

# *EU's Norm Diffusion Entrepreneurship: Case Study on EU-Turkey Interactions on Ethnic Rights Policy*

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**Keywords:** Norm diffusion, Kurdish, EU-turkey relations, Copenhagen criteria

**Abstract:** Turkey has witnessed the change in domestic ethnic policy in terms of Kurdish issue from negation of a separate Kurdish identity to granting Kurdish ethnic rights during the 1990s. The author argued that policy change in Turkey stemmed from Turkish efforts in pursuing the membership of the European Union (EU) and thus had to meet the Copenhagen Criteria of domestic ethnic rights for an EU membership state. Moreover, EU was also active in using the Copenhagen Criteria to shape Turkish ethnic policy through controlling the process of membership negotiation. Using the theoretical framework of norm diffusion, the article illustrated how Turkey changed its Kurdish ethnic policy through the “top-down process” of EU intervention and the “bottom-up process” of Turkish domestic politics.

## 1. Introduction

From the 1990s to 2004, Turkey has experienced a dramatic change in ethnic policy on Kurdish people, which is largely different from its long-term perception on the relations between Turks and minorities. Traditionally from 1923 to the 1980s, Turkey regarded the Kurdish people as ‘Mountainous Turks’ and denied their ethnic specialties, which caused several decades of conflicts between the two ethnic groups. However, a sudden change happened in the 1990s when Turkey government started its agenda for joining the EU. During this period, Kurdish people were granted equal rights and ethnic status from Turkish government. Why did Turkish government change its policy?

From the following research, we believe that the EU played a vital role in diffusing the norms of ethnic rights towards Turkey when the latter asked for membership of the EU. Such a process combined with Turkish effort of combating Kurdish separatist and resolved its security issues, domestic consensus agenda on Kurdish rights in late 1990s. The interaction between the two sides, especially Turkish desire for joining the EU and identity of ‘westernization’ pushed Turkish government to provide the target for reform, while the EU's norm diffusion entrepreneurship structured Turkish behavior and pushed the latter to make the reform effort. The following part would combine theoretical framework and the case study on Turkish reform and EU norm diffusion. Besides, the conclusion would tell us that the ‘success’ of Turkish reform results from ‘top-down process’ and ‘bottom-up process’, which means the combined process and interactions between EU, Turkish government and Kurdish diaspora.

## 2. Theoretical Framework: Norm Diffusion Theory

Traditionally, international norms issue is a marginal topic in international relations discipline. Theoretically speaking, dominated by realist and rationalist approach, states and non-state actors are assumed to be self-help and power pursuer in international politics, rather than acting based on 'the appropriateness of behavior' (Finnemore, 1998, p.888). Methodological speaking, the dominance of positivism and quantitative approach leads to the suspension of discussions about whether an action is 'good' or not, or leave them to the political philosophy discipline.

However, this does not mean actors in international relations are not bound by the notions of appropriateness, and such assumptions contradict the international reality. Global and regional norms such as women suffrage and the regime of denuclearization emerged across international society, which affected sovereign states identifying their national interests. The emergence of norms, the diffusion of norms from norm entrepreneurs to certain targeted states and whether they would succeed would be a vital research issue in international affairs.

Globally norm promotion and diffusion among the international arena has become a focused issue since the 1990s. Martia Finnemore (1998) highlighted the theoretical framework of norm diffusion among international society. She divided the norm diffusion into three stages: 'norm emergence', which means norm entrepreneurs (state leaders or individuals) who proposed certain values ('what is appropriate') to the "mass" (other states or non-state actors) and turn into a new consensus of appropriateness. The second stage is 'norm cascade', which means norm leaders 'socialize' other states to conform to the norm after it was established within certain state-actors. The end of the 'norm cascade' is 'norm internalization', which means norms have acquired a taken-for-granted status among international systems and face no challenges among states.

