The Turkish Public Administration in the European Union Process

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Abstract

This paper considers the effects of the concept of European Union as the lens through which to study the internal effects of the EU on Turkish Public Administration system in preparation for membership. It outlines the main uses of the European Union effect before discussing in more detail those uses that would appear to be of most relevance to this study. Following this discussion, the paper outlines which of these approaches will be used mostly in effecting Turkish public administration, how they will be used and the key questions they raise.

Key words: public administration, Turkey, European Union, negotiations

JEL Classification: F01, F15

Introduction

Relations between Turkey and the European Union (EU) have a long history, which started with the association established by the Ankara Agreement in the early 1960s, continued with the Additional Protocol which regulates the transitional period of the association in the 1970s, and reached an advanced level with the creation of a Customs Union between the parties in 1996. Throughout this long process, the main perspective in Turkey-EU relations was full membership and this goal was the driving force behind the progress achieved in relations. The Helsinki European Council of 1999 irrevocably confirmed Turkey’s candidate status.

In the years following this important decision, the efforts to fulfill the Copenhagen political criteria have increased. Nine packages of harmonisation in the Turkish Constitution have been passed by the Turkish National Assembly in order to comply with the EU norms. Most of these packages were related with enhancing democracy and its institutions. At the Copenhagen Council held on 12-13 December 2002, it was stated that the progress made by Turkey in 2002 towards the fulfilment of the Copenhagen criteria was welcomed, but it was emphasised that implementation was also important for the fulfilment of the political criteria. And in December 2004, the Heads of State and Government of the European Union member states made an important political decision on the opening of negotiations on October 3rd 2005 with Turkey on the basis of the Regular Report released by the European Commission in early October 2004.

1 the stable functioning of institutions guaranteeing democracy, the rule of law, human rights and respect for and protection of minorities.
How long the negotiation process will take and how the transitional arrangements are formulated in terms of the acquis to be incorporated will be determined in this process. The start of the negotiation process will, on the one hand, accelerate the process of reform in Turkey and, on the other, contribute positively to the sustainable high growth performance of the Turkish economy. After the decision in 17th of December, in the first quarter of 2005, the inflation in Turkey was decreased to single figures (%9.73) for the first time since 1966. The target of the Turkish government is to reach the Maastrict Criteria in the economy. The European perspective will be very effective to reach this target and this will also help to construct a more prosperous and stable future for the whole of Europe.

The aim of this paper is to investigate whether and how the EU process is a useful concept for understanding the changes in Turkish Public Administration and to identify the usages of the EU effect which would be helpful in understanding this impact over Turkish Public Administration.

**EU Process as a Conceptual Framework**

Use of the concept of EU effect in the social science literature sciences has increased very rapidly in the last decade. The reason for this wide usage is that Europeanization is a term in the social sciences which is related with history, culture, politics, society and economics. It highlights a process of structural change; therefore it affects actors, institutions, ideas and interests, which means that the structural changes are closely identified with Europe. Thus, Bulmer and Burch (1998: 603) argue that “domestic and EU institutions have an intervening effect on actor preferences and interests in the short term, and a sufficiently stronger impact over the long term, to establish distinct paths of development in policies and institutions”.

Scholars of European integration increasingly employ the concept of Europeanization to assess the European sources of national politics. This shift away from direct study of European institutions towards a more indirect approach via the national political domain has been evident since the mid-1990s in collections on the institutional adaptation of member states to EU membership (Kassim et al, 2000).

Radaelli’s formulation of Europeanization points to the possible areas of change that one might expect: “Europeanization refers to processes of (a) construction (b) diffusion and (c) 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 EU policy process and then incorporated in the logic of domestic discourse, identities, political structures and public policies” (Radaelli, 2003:30).

Radaelli equates the concept of Europeanization with “EU-ization” by putting an explicit emphasis on the EU policy process and by limiting its effects to the EU member states. Heather Grabbe finds this definition relevant for examining the transfer of EU rules, procedures and policy paradigms to the candidate countries from Central and Eastern Europe in the context of the EU accession process. Regardless of the country focus, studies of Europeanization analyse the impact of EU institutions and policies by tracing the processes of domestic change in three broad areas: 1) domestic institutional, legal and administrative structures; 2) domestic economic and other objective structures in a wide range of domains affected either by EU-adopted regulation or by EU-promoted de-regulation; and 3) domestic societies at large including domestic structures of political representation such as political parties and interest groups, domestic discourses, identities and other subjective dimensions of politics (Grabbe, 2003: 309-310).

