

## **Human Rights and Democracy Promotion: The Case of Turkey-EU Relations**

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On 3 August 2002, the Turkish Parliament approved an 14-article package of legislation drafted to harmonise the country's laws with those of the European Union, which included abolishing the death penalty in peacetime, granting the right to conduct broadcasting and education in languages other than Turkish, increasing the rights for the religious minorities, and easing press restrictions. The intention in this article is to discuss latest constitutional amendments undertaken by Turkey as part of its commitments in the National Program to satisfy the conditions set by the EU, and raise the case for a revision in the EU's current policy toward Turkey. By contextualizing these developments within the wider debate about the EU's use of political conditionality in support of its democracy and human rights promotion policies, I contend that the achievements so far indicate that political conditionality is working and has contributed substantially to the liberalization of Turkish political system. On the other hand, the very logic of following a democracy promotion policy brings the EU under a special responsibility and obliges it to respond to Turkey's move and take the next step –the ball is in the EU's court. Moreover, given the current state of affairs in Turkish foreign and domestic policy on the one hand, and the possible implications of the upcoming eastern enlargement on the other, a policy carefully-drafted and responsive enough to Turkey's demands assumes an added urgency and leaves no place for maintaining the current ambiguity characterizing the relations.

## **Human Rights and Democracy Promotion and the EU**

It is widely recognized that the issues of human rights and democratization have found their way into international politics, and become of international concern, a process which has been provided with added impetus in the post-Cold War era.<sup>1</sup> There emerged a body of legal norms as well as political instruments –ranging from human rights diplomacy to international criminal court-, which regulate the governments' treatment of their citizens. Though very fragile and far from complete, they provide a ground to put the domestic conduct of the governments under international scrutiny. Among this wide array of instruments, the promotion of democracy and human rights through foreign policy making is particularly important, and believed to be an important avenue in the absence of more effective mechanisms to enforce the existing international standards.

In this vein, the European Union has included the protection of human rights into the guiding principles of its common foreign and security policy (CFSP) –second pillar-<sup>2</sup> and its Member States have been among the active promoters of human rights and democratization. The Member States committed themselves to develop a CFSP, whose objectives would be to develop and consolidate democracy, the rule of law, and respect for human rights and fundamental freedoms. Moreover, the Treaty on European Union formally set the framework for the protection of democracy and fundamental rights and freedoms, and their respect is a condition for membership and a basic aim of Community integration.

Consequently, the role of democracy, the rule of law and human rights in the external relations of the EU has gradually been enhanced.<sup>3</sup> The various policy fields of the EU, especially those under the first pillar, external economic relations, development policies, and enlargement process constituted the main instruments of EU democracy promotion policies. The introduction of political conditionality in the external relations of the EEC/EC/EU with the third parties (ranging from common commercial policy and development cooperation

policies to association agreements and pre-accession strategy for enlargement) is the most visible achievement of this trend. According to Karen Smith, political conditionality “entails the linking by a state or international organization, of perceived benefits to another state (such as aid), to the fulfillment of conditions relating to the protection of human rights and advancement of democratic principles”.<sup>4</sup>

In this regard, over the years, it has become established practice to include the so-called political conditionality clauses (sometimes legally referred to as ‘essential element clause’) in most of the economic and cooperation agreements with the third countries, which reads as follows: “Respect for democratic principles and human rights inspires the domestic and external policies of the Community and of [third country] and constitutes an essential element of this agreement”. This provides an express legal basis to take restrictive measures vis-à-vis the third country concerned, in case of violations of human rights and democratic principles.<sup>5</sup> Another area where the conditionality was used as an effective instrument has been the enlargement strategy. Although the founding Treaties originally do not expressly state respect for democracy, the rule of law and human rights as a precondition for membership, observance of these conditions has always been an important condition for qualification. First express references to political requirements for membership date back as early as the 1970s: The Document on European Identity (1973), and the Declaration of Democracy (1978). For instance, through the Declaration on Democracy, Heads of States or Government solemnly declared that “respect for and maintenance of representative democracy and human rights in each Member State are essential elements of membership of the European Communities”.<sup>6</sup> Conditioning membership into the Communities/Union on some political criteria reached its climax in the 1990s, and was centered on a clearly-articulated strategy. At the Copenhagen European Council of 21-22 June 1993, it was accepted that the accession of Central and Eastern European Countries (CEEC) would be

