



**Claus Leggewie**

## Privileged partnership, less democracy?

Even the staunchest advocates of Turkey's EU accession must consider alternatives to full membership. Yet what does "Plan B" — or "privileged partnership" — entail? If the enticement of full Union membership is removed, can the EU achieve its goals in Turkey, namely democratization and human rights reforms? This question is made all the more pressing by a renewed perception in Arab countries of "Ottoman" Turkey's belonging in the global Muslim community together with a surge of anti-western feeling, writes Claus Leggewie.

In a recent interview, Turkish Prime Minister Recep Tayyip Erdogan confirmed his country's wish to join the European Union and to continue the accession process without delay. "Our goal is full membership. We want to be treated in the same way as the other candidate countries, and we want fair negotiations." In reply to the reproach that the reforms were slowing, he said, "We won't stop; we'll press ahead".<sup>1</sup> It is, however, no longer all that realistic to presume that Turkey could become a full member of the EU. The rejection is too strong in important member countries such as Germany and France, and the political achievements of the Turkish Republic from the pre-accession process and from the beginning of the negotiation process in Copenhagen seem too unstable. Erdogan himself calls into question an essential reform, such as the abolition of Article 301 of the Turkish Penal Code, which criminalises the "denigration of Turkishness": "We have revised the formulations, but aren't contemplating its abolition."<sup>2</sup> Important intellectuals and publicists are still being charged for this offence.<sup>3</sup> There is comparable resistance to a fair and thorough reappraisal of the issue of the Armenian genocide, which is not allowed to be called that in Turkey. This has become an informal criterion for the country's EU integration: many European national parliaments as well as the European Parliament have adopted resolutions or laws insisting on the recognition and on punishing the denial of the Armenian genocide.

Hence, even those who, having weighed up the pros and cons, continue to be in favour of Turkey's accession and close alignment with political Europe, must still consider political alternatives to full membership — given that a democratic Turkey can be seen as a significant contribution to the pacification of the Middle East and beyond.

In this process, (the degree of) membership and (the success of) democratisation are closely interlinked: a clear prospect of accession together with negotiations with EU institutions influences and, accordingly, benefits the internal political efforts of Turkish society, which will be jeopardised if the ultimate goal is not achieved. If the cultural-political process of Turkey's westernisation stalls, this could also encourage other geopolitical and geostrategic orientations of the country "towards the East", thus indirectly

delaying or impeding the process of democratisation.

For these two reasons, then, it is necessary to clarify "Plan B", which for the EU boils down to "privileged partnership", and for Turkey to a "*sui generis*" democracy with new alliances in and outside the Middle East. The term "privileged partnership" refers to integration at the level of regional alliances and in supranational structures; while not presupposing full membership, it implies strong, stable and relations that are prioritized over those with other countries. By "*sui generis* democracy", what is meant is variants of democracy that meet formal Western criteria (for example, regular conduct of free elections) but are less demanding with respect to other areas (for example, guarantees of individual liberties, minority rights, the rule of law, etc.). Prominent examples of the latter include Russia, where "controlled democracy" (Sergej Markov) is practiced (and widely supported), or the "Asian Tigers", where freedom of speech and freedom of assembly are restricted.

### **Test the East: More options for Turkey?**

Turkey could form informal or institutionalised alliances with very different partners in the East, for example with Russia; with countries in the region from the Caucasus to Central Asia, partly populated by Turkic peoples; with (and as part of) the Arab–Muslim world; and within the framework of a political and economic union of the Mediterranean countries. If Turkey's political orientation were not (or were to a lesser extent) towards "the West", this would constitute a radical departure from the direction taken by Turkey in the twentieth century, which was expressly based, both in cultural–political and military–political terms, on Western values and alliances. During the Cold War, the Soviet Union became the main threat to Turkish security making Turkey a Nato member from the start, even though it did not meet various political normative requirements of the Atlantic Charter and passed through phases of military dictatorship. It is precisely Nato membership that discerned Turkey from the rest of the Middle East and led to the establishment of a special relationship with Israel, including military cooperation, which was highly untypical for a country in the region.