In this study, the top-down approach generates suitable questions to us. Because of long-standing differences between the EU and Turkey, in the case of Turkish Public Administration the notion of misfit and the related adaptational pressures should be prominent. Moreover, the
top-down approach should apply because of the asymmetrical nature in the EU-accession states relationship. However, the important thing here is to consider that there is some interdependence in the relationship and the influence may be two-way. Thus, regarding with the Turkish case, the geography, the neighbours and the geopolitical position of the country and with the adjustment of the EU policies to the domestic system, the extent to which the flow of influence is two-way is an empirical question to be investigated in this paper.

EU Effect as a Top-Down Process

Héritier et al. (2001: 3) defined Europeanization as the process of influence deriving from European decisions and impacting upon member states’ policies and political and administrative structures. From this perspective, the EU acts in a very top-down fashion through legal and other policy acts. Buller and Gamble (2002: 17) referred to Europeanization as a situation where distinct modes of European governance have transformed aspects of domestic politics.

Many scholars distinguish the new research agenda of Europeanization from traditional approaches to European integration by emphasising its exclusively top-down approach. In the words of Hix and Goetz (2000: 3-4), “to be able to understand the impact of European integration on domestic systems it does not matter whether delegation is determined by domestic government preferences, driven by transnational economic actors, or 'cultivated' by supranational entrepreneurs. What matters for domestic actors and institutions is how the delegation to the European level changes policy outcomes in the domestic arena”.

However, approaching Europeanization exclusively from a 'top-down' perspective may in the end obscure the more complex two-way causality involved in European integration. Börzel defines Europeanization as “a process by which domestic policy areas become increasingly subject to European policy-making” (Börzel, 1999: 574). She also argues that Europeanization is a two-way process. Member states upload their preferences to Brussels via complex negotiations and download them from various EU policy menus.

In adopting a top-down approach for understanding the impact of EU membership on British politics, Bache and Jordan (2006) define Europeanization as: “the reorientation or reshaping of aspects of politics and governance in the domestic arena in ways that reflect the policies, practices and preferences of European level actors, as advanced through EU initiatives and decisions”.

Europeanization as a top-down process of change deriving from the EU is important in explaining the relationship between EU and Turkey in the post-Helsinki Summit era. Following the Helsinki Decision, the incentives to undertake reform have increased considerably. The pressures to conform to EU norms, as well as to global norms specified by multilateral institutions such as the International Monetary Fund (IMF), have created major avenues for change in the recent Turkish public administration context in both the economic and the political realms. This has been the case in spite of the historical legacy of a highly entrenched and centralized state tradition as well as the peculiarities of the Turkish modernization experience (Öniş, 2002: 3). Ever since it was founded, the Republic of Turkey has turned its face towards the West, has aimed to “rise above the level of contemporary civilisation”, and has carried out wide-ranging reforms by its own will in line with this aim. Although Turkey signed an association agreement with the EEC, Turkey did not have a well-defined European perspective until the approvement of its candidacy. Therefore the top-down approach would enable us to see both the effects on domestic politics, policies and polities of EU membership and to focus also on culture, discourse, identity and norms. And the adjustment to these norms and policies will lead to misfits and adaptational pressures inevitably.
Europeization as Two-Way Interaction

The second usage is an increasingly two-way interaction between states and the EU. European states seeking to anticipate top-down Europeanization pressures by ‘uploading’ national models and practices. However, as it is well-known, this relationship between candidate states and the member states is asymmetrical. In particular, the applicants themselves have no direct involvement in the making of the EU’s acquis, they are only the ‘consumers’, not the ‘producers’ of EU decisions and initiatives and the focus of accession negotiations is whether and for how long candidate countries will be granted transitional arrangements and they have little chance to determine their Europeanization content in this respect.

Throughout negotiations, EU-candidates should adjust their domestic institutional structure to EU-membership in order to take part in this new environment, but the ways to do this are not well explained in any official EU document. Therefore, Europeanization process is the direct result of a number of compromises among domestic institutions, and among the Union and the national negotiators. According to Heritier and Knill (Heritier and Knill, 2001) the impact of European integration with the domestic level could produce four different pattern of responses, when we summarize all those responses:

- inertia, in which there is a lack of change;
- absorption, when it is a mixture of resilience and flexibility;
- transformation, for example the adoption of new models and behaviours;
- retrenchment, when the impact of EU policies empowers domestic actors opposing reform.