conditional upon fulfilling a set of criteria -popularly referred to as Copenhagen Criteria-: “Membership requires that the candidate country has achieved stability of institutions guaranteeing democracy, the rule of law, human rights and respect for and protection of minorities, the existence of a functioning market economy as well as the capacity to cope with competitive pressures and market forces within the Union...”<sup>7</sup> Consequently, Amsterdam Treaty (1997) closed the circle and provided an explicit treaty-basis for the membership conditionality, as well.<sup>8</sup>

As such, on the one hand, the conditionality clauses may be seen as the materialization of the developing concern for human rights throughout the world.<sup>9</sup> On the other hand, they allow for a conducive environment in which prospects for taking a stronger and firmer stance for the respect for human rights and democratic values both within the EU members, and towards the ‘target’ states with which the EU is engaging is higher than before.

### **Turkey as the target of democracy promotion policies**

In the literature on human rights promotion, Turkey, which has come under heavy international criticism due to its poor human rights performance, has been considered a relevant case to examine the extent to which international actions, accompanied by the presence of a linkage area, affect domestic-governmental attitude to improve the human rights situation at home.<sup>10</sup> The nature and history of Turkey's relations with the West, its military, political, economic and ideological involvement in the western organizations, and the expectations and aspirations from this relationship create linkages which channel influence, and in turn constitute a constraint for its domestic human rights and democratization policy. Hence, the immense linkages characterizing its relations with the Western world made Turkey the target of several Western human rights policies; ranging from U.S. ‘shadow embargo’ on weapons transfers to German embargo on tank sales to Turkey, and to numerous condemnations by the European Parliament.

Among several Western policy actors, the role played by the EEC/EC/EU was particularly noteworthy. Starting from the 1980 military coup, Ankara's human rights record and the challenges posed by Kurdish issue have become increasingly important in European evaluations of relations with Turkey.<sup>11</sup> The Helsinki process, growing prominence of the Green parties in some member states, the greater place enjoyed by the European Parliament in European politics, the deepening European integration process with an emphasis on European political morals and values were the main driving factors behind the EU's human rights promotion policies. On the other hand, Turkish-EU relations had been characterized by several patterns of relationship –from Association Agreement to Customs Union-, which provided the EU with the necessary leverages to engage in a democracy promotion policy vis-à-vis Turkey. In the meantime, in December 1999, the Helsinki European Council granted Turkey applicant status with a view to becoming a full member of the Union by stating that: “Turkey is destined to join the Union on the basis of the same criteria as applied to the other candidate states”. Though a date for the start of the accession negotiations was not set, it was decided that Turkey would benefit from a pre-accession strategy similar to the other candidates that was established in December 1994. From that point on, Turkey was clearly coming under the remit of “membership conditionality”. The Accession Partnership Document, which is the centerpiece of the pre-accession strategy, and the other related documents are built on political conditionality.<sup>12</sup> It contains a set of different short-term and medium-term priorities and intermediate objectives identified for Turkey in the light of the Copenhagen criteria. Consequently, future cooperation with Turkey –especially financial cooperation- is conditioned on the priorities of the Accession Partnership Document and Turkey's progress and compliance with the program for achieving the Copenhagen Criteria and adopting the *acquis*. In response, Turkish government committed itself in the National Program to a schedule for reforms in 2001 and 2002. Owing to this background, the Turkish-

EU relations have received further attention in the literature on EU human rights policies, and the extent to which the conditionality can be effectively used.

