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*The marriage that never was: an analysis of Turkish De-Europeanization through  
the lens of media, press and expression rights*

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## **Introduction**

My final dissertation will concentrate on the De-Europeanization phenomenon in Turkey; in order to provide some practical examples about this trend in the Turkish politics, I decided to focus especially on the media, press and generally expression freedoms, the abuses and the protections within the country.

Firstly, I think it is necessary to define what De-Europeanization is. As the suffix 'de' let imagine, it is:

«the loss or weakening of the EU/Europe as a normative/political context and as a reference point in domestic settings and national public debate. In our understanding, de-Europeanization basically manifests itself in two ways: firstly, as the weakening of the appeal and influential capacity of European institutions, policies, norms and values, leading to a retreat of EU/Europe as a normative/political context for Turkish society and politics, and, secondly, as the growing scepticism and indifference in Turkish society towards the EU/Europe, risking the legitimacy of the EU/Europe as a reference point in cases even where reform is incurred»<sup>1</sup>

However, until nowadays a proper literature about the phenomenon does not exist, as the quota showed it explicitly refers to Turkey, and, it has always been applied to some specific cases.

The first chapter will analyse the concept of Europeanization, through all its characteristics, starting with the many existing definitions moving through the tools of it and finishing with the negative examples when it was used in order to improve the human rights conditions. I believe that this chapter is very important in order to explain in a more theoretical framework what De-Europeanization can stand, because if De-Europeanization is occurring in an issue or in a country, it is because before Europeanization was occurring there.

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<sup>1</sup> Senem Aydin-Düzgit, Alper Kaliber – *Encounters with Europe in an Era of Domestic and International Turmoil: Is Turkey a De-Europeanising Candidate Country?* – South European Society and Politics, 2016

Continuing, according with my point of view the second chapter will concentrate on the Turkish Europeanization. I will start introducing which are the cornerstones of the Turkish republic, its bases when it was establish and how the European world is included. Then, I will move to the description of the Turkish Europeanization itself, with a following focus on the expression rights Europeanization, as case study. Of course, in order to understand the Europeanization of the expression freedoms, a previous part will describe the complete environment of the media in Turkey, both legally, economically and to some extent ideologically.

The last chapter intends to analyse the AKP reality, its nature, its ideology, its peculiar approach to the EU idea, its controversial way of dealing with the expression freedoms, and, I will finish describing how the De-Europeanization evolved in Turkey and how it became the main phenomenon in some areas.

The criticism will not be only on the Turkish side but also the European approach to the human rights protection will, to some extent, analysed.

Someone could ask why especially the expression freedoms as case study, in Turkey there are many others problems always concerning the human rights non-protection. Well, according to many political scientists, the expression freedoms stand at the basis of a democratic system, and one country in order to be categorized as a democracy has to have a large percentage of free media, press, TV channels and so on. Concerning the political life of the institutions, if a government does not have an opposition, in the parliament or in whatever other place, or it is a homogenous society – that very rarely exists – or well, it is probably far to be democratic.

Moreover, probably not everybody focuses on the effects that no-free media and newspaper have on the whole society. The media are the tool through which the information comes to the public, and are the tool through which the majority of the population develops its idea,

about everything, not only about politics. Imagine you were born in a country with very less internet access and the main TV channels and newspapers were broadcasting the idea that the earth is flat, you would have believed because these were your only sources of information about the world outside your home. Of course this example is completely absurd, but it easily expresses the power of the information system and the necessity of free media.

Coming back to the Turkish environment, the non-freedom of media and the weak freedom of internet, influenced the idea of the population for many generations. According to my personal experience, while I was living in Izmir, I heard people not believing about the Armenian genocide, simply because it is not taught in the schools and because every time that the international arena starts again to discuss about it, it is to attack Turkey<sup>2</sup>. Either about the Kurdish issue the opinions do not change so far: it has been exploited by many governments and transformed in a national security problem too, more than what it was at the beginning. For the Turkish people, young or elder do not matter, the Kurdish are all terrorists, and many Kurdish living in the west coast are afraid of saying it.

But the main question is who should be blame for it? Are all the Turkish people living with a blinkers on? Blind people exist all over the world, but in the Turkish case, the blame should be on governments that exploited the influence of the media to manipulate the public opinion.

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<sup>2</sup> This was his explanation.

# 1. What is the Europeanization?

## *1.1 Looking for a definition: the attempts*

From 1994 until today, the definition of Europeanization evolved and expanded too. At the beginning, Europeanization has been conceptualized as the domestic impact on member states of the adoption and integration with institutional structures, directives and regulations, elaborated at the European Union level.

One of the first scholarly definitions is the one elaborated by Ladrech in 1994. He defined Europeanization as «an incremental process reorienting the direction and shape of politics to the degree that EC political and economic dynamics become part of the organizational logic of national logic of national politics and policy-making»<sup>3</sup>. The focal point he wanted to underline was how, thanks to Europeanization, European political dynamics influenced domestic policy-making. Ladrech was the first but not the only one that elaborated in that way the concept; Börzel resumed it in 1999 as the «process by which domestic policy areas become increasingly subjected to European policy-making»<sup>4</sup>.

Moreover, Buller and Gamble, after expanded researches and previous conceptualizations of the notion, decided to define it as the peculiar situation that occurs when several aspects of a member state's domestic politics have been transformed by methods of European governance. They recognised that it is on the interactions between the two levels of policy that the outcomes rely. All the authors, previously introduced, focused on the connection existing between EU policy making and Europeanization as a top-down process, also called downloading procedure.

Europeanization can be confused, under some aspects, with European integration, as they present similar elements and as specified above Europeanisation has no specific border. It is

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<sup>3</sup> <https://europeanization.wordpress.com/2011/02/27/definitions-of-euroepanization/>

<sup>4</sup> Ibidem

in this point of view that Hix and Goetz classified «European integration as the independent variable and change in domestic systems or Europeanization as the dependent variable»<sup>5</sup>. This division becomes useful only if one assumes that Europeanization represents the outcome of the process, the adjustment at the domestic level. Nonetheless, if the process starts from the domestic level and it implies a transformation at the European Union level of policymaking, it influences European integration and therefore the two variables can be exchanged. According to this point of view the definition of Europeanization expands and it concerns a bottom-up and a top-down procedure: the first considers that the action would start from the domestic level while in the other procedure is at the EU level that starts the change. They have also been called respectively projection and reception. As Blumer and Burch later explained, «to dissect Europeanization as reception and projection highlights our view of the relationship between the EU and member-government institutions as iterative and interactive»<sup>6</sup>.

Going along with the literature in 2001, Risse et al formulated a more comprehensive definition of what should be identified as Europeanization. They perceived it as «the emergence and development at the European level of distinct structures of governance, that is, of political legal and social institutions associated with political problem solving that formalizes interactions among actors, and of policy networks specializing in the creation of authoritative European rules»<sup>7</sup>. Although at first sight, the definition above seems similar to the one of European integration, Risse et al accentuating the ‘emergence and development’, they highlighted the features of Europeanization as a process of both up-loading, concerning

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<sup>5</sup> Kerry Howell – *Developing Conceptualizations of Europeanization and European Integration: Mixing Methodologies* – ESRC Seminar Series/UACES Study group on the Europeanization of British Politics, ESRC Seminar 1/UACES Study Group 2, November 29, 202

<sup>6</sup> Ibidem

<sup>7</sup> Ibidem

the contribution of member states in the evolution of EU institutions, and downloading regarding the ‘authoritative European rules’.

Radaelli, in 2004, has formulated the broadest and the most general definition of Europeanization. He included in Europeanization the «processes of a construction, diffusion, institutionalization of formal and informal rules, procedures, policy paradigms, styles, ‘ways of doing things’ and shared beliefs and norms which are first defined and consolidated in the making of EU decisions and then incorporated in the logic of domestic discourse, identities, political structures and public policies»<sup>8</sup>. He also explained why Europeanization has since always been a difficult concept to define. Radaelli argued «if all things have been touched by Europe, to some extent or other, all things have been Europeanized»<sup>9</sup>. In that discourse I can also include the contribution of Olsen who specified that, more important than the concept itself and its specific meaning, is to understand if and to what extent the term could have been useful for understanding the European dynamics and the European evolution.

To resume the ‘content’ of Europeanization, it assimilates shared beliefs and policy transfer. An example of the shared belief can be note in the Single European Market, in which disparate beliefs about the market have been collected under only one regulatory structure. Analysing the impact on the domestic level, European beliefs have spread over national borders even if the national institutions could freely reinterpret the directives elaborated at the European level. It is according to this point of view that some ideas and values have been categorized as Europeans, such as democracy as informal rule, accountability as institutional norm and a specific identity developed.

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<sup>8</sup> Ibidem

<sup>9</sup> Ibidem



## ***1.2 Europeanization or European integration? Where the differences stand***

As I described above, according to the various definitions formulated, one of the main classifications of Europeanization has been the division between the downloading, also called top-down, process and the up-loading or bottom-up one.