Initially, Turkey's natural favourite was the USA, a fact that shaped the cultural preferences of Turkish society. From the 1960s on, the Western orientation consistently imposed by Kemal Atatürk focused more on the European Economic Community. In 1963 Turkey concluded an Association Treaty with the Community, prompting millions of Turkish workers to migrate to EEC countries. Later, Turkey oriented itself politically towards the European Union, which offered the country a concrete prospect of accession. The end of the Cold War and the new threats from the Middle East initially confirmed this option. In Europe, Turkey was seen not only as an exemplar of democratisation in Islamic societies too, but also as a geostrategic partner in containing Islamist forces. Western Europe wanted to peacefully support the synthesis between Islam and democracy, and at the same time hoped that Turkey, as militarily strong Nato member country, would provide security in the Southeast. This step forward in cultural–political Europeanisation was most supported by Britain, and by Germany under the government of the Social Democrats and the Green Party, as well as by the US. Anglo–American voices continue to be the strongest advocates of Turkey's EU accession and emphasise Turkey's importance as trading partner and market.

Since 1990, and especially after 2001, the picture has changed significantly. On the one hand, Turkey has greatly increased its commitment in the Greater Middle East. Its relations with neighbouring Iran and Syria, as well as with the Palestinians (including Hamas) are becoming increasingly friendlier. On the other hand, the image of the USA in Turkish public opinion is at an all-time low. Europe has also lost popularity, while Israeli policies in Lebanon and the occupied territories are openly criticised as "state terror". The reason for this change lies in the presumed threat to national sovereignty and integrity posed after the war with Iraq and the *de facto* establishment of a Kurdish state in northern Iraq. As early as the 1991 Gulf War, the behaviour of the US was interpreted by the Turkish side as unreliable, and even, when in doubt, as hostile to Turkey.

Against this background, Turkey has improved its relations with neighbouring Syria and Iran, both of whom supported the Kurdistan Workers' Party (PKK) in the past but now seek Turkey's help in defending themselves against the spectre of Kurdish separatism. Relations with Saudi Arabia and Egypt have improved, too; on the whole, "Ottoman" Turkey is again perceived in the Arab countries more strongly as an Islamic country and as part of the global Muslim community. This development has had an internal political impact: under the aegis of the Justice and Development Party (AKP), Prime Minister Erdogan has succeeded in building a synthesis of Turkish nationalism, Ottoman aspiration to power, and moderate Islamism, accompanied by a reorientation of the elites involved in political decision-making. The pro-Western elites, which directed Ankara's foreign policy after WWII, have gradually been replaced by a new generation of conservative and more religiously-oriented as well as nationalist forces, which are critical of the West and recall Ottoman history in a positive light. Erdogan has succeeded in softening Islamism while fusing it with nationalism; consequently, the military as guardian of national interests has lost ground.

Does Turkey really have other options? The aforementioned Mediterranean Union (recently re-animated by Nicolas Sarkozy after so many failed precursors) is a phantom; if it were to succeed, it would gravitate to the triangle of countries from the Maghreb, Spain, and France, which see Turkey at best as a peripheral partner hardly capable of developing the desired dynamics in the eastern Mediterranean region, where tensions maintain with Greece around the Cyprus question. While relations with Russia have intensified above all in economic terms, a "Eurasian" vision only really intrigues intellectual circles. The countries in the resource-rich crisis region of the Caucasus rarely coordinate their actions; for a true political alliance there exist neither substantial agreements nor a community of political interests. No less nebulous is the "Greater Turkish" option, which emphasises the ethnic kinship of the Turkic peoples, who are scattered across the Eurasian region, above all in Azerbaijan, Kazakhstan, Kyrgyzstan, Turkmenistan and Uzbekistan, and number almost 150 million. In terms of culture, it is questionable that they have anything in common other than belonging to the Altaic language family; politically, the region is even less likely to be able to integrate.

It is possible that the protagonists of Turkey's influence in the world may come more from (the Islamic) civil society than from the Kemalist state apparatus taken over by the AKP. An example of this is the global network of private educational organisations, trade and media conglomerates, and political lobbyists that *The Economist* has called "the Gülen movement" after the name of their founder Fethullah Gülen.<sup>4</sup> Gülen, a preacher whose teaching is

disseminated through books, poems and AV tapes, was born in a village near Erzurum in eastern Turkey but lives in Pennsylvania/USA. His movement has thrived in the multi-religious environment of the USA, as well as in the favourable environment of Britain, where he attracted attention in the autumn of 2007 with a conference hosted by four British universities and the House of Lords. The Islamic network is also active in Germany, mainly among educated German Turkish circles. The movement's huge ambit of influence in more than ninety countries across the world, including in Central Asia, Indonesia and Indochina, its pragmatic approach, and (apparently not only tactical) support of secular democracy have made the Gülen movement a rival of the Egypt-born Muslim Brotherhoods and radical Islamist networks such as the Tablighi Jamaat, which operates in South Asia. Its moderate programme and partial syncretism, combining elements of the Sunni Islam and Sufism with esoteric Western spiritualism, have made it attractive for modern-minded young Muslims in the West who support tolerance, morality and non-violence. In Turkey, the movement has close contacts with the AKP and representatives of the state administration; Gülen's supporters are suspected by secular Turks of ultimately pursuing an Islamist agenda. At the same time, they have been seriously engaged in inter-religious dialogue at the highest level, including with the former pope John Paul II.

