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Turkey's pre-negotiation for EU membership

- A case study of asymmetric negotiation

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Abstract

This is a study about Turkey's membership negotiation to the European Union. The study focuses on the pre-negotiation phase between the EU and Turkey, and investigates if any asymmetry has influenced the negotiation and how that has occurred. Turkey over almost twenty years has had its eyes on the European Union, longing to become a member. The European Union has ambivalently been carefully positive asking Turkey to speed up their democratization process.

Since the end of the nineteen nineties, Turkey has strived to do the necessary changes in order to become a member, giving concessions on mainly two areas: *decrease of military influence in society* and *human rights,* in order to speed up the accession into the union. The European Union, thanks to its asymmetrical power position, has been able to influence changes in the Turkish constitutional and legal framework.

Keywords: European Union, Turkey, Pre-negotiation, Asymmetry, Influence.

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1　Introduction

In the 1980´s, Turkey's export industry was expanding and developing towards a west oriented market, which was affecting the political leadership. As one of the consequences, Turkey applied for a membership in the European Community in 1987. Since then, it has been trying to adapt itself to the west by initiating numerous negotiations. These efforts resulted in a custom unions agreement in 1995 and in 1999 Turkey became accepted as an applicant country for full membership in the EU. Eighteen years after the first application, the negotiation process is just about to start.

The Turkish membership process was stalled because of criticism from the European institutions regarding minimal Turkish government support for minority rights and low concern for human rights issues. (Tekin, 2005, p 288) The European Community's concern for democracy also regarded the structure of the government, how it was organized and the military's power and influence on the national political situation.

The scepticism regarding Turkey's membership partly comes from the European populations, where 67% of the French population and 55% of the German are negative to the membership (20041215, www.rtl.fr). Austria as well as Danish government have raised doubts about it too (20041217, news.bbc.co.uk). The concern is based on fear of what could happen if the Turkish population had the ability to move freely in Europe. Secondly, it is feared that the Turkish culture especially with its secular and historic heritage will negatively influence the European identity and culture (20050614, www.eubusiness.com).

Despite the overall scepticism, the political leaders of Europe have decided to continue the pre-negotiation with Turkey. This rift in opinion between the European leaders and the people of the union could potentially backfire on the political leadership and produce a rather embarrassing situation if the leaders do not anchor this enlargement process among their population.

With so many nations in the EU being sceptical, the negotiation process starting on October 3rd 2005 will be extremely delicate. Before Turkey can get accepted, all contemporary members of the union have to agree in letting it join. On the other hand, Turkey has all its reasons to question the content of this negotiation, considering all the difficulties it had over the past eighteen years of pre-negotiation process.

1.1 Purpose, problem and disposition

In a negotiation, the parties are using different tactics in order to be successful in the bargaining process. Since the application in 1987 Turkey's task has been to be a full member of the EU. The study will look at how the pre-negotiation process has developed since 1987 and discuss and analyse the different phases in the process.

I intend to investigate the pre-negotiation process between Turkey and the EU and its impact on Turkey's political change out of an asymmetric perspective. My assumption is that Turkey has made a number of concessions in order to continue the membership negotiation. In this pre-negotiation phase, the EU had an opportunity to put pressures on Turkey in order for the country to fulfil the Copenhagen criteria's to become a member. Those concessions taking place in the pre-negotiation are interesting to investigate since it will present a picture of which influence and impact the EU have had on Turkey's recent democratic development. In addition, it is interesting to study which areas in particular Turkey is struggling with and what type of progress, if any, are being made in these areas.

The main question I intend to answer in this study is:

- How did the power asymmetry between the two actors influence the pre-negotiation process of Turkey's membership into the European Union?

In order to answer this question, I will further discuss the following issues :

- To what extent did the EU manage to influence Turkey's development?
- How did Turkey manage to defend its positions despite its "weakness"?

In this study, I will conduct a theoretical discussion about asymmetry in negotiation and thereafter explain which means weaker states can use in negotiation. (chapter 2). Secondly, I will apply my chosen theoretic approach on the case and discuss the impacts of asymmetry implications between Turkey and the EU (chapter 3). Finally, I will analyze the effects of the asymmetry and how they impacted (chapter 4) .