According to the policy transfer implementation, Europeanization has been divided between vertical and horizontal. A vertical policy transfer occurs when the process starts at the EU level, so through the European integration or the EU policy-making. To the opposite side the horizontal one does not require the EU involvement; it occurs when policy transfer «incorporates learning from and taking on other member state policies»<sup>10</sup>. Thus, this differentiation is a useful parameter because to be identified as Europeanization the EU involvement is compulsory.

Featherstone and Kazamias analysed the role of domestic structures in the phenomenon and they affirmed that their role was not merely passive to the EU impact. They analysed the transformations on domestic policy according to fit and misfit concepts and in which way the member states decided to deal with. In agreement with this, Europeanization has been defined a two-ways process considering top-down and bottom-up burden. The two processes are strictly interconnected. For example, the influence and power of member states is underlined during the negotiations about some policies in the EU arena. If the member states would be able to influence the final decision at the EU level, it reached a low level of misfit with regarding the issues, so the policy implementation is supposed to be easier once it come to the domestic arena. According to that, «the level of success regarding up-loading will determine the level of change in relation to downloading»<sup>11</sup>. A lack of misfit does not mean that Europeanization did not occur, as it could be affirmed because this is the case in which

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<sup>10</sup> Ibidem

<sup>11</sup> Ibidem

Europeanization occurred through the bottom-up process, up-loading instead of the traditional downloading. In this case, probably member states had the capability to put pressure and they had their viewpoint comprehended in the policy more than other times, consequently the misfit is limited and domestic change is minimal.

Olsen in 2002, trying to clarify Europeanization separating it into five different phenomena according to what change. The first phenomena he identified can give a clear example about the interaction between the Europeanization starting at the EU level and the one starting from a domestic level. Europeanization occurs in changes in external territorial boundaries, once it happens enlargement will bring changes in the domestic policies of those states that join EU and to the existing members, that will have to adjust their policy to consider the enlargement to their relations with the new members.

As seen Europeanization and European integration can easily be confounded, as explained by Olsen, EU was since the beginning a political project and it is according to this that European integration and Europeanization became the same thing. To analyse and highlight the differences between the two processes it is useful to resort to the neo-functionalism theory.

Haas was one of the first to define the process of European integration analysing concept such as spillover, supranationality and sub-national interests. He affirmed, «sub-national actors in several distinct national settings are persuaded to shift their loyalties, expectations and political activities toward a new centre, whose institutions possess or demand jurisdiction over the pre-existing national states»<sup>12</sup>. Similar to this definition there is the one formulated by Linderberg, which focused on the decision of singular states to leave the desire to follow independent foreign and domestic policies from each other, instead they conduct common policies making joint decisions or delegating to supranational organs, so

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<sup>12</sup> Ibidem

expectations about political activities and results move to a new centre. Common to both the definitions described above there is «the shift toward a new political centre or supranational institution and the shift of loyalties by sub-national actors toward this institution»<sup>13</sup>, pursuing a continuous development and expansion to new areas of policy, creating a spillover process. Europeanization, contrarily to European integration, points out a constant interaction between the EU uniformity and the diversification of each member state. However, the interaction with the two similar process is continuous so in a framework of policies and institutions the expansion of a supranational level can be identified as bottom-up Europeanization that means the sub-national interests have been used for the evolution of European integration. A policy-making process now pursued in the supranational level implies that a new centre is playing a proactive role, such as the Commission. The presence of this new actor shows European integration, with the creation of new policies thanks to supranational institutions, including the top-down Europeanization.

To conclude and resume «Europeanization can be seen as the source of change in relation to the EU level in terms of European integration and the development of supranationality. On the other hand, European integration can be seen as the source of change and Europeanization the outcome of change on member state governmental, legal and regulatory structures»<sup>14</sup>.

### ***1.3 Europeanization within the borders: three ways of doing it***

According to the definition formulated by Radaelli et al, where Europeanization becomes the change into the member states caused because of the diffusion of «shared beliefs and norms that are first defined and consolidated in the EU policy processes and then

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<sup>13</sup> Ibidem

<sup>14</sup> Ibidem

incorporated into the logic of domestic (national and subnational) discourse, political structures and public policies»<sup>15</sup>, here is a pressure on the member states and to their domestic institutions to conform to EU policies and directives. The pressure is not universal and the same for all the members, but it is the consequence of a specific degree of fit or misfit, if the difference between the two modes of governance is huge, so there is a high level of misfit and the pressure to reform will be high too. Europeanization is useful in this viewpoint because it shows that EU policies give the input and incentive to domestic institutions to formulate the reforms needed.

Nevertheless, Olsen specified that the impact of EU policies and the consequent change into the domestic structures of policy-making and governance is limited to the incorporation of the EU policy requests into standard and ordinary procedures. The impact is minimised because the EU forces the member states to solve problems that already exist and that the states already recognised as problems to solve, where the reforms involve a very limited effort to adjust it. To a certain extent, Olsen failed to recognise the effect of a top-down Europeanization. It is a useful explanation of why some member states, which have never been influenced in their domestic policies, decided to reform their institutions and to adjust their legislations once the EU asked for it. This is for example the case of CEECs (Central and Eastern European Countries), after the collapse of Soviet Union and their interest to join the European Union, they faced enormous transformations about their domestic structure, institutions, legislations and policy-making procedures. The existence of certain specific and fixed criteria, the Copenhagen criteria, implies the presence of pressure for rebuild, even before a state joins the EU. In this case, the influence of EU is effective and evident as it

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<sup>15</sup> Richard J. Vale – *Is 'Europeanization' a useful concept?* – E-International relations students, Jan. 17 2011 <http://www.e-ir.info/2011/01/17/is-%E2%80%98europeanization%E2%80%99-a-useful-concept>

functions through incentives, like the full membership status and it continues after the country had joined the EU too.

The two-way process is the second perspective about how Europeanization works, explained as the outcome of a process where member states forge «EU policies and institutions by ‘uploading’ their own policies and institutions to the European level and then adapt to outcomes made at the EU level by ‘downloading’ EU policies and institutions into the domestic arena»<sup>16</sup>. From a realistic point of view, where states do not want to renounce to their sovereignty transferring it to another organisation but to the other side they do not want to lose the possible benefits to be member of one organisation. In the EU context member states have since always had the possibility, to some extent, to influence the European agenda as the national executives are represented in one of the institutions. The main aspect Börzel focused on is that thanks to the two-way process, the executives have been able to minimize and limit the costs they had to face to implement and ‘download’ the EU norms and rules, and they pursue a strategy to maximize their authority in forming policies at the EU level. This theory helps to give evidence and relevance to the case of CEECs’ Europeanization, to what extent? As explained above, CEECs had a strong wish to join formally the EU after the end of the Cold War, for two main reasons. First to boast the advantages of a membership, indeed EU member «trade with each other much more than they trade with the rest of the world and deal multilaterally with each other much more than with the rest of the world»<sup>17</sup>. Secondly because without being a member of this organization, they have been unable to influence the policy-making process also about that policies which affected the non-member states. The two-way theory is unsuccessful to fully account the impact of EU to the domestic institutions and the changes that caused by EU. However, the

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<sup>16</sup> Ibidem

<sup>17</sup> Ibidem

theory is useful as it emphasizes the autonomy and the influence that member states have in the EU policies, such as a form of u-loading Europeanization.

To resume the main idea of the two-way Europeanization process, in an indirect and undefined manner member states have the capability to «‘upload’ their domestic policies so that they will be ‘downloaded’, admittedly in an altered form, to other European states»<sup>18</sup>.

To explain this new aspect, member states that influence the domestic structure of other member states, I will introduce the horizontal theory.

The horizontal aspect of Europeanization is easy to identify, member states are able to influence and force other member states to improve changes in their domestic structure through the EU policies, firstly up-loading a specific policy to EU level that then will be downloaded also from the other members. A strong example can be the change induced «by the economically wealthy, urbanized Western states, most of whom joined the EU early on, to impose their own values and methods on less wealthy, less urbanized Central and Eastern European Countries (CEECS) to serve their own interests»<sup>19</sup>. However, it is wrong to assume that horizontal Europeanization affects only the poorest countries, which are forced by the richest to accept some policies and changes. As example of this, the Qualified Majority Voting system, utilized to take the majority of the decisions, allocates power to the largest countries according to their population not to their economy. Nevertheless, even it seems that the members influence the EU policies and export their policies to the others members, thanks to the horizontal process, it is not completely true. Actually, as EU developed along the years, it is now a day became a complicated political system that the top-down effect is constantly present so even for the uploaded policies the autonomous body of EU institutions

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<sup>18</sup> Ibidem

<sup>19</sup> Ibidem

is able to limit and adjust them to avoid too much influence and pressure from the powerful member states.

To conclude, it is important to underline that these three types of processes cannot be considered as distinct, but they influence each other. In other words, as described above, it is not only the EU that influence the domestic arena of a member state and to the other side the EU is not merely the union of the various domestic policies and objectives of member states.

