

## *The Effects of the Decline of the EU Leverage Over Turkey's Political Regime*

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### **Abstract**

Levitsky and Way have a particular place in the study of democratization since most of the scholars analysing the effects of the linkage and the leverage refer to their works. They define Western leverage as the “incumbent governments’ vulnerability to external pressure for democratization”. Linkage basically means “the density of ties and cross-border flows between a particular country” and the Western world. Levitsky and Way regard linkage as a more determinative factor than leverage by contending that “Leverage in the absence of linkage has rarely been sufficient to induce democratization since the end of the cold war”. However, the intensity of Turkey’s linkage to Europe could not compensate the negative effects of the declining leverage over democratization since 2006. Levitsky and Way’s argument that linkage matters more than leverage does not apply to Turkey.

Keywords: Leverage, Linkage to the West, Turkey, authoritarianism, AKP

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## Introduction

The effects of Western linkage and leverage over transitory political regimes have been widely discussed in the democratization literature since the early 1990s. Although the academic researches began in the 1980s with the democratization processes some Southern European and Latin American started to experience, the post-communist transition processes which occurred after the collapse of the pro-Soviet socialist bloc intensified the debate. Levitsky and Way (2006 and 2010) have a particular place in the study of democratization (and failed attempts of democratization) since most of the scholars analysing the effects of the linkage and the leverage refer to their works.

Levitsky and Way define Western leverage as the “incumbent governments’ vulnerability to external pressure for democratization”. Performing as a carrot and stick mechanism, Western pressure may both include rewards such as the EU accession for a candidate country and means of punishment such as “aid withdrawal, trade sanctions (...), diplomatic persuasion, and military force” (Levitsky and Way, 2006: 382). Rewards could be termed as positive or political conditionality and within the EU accession context, which is the relevant context for this paper, means “the adoption of democratic rules and practices as conditions that the target countries have to fulfil in order to receive rewards such as financial assistance (...) or —ultimately— membership” (Schimmelfennig & Scholtz, 2010: 445).

The three factors Levitsky and Way cite as the dynamics that shape the intensity of the Western leverage are as follows: “the size and strengths of the country’s economy, strategic or economic interests of the West (...) and the presence of (...) counter-hegemonic powers that shield (...) their allies from Western influence” (Levitsky and Way, 2010: 40-43). They regard linkage as a more determinative factor than leverage by contending that “Leverage in the absence of linkage has rarely been sufficient to induce democratization since the end of the cold war” (Levitsky and Way, 2006: 379). In a latter work they maintained the same argument, this time by adding the “organizational power of the incumbent regimes” as a third factor alongside linkage and leverage into the equation (The organizational power here designates the rulers’ capacity to repel the pro-democracy challenge coming from the opposition). They therefore arrive at the conclusion that when the linkage is high, one should expect a higher probability for democratization irrespective of the extents of leverage and organizational power, whereas the leverage becomes a determinative factor only when the linkage is not strong, along with a weak organizational power (Levitsky and Way, 2010: 37-73).

Linkage basically means “the density of ties and cross-border flows between a particular country” and the Western world, with these five dimensions: Economic linkage, geopolitical linkage, social linkage, communication linkage, and transnational civil society linkage (Levitsky and Way, 2006: 383-384). Levitsky and Way highlight the role played by linkage extensively (Ibid.: 379-380 and 384):

Linkage has raised the cost of autocratic abuses by increasing their international salience and the likelihood of external response (...) In high linkage regions, such as Central Europe and the Americas, nearly all competitive authoritarian regimes democratized. (...) Linkage generates

several sources of antiauthoritarian pressure. First, it heightens the international salience of autocratic abuse. (...) Second, linkage increases the likelihood that western governments will take action in response to abuses. (...)

In an era where many established and relatively new democratic regimes are dominated by a transnational socio-political tide called populism, right(-wing) populism or authoritarian populism by several authors, the importance Levitsky and Way attach to linkage has proved to be highly optimistic, though. What Diamond calls the period of “democratic recession” is preceded by the glorious democratization wave which rose in the 1990s (Diamond, 2008) and it coincided with the 2008-9 global economic recession which instigated a crisis of representation in many European countries, shaking the societal foundations of the traditional parties located near the centre of the political spectrum. It is just one of the striking examples that in Central Europe, which is portrayed by Levitsky and Way as a region where the democratic transition has completed (Levitsky and Way, 2006: 380 and 384), Hungary under Fidesz rule and Poland under Law and Justice Party rule stand among the right-wing populist governments of the Western world.

It should be noted that Levitsky and Way’s optimism identifying a firm connection between linkage and democratization is not a personal error of analysis. The positive role assigned to linkage is a structural characteristic of the modernization theory, which regards democracy as “a function of the level of social and economic development of a country” (Lavenex and Schimmelfennig, 2011: 891). This theory identifies a strong connection between democracy and the indices of economic development such as industrialization, urbanization, wealth by contending that “economic development goes together with better education, less poverty, the creation of a large middle class and a competent civil service” which, in their turn, moderate the class struggle and diminish the appeal of extremism (Ibid.). In short, modernization theory is an optimistic theory.