On the other hand, there were worries that in the new era opened by September 11, amid the current anti-terror campaign, the concern for democracy promotion policies would be subordinated to the need to counter the threat of international terrorism, which may resemble a return to the Cold War politics, where violation of human rights were mainly overlooked for the sake of 'global order'. Some governments in the region may take advantage of –especially- U.S. military support and further threaten human rights. The U.S. and western governments seeking anti-terror cooperation may be more willing to overlook human rights violations and anti-democratic practices by these governments.<sup>13</sup>

Yet, in the case of Turkey the effects of the new setting was not so grave that can justify ringing the alarm bells. Beside the particular characteristics of the country distinguishing it from the other countries in the region, another counterbalancing factor is of utmost importance. Turkey's special relationship with the EU is offering strong incentives to maintain the momentum for the domestic reforms toward democratization and human rights, in spite of some setbacks in the process. Nevertheless, the delays are caused more by developments in domestic landscape, and the long-standing problems dominating the reform debate, than the immediate effects of September 11. Despite the initial arguments that developments leading to the September 11 proved Turkey's approach to the rights and liberties, which was no doubt restrictive, reformist liberal-democrat forces continued to dominate the latest discussions. It is legitimate to claim that the determination to carry the reforms through derives its particular strength from the need to satisfy the demands put on Turkey by the EU in order to fulfill the Copenhagen Criteria. The Turkish case, therefore, shows the power and relevancy of the EU's democracy promotion policies vis-à-vis Turkey, which were able to counterbalance the trends of post-September 11 setting.

Contextualizing the recent constitutional reforms within this framework is therefore important and could help us derive some insights about the future of Turkish-EU relations. Until recently, within the country, there were diverging positions on the question of Turkey's membership into the EU.<sup>14</sup> One line of argument raised by pro-EU forces, mainly by liberal academics and intellectuals, is the positive impact that the EU membership will have on democratization and on the dismantling of traditional authoritarian state apparatus. Yet, as it became clear in the latest discussions, there are also forces within the conservative establishment resisting Turkey's bid for EU membership, by defending the status quo and rejecting the conditions set by the EU for further democratization; mainly more cultural rights including education and broadcasting in mother tongue, limiting the military's control over politics, etc. The division within the country along these lines, which is very much connected to the potential developments in Turkish-EU relations and the EU accessions process, was prevalent among academic and intellectual circles, media, as well as within politics. It is of relevance, in this regard, to call into mind the parallel discussions on whether Turkey should make a choice between the EU membership and strategic partnership with the US.<sup>15</sup> After this critical period of uncertainty and extensive heated discussions, by approving the reform package the Turkish Parliament has declared its determination to be 'anchored' in the EU and sent a strong message that it is ready to continue with liberalization of the political system. Consequently, there is a wide popular support complemented by the activities of a wide range of pressure groups advocating Turkey's membership into the EU. Yet, the issue is far from settled and the developments in the coming months will be mainly shaped by the EU's response to Turkey.

There is therefore a need for the EU engaging Turkey in this new phase. Moreover, the current uncertainty regarding Turkish domestic and foreign policy and the approaching

enlargement make a case for engaging Turkey particularly relevant, which begs a closer examination.

### **On the evolution of democratization process in Turkey: The case for engaging Turkey**

The first factor to have an impact on the reform process is definitely the developments in the domestic politics. With the decision to hold early elections in November 2002, there emerged seemingly a possibility to overcome the deadlock in the government on many issues including the necessary domestic reforms, as part of EU accession process. In the run-up to the elections, a ‘grand coalition’ on the reforms, composed of the majority of political parties and supported by large segments of the society, emerged which was determined to pass the necessary bills in the Parliament. It was mainly this positive mood that laid the ground for the latest constitutional changes on 3 August. Harmonization bills amending the Constitution was accepted with a great majority in the Parliament –except the coalition’s right-wing partner Nationalist Action Party (MHP), all other parties represented in the Parliament voted in favor, whereas Justice and Development Party (AKP) was divided over the issue.<sup>16</sup> Nonetheless, the uncertainty regarding the new constellation of Turkish politics in the post-election period remains unanswered, and the new structure emerging after the elections would definitely have an important effect on domestic reforms –at least as far as the implementation of the current constitutional changes are concerned.

A second set of factors has to do with the developments in international politics, especially their implications on regional level. Aside from the ongoing problems between Turkey and Greece, and Cyprus issue, the Middle Eastern dimension of Turkish foreign policy poses particular challenges. The war on terrorism has not come to an end and there are diverging opinions between the two sides of the Atlantic on the approach to be followed in this war. Moreover, the United States is determined to extend the war on Iraq, which heightens the uncertainty for the future developments in the region. At this stage, domestic



developments in Turkey are closely related to the current state of affairs in the region. Especially if one considers the fact that Turkish domestic politics has not settled and the result of upcoming elections is unpredictable, a possible turmoil in the region may have harmful effects on the democratization process, possibly by giving way to a growing role played by the military, which intends to fill the vacuum left by the civilian leadership, -a salient feature of Turkish politics throughout the last decade. This may no doubt hinder the follow-up to the constitutional reforms.