#### ***1.4 Europeanization beyond EU: the tools of Europeanization over the borders***

Frank Schimmelfennig said:

Europeanization does not end at the external borders of the European Union<sup>20</sup>

About Europeanization impact on non-member states, it does not explicitly exist a literature even if since 1990 some scholars have started to look beyond the formal and external frontier of EU and to study the impact on these states of EU itself. Since these years EU have begun to conceive many institutional arrangements for those states that are not willing to join EU, as Switzerland, and for those that were not eligible for it. Some examples I can provide are «the Barcelona process (since 1995) for the Mediterranean neighbors and the European Neighborhood Policy (ENP, since 2003) for the Eastern Europe, Middle East and Northern Africa neighbours»<sup>21</sup>. The main idea that influenced the creation and development of these policies was the assumption and intention to create and then manage a certain level of interdependence, albeit there was not a formal membership to force them to align with the EU policies. In these cases, the main aim of EU is to develop an international environment

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<sup>20</sup> Frank Schimmelfennig – *Europeanization beyond the member states* – Zeitschrift für Staats- und Europawissenschaften 2010

<sup>21</sup> Ibidem

that reflect the EU's one, this would reduce information and adaptation costs and consequently it gives to EU some advantages. About EU external policy, Federica Bucchi once said that it could «be seen as unreflexive behaviour mirroring the deeply engrained belief that Europe's history is a lesson for everybody»<sup>22</sup>.

The mechanism of Europeanization toward non-member states can be categorized according to two main logics: the logic of consequences, the rationalistic one, and the logic of appropriateness that is more focused on the social role and the conception the state has of itself. Besides, they can be distinguished between direct and indirect instruments. In the direct mechanism, the EU follows a pro-active role in propagate its model of governance and rules to non-member countries. Whereas, in the indirect mechanism also the non-EU actors have an important and active function, or it can happen that is just the presence of the European institutions that produce unexpected external significance. According to the first criteria of categorization, the logic of consequences assumes that the actors, in this case the non-member states or the EU, will choose the behavioural alternative that blow up their utility under some specifics assets. EU, here, can carry out an active role thanks to sanctions or reward promised to the non-member country, indeed these tools can modify the cost-benefit calculation of the country. Whereas, in accordance with the second logic these tools are ineffective because the rules, that the non-member country has to adopt, must be considered by the target country as legitimate and right.

As stated in the categorisations above, the mechanisms of Europeanization to non-members states are mainly eight: conditionality, externalization, transnational incentives, transnational externalization, socialization, imitation, transnational socialization, societal imitation.

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<sup>22</sup> Federica Bicchi – *Our Size Fits All: Normative power Europe and the Mediterranean* – Journal of European Public Policy 13/2, 286-303, p.287



All the mechanisms, to some extent, have been important and exploited by EU in its external relations in many parts of the world, and for that they should be described and analysed. However, I will concentrate and focus more on conditionality and on socialization. This is a personal choice according to my case study and to the followings chapters of this dissertation.

Conditionality have been categorised under the logic of consequences and as a direct mechanism. It is based on the capability of the EU's institutions to influence and alter the non-members states' costs-benefits calculations. It contains three different tools that have been named: intergovernmental incentives, compulsory impact and compliance. The role of EU is to provide to the "others" several incentives, such as financial aids and market access, only if they would fit certain and specifics conditions demanded by EU. In this optic, EU tries to propagate its model of governance by using them as preconditions that the others actors have to satisfy to avoid sanctions and to achieve some rewards. The credibility of EU along all the process is very important as from it depends the effectiveness of the mechanism. In order to achieve it, «the EU needs to be less dependent on or interested in the agreement than its partner, and the partner needs to be certain that it will receive the rewards only when the conditions are met»<sup>23</sup>. Moreover, the domestic adaptation costs are a very important variable in the calculation made by the external actors. Therefore, the international rewards must be higher than the costs of adaptation not the opposite; in this case, the credibility would be damaged.

The other main tool of EU is socialization, based on the logic of appropriateness, it a direct mechanism that involves intergovernmental social learning, a constructive impact and communication. EU seeks to teach the "European way of governance" focusing on the norms

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<sup>23</sup> Frank Schimmelfennig – *Europeanization beyond Europe* – Living Reviews in European Governance, Vol. 7, 2012, No. 1

and ideas behind the model. In line with that, external actors would «adopt and comply with EU rules if they are convinced of their legitimacy and appropriateness»<sup>24</sup>. In this case, there is a high probability that the external actor has a strong wish to join the EU, because it felt like if it belongs to it, consequently it shares the rules and the ideas of EU. Important for the effectiveness of socialization are frequent and intense contacts between the two actors as well as a significant resonance of European governance.

When I came to the practical point of view of these tools, especially when I came to the case of those countries who were willing to acquire the *acquis communautaire*, it was easy to underline the presence of some contradictions.

When the negotiations with a new member start, the focus of the EU is on its general principles that cannot be undermined, as the rule of law, the basics human rights and the democratic governance. Those are the criteria specified in the Art. 49 of the Treaty of European Union that manages the eligibility for membership<sup>25</sup>. Anyway, the focus of the accession negotiations is on some specific issues, mainly economic. Even the concept of what “negotiation” is can be open to some critics because most of the time the outcome of this “negotiation” is pre-determined<sup>26</sup>: the applicant must adopt the entire body of the European legislations and the EU particular rule of governance. According to that, the essence of the concept “negotiation” itself has been deprived and the process became merely a transfer of rules.

It is in this framework that conditionality becomes the main mechanism, the EU sets some specific conditions to fit for membership, and this is the best reward the EU can offer to the candidates<sup>27</sup>. Moreover, the main obstacle to the effectiveness of positive conditionality is

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<sup>24</sup> Ibidem

<sup>25</sup> Frank Schimmelfennig – *Europeanization beyond the member states* – Zeitschrift für Staats- und Europawissenschaften 2010

<sup>26</sup> Ibidem

<sup>27</sup> Ibidem

the domestic political cost that these countries have to face in order to implement and to transfer all the EU legislation. This cost becomes very important when the regime of the country considered preserves its power thanks to undemocratic institutions and practices<sup>28</sup>. In addition it has been proved that national identity issues are sometimes very difficult to overcome<sup>29</sup>; this is why in the next paragraph I will analyse the contradiction of conditionality when it has to address human rights issues.

### ***1.5 The failure of European political conditionality for the human rights protection***

It has been argued along the literature, especially by Börzel and Risse, that the main instruments the EU is using to promote not only democracy, but also the respects of human rights, is incredibly similar all around the world<sup>30</sup>. The main use of political conditionality or political dialogue follows a specific pattern that has been called “learning by doing”<sup>31</sup>. However, Börzel and Risse are the same that underlined the failure of the implementation of this particular approach and its effectiveness.

There so-called ‘inconsistency’ of European political conditionality is proved by the different treatment the EU reserve to different actors, according to their geopolitical, economic and security potentiality, even when the human rights records are quite the same, or very similar<sup>32</sup>. An example is given by the fact that the agreements with China and the ASEAN are regulated in the same way of the ones with Australia, Canada and New Zealand even if the degree of democratic governance and respect for human rights is quite different.

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<sup>28</sup> Ibidem

<sup>29</sup> Ibidem

<sup>30</sup> Frank Schimmelfennig – *Europeanization beyond Europe* – Living Reviews in European Governance, Vol. 7, 2012, No. 1

<sup>31</sup> Ibidem

<sup>32</sup> Ibidem

Nevertheless, Young observed that «the EU has reacted more to massive human rights abuses and dramatic interruptions of the democratic process than to persistently autocratic governments»<sup>33</sup>. Moreover, the researchers showed that the improvement of the human rights record has not be an important factor to implement the economic cooperation between the EU and other states. To the other hand, very few times EU imposed sanction on states with which it has institutionalised cooperation agreements because of human rights violations<sup>34</sup>. For example, the ex-colonies of Britain and French were sanctioned very few times compared with other African states, that because of «the protective influence of France and Britain»<sup>35</sup>

Thus, to conclude, the European political conditionality beyond the European borders seems to have been more a rhetorical, ideological and a declaratory policy than a practical one. Considering also the civil society assistance the assistance given by the European institutions did not achieve the result expected or proposed, that because they were unwilling to risk a possible tension or they would not undermine the existing relations with the domestic government. According to that, «the EU democracy promotion and human rights policy beyond Europe [...] has been characterized by low consistency and effectiveness»<sup>36</sup>.

## **2. Turkish Europeanization: press, media, expression freedoms problems**

### ***2.1 From the Kemalist Modernization to Europeanization: the birth of the state***

Turkey is globally ranked as a middle power or a pivotal state. It was, and it is still a bridge between the East and the West and, due to these two peculiar characteristics, from the

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<sup>33</sup> Ibidem

<sup>34</sup> Ibidem

<sup>35</sup> Ibidem

<sup>36</sup> Ibidem

establishment of the republic Ankara has been able to play a quite crucial role. To give an example, during the Cold War it was a strategic ally for the West and it became, to some extent, a threat for the USSR.

The Turkish foreign and domestic politics have always been characterized by its willingness to be accepted as a Western power and to escape from the Middle East chaos. Thus, after the collapse of the Ottoman Empire and during the reconstruction of the Turkish republic, their linking lines have been broken and even if Ankara born out from the ruins of the empire, which was extremely heterogeneous, multinational, multiracial and multireligious, in the 1920s a small nation-state has been established and a democratic project started. The decision to break all the possible ties is the reason why Turkey is still today characterized by an “identity problem”<sup>37</sup>.