1.2 Methodology

This thesis is a case study of the pre-negotiation membership process between the EU and Turkey, limited to the period of 1998-2004, with a qualitative approach.

One of the reasons for choosing the qualitative approach is that it enables for a in-depth study with a focus on how processes, individuals, groups and institutions act as well as influence each other. In my case these could be any actors that take an action or make a statement which influences the pre-negotiation process, such as government officials making a statement in press or even a poll among the Turkish population. (Nachmias et al. *Research methods in the social sciences*, 1996, p 281)

Since the qualitative method looks for a specific understanding of a problem it thereby focuses on coherence, structures and what makes a specific problem unique. The strength of this methodology is that it gives an overall view of the problem and focuses on the underlying processes that effect different levels of the problem. (Nachmias et al. *Research methods in the social sciences*, 1996, p 281) By applying this method, I will be able to detect specific underlying factors which will present a more thorough picture than the quantitative method could. Thereby, I believe the case study method allows for in-depth analysis which is necessary for the problemization of this case.

Unfortunately, choosing a case study has its negative implications. One implication could be that the case study format can exaggerate or simplify factors in a situation (Merriam, 1994, p 47f) Being aware of this, I try to describe or render the information as objectively as possible. In any case study there is a risk that my own opinion as a writer might affect the study. However, by maintaining an objective approach and striving to reach intersubjectivity this risk can be decreased (Lundquist, 1993, p 53f) (Jmf Bjereld, et al. 1999, p 15).

The limitation in the study is the time frame 1998-2004. I needed to limit the study in order for the load of information to be comprehensible. These specific years have been chosen since I want to capture the time when the pre-negotiation phase was at its most active state in order for a broad and accurate analysis to be drawn.

In order to improve the reliability of the study I intend to use as many primary sources as possible to decrease the chance of misperception from secondary literature. (Bjereld, et al. 1999, p 105f) It would be interesting to do interviews with officials who have been involved in the negotiation and can reflect their views of the negotiation. The trouble is to gain access to those officials. On the other hand, the various enlargement reports from the European Union are used in order to get both secondary and primary material. By doing this, there is a balance

between primary and secondary material. The primary material consists of the enlargement reports and the secondary material from literature and articles about the case.

I have decided not to make any large-scale comparisons with other countries in this study. Turkey is such a unique case, considering its size, history, cultural heritage and secularism, that it would be difficult to draw any general conclusions from such a comparison.

2   What is a negotiation?

"A negotiation is a process where two or several parties are participating, which have interests that are partly contradictive but also partly unified and where the parties communicate with each other in the purpose to reach an agreement. "(Sannerstedt, 1992, p 44)

The above definition for negotiation is the one I will work with onwards. A key foundation of negotiation is that the parties have mutual and contradictive interests. Unless there is mutual interest from the parties to negotiate, there is no use to initiate the negotiation. If the parties believe that the negotiations will not lead anywhere, why negotiate? (Lebow, 1996, p 24) However, sometimes parties get involved in talks as a strategy to improve their image to the world community. In others they don't believe in a solution, but by enrolling in the negotiation the parties will find out if something new is put on the table. (Zartman & Maureen, 1982, p 43f)

Before entering a negotiation, the parties need to agree on the prerequisites of the negotiation. (Iklé, 1964, p 2ff) Important issues are: where should the talks be held? Which issues should be put on the agenda? Setting the agenda is of special importance, since the parties may not wish to discuss all issues (Hopmann, 1996, p 174).

In reality, it can take months or even years before the parties agree on the agenda, and when they do it is only the most critical questions which are raised to the agenda. (Zartman & Maureen, 1982, p 42f) For example, there might be queries which are treated as a non-problem by actor A, but which are important to actor B. Actor B requests a bilateral negotiation at which queries between the two parties can be solved. Actor A agrees to this request but only if query X is not put on the agenda. Actor B would like to discuss query X, but prefers not to since the need to solve other matters still exists.

