect of institutional change and only vaguely elaborates on the substantial aspects of institutional transformation. As shown in the theoretical chapter, from a Europeanization perspective, building on the institutional approach to domestic change, legal-institutional reforms for reforming civil-military relations are not only expected to “spillover” to influence domestic policy structures but also to bring about diffusion of EU norms and changes in collective norms and understandings of appropriate behavior. In recent reports and official speeches, the emphasis placed on the implementation and deepening of the reform process demonstrates that more substantial changes are expected from Turkey. Thus, the legal reform process needs to be substantiated by both policy practices and the diffusion of norms at least at a discursive level throughout military and civilian institutions. The effectiveness of legal harmonization with EU norms is dependent on the implementation of these legislative changes as stated in the reports addressing policy alignment and the EU’s remaining points of concerns associated with informal institutional change.

6.2 Policy Change: Towards Democratic Governance of Civil-Military Relations

The second aspect of Europeanization in the framework of Turkey’s EU membership process is policy change. In Turkey’s case, the EU insists on particular foreign policy standards and has proposed several guidelines for domestic policy change concerning the democratic governance of civil-military relations. The political conditionality

underlines the importance of the strengthening of civilian authority in the formulation of foreign, security and defense policies. First, in relation to domestic policy designs, the EU has proposed in its official documents (1998-2006) the approximation of domestic policy designs such as the improvement of civilian policy competencies and the formulation of civilian solutions to domestic policy problems related to national security. The latter embedded the EU's approach that domestic political problems derive from policy weaknesses in coping with regional disparities and sources of inequality that can degenerate into illegal activities such as terrorism. Second, during the same period, the EU insisted on foreign policy alignment along its common policies, such as promotion of peaceful relations with neighboring countries, alignment with the European Security and Defense Policy and peaceful resolution of the Cyprus problem. These issues are an integral part of Turkey's national security policy, where the EU sees military influence.

The major finding of the dissertation in this section is that from 1999 to 2006 there was considerable policy change in Turkey aimed at opening accession negotiations with the EU. In this context, it is argued that civilian competencies in the formulation of the policies addressed by the EU have been further strengthened, and the military has generally complied with the civilian's policy decisions.

To begin with the approximation of domestic policy formulation, during this period successive governments undertook a comprehensive reform program to comply with the policy matters addressed in the official documents of the EU. Specifically, this happened after the European Council's decision to give a date to open accession negotiations with Turkey not later than 2004 reinforced the credibility of Turkey's

EU membership. Following this development, the government of the Justice and Development Party reasserted the governmental commitment to Turkey's national policy objective of becoming an EU member. Turkey's comprehensive policy agenda towards integration with the EU was set by the revision of the National Programme for the Adoption of the Acquis (2003). In this period (2002-2006), the government passed major EU harmonization laws that move towards improving democratic institutions and strengthening civilian authority in the formulation of national security policy. Furthermore, various administrative units responsible for the conduct of EU affairs were established for the effective implementation of reform policies. These developments demonstrated that in that period there was a broad preference convergence among domestic actors concerning Turkey's EU membership.

Turkey's national policy goal of integration with the EU is a major factor which led to change in the policy styles of the military, such as in their relations with the civilian authority and their perspectives on policy solutions to domestic policy problems. In this respect, first, by 1999 the military came to see direct military intervention in politics as a less viable option for solving domestic problems. Second, in the period after Turkey acquired EU membership candidacy, the military substantially supported the government's policies of approximating domestic policy structures along the EU's guidelines. Finally, the military started to emphasize the need to enhance civilian, humanitarian solutions to protect the people from political violence and terrorism. These developments demonstrate a clear shift in the policy styles of the military and are in line with the governmental policies of integration with the EU.

Approximation of domestic policy formulation demonstrates a clear shift in governmental policies towards prioritizing Turkey's democratization process as a remedy for domestic political problems. Several mediating factors have contributed to this transformation. Prospective political and economic benefits from EU membership won over the domestic costs of compliance with the political conditionality. Positive incentives from the EU, such as the communication of its policy strategy on enlargement to include Turkey in 1999, and the decision on the opening of accession negotiations in 2002, have played a major role in accelerating domestic reform processes and acted as an anchor for domestic policy designs. Therefore, the credibility of membership, promoted by the EU through the strengthening of institutional ties, has been a major mechanism boosting the EU's domestic policy influence. In this context, the EU's conditionality empowered the arguments of reform-oriented sectors of political society by altering opportunity structures and expectations, and provided a legitimate basis for new domestic policy preferences.