Throughout history, the Turks have been connected to the West, first as a conquering superior and enemy, then as a component part, later as an admirer and unsuccessful imitator, and in the end as a follower and ally<sup>38</sup>.

In the light of the above, from the 18th century the Turkish political discourse has been characterized by a westernization process and it contributed to the “identity problem” of the country.

In the political doctrine developed by Atatürk, which continues to shape both the domestic and the foreign policy, there are many references to Westernization or Europeanization of Turkey as final goal. His ideology has six key words: Nationalism, Secularism, Republicanism, Populism, Etatism, and Revolutionism. The Republicanism assets was underlined and put under extra-stress as they wanted to avoid any attempt of revisionism or re-establishment of the empire. Moreover, the secular vision of the political system is very

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<sup>37</sup> Mustafa Aydin – *The Determinants of Turkish Foreign Policy, and Turkey's European Vocation* – The Review of International Affairs, Vol.3, No.2, Winter 2003, pp.306–331

<sup>38</sup> Ibidem

important too: for instance, it has been considered necessary for the modernization process, although in the Turkish case it did not concern only the political and governmental sphere but also the whole cultural and social life<sup>39</sup>. A more important aspect of secularism is given by the fact that, if Turkey would have been established as a theocracy, according to the Islamic belief, the other powers that were mostly Christians would have been considered as infidels and «the state of warfare never ended between believers and infidels»<sup>40</sup>. Establishing a full secular state, Turkey ended every any possible hostility with the West and it created the basis for a new type of relations.

In addition, to establish a solid state it was necessary a sentiment of nationalism as basis for the Turkish identity. Even this have been developed copying the European powers; although the creation of a very strict meaning of Turkish values contributed to the emerging problems with the minorities living in the peninsula. Moreover, the nationalist program became a discourse for slow cultural and political Westernization because the Western culture was considered the only right type of civilization suitable for modernity<sup>41</sup>.

The main aim of the political élite and the ruling party has been to approach, somehow, the old continent as a part of it. For instance, in the Turkish political discourse, Europeanization/Westernization has since always been a synonym of modernization and, because of that, a lot of struggles and reforms were implemented to gain the recognition of European power. Along the years, the approach to Europe changed many times moving from suspicious and hostile to convergent and friendly.

Furthermore, the EU-Turkey relations have never been linear but the coup d'état of 1980 showed, especially to the suspicious civil society, that the Turkish modernization was evolving into an authoritarian and repressive regime. So, during the '80 the EU became the

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<sup>39</sup> Ibidem

<sup>40</sup> Ibidem

<sup>41</sup> Ibidem

normative and political arena where the persecuted groups inside Turkey could express their problems and have their voice heard, for example the European Parliament explicitly «criticized anti-democratic practices and human rights violations by Turkish security forces»<sup>42</sup>. Additionally, many criticisms about the Kemalist modernizations arose during the '90s and Europe became the way through which would have been possible to expand the democratic rights and liberties.

## ***2.2 The Turkish Europeanization 1999 – 2005***

At the beginning of the 21<sup>st</sup> century the main goal for the Turkish government was to stabilize the democratic process and the Turkish regional leadership and alliances with both the neighbours and the EU. Due to that many reforms took place concerning the participatory democracy, the rule of law and the huge human rights protection, and the possible European integration project became of vital importance for Turkey to complete the modernization process.

Many scholars have identified in 2001 a turning point for the relation between EU and Ankara, because from the end of this year many domestic reforms have been implemented more quickly than before<sup>43</sup>. Actually only in October 2001, 34 constitutional amendments have been approved by the Turkish Grand National Assembly during Bülent Ecevit's government and mostly of these amendments concerned the human rights situation of the country. Indeed, the rapid implementations of these reforms happened right after the official initiation of the EU accession process. In fact, it is in December 1999 during the Helsinki

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<sup>42</sup> Alper Kaliber – *Europeanization in Turkey: in search of a new paradigm of Modernization* – Journal of Balkan and Near Eastern studies

<sup>43</sup> Nathalie Tocci – *Europeanization in Turkey: Trigger or Anchor for Reform?* – South European Society & Politics Vol.10 no.1 April 2005 pp73-83

European Council that Turkey achieved the EU candidacy and it has to start to fill the Copenhagen criteria for open the negotiations.

However, about the Turkish candidacy there have been many problems: one of the most important and difficult to solve is the Cyprus issue due to the occupation of Northern Cyprus by the Turkish army, the religion as the population is mostly a Muslim, the economic criteria to fit and then there were many problems about the democratic system and the human rights protection.

Extensive reforms have been issued in many areas in the period that last between the 1999 and the 2002, more or less, additionally even if the coalition government was composed also by Hard-Eurosceptic parties they decided to keep their critics against the EU institutions itself but to not bring into question the accession process<sup>44</sup>. Thus, constitutional reforms started and they were successfully approved, this lasted at least until when the EU began to ask and press for additional reforms in other areas contributing to improve the sceptic sentiment of some political parties. Anyway, if Ankara was willing to reform the domestic structure of many institution was because of the success of EU conditionality, actually:

«using the membership carrot, the EU successfully put pressure on Turkey to launch reforms, and the 1999 Helsinki decision led to the development of a powerful pro-EU coalition in the country, which was determined to push reforms for the fulfilment of the Copenhagen criteria.»<sup>45</sup>

According to this, EU positive conditionality and the its credibility have been used as the principal explanation for the domestic change of the country. Unfortunately, because of changes in the European political elites and a new sentiment of resistance to the Turkey's

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<sup>44</sup> Gözde Yılmaz – *From Europeanization to De-Europeanization the Europeanization Process of Turkey in 1999-2014* – Journal of Contemporary European Studies, 2015

<sup>45</sup> Keyman Faut and Ziya Öniş – *Turkish Politics in a Changing World: Global Dynamics and Domestic Transformations* – Istanbul Bilgi University Press, 2007



membership, the positive conditionality started from the 2005 to became weaker and ineffective.

### ***2.3 The Press, Media and Expression Freedoms in the Turkish Society***

Turkey is ranked 151<sup>o</sup> countries according to Reporters without borders for freedoms of media and press, and the situation is becoming worse in the last years as the rank decreases every year of at least one position<sup>46</sup>.

The Committee to protect Journalists registered that 25 journalists have been killed since 1992<sup>47</sup>, additionally it was also the first country for journalists imprisoned in 2013<sup>48</sup>.

As media freedom is considered by the EU a requirement that the countries must fulfil in order to proceed toward the membership, there are two chapters of the negotiations chapters which focus on media and information freedoms and on the fundamental rights. The chapter n°10 mostly want to address the regulatory frameworks of the telecommunications market, trying to eliminate the barriers for a free market, whereas the chapter n°23 mostly focus on the judiciary system and it is vaguer than the previous chapter. However, in February 2014 the European Commission has presented specific standards for those countries who are willing to join the EU, the «Guideline for EU support to media freedom and media integrity in Enlargement countries, 2014-2020»<sup>49</sup>.

How I wrote above, press, media and expression freedoms have been, and still are a problem for the Turkish membership in the EU. The history about the no-freedom of expression is not recent, it started with the creation of the republic in the early single-party period that

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<sup>46</sup> <https://rsf.org/en/turkey>

<sup>47</sup> <https://www.cpj.org/europe/turkey/>

<sup>48</sup> Aa. Vv. – *Turchia: evoluzione politica interna e dinamiche regionali* – Osservatorio di Politica internazionale, No.103 Dicembre 2014

<sup>49</sup> Gözde Yilmaz – *Europeanization or De-Europeanization? Media Freedom in Turkey (1999-2015)* – South European Society & Politics 2016

goes from 1923 to 1950. In these years the media has been exploited by the state to promote the modernization ideology.

However even if when a multiparty system was established in 1950 and the Democrat Party (DP) came to power, the promise for more free and independent media was difficult to maintain because of the «increasing criticism of the government for its economic policies [...] that pushed the DP to tighten its grip over the media and to build clientelistic relations with media owners and journalists»<sup>50</sup>. Luckily meanwhile, a commercial press has been able to enter in the country and after the first military intervention in 1960 freedoms have been extended, even if the relationship with the state remains. During the '80 the ownership of media moved to giant corporations who own both existing newspaper and established new ones; thank to the huge privatisation policy ten years later there was no monopoly about the public television and these holdings improved their activities and revenues.

Notwithstanding, it is since the '90 that the situation starts to degenerate into more nepotism between the holdings and the governments or other actors involved in politics. This transformed the media in one of the main tool for manipulation and useful to achieve the interests of the companies, thanks to the close relations with the political actors.