However, her model on explaining EU's norm diffusion towards Turkey might not explain the role of norm acceptance from the targeted country. Besides, the features of norm entrepreneur and targeted states themselves (such as individuals or bureaucracies) fail to fit in the framework. Further studies on norm promotion focus more on institutional incentive, cultural similarity between new and old norms and domestic politics process as whether targeted states accept the norm from its entrepreneurs. Below the essay would delineate the norm diffusion theory framework on our case study, which would finally come down raising hypotheses on factors on EU's norm entrepreneurship towards Turkey.

To build our analyzing framework, the norm promotion from the EU and acceptance from Turkey could be regarded as 'top-down process' and 'bottom-up process' of norm diffusion. The 'top-down process' led by the EU, promoted its norms and values through incentives more than punishment means. Before the negotiation process, 'membership conditionality' (Ikizer, 2011, p.10) was a major tool for incentives, for it provides a stable expectation to join into EU as full membership if only potential member candidates push the domestic reform agenda, thus giving the potential member more incentives for reform while withholding domestic pressure from rival and old institutional political elites, and EU also provide further technical and material assistance and strengthen the external links with the candidate government. In other words, EU's links would push candidates to 'rebalance' their trade-off of domestic reform if they conform to the EU-set norms. Besides, negative pressure could also come from the EU through intergovernmental 'top-down' interaction, but mostly from 'soft pressure' such as international defamation.

However, although social influence also originates through 'top-down process', which mostly endorsed through EU's admission of potential candidates, whether it takes effect or not comes from candidates' self identity it is determined to contend for. Even if the regional organization uses social influence as leverage for changing a candidate's behavior, whether it could be the leverage or not depends on the domestic pluralistic power structure. Such 'pluralistic' does not normatively indicate

whether the candidate is a well rounded democracy or not, but it indicates whether the candidate government faces domestic oppositions contending for the power and the balance of domestic power resources between government and political rivals. If domestic politics were under contention, EU's 'social influence', such as delegitimizing the ruling government and decreasing cooperation and postponing the negotiation process, would take effect because it would synchronically decrease the governments' legitimacy domestically, indirectly increasing the legitimacy of the opposition's political bloc.

Briefly, we could assume that the process of norm promotion from the EU to its 'neighboring country' Turkey consists of 'bottom-up process' and 'top-down process' simultaneously which means that a single theoretical framework fails to explain the whole pattern of the process. The 'bottom-up process originates from Turkey's own identity, motive and ability which affected its end of decision to accept EU's norm, and played by Turkey's domestic ruling government and opposition parties and groups. The 'top-down process' comes from EU institutions and its member states' power resources, including its social influence and material incentives towards Turkey. Both processes together lead to the result that Turkey conformed to the EU's norm promotion agenda. Thus, in the following paragraph, we would conduct the case study by interactions between 'norm supplier' and 'norm consumer' to analyze factors from different actors' agencies affecting the contrasting result.

### **3. Case Study: EU's Norm Diffusion and Turkey's Ethnic Policy Reform (1990s-2004)**

Considering Turkey's ethnic policy reform towards Kurdish people, we could not neglect the role of EU's norm promotion effort as an exogenous variable for changing Turkey's policy towards Kurdish people in ways both identity and action. But it only took effect while Turkey chose its identity towards European integration. Thus, the norm diffusion was an interaction rather than a one-way process.

#### **3.1 The Multilevel Aspects inside Turkey's National Identity**

Concerning Turkey, since the foundation of the republic in 1923, Turkey conducted modernization reform domestically, including separation between religion and state, social secularization and literal reform (Acikmese, 2010, p.138). While redefining its identity as a 'secular state', Turkey chose integration with the 'West' as its major effort in foreign policy practice. After 1945, Turkey became a member of NATO and signed an association agreement with the newly-emerging European Community, highlighting that 'following west' to protect national security and economic benefits. The bond between Turkey and Europe evolved into the Custom Union agreement in the late 1990s.