Having said that, EU policy toward Turkey, especially in the post-enlargement phase, remains the decisive factor that may shape the democratization process in the country. Even if one assumes that the developments in domestic and international politics result in a conducive atmosphere for democratization the reality remains there, which is the simple fact that the reform process in Turkey is inextricably connected to the accession process. Many in the country like to use the cliché that reforms are done because the Turkish people deserve and want it. Though this statement may have some truth in it, a brief examination of the latest major constitutional amendments -in 1995, 2001, and August 2002- reveals that, at least the actual timing was very much connected to the accession process, if not the origins and content.<sup>17</sup> For instance, similar to the latest reforms, the reform package of September 2001 consisting of 34 constitutional amendments was an attempt by the Turkish Parliament to meet the short-term criteria in the accession partnership process before the upcoming November 2001 Progress Report of the Commission.<sup>18</sup> It is largely for this close relation that the reforms made in this direction are seen as ‘concessions’ by anti-EU circles.

In short, at the end of the day what the Union can bring to the table, particularly as ‘carrots’ –positive conditionality-, would be the main determinant. This becomes especially important if one take into consideration the fact that the popular support for EU membership, which is very high indeed, was mainly stimulated by some ‘tangible’ benefits the full-

membership may bring about.<sup>19</sup> Though two-thirds of Turkish population support membership into the EU, half of the population have also the opinion that the accession process is standing still and that the process is much slower than it should be. Most of the available pre-accession aid programs continue not to be open to Turkey, and previously blocked aid programs have not been fully released, which imply a reluctance on the EU's part to grant substantial transfers.<sup>20</sup> The further postponement of these benefits may result in resentment on the part of large segments of the society, which are economically deprived as a result of cycle of economic crises, and already tired of 'staying too long in the waiting room'. Here it might be of relevance to recall another major argument repeatedly raised by the EU-skeptics, that the EU had never lived up to its promises and failed to deliver financial, economic, political or whatever aid Turkey needed.<sup>21</sup> Populist resort to such arguments in the future could gain currency. The ever-delaying advent of benefits of EU membership could spark a new disillusionment with the EU coupled with a nationalist backlash,<sup>22</sup> similar to the one experienced in the post-Luxembourg period.<sup>23</sup>

The uncertain nature of post-enlargement EU agenda emerges as another factor that increases the need for a responsive policy toward Turkey. Though the post-enlargement challenges are raised to justify the continuation of the current ambiguity vis-à-vis Turkey – supposedly to hold out accession as an incentive for further reform- by some circles in Europe,<sup>24</sup> seen from a democracy promotion perspective, the argument here is the opposite.

Whereas the enlargement will unify much of the rest of the continent, a great number of countries in the region will still have to wait for a realistic prospect of full membership, though they may enter into various relationships with the Union. An important challenge to the Union will be to address the distance between EU and non-EU European countries to avoid creating new intra-European borders psychologically and culturally, as well as

geographically. Especially, the problems to be posed by the exclusion of the current candidate states from the enlargement wave is of particular importance.

The immediate challenges of enlargement will, definitely, occupy a large part of the Union's agenda. It is realistic to proceed on the assumption that the result might be an inward-looking Union implying that the next round of enlargement would take place at some unpredictable time in the future. Within this light the question arises; whether the Union will be able to retain its ability to use the so-called 'membership conditionality' to support its democracy and human rights promotion policies in these countries; whether the current channels between Turkey and the EU be still sustainable in the 'post-enlargement' phase; what needs to be done to ensure that the Union will be still in a position to exert its influence in the post-enlargement phase. The uncertainty surrounding these questions suggests that the 'post-enlargement' period could open a new phase in democracy promotion policies, which might have the most immediate repercussions on Turkey. It is this new phase in the EU politics that adds a further urgency for a revised EU policy toward Turkey.