Somer underlined that:

in Turkey different media organisations are divided along distinct political orientations, have close connections to political parties and other political orientations, and journalists are active in political life and try to influence, not merely inform public opinion.<sup>51</sup>

Even if the industry of media growth rapidly, the country had a low newspaper circulation, many of these companies have bonds with the governments whereas those who are considered to be independent have to deal with it otherwise it would be very hard to operate

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<sup>50</sup> Ibidem

<sup>51</sup> Mehmet Somer – *Media values and Democratisation: what unites and what divides Religious-Conservative and Pro-Secular elites?* – Turkish Studies vol. 11, no. 4, pp. 555-577

in the market. Consequently, the newspaper and the TV channels can be divided along the domestic political profiles, for example Sözcü is historically Kemalist, BirGün is leftist while Yeni Şafak is Islamist and Zaman linked with the Fethullah Gülen movement. However, these newspapers have rarely been interested for the government as their readers are faithful to a specific political movement, for example the readers of Sözcü would never vote for an Islamist party. Nevertheless, there is a category of newspapers considered to be “mainstream” because even if they are linked with a political movement they are able to reach a huge audience; between these there are Hürriyet, Milliyet, Sabah and Akşam. It is here that the government’s efforts are concentrated to be able to reach the audience and influence them<sup>52</sup>.

Despite the fact that there was and there is a direct and indirect control of the government on the media holdings; another important aspect of the Turkish society is the censorship exerted very often over the Turkish writers, even for those that are not involved in politics and do not write about it.

The most famous Turkish writer is Orhan Pamuk that has been obliged to live constantly under the control of a security staff after the publication of many interviews about him. During one of the last interviews he repeated that «I had more problems for the articles that have been written about me than for the books I wrote»<sup>53</sup>. For example, after an interview for a Swiss newspaper, in which he affirmed «in Turkey have been killed around 30.000 Kurds and over a million of Armenians and no one within the country remembers it, so I do it»<sup>54</sup>, Pamuk has been reported by a group of extremist lawyers and he was tried for insult to the national identity of Turkey, then he was acquitted.

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<sup>52</sup> S. Corke, A. Finkel, D.J. Kramer, C.A. Robbins, N. Schenkkan – *Democracy in Crisis: Corruption, Media and Power in Turkey* – A Freedom House Special Report

<sup>53</sup> Marco Ansaldo – *Chi ha perso la Turchia* – Einaudi 2011

<sup>54</sup> Ibidem

However, Orhan Pamuk is not the only one but just one of the most famous. In the Turkish penal code is still present an article, the number 301, that has been used to prosecute under the law what the Turkish intellectual affirm or write in their books, all the major and best intellectuals of Turkey have been prosecuted for their thoughts as not in line neither with the government neither with the public opinion.

There are many names and histories that I can quote to give more example of how this article has been exploited but I will choose the most wired. The first that comes to my mind is the professor Murat Belge that have been obliged to be escorted after the publication of an article about Pamuk and the Turkish society in *Le Monde*. Moreover, Nazim Hikmet, who was one of the most renowned scholar within Turkey and in the world, has been accused of treason because of his political ideas and he was forced to exile. Very interesting and wired is the history of Elif Şafak a writer who became famous also outside Turkey thanks to her bestseller *The bastard of Istanbul*. She was accused under the Art. 301 because in her book the main character, an Armenian man, accused a Turkish woman for the Armenian genocide. Of course the process concluded with the acquittal, but the episodes do not finish: the writer Perihan Hasan, Cemal journalist for *Milliyet*, Ismet Berkan director of *Radikal* and the opinion makers Haluk Şahin and Erol Katircioğlu; and besides Hrant Dink accused and prisoned because he defended in some articles the right of the Turkish citizens with Armenian origins; Ipek Çalışlar fired because of her liberal opinion on the newspaper *Cumhuriyet*<sup>55</sup>.

The names and episodes do not finish here but this stories are useful to show how an article in the Turkish Penal Code, that does not clearly define what is an insult to the nations, has been exploited to prosecute many scholars. The Turkish political system and its élites have never loved their scholars famous all around the world, the extreme nationalist background

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<sup>55</sup> Ibidem

of them and a strict and right Kemalist ideology exploited the article as far as possible and they were very reluctant even to a little change of it. However, the change came but only after the recognitions of Turkey's candidature, but about that I will talk later.

#### ***2.4 Europeanization of Media Freedom***

If the main Turkish political discourse has been shaped by the European Union and by the Europeanization phenomenon, the issue of media and press freedom have not been omitted. The great period for Europeanization lasted more or less from 1999 until 2002 and thanks to the Helsinki summit, the coalition government<sup>56</sup> of those years was able to stress and to improve the legal environment for both media and press freedom. In 2001 they allowed, through a constitutional reform, the use of the «minority languages in broadcasting, education and in the publication of articles»<sup>57</sup> and, in addition, two articles of the constitution were abrogated.

Due to the direct involvement of EU, before the end of the mandate of the government, three harmonization packages have been issued. The first was published in February 2002 and it concerned especially one important article of the Anti-Terror Law, the article number 8, that was used to threaten the journalists whose main aim was to reduce the days of reclusion to seven for those radio and television channels accused of propaganda against the nation.

Moreover, the second harmonization package, published in April of the same year, intended to reduce the list of activities and the maximum penalty too for those crimes listed in the Article 1 and 2 of the Press Law. All the activities included in the articles were considered

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<sup>56</sup> The coalition government was composed by the DSP (Demokratik Sol Parti – Democratic Left Party), the ANAP (Anavatan Partisi – Motherland Party) and by the MHP (Milliyetçi Hareket Partisi – Nationalist Action Party)

<sup>57</sup> Gözde Yılmaz – *Europeanization or De-Europeanization? Media Freedom in Turkey (1999-2015)* – South European Society & Politics 2016

against «the basic principles of the integrity of the nation, republican order, or the country's national security»<sup>58</sup> and they succeeded also in limiting the powers of RTÜK<sup>59</sup> amending the new Broadcasting Law in May.

In August 2002 the government adopted the third harmonization package and, consequently, Article 31 and Supplementary Article 31 of the Press Law changed, from that moment fines replaced the prison as punishment for those crimes related to offences.

During those years the coalition government was cautious about the reforms due to its heterogenic nature, although it reformed the judicial environment, even if in limited areas. This happened especially because of the pressure of the EU and the necessity for Turkey to fulfil the Copenhagen or Ankara criteria in order to open the negotiations.

However, after the election of 2002 there was a radical change in the Turkish politics; the AKP party came to power for the first time with a quite high majority in the parliament. As a quite completely new political actor, the AKP shaped, and it is still shaping, the political discourse.

Nevertheless, it is not after the 2002 elections that the Europeanization of Turkey stopped and turned into De-Europeanization but, even if the phenomenon continued until the late 2006, during the first mandate of AKP is evident a new tactic and different approach to the European Union.

On the other hand, it is important to underline that there was a change also in the European arena that implied a different way to approach and to deal with Turkey.

As the AKP changed the way in which the Turkish politics was operating, the next chapter will analyse under many aspects the AKP era.

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<sup>58</sup> Ibidem

<sup>59</sup> Radyo ve Televizyon Üst Kurulu – Supreme Council of Radio and Television

### **3. The AKP – Justice and Development Party era**

#### ***3.1 The new political Islam: the AKP come to power***

The AKP – Adalet ve Kalkınma Partisi<sup>60</sup> – is one of the main political parties in Turkey, and together with the CHP<sup>61</sup> and the MHP<sup>62</sup>, it is ruling the country since the 2002. The party was founded in 2001 by Recep Tayyip Erdoğan<sup>63</sup> and others ex-member of the Fazilet Partisi<sup>64</sup>, an explicit Islamic political party which was declared unconstitutional in 2001 by the Constitutional Court. However, the Fazilet Partisi was not the first attempt to establish an Islamic political movement in Turkey: the first leader of a religious party was Necmettin Erbakan. Firstly, he founded in 1970, right after the first coup d'état, the Milli Nizam Partisi; then, in 1973, he founded the Milli Selamet Partisi under which he was vice-prime minister. Nevertheless, due to the coup of 1980, the political activities of Erbakan were declared illegal until the 1987 when he became president of the Refah Partisi.

One of the main aspect of the new political Islam in Turkey is that, boring out from the ruins of those religious parties banned during the previous years and learning from their experience, Erdoğan and the AKP could establish a solid and popular political actor able to resist even to the military pressure.

If Erbakan was extremely sceptic about the EU integration so that he proposed a project of integration with the other Islamic neighbour countries, the Erdoğan's approach to the ancient continent even changed.

The AKP aimed to characterised and distinguished its leadership to gain more consensus and to not be identified as enemy in the domestic arena. The party firstly wanted to ensure the

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<sup>60</sup> The Justice and Development Party

<sup>61</sup> The Republican's People Party (Cumhuriyet Halk Partisi), it is the historic party of Atatürk established in 1919 during the independence war. It is based on socio-liberal and socio-democratic principles

<sup>62</sup> The Nationalist Action Party (Milliyetçi Hareket Partisi), it is a far-right party extremely Eurosceptic and proud of the Turkish identity it has been established in 1969

<sup>63</sup> He was mayor of Istanbul between the 1994 and 1998

<sup>64</sup> The Virtue Party, founded by İsmail Alptekin in 1998

public that its religious nature would have never undermined the laicity of the state, they wanted to ensure in a secular state the religion freedom; so, the AKP presented itself as a conservative democratic party with no relations with those radical religious movements<sup>65</sup>. Differently from its precursors, the AKP has since the beginning been opened and friendly in the relation with the West, especially about the EU membership. Moreover, the others main goals of the new party were: to reform the army and to establish the control of the government on it, to improve the economic development, focusing especially on the construction sector and with new redistribution reforms to ensure a minimum income even to the lowest strata of society, and, additionally, a new type of relations with the Kurdish minority have been pursued, an example is the Turkish-Kurdish religious brotherhood and some liberalisations<sup>66</sup> in order to stop the ethnic conflict.