However, the new republic of Turkey faced the problem of integrating domestic ethnic groups into a new national identity since 1920s. In the early times of Turkish republic, the state implemented the assimilation policy by pushing Turkish nation-building towards Kurdish people, including denial of the word 'Kurds' instead of 'mountainous Turks' (Ikizar, 2011, p.20) and forbidding the use of Kurdish language. Under the new national identity of Turkey, all Muslim in Turkey would be regarded as 'Turkish people', while negating the existence of ethnic groups. The radical assimilation policy in the early 1920s was unsuccessful and caused Sheikh Said rebellion, pushing the Turkish state to implement internal deportation policy. After the Democratic Party came to power in 1950, Turkish government imposed the economic assistance towards southeast areas for regional integration. Meanwhile, after a liberal constitution adopted in 1960s, Kurdish intelligentsia advocated more balanced distribution of economic opportunities and resources, political representation under the influence from Kurds in Iraq and Syria (Ikizar, 2011, p.6). Such social-based movement raised the emergence of Kurdish identity in the early 1980s (the Kurdish Workers' Party, PKK, was established in 1978 and started conducting rebellion in 1984).

However, from the view of Turkish state, ethnic recognition has long been a securitization agenda, which means that ethnic status recognition within Turkish national republic would cause the threat of unity of Turkey, for the ethnic group identity would be justification of 'self-determination'. Such fear of ethnic identity within Turkey was regarded as 'Sevres Syndrome' (Kirisci, 2004, p.284), for it would cause perception of separation based on ethnic group 'self-determination' and foreign intervention. Therefore, until the 1980s, the national identity of Turkey has been a multilevel feature of westernization, pro-Europe external identity and monolithic Turkishness internal identity. Although Turkey identified itself as a pro-westernization state and strengthened cooperation with Europe, it also restricted its tolerance towards ethnic groups. Such multilevel identity would lead Turkey to face norm conflicts in the way towards deeper integration with Europe since late 1980s.

### **3.2 Europe's Ethnic Rights Norm Construction Since 1990s**

Conditionality has been the essential tool for European norm diffusion since the 1990s. After the end of the Cold War, former Eastern European countries faced the issue of integrating into Europe. But from the perspective of west European countries, the political and economic gap between east and west hindered regional integration, including policy coordination and the maintenance of the single market. Therefore, the EU declared the Copenhagen Criteria in 1993, as conditionality for new candidate states negotiating for formal membership of the EU, meanwhile the EU would promise benefits for encouragement of 'Europeanization' reform. In the 1993 European Copenhagen Summit, the EU leaders expressed that 'Accession will take place as soon as an associated country is able to assume the obligations of membership by satisfying the economic and political conditions required' (Ikizer, 2011, p.12), which included democracy, human rights and rule of law. Besides, minority protection was also separately listed as prerequisites, for national minorities conflicts since the 1990s and potential migration inflow from east Europe to west might cause challenges for a future enlarged Europe. Therefore, the norm setting of equality protection, including equal political and economic opportunity for minorities is under integration assessment from the EU.

Moreover, Kurdish issue in Turkey has taken into the EU's perspective since the 1990s, due to efforts from Kurdish transnational movement in Europe. According to some political-ethnographic research, Kurdish diaspora lobbied toward EU after two Kurdish parties in Turkey, HEP and DEP, were banned by Turkish constitutional court consecutively in 1993 and 1994, asking for EU with the aim of putting pressure on Turkey to democratic reform (Balci, 2015; Berkowitz & Mugge, 2014). Also, Kurdish diaspora in Europe tried to convince European Parliament and other institutions with facts about violation of ethnic groups' human rights in Turkey.

EU's norm practice on membership conditionality and Kurdish diaspora's lobbying converged together shaped EU's norm identity and action concerning the Kurdish ethnic group in Turkey after late 1980s. Before then, European institutions had less criticisms about Turkish ethnic issues. After Turkey firstly applied for EC full membership in 1987 and starting of Custom Union Process in 1990s, European institutions got its opportunity for exerting its influence on Turkey's political reform.