Levitsky and Way’s theory has not only been challenged on the grounds of linkage, but regarding leverage as well. Even they themselves admit that the effect of the leverage may be limited when a regional power provides “support to neighboring autocracies, thereby mitigating the impact of the western influence” or when an autocratic regime manages to portray itself “as the best means of protecting [western] interests” (Levitsky and Way, 2006: 383). However other systemic analyses go farther by demonstrating that the US and the EU do not certainly endorse democracy in every case while pursuing their foreign goals (see for instance Börzel, 2010 and Schimmelfennig, 2012). Similarly, as opposed to the optimistic approach which argues that “domestic actors do not just react differently to the incentives of EU membership [but] they are also shaped by them” (Vachudova, 2002: 4), Börzel and Van Hüllen define the prospective EU accession as a stabilizing factor rather than a driving one for a candidate country government’s willingness for democratic consolidation (Börzel and Van Hüllen, 2011). The latter argument could be said to be in line with Schmitter’s contention that it is actually the national actors who play the essential role in democratic transition, compared to the marginal role played by foreign actors (Schmitter, 1986: 3-10).

## **Turkey's bid for democratization: 1983-2002**

The military coup in 12 September 1980 was followed by a relatively short period of military rule and a civilian government was established following the 6 November 1983 election, held under the supervision of the military. The current governing party, Justice and Development Party (AKP) under R. T. Erdoğan's leadership came to power in November 2002. The reason this paper does not consider any part of the ongoing AKP era within the framework of democratization is that Turkish democracy's trend was upwards between 1983 and 2002 while its direction went downwards between 2003 and 2014, according to V-Dem Institute's liberal democracy index (see Meyersson, 2016a). Freedom House data covering the same period largely confirms the V-Dem Institute's findings (see Meyersson, 2016b). When it comes to the 2015-2019 period, Freedom House defines Turkey as a Partly Free country with a declining trend of freedom points whilst in the 2018 and 2019 reports Turkey has been described as Not Free (Freedom House, 2015, 2016, 2017, 2018 and 2019).

Significant progress in terms of democratization was achieved towards the late-1990s in parallel with the EU accession process gaining pace. EU granted the "candidate country" status to Turkey in December 1999 hence an intensive legislation process for the EU membership started. August 2002 constitutes a milestone in the EU reforms. Death penalty was abolished and broadcasting in languages other than Turkish (namely Kurdish) was allowed.

The AKP came to power in mid-November 2002. The following month during the Copenhagen summit the EU leaders agreed to decide on whether the membership negotiations with Turkey would start or not in the 2004 summit. The two years between December 2002 and December 2004 therefore witnessed an intensive legislation activity in the Turkish parliament in which the main opposition Republican People's Party (CHP) generally took part too. The AKP government cooperated with the EU regarding the Cyprus question too, but this was not welcomed by the CHP. Finally, during the December 2004 Brussels summit, the EU decided to start membership talks with Turkey on 3 October 2005. The year 2005 also marked the first signs of the end of the honeymoon between the EU and the AKP, though. The reform process in Turkey slowed down.

## **Authoritarian shift: 2005-2013**

The legal amendments between 2005 and 2007 paved the way for an authoritarian regime and the sophistication of the state's tools of political violence and oppression. The new Penal Code that was adopted in 2005 included more than 20 articles entailing penalties that are to limit the freedom of expression. The new Criminal Procedure Code that passed same year established the Special Heavy Penal Courts. All the politically motivated cases such as KCK, Ergenekon, Sledgehammer and so on would be dealt with by these courts from 2008 onwards.

Next year a new Anti-Terrorism Law was adopted. That included vague clauses on terrorism such as "committing a crime on behalf of an organization without being a member of it". As put by an HRW report; "The laws (...) offend against international law as they criminalize the legitimate exercise of freedom of opinion, expression, and

assembly. (...) This legal framework makes no distinction between an armed PKK combatant and a civilian demonstrator” (Human Rights Watch, 2010). Last but not to least to mention, a new Law on the Duties and Competences of the Police was adopted in 2007, widening police’s competence for recourse to force (including use of lethal force). As a result, the number of people who died as a result of police violence rose from 17 (2007) to 29 (2008) and came out as 29 again in 2009 (Saymaz, 2012). Furthermore, the number of people being detained under the anti-terrorism laws more than doubled in four years (1537 in 2005 and 3361 in 2009) (Sarp, 2014: 514).

On the other hand, harassment of Kurdish politicians began in the lead-up to the 2007 general election and accelerated in late 2009. By June 2010, 151 officials of the pro-Kurdish party were indicted for membership in an organization connected with the PKK (Human Rights Watch, 2010). By September 2012, the number of the Kurdish politicians and activists being detained was nearly 1000 (Rodrik, 2012). By 2012 Turkey was a country holding “more journalists in jail than China and Iran combined” (Ibid.).