### **The EU's 'dilemma': Obligations arising from democracy promotion policies**

Especially after the latest Turkish step to amend the Constitution, a new euphoria regarding the EU is prevalent among the Turkish public opinion, and expectations from the EU are very high indeed. Accession to the EU has been increasingly perceived as a panacea for the decades-old economic, social, and political problems the country has been struggling to overcome. Surprisingly, the EU membership, once a divisive political issue, emerged as the single unifying theme among the political parties represented in the parliament, except MHP, as was also the case in the voting for constitutional amendments. This is a 'first' in the recent Turkish history and it indicates a historical transformation of the perception of the EU and Europe in Turkish minds. Though it is good news for the continuation of reform process, it is also equally true that this 'coalition' is somewhat synthetic, situational and temporal. Its

evolution in a constructive direction, which is very vital indeed, depends to a large extent on the actual course of Turkish-EU relations in the coming years, or even months. Within this light, a carefully crafted EU policy toward Turkey is what is badly needed at this critical juncture. This is certainly a challenge which has to be addressed in order to successfully manage this new phase in Turkish-EU relations and keep the reform process for political and economic liberalization going.

Therefore the popular saying, that ‘the ball is now in the EU’s court’, rightly describes the current stage of mutual relationship. To put it into a nutshell, it is obligatory for the EU to make conditionality credible and maintain leverages by new incentives, because current ambiguity is no longer beneficial for the long-term evolution of reform process.

The EU cannot avoid taking the necessary steps, as it has already been a ‘party’ to the Turkish domestic politics. This is an almost inevitable result of pursuing democracy promotion policies. A policy which is characterized with the inclusion of human rights and democratization concerns in external relations creates political, legal, and moral commitments and dependencies on both sides. Whether one likes it or not, the international actors trying to influence the behavior of target government are increasingly pulled deep into domestic politics and become one of the actors. On the one hand, this linkage puts limitations on the policies of international actors vis-à-vis the target country: a more ‘responsive’ and ‘accountable’ policy, equipped with the right language, the suitable discourse and the relevant instruments is expected from this actor. On the other hand, domestic politics in the target country becomes dependent on the attitudes of outside actors and render the internal balances fragile.

In this sense, the democracy promotion policies of the EU, especially the use of prospect of membership were influential in contributing to the progress of democracy and pluralism in the third countries. This is best observed in the EU’s engagement in the Central

and Eastern Europe following the collapse of communist regimes there, which contributed to the peaceful transformation of the region toward democratic, pluralist systems. Through the enlargement strategy, the EU has responded to these countries –made its conditionality credible- and it is expected that accession negotiations will soon come to an end with those CEEC which fulfill the accession criteria and qualify for membership. A similar policy rendering the conditionality credible is also what is needed for Turkey.

### **The Way Ahead**

Therefore, it is of prime importance that the EU policy vis-à-vis Turkey, especially in view of the upcoming enlargement and uncertain nature of Turkish domestic and foreign policy, be carefully crafted and administered in order to maintain the momentum of democratic reforms and liberalization in the country. The EU has rightly established a linkage between human rights, democratization, and the extension of aid and the benefits of enlargement. Yet, the amount of benefits should match the policy changes delivered by Turkey. Until now, Turkey came under heavy criticism of trying to change the rules of the club it was willing to enter, while asking for the benefits of the membership. To the surprise of many, Turkish side did its “homework”, and underlined its ability and determination to play the game within the established rules, even in response to very few benefits delivered so far. It is true that the latest reforms are not the last symphony and Turkey still has a long way to go to satisfy fully the conditions for membership; to name one, the leading role of the military has not been dealt with. It is also true that at the implementation phase the Turks have mostly been rather slow. Nonetheless the reality remains there: at this point in time it is the EU’s turn. The EU is expected by many Turks to make its conditionality credible and provide Turkey with a clearer perspective, which is no doubt a legitimate demand. A first step in the right direction would be to set a date for the start of accession negotiations at the next European Council in December 2002, as hiding behind the cloak of “we have to wait for

the implementation of the changes” is no longer tenable, and far from meeting the Turks’ demands.