However, several aspects of the reform policies are widely debated in Turkey. Although European integration provides for alternative opportunity structures through political reforms, domestic political actors are still constrained by the prevailing policy structures in which they operate. For instance, the government, the opposition party and civil society organizations have yet to reach agreement on changes to controversial Penal Code Article 301 to improve the legal protection of freedom of expression. Additionally, in 2002-2006, there were several instances of disagreement between the main opposition Republican People's Party, the military and the ruling Justice and Development Party over the issue of whether some of the

reforms would weaken Turkey's fight against terrorism, increase the potential threat of political Islam to the secular-democratic regime, or harm Turkey's national security interests in the region.

Concerns voiced by the military were directed at some of the proposed reforms such as the Law on Foreign Education and the Learning of Different Languages and Dialects by Turkish Citizens, and the Law on the Establishment of Radio and Television Enterprises, which it feared could weaken national unity. The military has expressed its consent for democratization packages to the extent that they were in line with the principle of secularism and the preservation of national unity as set forth in the Constitution. In this connection, the military stated that it is crucial to differentiate between the people in the southeast region and the terrorists of the PKK, and emphasized the need for objective delineation of the reasons behind participation in the ethnic nationalist, separatist terrorist organization. However, the military has also underlined on various occasions that as long as terrorist activities continue, security forces will continue to develop measures to combat terrorism, by force if necessary. In spite of these reservations of the military, the common ground between the military and the government's position is that the improvement of democratic institutions has the potential to solve the country's domestic policy problems and facilitate Turkey's EU membership.

So far it can be argued that the EU membership discourse provided domestic political actors with a normative and legitimate frame for domestic policy change. The study has comparable findings in the area of foreign policy alignment demonstrating that

the civilian authority has asserted power in the formulation of foreign policy matters underlined by the EU.

To begin with the promotion of peaceful relations with neighboring countries, in line with the pre-accession strategy, Turkey's relations with Greece have made substantial improvements since 1999. In this respect the governmental initiatives have been decisive. A succession of Turkish governments from 1999 to the present has followed policies of sustained economic, political and cultural cooperation with Greece. During this period the military acted in accordance with government policies, and implemented the decisions to cooperate on defense and security matters with Greece. Furthermore, in line with the EU's political conditionality, the government of the Justice and Development Party developed a comprehensive policy program to promote peaceful relations with Middle Eastern countries. In this connection, the policy influence of the military remained limited to the essentials of national security and defense while affirming that the final decision rests with the civilian authority.

Regarding the European Security and Defense Policy, Turkey has expressed its political will to become part of this European security and defense structure at both the governmental and military level. The main finding of the study is that as long as the EU ignores Turkey's intensified value as the only secular, democratic country in the region through delaying its full membership, the alignment of policy in defense and security matters will remain limited.

A related foreign policy issue in which policy change occurred is Cyprus. During 2003-2006 there has been a clear shift in Turkey's foreign policy from prioritizing security towards underlining the need to find a democratic settlement to the Cyprus issue. For this purpose, in line with the specific policy guidelines provided in the Accession Partnership documents (2003), the Justice and Development Party supported the Annan plan and the referendum process on the island. During this period, the military did not interfere with the government's policy decisions.

However, the plan's rejection by the Greek Cypriots in 2004 and the EU's decision in 2006 to partially suspend accession negotiations with Turkey on the grounds that it has failed to implement its obligations under the Association Agreement by removing trade barriers to Greek Cypriots has led to a major political backlash in Turkey. The position of the military is no different from the government's on that issue, which is listed on the NSC's agenda as vital for the country's national security. Accordingly, a lasting solution is solely dependent on a plan that would take into account the demands of the Turkish Cypriots, such as relieving the isolation of the North and international recognition of the Turkish Republic of Northern Cyprus. It is argued in this dissertation that the EU membership of Cyprus involving recognition of the southern government of Cyprus as the only representative of the island has hurt the credibility of the EU's common foreign policy and left the Turkish government limited maneuvering room for peaceful resolution of the Cyprus issue.

In sum, it is concluded that the EU is capable of triggering policy change to the extent that it is a credible anchor for domestic reform processes and is able to promote effective, viable policies in support of Turkey's process of Europeanization.