Just to cite an example for politically motivated cases based on fabricated evidences, the case about the alleged Sledgehammer coup plot was noteworthy. The coup plans that were allegedly prepared in 2003 proved to “contain references to fonts and other attributes that were first introduced [in mid-2006]” (Ibid.). Moreover, they contained information from later years that could not have been known back in 2002-2003 (Doğan and Rodrik, 2010).

### **Authoritarianism consolidated: From 2013 onwards**

The year 2013 constituted a milestone. A nationwide public rebellion comprising millions of protestors who gathered in almost every city throughout June, known as Gezi Protests, shook the government. However the AKP rule survived. In December prosecutors and police officers who were members of the Gulenist organization, a former ally of the AKP and the main perpetrator of the cases based on fabricated evidences, launched an anti-corruption investigation against the government. The government took certain measures against them, including large-scale purges from the bureaucracy which mounted to the elimination of 150,000 civil servants following Gulenist junta’s failed military coup attempt in 2016. All these developments largely destroyed the rule of law in Turkey.

Furthermore, the principle of free and fair elections has been undermined since 2017 because of the biased decisions of the High Electoral Council—especially concerning the 2017 referendum and the 2019 municipal elections—which are not in conformity even with the existing laws and jurisprudence. Another controversial situation is that the former leader and a number of high-level officials of Turkey’s third biggest party, the pro-Kurdish Peoples’ Democratic Party, are in prison since the end of 2016.

Apart from the V-Dem Institute’s and Freedom House’s works that have been referred to previously, Reporters Sans Frontieres’ press freedom rankings for Turkey after 2013 also demonstrate the widening democratic deficit: Amongst 180 countries Turkey ranked 154<sup>th</sup> in 2013-14, 149<sup>th</sup> in 2015, 151<sup>st</sup> in 2016, 155<sup>th</sup> in 2017 and 157<sup>th</sup> in 2018 (RSF, 2019).

## **What has EU done since 2005?**

The membership negotiations between EU and Turkey has always been open-ended since the day they started (3 October 2005). Unlike other candidate states, a roadmap for Turkey's accession which is to include specified dates has never been agreed upon. Paul Kubicek notes that "the envisaged duration of accession negotiations moved any rewards for [Turkish government's] reforms far into the future". Kubicek also points to the negative attitude of the prominent EU leaders and public opinions of EU countries after 2005 (quoted in Lavenex and Schimmelfennig, 2011: 901):

(...) conditions worsened after 2005. Popular disapproval across the EU and the principled opposition of major EU member state governments cast doubt on the EU's commitment; further reforms and the implementation of promises made became more costly for the government (...)

German Chancellor Angela Merkel and French President Nicolas Sarkozy made several statements between 2009 and 2011, stating that they preferred Turkey to have a privileged partnership with EU instead of full membership. European Commission President J. Manuel Barroso (in 2007) and the President of the EU Jean-Claude Juncker (in 2014) affirmed that Turkey would not be fit for membership in a foreseeable future.

EU-Turkey relations rapidly worsened following the failed coup in 2016: In late 2016 the EU foreign ministers decided not to open a new negotiation chapter with Turkey. In late November 2017 some of the financial aids to Turkey regarding accession process have been lifted. In 2018 EU Commission issued the most critical country report for Turkey ever. In June 2018 the European Council noted that Turkey moved further away from the EU (Cop, 2019: 2).

## **Conclusion**

Turkey's linkage to EU has not weakened neither during the decline of the leverage (after 2005) and nor during the large-scale deterioration of the relations (after mid-2016). Vachudova wrote in 2002 that the cost of exclusion (from EU) for Eastern European economies would be severe since "a steady flow of money, expertise and foreign direct investment will be diverted away from states that do not join towards those that do" (Vachudova, 2002: 8). On the other hand Turkey, which moved further away from the EU each year since 2006, has not suffered neither in terms of foreign direct investment (FDI) nor regarding the trade with EU. The FDI in Turkey reached its peak in 2007 and following a sharp decrease in 2009 due to the global crisis, it achieved relatively high amounts in 2011 and 2015 (the net inflow was a record 22 billion USD in 2007 and came out as 18 billion USD in 2015) (World Bank, 2019). Similarly, in 2018 Turkey "was the fifth largest partner for EU exports of goods and the sixth largest partner for EU imports of goods" (Eurostat, 2019).

This paper thus agrees with Kubicek's argument that "the cultivation of civil society" (an important component of linkage) in Turkey "could not compensate for the worsened conditions of leverage [after 2005]". Hence "the change in democratization had mainly do with a variation in the conditions of conditionality" (quoted in Lavenex and Schimmelfennig, 2011: 900-901). In other words, the intensity of Turkey's

linkage to Europe could not compensate the negative effects of the declining leverage over democratization. Levitsky and Way's argument that linkage matters more than leverage (2006 and 2010) does not apply to Turkey. Taking into account the results of the 2019 local elections and the developments in the aftermath, which signal the fall of the authoritarian Erdoğan regime and the hope for a democratic revival, Turkey rather suits Schmitter's contention that domestic actors play the main role in the democratization compared to the marginal role of the foreign actors (1986).

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