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## NOTES

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<sup>1</sup> standard works on the relation between human rights and international relations include: Hoffman, S., *Duties Beyond Borders: On the Limits and Possibilities of Ethical International Politics* (New York: Syracuse University Press, 1981); Vincent, R. J., *Human Rights and International Relations* (Cambridge: Cambridge University Press, 1986); Donnelly, J., *International Human Rights* (Boulder: Colorado, Westview, 1993); Baehr, P. R., *The Role of Human Rights in Foreign Policy* (London: Macmillan, 1996); Forsythe, D., *Human Rights in International Relations*, (Cambridge: Cambridge University Press, 2000).

<sup>2</sup> *Treaty on European Union*, Title.V, Article.11.

<sup>3</sup> for a recent account on the EU democracy promotion policies, see: Youngs, R., *Democracy Promotion: The Case of the European Union Strategy* (Brussels: Centre for European Policy Studies: Working Document No.167, October 2001), and the extensive literature referred there.

<sup>4</sup> Smith K., “The Use of Political Conditionality in the EU’ s Relations with Third Countries:How Effective?”, *European Foreign Affairs Review* (Vol.3, Issue 2, Summer 1998), p.256. She further distinguishes between ‘positive conditionality’ -promising benefits to a state if it fulfills the conditions-, and ‘negative conditionality’, -reducing, suspending, or terminating benefits if a state violates the conditions.

<sup>5</sup> Bulterman, M., “European Union Membership and Political Conditionality”, *To Baehr in Our Minds: Essays on Human Rights from the Heart of the Netherlands* (Utrecht: SIM Special No. 21, 1998), p.123.

<sup>6</sup> *Declaration on Democracy*, (Copenhagen European Council, 8 April 1978, Bulletin EC3-1978), pp.5-6.

<sup>7</sup> Bulletin EC, 6-1993, I.13.

<sup>8</sup> *Treaty on European Union*, Title.VII, Article.49; Title.I, Article.6(1).

<sup>9</sup> Gropas, R., *Is a Human Rights Foreign Policy Possible? The Case of the European Union* (ELIAMEP Occasional Papers, OP99.02, 1998), p.18.

<sup>10</sup> Dagi, I., “ The Politics of Promoting Human Rights: Turkey and Western Diplomacy”, *Liberal Düşünce* (Vol.4, No.13, 1999); Dagi, I., “ Human Rights and Democratization: Turkish Politics in the European Context”, *Journal of Southeast European and Black Sea Studies* (Vol.1, No.3, September 2001), pp.51-68; van Westering, J., “Conditionality and EU Membership: The Cases of Turkey and Cyprus”, *European Foreign Affairs Review* (5: 2000), pp.95–118.

<sup>11</sup> Kramer, H., *A Changing Turkey* (Washington: Brookings Institution Press, 2000), p.231.

<sup>12</sup> Avci, G., “Putting the Turkish EU Candidacy into Context”, *European Foreign Affairs Review* (7: 2002), p.100; a collection of this and other documents can be accessed online at: <http://www.euturkey.org.tr/>.

<sup>13</sup> O'Rourke, B. “UN: Human Rights Chief Steps Down, Warning Of Post-11 September Rights Crackdown”, *RFE/RL* (Prague: 11 September 2002); Nevertheless it is also noted that the deterioration in the scope of liberties was not as severe as originally expected at the immediate aftermath of September 11, see “September 11 Dealt Blow to Civil Society Development in Central Asian States”, *Eurasia Insight* (September 11, 2002).

<sup>14</sup> for a description of this division within the country see: Dagi, I., “Competing Strategies for Turkey: Eurasianism or Europeanism?”, *Central Asia and Caucasus Analyst* (SAIS Biweekly Briefing, Wednesday,

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May 8, 2002); Dagi, I., "Limits of Turkey's 'Strategic' Partnership with the USA: Issues of Iraq, Democratization and the EU", *Opinion*, (TUSIAD-US, May 14, 2002).

<sup>15</sup> *Ibid.*; also see: Birand, M.A., "Will Turkey choose the EU or the USA?", *Turkish Daily News* (Opinion: 19 April 2002); Unal, E. "Polarization deepens in Turkey over EU", *Turkish Probe* (Issue.476, 10 March 2002).