### **European support for democracy: A partial success**

Turkey's new options for orientation towards the East, albeit diffuse, mean that the European Union's ability to influence internal relations in the country, especially with regard to the development of the rule of law and democracy, has decreased. In the course of accession negotiations, the EU exercised "political conditionality" (Giesendorf 2008), which can be defined as a transnational strategy for supporting and introducing democracy through positive incentives. This instrument of soft control is designed to help change certain structures or behavioural patterns of a given social actor, for example a national state collective, and, moreover, in an asymmetric transnational process of interaction. The EU developed this new instrument in the course of its eastward enlargement; it differs significantly from analogous attempts by the US in the Greater Middle East, functioning through a system of positive incentives and rewards: the more deeply the Copenhagen Criteria are internalized, the more likely it will be that the reform process runs of its own accord. Hence, the potential of conditionality decreases when the prospect of membership becomes uncertain or unlikely; naturally, that is also the case once the country in question joins the EU, since then there are few if any effective possibilities for incentives and conditioning. With the newly admitted Bulgaria and Romania, however, the assumption is that they have created a self-supporting democracy whose development is positive and irreversible.

Acceptance of the offer for accession and subsequent observance of the rules by candidate countries is likely if the expected rewards are higher than the costs for the relevant country (Schimmelfennig/Sedelmeier 2005). In the period between 2002 and 2004, Turkey conducted reforms at an unexpectedly fast pace and on a rather comprehensive scale, which may be explained by the prospect of receiving rewards (i.e. full membership). The counter thesis ("the higher the cost of adjustment, the less likely its application") can be tested by the granting of cultural rights, the recognition and implementation of which has taken place hesitantly, earning Turkey repeated warnings by the EU. The reason is, of course, that the fear of political separatism in Turkey is still too strong. Analysts explain the declining readiness to conduct reforms in Turkey after 2004–2005 with the loss of confidence in the EU, whose leading

politicians have been voicing doubts about the country's prospects of achieving membership. Here one must mention above all the admission of Cyprus to the EU and the constant emphasis that the outcome of negotiations with Turkey is open-ended. According to opinion polls, just one in four Turks currently believes their country will be admitted to the EU. Uncertainty about whether the incentive will actually be provided leads to a decline in its attractiveness. Application of externally imposed rules becomes less likely in the context of EU conditionality and has a dysfunctional effect.

After the 2007 elections, which brought a new victory for the AKP, Turkey declared that it would revive the reform process. The EU, however, has continued sending critical and dilatory signals. One important aspect here is the issue of civil control over the Turkish military. From the European point of view, its strong position in politics is seen as a serious flaw in the country's democratic structure. That is why the progress reports on Turkey repeatedly stress the need to reduce and restrict the power of the military. Today, the attitude of the armed forces towards the European Union and accession is ambivalent. On the one hand, convergence with the EU conforms with the desire to complete Turkey's Westernization initiated by Atatürk, as well as with Turkish security policy considerations. On the other hand, to comply with EU standards, Turkey must significantly curtail the political power of the military. Such restrictions are all the more sensitive considering the parallel requirement for expanding cultural rights, since the military sees itself as a bastion against separatism and the tendencies towards autonomy, as well as a guardian of the national integrity. From the point of view of the military and the old Kemalist elites, the granting of cultural rights could lead to instability, which in turn ought to be prevented by the military.

Still, the military has not turned its back on the EU and has accepted important reforms. The powers of the National Security Council have been curtailed significantly, especially following the adoption of the seventh reform package in the summer of 2003. After 2004–2005, however, the military's readiness for further concessions declined, its argument being that if it were to give up or significantly limit its role as guardian of Turkish stability, then this task must be taken over by somebody else and, moreover, by the European Union. The latter would then act as a new stabilising mechanism for Turkey. From the military's point of view, the most important aspect of this process is the certainty that successful implementation of reforms will be followed by full integration into the structures of the European Union. Conversely, as long as it remains uncertain whether and how the power vacuum created by curbing the military's influence will be filled, the military will not be ready for further compliance with EU requirements.