The Europeanization of policies depends on the degree of challenge and pressure posed by the “fit/misfit” between domestic policy designs and EU-imposed/proposed ones. Certain policy problems that have priority from the EU’s perspective may or may not have the same importance attached to them at the national level, or perspectives on solutions to policy problems may differ. Therefore, Turkey’s ability to adopt EU policies is dependent on prevailing policy structures. However, domestic actors are capable of framing the Europeanization of Turkey’s foreign policy as long as there is the political will for full membership. In this case, compliance is highly dependent on the credibility of the EU. Therefore, while the domestic political dynamics are not to be underestimated in Turkey’s process of domestic political change, the EU is an important external trigger.

This study has so far focused selectively on several policy angles that are related to the idea of democratic governance of civil-military relations. In the case of the alignment of domestic policy processes, issues pertaining to “high politics” that are directly associated with national security or national identity render the process of European integration per se rather complicated within the EU. However, one general conclusion that can be driven from the study of foreign policy alignment is that particularly during 2002-2006, the military acted in accordance with the policy decisions of the government. This indicates a clear shift towards further strengthening of civilian authority in the formulation of foreign, security and defense policies as stated in the EU’s political conditionality for membership.

6.3 Informal Institutional Change: The Credibility of EU Discourse on Turkey's Membership as the Major Mediating Factor

A clear shift from the formal aspects of institutional change to more substantial aspects of transformation can be seen in the discourse of the EU. The informal aspects of institutional change have gotten more and more emphasis, particularly starting in 2003, in the Regular Reports issued by the European Commission and European Parliament, and in the public speeches of EU leaders. From the perspective of the EU, the deepening of political reforms is to some extent dependent on the domestic actors' mindset. In other words, the EU emphasizes how important it is that changes brought about by political reforms are fully reflected in the attitude of domestic actors. In this connection, one of the EU's main concerns is the military's informal mechanism of influence in Turkish politics. The European Commission reports refer to the public speeches, media statements and declarations of the military.

Diffusion of EU norms through the political reforms explored so far is a major mechanism behind the informal aspects of institutional change. However, the internalization of EU norms and the prospective change in the mindset of the political actors running these institutions is dependent on other mediating variables. The attitude of domestic political actors, including the military, is dependent on several factors emanating both from the trajectory of Turkish-EU relations and prevailing informal institutional settings governing relations between civilians and the military. Furthermore, international and domestic political developments and

their significance for national security conceptions also influence domestic political actors' attitudes.

The dissertation's main finding in this area is that the dynamics of Turkish-EU relations, such as EU institutions' decisions on Turkey's accession, perspectives of EU and member state leaders on Turkey, and EU public opinion on Turkey's EU membership, have had a strong influence on the military's attitude within the framework of Turkey's process of Europeanization. In other words, the attitude of the military institution is highly dependent on the credibility of the EU's and its member states' discourses on Turkey's membership prospects, including intervening factors such as the language used in the Regular Reports. A related factor is that Turkish public opinion on the EU, which is partially shaped by the EU rhetoric on Turkey's membership, also influences the military's perspective.

The discourse analysis of public statements, media briefings, and declarations made by high-ranking officials reveals that the military sees the EU membership process as an extension of Turkey's process of modernization and Westernization. This conception is an important mediating factor that facilitates the deepening of political reforms in Turkey in line with the political conditionality. Furthermore, the Turkish public's expectation is that EU membership will bring about socioeconomic benefits, increase the stability of democratic institutions and help consolidate the democratization process. This provides certain legitimacy to Europeanization such as the fulfillment of the Copenhagen political criteria. On top of these factors, the present government strongly and clearly believes that compliance with the EU's norms will lead to accession.

It has been demonstrated in Chapter 5 that prospects of deepening the reform process are highly dependent on the credibility of the EU's discourse on Turkey's membership. During the period of 1999-2004, rising expectations in Turkey concerning EU membership led to positive attitude formation on issues arising from EU membership. The official inclusion of Turkey in the pre-accession strategy and the expression of political will by EU officials to open the accession negotiations not later than 2005 contributed to the positive climate in Turkish-EU relations. In this context, the military affirmed numerous times that it supported Turkey's EU membership and related governmental policies, since the fundamental values of the Republic, which are shared by the majority of the Turkish people as well as the military, are consonant with EU norms and values. Furthermore, the EU's normative discourse covering the strengthening of democratic institutions and norms of recognition associated with appropriate state behavior and international image became an integral part of domestic political discourses.