<sup>16</sup> see Turkish newspapers, published on August 3, 2002; for an unofficial translation of the new harmonization package (Act No. 4771, Approval Date: 03.08.2002), see: Secretariat General for European Union Affairs, Prime Ministry, Republic of Turkey, *Law Amending Various Laws* (Ankara: 2002), and Secretariat General for European Union Affairs, Prime Ministry, Republic of Turkey, *An Analysis of the Harmonization Laws Adopted by the TGNA on August 3, 2002*, (Ankara: 2002). The President has also approved the reform laws on 8 August 2002. Yet, it must be added that MHP filed a case to the Constitutional Court in order to overturn the recent changes on the basis that they were in breach of the basic principles contained in the Constitution.

<sup>17</sup> Kirisci, K., "Evaluating the Question of Minorities in Turkey in the Light of Turkish-EU Relations", in Dunér, B. (editor) *Turkey: the Road Ahead?* (Stockholm: The Swedish Institute of International Affairs 2002), pp.112-113.

<sup>18</sup> for an account of these changes, see: Oder, B.E., "Enhancing the Human Face of Constitutional Reality in Turkey through Accession Partnership with the EU", in Dunér (editor), *op.cit.*, pp.72-104.

<sup>19</sup> for instance, see the results of a survey published in February 2001. Although 68 percent of Turkish public wanted to be a member of the EU, this was basically seen "as a solution to economic problems, unemployment and poverty". "Survey: 68 Percent of Turkish People Want Membership to EU", *Turkish Daily News* (21 February 2001; Another Euro-Barometer survey indicates that for the Turks interviewed membership into the EU means the freedom of movement for seeking job or educational opportunities in European countries. "Turk halki 2008'de AB Uyeligini ongoruyor", *www.ntvmsnbc.com.tr news portal* (March 19, 2002).

<sup>20</sup> Avci, *op.cit.*, p.109; another opinion poll indicates that, though over 75 percent of Turks support the country's membership into the EU, 45 percent also believe that the country will not be accepted by the EU. "Turks Support, but Doubt, EU accession" *Turkish Daily News* (15 March 2002).

<sup>21</sup> this was also one of the themes used by Tuncer Kilinc, Secretary-General of the National Security Council, who, with his statement on March 7, 2002, shocked observers and stimulated an intensive discussion by maintaining that Turkey would never be accepted by the EU, hence it should rather seek alternative allies. "Turkey will never be accepted by the EU: Kilinc", *www.ntvmsnbc.com.tr news portal* (March 7, 2002).

<sup>22</sup> in a recent analysis, after an evaluation of some possible scenarios on Turkish-EU relations, Kalaycioglu reaches at following conclusion. Though the current author does not share all the same pessimistic expectations, it is of relevance to quote here: "...if Turkey is rebuffed by the EU the outcome is likely to be a more introvert, isolated, chauvinist, and xenophobic political climate in Turkey. It would then be very difficult for Turkey to process with further democratization. Although a multi-party format could be preserved under those circumstances, it would be operating in a public opinion environment that was highly skewed to the far right. The domestic and foreign policies of the country would reflect such a slant in public opinion. When unconstrained by any exogenous influence, such as the EU or the US, those policies will tend to have dramatic consequences". Kalaycioglu, E., "Turkey's Choice: The Road away from the European Union?", in Dunér (editor), *op.cit.*, pp.130-131; It is, in this regard, interesting to observe that a newly-established party, named *Young Party* (Genç Parti) and headed by a businessman, Cem Uzan, is, along with a highly-populist discourse, resorting anti-European themes during its election campaign, and opinions poll indicate an increasing interest in this party.

<sup>23</sup> on the troubled post-Luxemburg period in Turkish-EU relations, see several contributions to: Bagci, H., Janes, J. and Kühnhardt, L. (editors), *Parameters of Partnership: The U.S.-Turkey-Europe* (Baden-Baden: Nomos Verlagsgesellschaft, 1999), which were reflective of the mood at that time; Kramer, *op.cit.*, pp.181-200; Yesilada, B.A., "The Worsening EU-Turkey Relations", *SAIS Review* (Vol.19, No.1, Winter Spring 1999), pp.144-161.

<sup>24</sup> see for instance *Financial Times*, August, 6, 2002.