The EU’s ‘conditionality’ for new members has been widely viewed as constituting a powerful incentive structure and sanctioning mechanism for the accession of the Central and East European candidate countries (CEECs). Generally, EU conditionality has been viewed as an important lever for ‘democracy promotion’, that contributed significantly to ‘foreign made democracy’ in the CEECs (Zielonka 2001, 511). Studies have also questioned the EU’s use of conditionality by illuminating the EU’s inconsistencies and policy changes over time with regard to the fulfillment of conditions, whether concerning the CEECs or in its external relations with non-CEEC third countries (Smith, 2001). EU conditionality has eminently followed the second and the third ways: transformation of some policy models, for example in competition policy, by imposing a set of new rules; absorption of new behaviours that may be showed by the new organizational structure that candidates have adopted.

In the inertia case, the Commission has worked at reducing the power of the domestic mediating actors (civil society, private actors and eventually the parliament), by imposing more or less defined policy models. Therefore, there is not any chance for the accession states to change the Commission’s policy models. In the absorption case, the Commission in order to suppress the other party, affect policy change by defining the timing of reforms. With this timing, the Commission wants to force the accession countries to make the relevant reforms. Thus, at the ‘supranational level’ (negotiations and bi-lateral meeting), the governments work by reducing the ‘degree’ of this conditionality, asking for transitional periods and derogations from the acquis. Indeed, inertia and retrenchment are possible but not realistic mechanisms that may occur in the CEE case. Inertia would mean that policy change in one area is not required because of substantial convergence with the Union. It is not because of the resistance or inactivity but it is the result of compliance in that policy area between the EU and the candidate state. Retrenchment, that has been showed for the Italian case, after the Union has forced the government to liberalize the road haulage (Heritier: 2001), means that domestic policy becomes less European than it was. For the candidates it would mean not to be ready for EU membership, that may be considered inconvenient in many respects (Milanese, 2001:18).
We can also see these different patterns of responses in adapting Turkish Public Administration to the EU norms. As we can see in EU conditionality the second and the third ways are in action. In Turkey, local governments failed to provide in good quality and extent the services they were tasked with due to problems in their administrative and financial structures. With the EU process, it was aimed that the local governments would be restructured to become compliant with the principles laid down in the European Charter of Local Self-Government, more effective, participative and transparent. To achieve these objectives, a reform process was started in respect of organization, duties and power, financial resources, personnel and relations with the central government of the local administrations. In the context of the Local Administration Reform, the Law on Metropolitan Municipalities, the Law on Provincial Special Administrations on March 2005, the Law on Local Government Associations on June 2005 and the Law on Municipalities on July 2005 were enacted all of which regulate the organization, duties and powers, personnel and other institutional aspects of local government units. This is because of the impact of European integration in the domestic level and the EU conditionality in Turkey. However, the most important thing in this process is to know the easiest way of how to conform with the EU. When there is a clear EU model, candidates are under adaptation pressure, screening of progress, and under political supervision, EU conditionality could reduce the space of domestic responses. The point is that, examining the EU enlargement policy, it is surprising to see how the Union has quickly developed or renewed its instruments for enlargement and strengthened its conditionality-power on candidates policy change, since the signing of the Maastricht Treaty. This is explained by two facts: the growing and multilateral economic and geopolitical interests of the EU and the changing nature of the ‘acquis communautaire’. Together these facts have forced the union to adopt and to specify new obligations for membership. On the other hand, candidate governments have been forced toward a more responsible and EU-compatible management of domestic policy change (Milanese, 2001:19).

With respect to Turkey-EU relations the constant two-way interaction between parties is necessary for the both sides in understanding each other. As a result of some European countries’ reluctance to accept Turkey as an equal partner, Euro-Turkish relations have experienced ups and downs since Turkey’s first application for EEC membership in 1959. Moreover, the idea of the mistrust developed against Europe because of the dramatic Ottoman collapse, the continuous fear of disintegration, and the heavy influence of the idea of creating a strong national economy in Turkey would be lessened by mutual interaction between states in all policy areas by the effect of Europeanization.