### **3.3 Eu and Turkey's Interactions on Norm Diffusion**

In 1987, when Turkey firstly applied for membership of EC, the latter believed that Turkey had no status to join in EC for economic and political situation could not convince it to overcome the adjustment problems, but not based on human rights issues. EU's intervention towards Turkey's ethnic group rights issues started in 1992. At the same year's Newroz celebration, Turkey forces cracked down Kurdish assembly, while European Parliament issued condemnation towards Turkish government. In 1994, the nullification of pro-Kurdish party DEP brought Turkish ethnic rights as a core issue for European concerns on accession. At this time, the EU froze the operation of the EU-

Turkish Joint Parliamentary Committee. Also, European Parliament declared that the customs union proposal between two sides should be stalled.

The 1994 suspension of the customs union agreement led Turkey government to make domestic political reform first. In 1995, Turkey government approved a constitutional reform which limited the grounds for the closure of political parties during the customs union negotiation. It was the first time for Kurdish parties to have a more liberal political space in Turkey. In 1997, EU Luxemburg summit denied Turkey's accession and suggested that the improvement of Kurdish people's right was the prerequisite of EU's enlargement towards Turkey.

Since 1998, EU institutions have shown their norm pressure by releasing 'Turkey's Progress Report'. In the report, European Commission believed that Kurdish issue should be solved in the way of a 'civil solution'. It was the first time for EU institutions other than the European Parliament to link Kurdish issue and Turkey's enlargement together. Such a voice led to 1999 European Helsinki Summit, when the EU finally accepted Turkey as a candidate country for enlargement. From the time sequence, we can find that the changing stance of EU from denial to engagement highlights EU's power of setting conditionality and agenda for Turkey, based upon Turkey's reform progress. Just as the then-EU Commissioner Gunter Verheugen said, the EU would not open negotiations for full membership with Turkey unless Copenhagen criteria were fulfilled and definitive steps were taken in the sphere of human rights, especially concerning the 'Kurdish minority rights' (Ikizer, 2011, p.13).

### **3.4 Turkey's Domestic Reactions and Domestic Reform**

On the other hand, we could not neglect Turkey's domestic political change and interests-redefinition inside Turkey while analyzing EU's norm power. In fact, EU's norm power only played a role of 'supply side' or 'top-down process', and only the supply side takes effect when there was a 'demand side' or 'bottom-up process' happening. As Turkish Prime Minister Mesut Yilmaz said, that 'the road to the EU passes through Diyarbakir and democracy is the right of both the Turks and the Kurds'(Ikizer, 2011, p.13).

Traditionally in Turkish politics, there were divisions in how to deal with the Kurdish issues. The hardliners believed that there were no separate Kurdish cultural and ethnic identity in Turkey, and any separation movement should be cracked down, while the moderates believed that Kurdish ethnic identity could be integrated into Turkish national identity. For the policy change process, Turkish policy on Kurdish started from late 1980s, when then-prime minister Turgut Ozal firstly relaxed restrictions of Kurdish people's rights. During his term Turkey firstly adopted legislation that rescinded the law which banned the public use of Kurdish language. After the national election in 1991, the ruling party DYP firstly recognized the fact of a separate Kurdish ethnic group in Turkey.

However, Turkey's softened policy met a fluctuation during the 1990s until the arrest of the head of PKK, Abdullah Ocalan in 1999. In the 1990s, the violence staged by Kurdish rebel groups became more and provoked the hardliners to take actions, including barred the legality of some emerging Kurdish parties in parliament. Besides, Turkish also started military actions towards southeast areas and northern Iraq against PKK. Turkish strong action happened synchronically along with signing custom union treaties with the EU, while coming to halt due to the EU's concern about Kurdish human rights issues. By 1995, Turkish government believed that it had weakened PKK's power due to its hardline policy. In the late 1990s, the EU started to exert pressure by providing a monitoring report towards Turkey, while suspending financial aid in a custom union project in 1996. Things only changed in 1999 when Abdulla Ocalan was arrested in Kenya and sent to a triad led by Turkish government. On the trial, Ocalan changed his viewpoint about the causes of Kurdish people, forging an independence movement and believed that democratization in Turkey also could preserve Kurdish people's rights.