Consequently, the military remains an important political actor in Turkey, which even dared to threaten openly to stage a coup if the presidential elections did not proceed as it wished. The military's readiness to change its behaviour depends on the certainty of the forthcoming accession and on the behaviour of the Union. Minority and cultural rights are more likely to be enforced if Turkey is certain that it will be integrated into EU structures, since, from the Turkish point of view, EU integration will make disintegration of the state less likely.

To sum up: for democratic conditionality to be effective, it is necessary to guarantee its complete implementation, in other words the undertaken commitments must be fulfilled by *both* sides. In this case, the EU's task would be to guarantee the certainty of the incentive. If the incentive is uncertain or if

it turns into a factor of uncertainty in the course of a prolonged alignment process, this will harm the whole instrument of conditionality, and at many levels:

- the potential of the European strategy to exercise control over developments in Turkey will not be fully utilised;
- the instrument of conditionality will be difficult to apply to other candidate countries, since the incentive will be uncertain and therefore lose its attractiveness;
- a negative signal that European policy is not consistent and reliable will be sent, especially to third countries, for example those in the Middle East. This will destroy the effectiveness of all democracy promotion at supranational and transnational levels.

### **Privileged partnership as compromise?**

What alternatives does the EU offer Turkey if Turkey itself gives up the prospect of accession or if a minority of European countries blocks the process of its full membership? Turkey has been offered "privileged partnership",<sup>5</sup> a looser but not a non-binding or arbitrary form of association with the EU, which after 1991 was also offered to Russia originally as a "Partnership for Peace" (PfP) in connection with Nato. The Founding Act, signed in Paris in 1997, and the joint Nato–Russia Council (NRC) established a "mechanism for consultation, consensus-building, cooperation, joint decision and joint action, in which the individual Nato member states and Russia work as equal partners on a wide spectrum of security issues of common interest." It was agreed that the "26 Allies and Russia [shall] work together as equal partners to identify and pursue opportunities for joint action" (Nato website). As early as in the autumn of 2007, in connection with the forthcoming French presidency of the EU, French Foreign Minister Bernard Kouchner spoke to his Russian counterpart Lavrov of the prospect of Nato membership: "We have a privileged partnership with Russia, which must continue as it has until now and even develop further."<sup>6</sup>

Nevertheless, such assurances cannot hide the fact that the NRC has little if any weight or that many bilateral and multilateral conflicts between Russia and the other European countries make Russia's partial integration into the EU unthinkable. This "privileged partnership", then, is simply crisis management, not partial integration. As regards Turkey, the integration model of privileged partnership has been introduced primarily by the German Christian Democratic parties: "Full membership of Turkey will be rejected by the people of Europe. Our goal is a privileged partnership, since Europe must not be overstretched," CSU Chairman Edmund Stoiber declared, for example (Reuters, 12 December 2004). Supported by the CDU leader and future chancellor, Angela Merkel, this concept was presented to Matthias Wissman, then chairman of the Committee on the Affairs of the European Union in the German Bundestag. He proposed enhancing cooperation with Turkey in the fields of trade, culture, education, migration, and crime prevention.

The catch here is that this form of partnership already exists *de facto*. Turkey is attached to the EU via the Customs Union and has been participating for several years now in EU programs supporting research and development, in the common environmental protection policy, in the twinning program to modernise administration and in Erasmus, the exchange program for students. A CDU/CSU position paper on Privileged Partnership envisages expanding the Customs Union into a broad free-trade zone, as well as including Turkey into

the Common Foreign and Security Policy (CFSP) and the European Security and Defence Policy (ESDP). The paper also includes the possibility of Turkey's participation in Council meetings and appointment of a permanent representative to the European Union Military Staff. But Turkey already has such a status in the Western European Union (WEU), of which it is an associate member, in other words a member without the right to participate in decision-making. Turkey rejects Privileged Partnership precisely because it expressly rules out full membership of the EU. A variant of privileged partnership has been developed by Wolfgang Quaisser and Steve Wood in their concept of Extended Associate Membership (EAM). The EAM includes membership in the "Extended European Economic Area", implying primarily an expansion of current relations to commercial and economic cooperation, but keeping restrictions on the free movement of persons and employees. Participation in the Currency Union is not envisaged for either. The costs and efforts of adopting the *acquis communautaire* are to be compensated by transfer payments mainly in the area of the EU's structural and cohesion policy. It is important that, like with privileged partnership, the EAM would grant Turkey the right to be consulted but not to participate in decision-making. At best, Turkey would have the right to participate in "extended Council meetings", and, in order to deepen institutional cohesion, to have Turkish personnel in EU institutions.