So, in 2002, when for the first time the AKP run for the elections, it showed itself as a moderate democratic party which wanted to ensure not only the religious freedom, but also a wealth and long peace period for Turkey.

During these years, the Copenhagen/Ankara criteria has been identified as something that Turkey had to meet anyway, regardless of EU membership, in order to improve the Turkish living standards. Thus, during the first mandate of AKP, Europe became the natural outcome of the modernization project started in far 1923<sup>67</sup>. Thanks to that, many political reforms in the areas written above have been implemented and the period between 2002 and 2005 is called ‘golden age’. Maybe because of the increasing possibility for the EU membership,

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<sup>65</sup> The AKP has since the beginning had close relations with the Fethullah Gulen movement, however this important religious movement was not considered radical ANZI it is a progressist movement.

<sup>66</sup> For example, for the first time the government allowed the creation of a public television channel transmitting in Kurdish

<sup>67</sup> Canan Balkir & Sedef Eylemer – *Shifting Logics: The Discourses of Turkish Political Elites on EU Accession* – South European Society and Politics 2016



maybe because of the strong support which came from the civil society and the public opinion, but in both the options the AKP ensured its survival exploiting the EU dream.

Nevertheless, the situation concerning the media, press and expression freedoms under the AKP government changed differently from the whole EU issue, and, for this reason, it will be analysed in the following paragraph.

### ***3.2 Media and expression rights: the developments under the AKP party***

During the firsts years of government, the previous patterns have been followed and the reforms continued. In 2003 the fourth harmonization package was adopted and, with the Press Law, the obligation to reveal the sources was delated for both writers and editors; during the same year the government also extended the permission for the use of minority languages in the private channels and it adopted the sixth harmonization package too. Moreover, along the following years, others reforms were launched and many legislative and regulative area implemented with new Press Laws and constitutional reforms<sup>68</sup>.

Nevertheless, many scholars underlined that, on one hand, the progresses occurred but, on the other, they remained limited and, under some aspects, also contradictory. For instance, the European Commission resumed that during the 2004, «the law strengthened the right of journalists to protect their sources; reinforced the right to reply and correction; replaced prison sentences with fines; removed sanctions such as confiscating printing machines; and allowed foreigners to edit and own Turkish publications»<sup>69</sup>. But still the domestic framework was considered limited as «it did not provide the necessary arrangements for independent

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<sup>68</sup> For example, the emendation of the Article 30 concerning the protection of all the printing facilities.

<sup>69</sup> Gözde Yılmaz – *Europeanization or De-Europeanization? Media Freedom in Turkey (1999-2015)* – South European Society and Politics 2016

media to be widely promoted»<sup>70</sup> and, in addition, contradictory because the control over the media moved from the government's pressure to the judiciary's one.

Still, until 2007, other reforms have been achieved, for example the government reformed the Penal Code<sup>71</sup>, eliminating some of those provisions that have been used against the journalists.

Furthermore, from 2006 the European Convention on Human Rights achieved the same judicial power and relevance as the Turkish national legislation for those cases related to freedom of expression in the media and it was also established a new mechanism to monitor those investigations contra the media. Nevertheless, unfortunately the Article 301 has continued to be exploited accusing journalist to offend the Turkishness.

It is important to underline that, during the first mandate of AKP, the framework of media and expression rights has been implemented and, to some extent, improved. However, an atmosphere of self-censorship spread through the country and, even if many reforms occurred, the number of people persecuted because of their opinions doubled in 2006<sup>72</sup> and increased in the following years. For instance, it is in the same year that European parliament raised its voice, in a Progress Report on Turkey's accession it «criticized the Turkish government for this slowdown in reforms and urged Turkey to move forward, especially in the areas of freedom of expression, protection of religious and minority rights, law enforcement, and independence of judiciary»<sup>73</sup>.

In addition, in 2007 the control of the party on the media increased. To give an example, Sabah-ATV, the second largest media holding in the country, has been sold to Çalik Holding in which the CEO is the son-in-law of Erdoğan, and the editorial position moved rapidly to

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<sup>70</sup> Ibidem

<sup>71</sup> The area regarding the freedom of expression

<sup>72</sup> It is compared with the datas of 2005

<sup>73</sup> Tuba Eldem – *The End of Turkey's Europeanization?* – Turkish Political Quarterly, Vol. 12, No.1

pro-government<sup>74</sup>. However, this is not the only case: in February 2009 Doğan Media Group was forced to pay a fine of \$500 million, which raised in September up to \$2.5 billion. As a consequence, the company had to reduce its presence in the Turkish press and in order to pay the fines, the Doğan group sold two newspapers to another media holding. After few days came out that the new owner had close relations with the government.

However, in these years the control was not limited to the media holdings but affected the social media too. For instance, in 2007, the government adopted a controversial internet law that, instead of reform toward a more Europeanization of the area, it limited the freedom of expression and the information right. Consequently, website such as YouTube and Twitter have been frequently banned.

In contradiction, the parliament promulgated many amendments to the Article 301 in order to limit, under the control of the Ministry of Justice, the possibility to launch criminal investigations, underlined a Europeanized reform. However, under the judiciary of the Anti-Terror Law, the persecution of many journalists continued, especially after the Ergenekon<sup>75</sup> case of 2008.

Nonetheless, the AKP did not threaten the media alone, but, until the end of 2012, it could avail of the strong influence of the Gülen movement and its large social and economic power. For example, during the Doğan Group's case, while the holding was under attack, the Gülen movement raised its voice defending the prime minister. However, in the late 2012, a corruption scandal included Erdoğan's family and, consequently, the prime minister accused Gülen of complot, in order to not lose its political power, but the alliance between the party and the movement collapse.

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<sup>74</sup> S. Corke, A. Finkel, D.J. Kramer, C.A. Robbins, N. Schenkkan – *Democracy in Crisis: Corruption, Media and Power in Turkey* – Freedom House Special Report

<sup>75</sup> The Ergenekon case was a judicial case in 2008 when both military officials and civilians were plotting a military intervention against the AKP that was on the government.

Besides, the most famous example of government control on the media happened in May 2013 when the Gezi park protests started. Everything started because a group of environmental activists wanted to block the government decision to build a complex of hotels and malls in one of the main squares of Istanbul where there was one of the last green parks. The protests spread through the social media with the hashtag #occupygezi, and hundreds of people joined the demonstration to protest against the government and its lack of accountability. Incredibly, after few weeks it spread through the country<sup>76</sup> and the reaction of the government was to suppress them violently. The media did not expect such a huge mobilization and slowly arranged their coverage; still not all the channels decided to report what was going on: for example CNNTürk rapidly organized its programs whereas others TV channel as NTV famous to be pro-government decided to support the AKP's version of conspiracy. One of the main controversial aspect concerning the media is that, right after some journalists decided to follow the protests, they were fired; for instance, the Turkish Journalist's Union report that «59 journalists had been fired or forced out, the opposition Republican People's Party (CHP) has compiled a list of 77 journalists who were fired or forced out due to their coverage of the protests»<sup>77</sup>.

In 2013, many journalists were fired because they published news non directly in line with the government opinion. The columnist of Milliyet Hasan Cemal was fired one month after the publication of one article about the peaceful attitude of Abdullah Öcalan, the PKK leader, in fact; one year before the prime minister made aware the press companies to tackle the Kurdish issue. However, in December 2013, also one of the best journalists of Sabah, Nazli Ilicak, was fired because he accused the government of corruption; then in January 2014 was

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<sup>76</sup> 80 of the totally 81 country's provinces joined the protests

<sup>77</sup> S. Corke, A. Finkel, D.J. Kramer, C.A. Robbins, N. Schenkkan – *Democracy in Crisis: Corruption, Media and Power in Turkey* – A Freedom House Special Report

the time of Murat Aksoy, a clever writer for Yeni Şafak, also because of criticism to the government.

Along the mainstream media spread the circumstance to receive calls from the prime minister Erdoğan in order to substitute the articles or recommendation to fire editors and reporters. Many reporters said that «it has become increasingly hard to predict what will draw the prime minister's ire [...]. It could be environmental, economic. After all, everything related to life is related to politics»<sup>78</sup>; whereas Can Dündar, a journalist fired from Milliyet, said «They told me at Milliyet, I don't want news that will irritate the prime minister, but, I don't know what news will irritate him. Anything can be irritating, and once we irritate them they fired us»<sup>79</sup>. This last quota can briefly explain why in Turkey rapidly spread a phenomenon of self-censorship and the decision to publish more interview concerning the opposition parties than the ruling one<sup>80</sup>.