Ocalan's softened stance made Turkish moderates and hardliners converge towards the Kurdish policy. The softened stance from the 'head of the rebel group' provided Turkish government with external security situations to push domestic reform without worrying more about 'separatist issues'. Besides, EU member states also acted as a pushing factor for engaging Turkey towards final candidate status. During the 1999 EU Summit in Cologne, Turkish prime minister Ecevit met with German Chancellor Schroder and he promised the German counterpart to determine to meet Copenhagen Criteria through domestic reform. Besides, Turkish president Demirel acknowledged that his country had a problem concerning the use of torture and he would address the issue (Krisci, 2004, p.291).

The promise from Turkish is the turning point of Turkish stance towards 'democratic reform', including guaranteeing the rights for Kurdish people. Also in the same year, Turkish accepted the NGOs' activities and existence in participating in the rescue operations of the earthquake. Besides, Turkish constitution removed the military judges in its judicial systems, which catered for the decision from the European Court of Human Rights. Moderate political atmosphere provided Kurdish political parties more space, and HADEP was firstly elected in the parliamentary election in the late 1990s. In September 1999, the Kurdish Parliament in exile was dissolved.

After Turkish domestic relaxation of political atmosphere in the late 1990s, the EU also changed its decision towards Turkey's candidate status. In the 1999 Helsinki summit, European Council recognized Turkey's status as a candidate. Following the step of Helsinki, EU's conditionality took effect over Turkey, which means that EU could start negotiations with Turkey after the latter got the candidate status, but the specific date would finally be decided by both sides' consensus. Besides, the EU continued its monitoring policy by releasing annual progress reports from 1998 to 2000. Thus, Turkey started domestic reform quickly after 2000 and established the General Secretariat for EU negotiation issues. In 2001, Turkey made 34 constitutional amendments on political reform and in 2002 adopted another package of political reform, from abolishing death penalty to permitting the use of ethnic group languages. Concerning Kurdish rights issues, it included lifting the ban on the use of Kurdish names, allowing mass media to use Kurdish language and legal protection of political freedom for Kurdish people in Turkey. Other legal amendments included the Anti-Terror Law, which was previously a justification for forbidding freedom of speech on Kurdish issues.

With EU's norm practice and Turkey's desire to join EU and domestic change, Turkey facilitated its domestic political reform from 2002 to 2004. In 2004 EU finally agreed to negotiate the accession issue with Turkey, marking the new step of EU's norm promotion towards Turkey.

#### **4. Analysis of Eu Norm Diffusion Towards Turkey on Ethnic Rights Protection**

From the case, we could find that norm diffusion on ethnic rights from the EU towards Turkey consists of 'bottom-up process' and 'top-down process'. But different from the major theoretical framework stressed on top-down process, we could find that both the process synchronically happened, what's more, the motive of norm promotion towards Turkey is from the lobbying pressure of Kurdish diaspora in Europe.

From the generative point of the norm diffusion, we could find that Europe's setting of Copenhagen Criteria in 1993 was the prerequisite of norm promotion. Although EC had already denied Turkey's application for membership in 1989, it denied Turkey's level of integration because the latter could not conform to the Community's ideal, but not based on norm issues like minority rights. Things only changed after the end of the Cold War and the clash of ethnic groups in eastern Europe, when ethnic rights rose to a major issue for the EU's enlargement. Besides, EU's norm setting also gave justification for Kurdish diaspora to lobby their ethnic rights concern towards European institutions, for the Copenhagen Criterion provided a legal framework for the EU to set the ethnic groups' rights issue in neighboring countries as an agenda. Alternatively speaking, if Europe were

not to conduct enlargement, priority would be given less on ethnic issues, just as Turkey from the 1960s to 1980s. Therefore, we could conclude that the norm diffusion was started by the legal setting of Copenhagen Criterion as the ground of justification and the agenda setting by the Kurdish diaspora in Europe, namely the 'top-down' legal base and the 'bottom-up' starting point.