In addition to Privileged Partnership and Extended Associate Membership, there is a third model, that of "Gradual Integration" developed by political scientist Cemal Karakas. According to this, "Turkey will be integrated (partially) not only economically but also politically and, within the integrated sectors, it will be granted participation in decision-making but without the right to veto in the Council. Within the framework of Gradual Integration, the prospect of full membership would not be ruled out *a priori*." Karakas sees the advantages of Gradual Integration in the following aspects: "Political integration of Turkey into Europe's structures without overstressing the EU institutionally; both the EU and Turkey will be given time for further reforms; less costs for the EU compared with full membership." What remains a significant disadvantage for Turkey, however, is that "it might not be granted full membership after all" and that "in that case, the EU would be faced with the question of the credibility of its promise to Turkey for accession, made forty years ago". The conclusion is that: "Gradual Integration cannot replace the debate on the future of European integration or on the EU's will to accept in its community a country with a predominantly Muslim population." (Karakas 2005)

### **Conclusion: Neo-Ottoman democracy?**

The main problem with gradual integration in whatever form is that the EU would lose the essence of democratic conditionality. Turkey would have "one foot in the door" of Europe, but Europe would no longer be able to continue or control the process that has led in recent years to an effective deepening of democracy and the establishment of rule of law and minority rights in the country. At present, it still seems that Turkey above all insists on full membership. But "Plan B", which guarantees the country institutional and formal influence in the EU, may also find support in a changed Turkey — if it encourages a "neo-Ottoman democracy" that would link nationalist sentiments with the Islamic foundations of Turkish society and assign Turkey the role of a medium-sized power in the Middle East.

The irony in this development is a consequence (naturally without being planned as such) of the process of Europeanisation supported by the EU. Every prescribed democracy is a contradiction in itself, so that the dose of pluralism that Europe prescribes for Turkey's political system and culture has been used, but for the convenience of the Turkish system itself. Pluralism facilitates the deep transformation of the party system and state administration, eliminates the useless Kemalist elements, and "civilizes" the security forces. One expression of this process is the dominant position of the AKP, which is more similar to the ultimately successful experiment in creating Christian Democratic parties in south western Europe after 1945 than to a "creeping Islamisation" of Turkey. This is truly an "irony of history": the Islamic AK and its supporters (including business associations and the Anatolian middle class) are now more pro-Western and more in favour of economic, political and cultural globalization than the keepers of orthodox Kemalism, who are today are more nationalist and against the EU and the USA. The Kemalist establishment, led by retired generals and based on a dubious "deep state", is increasingly aggressive towards the West and open both to "Russian" and "Eurasian" options. The EU and the USA can counter this process by showing more flexibility on the Cyprus Question (for example, through trade relations with Northern Cyprus) by at last taking seriously Turkey's fears about developments in northern Iraq. The EU and the USA must realize that without Turkey, stabilisation in Iraq is impossible, while progress of democracy in the Middle East after a failure of Turkey's EU accession is unlikely.

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<sup>1</sup> *Frankfurter Allgemeine Zeitung*, 13 March 2008.

<sup>2</sup> *Frankfurter Allgemeine Zeitung*, 13 March 2008

<sup>3</sup> Recent examples include civil rights activist Eren Keskin, political scientist Atilla Yayla, and publisher Ragıp Zarakolu.

<sup>4</sup> See: [http://www.economist.com/world/international/displaystory.cfm?story\\_id=10808408](http://www.economist.com/world/international/displaystory.cfm?story_id=10808408)

<sup>5</sup>

Article I–57 of the European Constitution reads: "The Union shall develop a special relationship with neighbouring countries, aiming to establish an area of prosperity and good neighbourliness, founded on the values of the Union and characterised by close and peaceful relations based on cooperation. [...] The Union may conclude specific agreements with the countries concerned. These agreements may contain reciprocal rights and obligations as well as the possibility of undertaking activities jointly."

<sup>6</sup> [http://www.botschaft-frankreich.de/article.php3?id\\_article=2759](http://www.botschaft-frankreich.de/article.php3?id_article=2759).

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