To resume the long period analysed above, that last from 2002 AKP's first mandate to 2013 Gezi Park protests, Erdoğan slowly and silently changed his attitude toward the media and expression freedoms. Money remains one of the most important and potent tools to impose the government control over the media, although «the most chilling example of government abuse is the detention and imprisonment of a large number of journalists»<sup>81</sup>. This high number of prisoners is a direct consequence of the easy exploitation of the Anti-Terror Law. After both the Gezi protests and the corruption scandal, the AKP reinforced its sense of victim and the fear of a new coup d'état, because of that the party reinforced the control over

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<sup>78</sup> Ibidem

<sup>79</sup> Ibidem

<sup>80</sup> During interviews with the opposition the journalists are allowed to ask also difficult questions, something that they cannot do with the AKP, otherwise they will risk their career.

<sup>81</sup> S. Corke, A. Finkel, D.J. Kramer, C.A. Robbins, N. Schenkkan – *Democracy in Crisis: Corruption, Media and Power in Turkey* – A Freedom House Special Report

the media and over the internet. In addition, the clash with the Islamic movement of Fethullah Gülen opened a new space for the those willing to critic the government<sup>82</sup>.

Another important consequence of the Gezi generation is the increasing demand for professional journalists and real news willing to challenge the AKP pressure. Moreover, the social media platforms raised and became a new tool for those journalists that decided to stand up against the government pressure.

Despite the fact that Europeanization under the AKP government continued, it is defined by many scholars as selective; according to this, the media freedom protection remained limited and contrasting. The media have an important power as they can influence the public and provide information, independent media are essentials as they «creates checks and balances on government democratic countries through acting as a civic forum in which pluralistic debates are fostered, a watchdog guarding the public interest and a mobilising agent that encourages public learning»<sup>83</sup>. The main weakness of the Turkish media is that they are concentrated in big holding so quite easy to use for the state's own end. Therefore, as happened in Turkey, when clashes of interests occurred, the media corporations used their media to bother the government, whereas the government respond using its power to impose high taxation and enforcing laws in order to impose an adaptation of the holding. This is the reason why, since the 2007, the pro-government media have been more eloquent and a monopolization of those mainstream media happened.

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<sup>82</sup> The Zaman newspaper is controlled by the Gülen movement

<sup>83</sup> Gözde Yılmaz – *Europeanization or De-Europeanization? Media Freedom in Turkey (1999-2015)* – South European Society & Politics 2016

### ***3.3 The AKP discourse on EU, toward De-Europeanization***

«The notion of ‘Europe’ has always been significant within Turkish politics, although to different degrees at different times, and especially so since the 1960s as the EU integration project has increasingly marked the political landscape in Turkey»<sup>84</sup>

As the quota underlines, Europe has always been central in the politics of Turkey. It has been used by domestic parties and political actors to promote their own projects, concerning both social and political issues. As the previous governments, also the AKP had to deal with the European Union: the party had in fact to develop its own discourse on Europe and, as I will analyse in this paragraph, the rhetoric changed quite radically from the first mandate to the elections of 2011.

Looking to the electoral discourses of the AKP, in the elections of 2002, the party stands as pro-EU and it maintained this position along its first mandate. However, in 2005, even if the accession negotiations started, there was a halt in the EU-Turkey relations because of both domestic and international circumstances<sup>85</sup>. Due to the new violence in the far-east and increasing criticism from the opposition parties, because of no defend of the Turkish interests, there was an evident shift in the 2007 AKP’s manifesto.

Even if the EU remain the final goal for better standards, it is no more seen as the promised land, but more approached for both foreign political and economic benefits. Moreover, after the elections, the party consolidated its power, thanks to the 46,6% of votes and the new government decided to deal with the EU developing a discourse around the role of Turkey as an intermediary between East and West. According to this, the AKP’s foreign policy was characterized by new actions toward ‘Euro-Asianism’, instead of on Europeanization only.

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<sup>84</sup> Başak Alpan – *From AKP’s ‘Conservative Democracy’ to ‘Advanced Democracy’: Shifts and Challenges in the Debate on ‘Europe’* – South European Society & Politics 2016

<sup>85</sup> The Turkish political elites started to questioning the right legitimacy of EU demands consequently the trust declined.

Incredibly, when the 2011 election came, the AKP was able to obtain almost the 50% of the votes and definitely consolidate its influence. The rhetoric appeared quite different from the previous, and now the EU lose its leverage and the Euroscepticism spread.

The following quota will underline how the discourse became completely linked with the strategic interests of the country:

«Turkey's EU accession is strategically important as a way of accommodating democratic standards in our country, developing our trade relations and further strengthening our relations with Europe. EU membership will transform Turkey into a more efficient and decisive actor in regional and global problems»<sup>86</sup>

The EU, basically, became just a tool to maximize the Turkish ambitions, and the compliance with the Copenhagen criteria was not anymore linked with the EU membership itself but it became a way to transform the country in a more influential regional and global actor. Moreover, the criticism increased addressed to the EU for its: double standards, unjustified block and delay of negotiations and the avoidance of opening and closing determinate chapters.

To resume, the political discourse of EU moved toward De-Europeanization, especially after the 2011 elections; if in the first election the rhetoric of the discourse was right-based, through the years it moved to interests-based. After the 2007 the EU accession stayed low in the government's political agenda also because of increasing Euroscepticism.

However, this happened not only because of domestic conditions, but, also because of the increasing hesitations in the European arena about the Turkish full membership and the spread of a new idea of privileged partnership. To give an example: 15 chapters, out of 36, were opened, but just one closed, in 10 years. In fact, «the EU has almost been selective in its agenda on Turkey's democratisation, prioritising civil-military relations, Kurdish minority

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<sup>86</sup> Canan Balkir, Sedef Eylemer – *Shifting Logics: The Discourse of Turkish Political Elites on EU Accession* – South European Society and Politics 2016



rights and the rights of non-Muslim communities [...] all issues popular with the European public»<sup>87</sup>, paying very little attention on other issues such as the human rights protection. In addition, the only chapters discussed between Brussels and Ankara concerned the economic arena, the most interesting for the European political actors.

Nevertheless, through the years the AKP was astute to exploit the EU discourse to both consolidate its power and to implement many reforms. However, from the second mandate of AKP the reforms became selective regarding only certain issues and then the tendency developed into counter-conduct relations and De-Europeanization.

### ***3.4 De-Europeanization***

Following the analysis started in the previous paragraph, it is evident a shift in the political discourse the AKP pursued toward the European Union. However, the scholars identified the beginning of the Turkish De-Europeanization with the 2011 elections.

As defined in the introduction, De-Europeanization is:

«the loss or weakening of the EU/Europe as a normative/political context and as a reference point in domestic settings and national public debates»<sup>88</sup>.

After all, considering the good reforms implemented from 2011, the separation is not clear yet. To give an example: four judicial reforms took place in this year, which increased the efficiency of the Turkish judiciary; in addition, also the civil – military relations have been reformed; the government started to combat the corruption and it announced a new democratization package for the country from 2013. The main criticism, in these first years, is that the government carried out all these reforms alone, without consulting the opposition

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<sup>87</sup> Münevver Cebeci – *De-Europeanisation or Counter-Conduct? Turkey's Democratisation and the EU* – South European Society and Politics, 2016

<sup>88</sup> Senem Aydın-Düzgüt, Alper Kaliber – *Encounters with Europe in an Era of Domestic and International Turmoil: Is Turkey a De-Europeanising Candidate Country?* – South European Society and Politics, 2016

parties, so, the evident lack of dialogue became a weakness and it compromised the validity of the reforms. Besides, the AKP presented itself as the only democratizing force and the political arena became monopolized by this rhetoric. A key example is, when in 2013: «a series of regulations on alcohol sales were also adopted, [...]. The regulations tightened the alcohol sales, banned alcohol advertisement and drew criticism from the political actor, society, and brewing industry»<sup>89</sup>.

Hence, coming to the main area of this thesis, concerning the press and expression freedoms, the situation deteriorated and it included the social media freedom too. Many websites have been frequently blocked and the censorship was increasingly imposed on Internet too.

All the progresses, that have been made by the same government in the previous years, as the judicial reform of 2012 which «prohibited the confiscation of unpublished work and eased restrictions on reporting criminal investigations»<sup>90</sup>, have been made in vain. Especially after Gezi park protests, a new strict legal environment<sup>91</sup> have been implemented by the party and, because of that, the situation got worse and many episodes showed that the main trend was a decrease of freedom in the country. The percentage of journalists and media workers imprisoned increased rapidly; many of them have been accused of defamation, others have been deported, fired, and also the intrusions on media outlets intensified and the main consequence has been an increase phenomenon of self-censorship, in spite of the already existing censorship made by the government. Several websites have been banned, for example Twitter in 2014 and, many issues considered too much sensitive, have been obscured.

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<sup>89</sup> Gözde Yılmaz – *From Europeanization to De-Europeanization the Europeanization Process of Turkey in 1999-2014* – Journal of Contemporary European Studies, 2015

<sup>90</sup> Gözde Yılmaz – *Europeanization or De-Europeanization? Media Freedom in Turkey (1999-2015)* – South European Society and Politics 2016

<sup>91</sup> For example, the adaptation of a new amendment, in 2014, to the Law on State Intelligence Service and the National Intelligence, which extended the MIT powers and the possibility to imprison journalists.