In the process of norm diffusion, the main actors of interaction were EU institutions and Turkish government, ranging from 1994 to 2004, when the EU finally accepted negotiations with Turkey. During the process, several 'tipping points' should be considered: 1994, the suspension of Custom Union negotiation. 1997, Luxembourg Summit and 1999, the year when Ocalan was arrested and EU formally gave Turkey candidate status in Helsinki Summit. The suspension of the Custom Union in 1994 was the first time the EU linked economic issues and the ethnic rights, creating a trade-off of maintaining ethnic crackdown and ethnic rights protection. Only after Turkish made the legal amendment did the EU restarted the negotiation with Turkey and set up the custom union. However, because the conditions of 'democratic reform standards' were set by the EU, it had the final rights to monitor and guarantee Turkey's threshold. From 1997 when the Luxembourg Summit denied Turkey's candidate, the EU started its monitoring program, casting norm pressure on Turkey. The Progress Project lasted for 3 years until 1999 when Ocalan was arrested in February 1999.

The pressing point of 1994 and 1998 highlighted EU's norm power of setting agenda and threshold for Turkey, then the arrest of Ocalan which pacified external conditions for Turkish political reform agenda, also gave consensus of political reform between hardliners and moderates. After February 1999, Turkish government openly admitted the situations of Kurdish people should be improved in the Cologne Summit in June, which finally led to the formal acceptance of candidates in the Helsinki Summit in December 1999.

The acceptance of the Turkish candidate in Helsinki did not mean the final affirmation of Turkey's negotiation status, but provided specific expectations for Turkey to start negotiation: the prerequisite of negotiation started on Turkey's domestic reform process. Therefore, Turkey accelerated its democratic reform after 2000 and finally started negotiations in 2004. Under this stage we could find that the EU used institutional power which guided 'targeted states' to change its behaviors towards conforming to the norms. But domestic change and targeted state's autonomy is also considered, because the end of external threat and the desire for westernization identity in Turkey provoked its leaders to come to a consensus and accept the EU's norm. Thus, we conclude the 'top-down process' started by EU with the 'power play' of material incentives, social pressures and institutional expectations gave Turkey 'signals' of joining European Community, but the hidden 'bottom-up process' also played a role, namely the consensus of different factions in Turkey's domestic politics and Turkish long-term desire for Western identity.

## 5. Conclusion

From the theoretical framework and case study, we could reach conclusions about how the EU diffused its norms of Copenhagen Criteria towards Turkey from the 1990s to 2004. It combines 'top-down process' and 'bottom-up process' synchronically, with three major actors: Turkish government, EU institutions and Kurdish diaspora. The process stage consists of two stages: (1)1990s-1994: the interaction from Kurdish diaspora towards EU institutions, includes the legal base of Copenhagen Criteria setting in 1994 and agenda setting by Kurdish groups since 1990s, finally towards the norm pressure issues towards Turkey by EU institutions. (2)1994-2004: the interaction between EU institutions and Turkish government. During this stage, the EU diffused its ethnic rights norms through institutional, social pressing and material incentive means to influence Turkey to change its behavior, which could be understood as a 'top-down process'. But such a process was also affected at the same time by changing situations of security in neighboring areas of Turkey and domestic

consensus for reform and accepting EU norms, which could be regarded as a ‘hidden bottom-up process’ within the domestic sphere of Turkey.

## Acknowledgment

M.A. of EU-China Program (2018).

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