However, after the European Council's decision to start the accession negotiations with the EU, the issue of enlargement in general and Turkey's eligibility in particular have increasingly become an area of debate within the Union. In this connection, cleavages between the pro-EU enlargement faction who want to include Turkey and those who are skeptical of the benefits of Turkey's membership became more visible. Various political actors within the EU consider Turkey's accession a necessity for strategic reasons, including policies to enhance dialogue between cultures and promote democracy and plural diversity within the Union. However, Turkey's probable impact on the Union, such as the capacity of EU structures to absorb it, is still being called into question. In addition, Turkey's accession is debated over its

large population, economy, democratic credentials, security, and geographical location as well as its cultural and religious character. At the same time, public opinion polls (Eurobarometer) show low levels of support in various EU member states for Turkey's full membership. On top of all this, after 2004, several member states proposed the option of a "privileged partnership" for Turkey.

The prevalence of ambivalent attitudes in the EU towards Turkey's accession negatively influenced the attitude of domestic actors on issues arising from EU membership. According to the government, the pace of the ongoing EU harmonization reforms was impressive. Moreover, there are high levels of identification with the West and particularly Europe among a majority of domestic political actors in Turkey. However, these debates within the EU regarding Turkey's accession resulted in weakened credibility that compliance with the political conditionality would result in full membership. In this context, the military expressed its worries about the prevailing negative attitude in EU member states. In doing so, it reiterated the benefits that Turkey would bring to the European economy as well as to European common foreign and security policy structures. The military further underlined its positive attitude towards Turkey's membership, emphasizing that it has always acted as a driving force of modernization and democracy in the country and not as an obstacle to reform. The military concerns mainly revolved around the credibility of the EU, such as whether all member states will support Turkey's full membership when the reform process is completed. Furthermore, it asked whether the EU's enlargement policies have failed to grasp Turkey's national security concerns, geopolitical conditions and historical specificity.

The analysis of the attitude of the military in 2004-2006 was particularly relevant, because this corresponds to a period when the EU progressively expressed its concerns about the military's "informal mechanisms of influence" in Turkish politics. Addressing these questions on the influence of the military, the Turkish General Staff stated that informing the press and public about national security matters is a method supporting the principles of "sharing information and informing the public" that are also advocated by the EU. This method aims to inform the public about the agenda of the Turkish General Staff on issues concerning the security of both the country and the region. From 2004 onwards, high-ranking military officers made it increasingly clear in their public discourse that the institution is not interested in getting involved in daily political and social matters. They explained that media briefings are restricted to issues relating to security and defense, and that these speeches are done with due respect for the legal framework and consideration of the transparency issues addressed in the EU's conditionality. Therefore, the military considers these briefings part of its efforts towards increasing transparency in the conduct of defense and security affairs. This is particularly relevant for raising the level of public knowledge of the country's security and defense matters. It can be argued that these public briefings try to integrate the wider political society in the formulation of defense and security policy.

Although one can draw conclusions about the statements of a number of officers at different ranks, the extent (and direction) of the influence is hard to measure and difficult to predict, and as such it is hard to demonstrate the actual power relations between the military and the bureaucrats or the government. In the Chapter 3 and Chapter 4, several statements made by the military and the government diverge and

converge on a number of issues. As so far demonstrated in these chapters, during the period from 2001 to 2006 civilian initiatives were considerably strengthened in issues pertaining to national security and defense policy.

To sum up this section, EU norms and values are diffused through legal reforms and policy alignment processes, and trigger informal institutional change. However, the deepening of Europeanization depends on various other mediating factors. First, the prevalence of ambivalent attitudes in the EU on Turkey has led many to question whether full compliance with the political conditionality will effectively lead to full membership. This factor hinders the deepening of political reforms in Turkey. Second, informal institutional structures, such as the mindsets or attitudes of domestic actors, are more difficult to transform than formal ones. Yet Turkey's EU vocation and high levels of identification with European norms and values within the military and key political actors in Turkey is an important factor that could facilitate the deepening of Turkey's Europeanization so long as full membership status is guaranteed.

In conclusion, the Europeanization approach employed in this dissertation has demonstrated the different aspects of the EU's impact on domestic political change in the area of civil-military relations in Turkey. From this perspective, the approach is very insightful for understanding: (1) what has changed during Turkey's EU membership process, and (2) what the prospects and challenges of Turkey's closer integration with the EU in the area of civil-military relations are. Therefore, this study is an important contribution to the Europeanization approach to the impact of

European integration in EU candidate countries. Furthermore, the study is complementary to the available literature on civil-military relations in Turkey.

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