Both Turkey and EU have something to offer to each other. Therefore while the relationship may be asymmetric, there is some interdependence and thus scope for a two-way influence. For instance the membership of Turkey offers EU the following:

- EU will be a global actor in the world by expanding its boundaries to the Middle East and the Caucasus;
- Security for the energy resources in the Caspian Sea and the Middle East;
- “Consensus of civilisations” rather than the “clash of civilisations”;
- Young population for the old Europe;
- Being politically and strategically dominant in the Middle East, Caucasus, Balkans;
- The easiest way for the Common security and Foreign policy in the EU with its 2nd largest army in NATO;

EU offers Turkey with the membership perspective:

- Stability in economic conditions, increase in foreign direct investment;
Increase in the rights of minorities, human rights;
The sense of belonging to Europe;
The problems about Cyprus, the Agean Sea can be solved in this process;
Turkey will not be alone in its policies towards Middle East, Caucasus, Balkans, these policies will be europeanized.

**Europeanization as Changes in External Boundaries**

The third usage of Europeanization refers to changes in external boundaries. With the enlargement processes, the extension of the territorial reach of the EU as a system of governance is expanding. Turkey’s accession would be one of the most important enlargements. Turkey’s membership would enable the EU to play a more powerful and effective role in world politics. Turkey’s membership of NATO, its strategic partnership with the USA, its cooperation with the countries of the Balkans and the Caucasus, and its ties with the Islamic world, are elements that would contribute to the achievement by the EU of its goal of becoming a global power. Ensuring security, stability and welfare in Europe depends on an enlargement of the democratic geography. Therefore, the new European architecture must help peace, stability and common prosperity take root in the area that extends from the Balkans to the Caucasus, from the Black Sea to the Mediterranean, and must be based on modern and universal values.

European transformations are not limited to the EU and its Member States or to western Europe. Cross-border relations have been and still are, managed through a variety of transnational regimes and institutions besides the EU (Wallace, 2000). There are may examples of institution-building at the European level. Furthermore, there has also been an increase in non-territorial forms of political organization, and the meaning and the importance of geographical space has changed with the growth of functional Networks with no centre of final authority and power (Stone Sweet and Sandholtz: 1997). So that, a sufficient understanding of the on-going transformations requires attention to other European transnational institutions, regimes and organizations as well as non-Member states. As a reality, the EU has been most successful in terms of institutionalizing a system of governance that includes a large, and increasing part of the continent (Olsen, 2002: 927). By changes in external territorial boundaries, Olsen involves reaching a system of governance and the degree to which Europe as a continent becomes a single political space. For example, Europeanization is taking place as the EU expands through enlargement (Olsen, 2002:930). Studies of state and nation building in Europe (Rokkan, 1999) suggest four dimensions that are relevant for comparing both institutional spheres within the EU, and the Union with other European institution-building efforts:

- **regulatory institutions**: building a unified administrative and military apparatus to control a population, a territory and its external boundaries, including the ability to extract resources for common tasks;
- **socializing institutions**: through education and socialization, a territorial identity and cultural community with a sense of belonging, emotional attachment and shared codes of meaning;
- **democratic institutions**: creating democratic citizenship, representative institutions, equal rights of political participation, legitimazed opposition, organized parties and popular enlightenment;
- **welfare institutions**: developing social and economic citizenship and rights and a community that accepts the collective responsibility for securing more equal life chances for citizens.
These institutions are very significant in EU-Turkey relations and impact upon Turkish public administration system. As regards these institutions, Turkey’s goal is to join the developing cooperation and integration network of the changing EU in politics, defence and security and in the economic, social and cultural fields. This goal will also contribute to reducing the current tension between the West and the Islamic world. In this context, the experience that Turkey as a democratic and secular country has gained from the past to the present day is an important element. Ensuring security, stability and welfare in Europe depends on an enlargement of the democratic geography. Therefore, the new European architecture must help peace, stability and common prosperity take root in the area that extends from the Balkans to the Caucasus, from the Black Sea to the Mediterranean, and must be based on modern and universal values. In this context, Turkey has a strategic position that will enable it to play a leading and determining role in its geography.

Olsen’s usage of the Europeanization is very related with the Turkish goals. His concept of Europeanization is making Europe a more coherent, distinct and strong political entity. Internal borders and barriers are fading or removed. External borders and barriers are strengthened. There is a clear discrimination between members (citizens) and non-members. In sum, a fragmented European state system is unified as the boundaries of political space extended. Europeanization here involves enlarging the territory, developing new institutions into a larger coherent order, as well as exporting European models beyond the region (Olsen, 2002: 940). For this reason Turkey does not want to be out of this enlarging Europe and wants to be a member of all the institutions that Europe has and will have.