However, the situation did not get worse only concerning the media freedom; the monopolization pursued by the AKP created in fact a polarized society in many issues, for example regarding the EU accession. The strategy of the party to take distance from the EU dream, develop a sentiment of dissatisfaction between the civil society and increasing protests took place through the country.

The AKP developed its rhetoric focusing mainly on the opposition between the Western powers, including the European Union, and Turkey; they spread the idea that the previous government have been too submissive to the West, whereas since Erdoğan became prime minister, Turkey has raised its voice and gain an equal average both in domestic and international politics.

«Turkey is now a country whose agenda is not determined, but who determines her own agenda, this is the difference we have. For years they bowed down in front of the West, this is what they did. What did the West do? It gave orders, and they obeyed those orders. But now there is no such situation. We sit down, we talk, we take our decisions, but we make the decisions, this is the Turkey that there is now»<sup>92</sup>

The quota comes from an Erdoğan's discourse and, it is evident how the West, including the EU, is approached. He wants to underline that after years during which the domestic politics have been decided by external actors<sup>93</sup>, now, the domestic affairs are only influenced by the Turkish political actors. Moreover, it is possible, reading between the lines, to find some reference to the European Union accession program; since many reforms in the Turkish system have been pursued in order to achieve the full membership. Nonetheless, the process stopped.

The Euroscepticism was not a new phenomenon in 2013, it existed since when the relations between the two institutions started, thus is not really there that the reason why Turkey turned

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<sup>92</sup> Senem Aydın-Düzgit – *De-Europeanisation through Discourse: A critical Discourse Analysis of AKP's Election Speeches* – South European Society and Politics, 2016

<sup>93</sup> This feeling is called: Sevres phobia

back from EU stand. The reasons why the European institutions failed to fully engage Turkey probably stand somewhere between the Turkish domestic politics decisions and the effectiveness of the tools used by the EU. For example, Tuba Eldem identified three factors that, according to her, contributed to harm the credibility of EU conditionality toward Turkey: first of all it is the ‘open-ended’ nature of the accession process, it is evident that differently from both the previous and the latter accession process, the Turkish one has only had a beginning but very few probability to be concluded; second, it is the gradually evolution of the EU expectations about Ankara, especially the large amount of reforms necessities; the last is the spread of opposition sentiments in some European countries, with the change of ruling party, in both the European institutions and in the European countries, the new leaders<sup>94</sup> started to talk about privilege partnership instead of full membership, once the negotiations had already started.

Nevertheless, the relations have not stopped yet and, due to many recent developments and crisis, Turkey has become a necessary ally, especially for the European Union, even if it cannot be identified as ‘new’ Europeanization.

## **Conclusions**

After the analysis of what Europeanization and De-Europeanization mean and how they evolved in the Turkish case; the actual reality in the relations between Turkey and European Union are obviously anymore characterized by this phenomenon, on the contrary, they are challenging each other every day more. However, the interactions have not stopped yet, neither they have become explicitly conflictual.

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<sup>94</sup> For instance: The French president Nicholas Sarkozy and the German chancellors Angela Merkel

A key example is the agreement concerning the refugees, which was signed in March 2016; it is expressly a cooperation agreement but this time the conditions have been dictated more by Ankara than the EU, and one of the most important was the re-opening of the accession negotiations for Turkey. Nevertheless, even if the negotiations re-opened, the results are still poor and the domestic situation of the country is getting worse and worse, especially after the failed coup d'état of July 2016.

According to many newspapers and media channels, the coup failed in few hours, thanks to the direct involvement of millions of citizens fighting against the military. Under some extents the decision of the people to put down the military revolt, even in those cities that are not controlled by the AKP party, as Izmir for example, becomes strange as a military government would have for sure defeat Erdoğan political hegemony. However, it is not strange anymore considering that Turkey had one long military government and more than three coup d'état occurred in the country in the last fifty years.

The important aspects behind this dramatic episode, for this thesis and its conclusion, are basically two: the reaction of Erdoğan and the non-reaction of the European arena.

In fact, in the following days, Erdogan reinforced its power and approval, both inside and outside the country<sup>95</sup>; then, after the identification of Fethullah Gülen as instigator of the revolt, he started a deep cleaning process in all the sector of Turkish economy, education, information agencies and in the military.

However, an interestingly and controversial point is that he did not only arrest and persecute who was directly connected with the Gülen movement, but, many journalists, media holding and entire universities have been banned. Maybe because of remote connections, maybe

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<sup>95</sup> Concerning all those people who are half Turkish and half of any other citizenship, the most famous are the Turkish-Germans, but of course there are others too.

because encouragement to the coup or maybe simple because of disagreements with the government actions; these are only suppositions as the reasons are not public.

Concluding, all the positive reforms made by Turkey in the previous fifteen years disappeared in just one night. Right after the failed coup the government said that the death penalty would have been reintroduced and a lot of newspapers closed down, the number of the detained journalists rapidly increased. In this atmosphere of danger, the first area that directly suffered a backwards has been the one of human rights. The expression freedoms have been strictly repressed and the situation for those minority groups got worse than before. However, this tendency is not completely new in the Turkish history, as the same happened during the Europeanization process as well. As underlined between the second and the third chapter, after the 2005 the Europeanization took a step back, but not completely; it became selective Europeanization and the area that suffered more of this slacken has been the human rights protection.

It is not completely clear if the backward is an Erdoğan's strategy, thought to ensure a better control over the political arena of Turkey, but, it is certain in one's mind that because of the large number of domestic problems Turkey is suffering, the human rights protection moved to the background.

Coming to the second important point, the non-reaction of the EU, the developments after the coup showed that, due to important alliance standing between the two institutions, EU weakly criticised the Erdoğan purge. The European institutions did not hesitate to openly criticised the action taken by the military, defined as an attack to the democratic institutions. However, very few sentences have been spent on the answer of Erdoğan, especially on his attempts to threaten the minorities, the media and the dissidents.

As underlined, especially on the third chapter, the EU failed to address the necessary reforms concerning the human rights protections within Turkey. The main tool of

Europeanization, the positive conditionality, did not work concerning the expression freedoms as it worked for the economic reforms. Additionally, not only it did not work concerning the area of human rights, but, it also did not work in Turkey as it worked for the Eastern Europe countries when they had to achieve the necessary standards to fulfil the membership criteria. The reason can stand, as it has been explained along the first chapter, in the necessity of a real and concrete possibility of membership; only under this expectation a country would be willing to reform its institutions and it would be able to afford the costs; it is clear in everyone's mind that if the costs are higher than the benefits an action would not be taken.

According to this, the double standards used by the EU political elites toward Turkey developed a sentiment of disenchantment and Euroscepticism. Turkey faced many rounds of negotiation and only few have been closed, not merely because the country did not fill the standards, but because of unwillingness of some countries, as France, Germany or Cyprus, that have never been glad and comfortable about Turkey in the EU. The hypocrisies of these political actors helped to develop within the society the idea that Europe, as the entire Western world, wanted only to exploit the strategic importance of the country and that this was the base of many alliances. Moreover, this sentiment has been astutely used by the AKP once it consolidated its consensus. It is becoming evident how, differently from the previous governments, the AKP tried to renew its relations with other regional actors, for example with Russia about the cooperation in the Caucasian region; or in the Middle East, where Erdoğan tried more times to present Turkey as a leadership country and an example for the others. For instance: during the nuclear crisis Turkey tried to have an active role in the negotiation between the West and Iran, or, due to its open relations with Israel, Erdoğan more than once attempted to mediate between Tel Aviv and the Arab countries to solve the Palestinian issue. Even if the successes of the AKP in these areas are lacking, they provide

clear example about the fact that Turkey is not anymore actively looking for the EU membership.

Of course, be part of the European Union would provide Turkey huge benefits, but coherently with what is happening nowadays, it looks more like the European countries are trying to engage Turkey in an official marriage, even if this means shut up about evident violation of basic human rights. Nevertheless, the attempts of EU to not lose an important ally, on one of its most conflictual borders, would not avoid the necessity for the European institution to revise its modus operandi and its tools, as long as it wants to remain the peaceful community it was created for.

During a conference I was attending in the last June, Sinan Ülgen, through the metaphor of a marriage, tried to explain the possible future nature of Turkish-EU relations; a solid marriage is not the only way to consolidate the love, he said, there are many other different possibilities. At that time the Brexit referendum had not taken place yet, but, according to his idea, if the decision would have been to leave the European community, the EU would have had to create a new type of relations with the UK, and this could have opened a new typology of relation toward Turkey as well. As the final decision of the UK have been to leave, this create the possibility to engage Turkey as well into this enlarged community, outside the European Union rhetoric. That does not alter the fact that every development is under the willingness of both the institutions, but, in a conflictual and suspicious environment, as the present is, a strategic country like Turkey turning its back to the EU, is not the best option for neither one of them, whatever crisis considered.



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## **Sitology**

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