Olsen also argues that a strong Europe does not only imply maximizing territory, centre-building, adaptation of national and sub-national systems of governance and export of European models. Rather the institutionalization of political borders, authority, power and responsibility is a delicate balancing act. For example, EU enlargement increases the Union’s territory, population and resources. Yet it will also create more heterogeneity and make stronger demands on the Union’s institutions of governance (Olsen, 2002: 941). Having grown further with the latest enlargement, the European Union will have the opportunity to develop its relations beyond its new borders by spreading stability, welfare and security. The EU, which, following Turkey’s accession, will become a neighbour of countries such as Iraq and Iran which are at the heart of the Middle East, in addition to countries such as Russia, the Ukraine, Moldova, Belarus, Georgia, Azerbaijan, Armenia and Syria, which are the neighbours of Turkey in the Black Sea and in the Caucasus, EU will find the opportunity to play a more effective and even leading role in world politics. Rather than Olsen’s suggestion of “a stronger centre and a single hierarchical control and command system for the EU” regarding the enlarged Europe, building new policies such as cross-border relationships with the Turkey’s neighbours with the membership of Turkey is more reliable to play a more significant role in global developments for the EU future.

**Conclusion**

In searching the concept of EU effect on Turkish public administration, one must consider a number of important developments between Turkey and EU-member states. Regarding EU effect in relation to democracy in Turkey, the EU affects Turkey positively. In order to fulfill the Copenhagen political criteria many constitutional changes have been made. But the question here is that, the EU process may obscure lines of political accountability, so that citizens are unsure whom to hold to account on particular issues. As Bache and George argue, political elites may use EU process as a smokescreen that conceals their own activities and deliberately mislead voters if it is expedient for them to do so. Equally, political elites may themselves be unclear about where responsibility, and thus accountability, should lie. Therefore bureaucrats in the Turkish public administration have gained a very important role in this process. They are acting like a bridge between the public and the government. Thus, the gate-keeping role of
Turkish bureaucracy is probably even greater than in member states, as the central government is the sole negotiator regarding conditions of accession. Subsequently they are able to monopolize the access to both the European Commission and the European Council. Because of being a highly centralized state culture, sub-national units in Turkey are weak and they can not put pressure on their governments based on national resources and powers.

Although Turkey has had a relationship with the EU since 1963 with the Ankara Agreement, Turkey could manage to start negotiations in 2005. And since 1999 Helsinki Summit, it took only a few years to make the great transformations to fulfill the Copenhagen political criteria. These transformations have left domestic institutions in a considerable state of flux. Therefore we can not still guess how long will take to get used to the new rules and laws in the adaptation. Because Turkish state institutions and networks are firmly entrenched, they could resist the challenges posed by EU integration. For this reason, the adaptation of the new rules and laws are very important in applying the EU norms and policies. The top-down approach would be the dominant usage in defining EU-Turkey relationships with regarding to the public administration case. We would expect to witness policy misfits which generate adaptational pressures.

Finally, the expansion of territories would be a new policy area for both EU and Turkey in forming new common policies. Moreover, while we are talking about the top-down adaptation, we should not forget the notion of two-way interaction shaping the nature of the adaptation process because there is always some interdependence of two-way influence. The extension of the territorial reach of the EU as a system of governance to expand Europe as a political space would be one of our significant point. As it was pointed out in the study, EU negotiation process requires that states take part in the adaptation of EU norms and the development of new identities. Yet, this adaptation is not automatic. In the EU context, states follow and imitate each other as a rule, but there is always room for domestic versions of the EU regulations. In this way, each state can also have a different version of these EU norms in the framework of the EU acquis. And when we think about Turkey’s geographical position for Europe, the extent of this two-way influence could be greater than any other accession state has made before.

References

Rezumat

Această lucrare urmărește efectele conceptului de Uniune Europeană, considerate drept lentilele prin care se pot studia efectele acesteia asupra sistemului administrației publice din Turcia în procesul de pregătire pentru integrare. Sunt evidențiate principalele utilizări ale efectului Uniunii Europene, apoi se detaliază acele utilizări care ar părea să fie cel mai relevante pentru studiu. În urma analizei, lucrarea subliniază care dintre aceste abordări vor fi cel mai mult folosite în structurarea administrației publice turce, cum vor fie le folosite și ce probleme ridică.