According to Hopmann and Habeeb the post cold war period constituted a change in the perception of the actors seen from a win and loose perspective and scholars started to study negotiations which created a mutual cooperation between the actors which was satisfying for both parties. These type of negotiations are often referred to as integrative negotiation where the parties create a relationship and work with each other to solve issues. The opposite of this perspective is distributive negotiation, where the parties bargain over a fixed resource. In this context, the party with the strongest economic and military resources normally

wins. (Hopmann, 1996, p 59f) The perspective is more to negotiate in order to solve problems that have an impact on all countries. (Habeeb, 1988, p 25)

2.1   Methods of negotiation

In a negotiation there are a variety of methods to be used for the actors. The various actors can try to influence the others parties by using different techniques such as: persuasion, threats, warnings and blackmails (Iklé, 1968, p 59ff)(jmf Lebow, 1996, p 92ff). Threats, warnings and blackmails are more likely to occur in negotiations from the realist tradition in negotiation. The parties from this tradition are less interested in a relationship and more interested in getting to the point and solving the issue. In opposite, the post cold war approach believes starting a diplomatic relationship is only the first step for a negotiation and to be successful the relationship has to be built upon trust and mutual cooperation. (Hopmann, 1996, p 24f)

A simple strategy for negotiation is to decide beforehand the lowest possible bid you could accept. Fisher, Ury and Patton have developed a method called "Best Alternative To a Negotiation Agreement" (BATNA). The purpose is never to accept a low bid, or a bid that you will regret afterwards. Before the negotiator enters the bargaining process he/she decides what the lowest acceptable bid is, to continue the talks. Furthermore, he/she also decides how much concessions can be made in the process of bargaining. By taking this approach a negotiation can never be unsatisfying for any party. (Fisher et al. 1992, p 97f)

The BATNA method can be fruitful in asymmetric negotiations for the weaker party, by deciding before entering the bargaining how many concessions can be made and consequently what the lowest acceptable bid can be. In the creation of negotiation theory, there was a separation between those who believe in distributive negotiation and integrative negotiation. The first group believed that negotiation was all about winning and loosing. The focus was on bilateral state-to-state diplomacy in which individual states seek to advance their own national interests at the expense of others. (Hopmann, 1996, p 24) The second group believed that in the bargaining process is a process in which the actors enlarge "the pie" by working together and creating a situation which is beneficial for them both. (Ibid, p 59)

When it comes to using a threat, the actor should present it in such way that the threat becomes credible. (Habeeb, 2000, p 25)(Iklé, 1968, p 25) Unless the threat is backed up with credibility, the threat is not sufficient and the opponent calls the bluff. (Iklé, 1968, p 78) Consequently, the idea for smaller states to induce threats is not really efficient unless they have some major resource to back it up with. (Lebow, 1996, p 92ff)

2.2 Asymmetric negotiations

In the end of the 20th century the world is solving more disputes than ever before through the means of negotiation. These negotiations include various actors with different agendas. (Hoppman, 1996, p 4) In these negotiations, the actors will not be of the same geographical size, have the same resources or have the same tasks. In fact, most of these will vary in size and be profoundly different from one and another. It is the impact of these differences between Turkey and the EU that I will examine further in the thesis. Since the negotiators are different I believe they will be affected by asymmetry in one way or the other.

What does asymmetry mean then? Habeeb uses the following definition which I intend to use: *"A negotiation between two actors whose resources and capabilities are unequal."* (Habeeb, 1988, preface). Basically it refers to a negotiation between two actors where actor A has a serious advantage to B when it comes to political power and resources. Before I start to elaborate more on asymmetry, it should be understood that the terms asymmetry and symmetry are value loaded terms. Symmetry is associated with harmony and prosperity, which is generally looked upon as positive. Asymmetry is related to discord and non-harmony, which is commonly perceived as negative. But it does not necessarily have to be this way, why would otherwise weaker parts negotiate with a stronger part if nothing good came out of it? (Zartman et al. 2000, p 3) This study will examine closer why this is possible.

According to Zartman there are two main schools in the approach and comprehension of power asymmetries. The first argues that power asymmetries exist, but their impact on the negotiation can be faded out through different strategies and tactics. The fact that both parties are at the table is a proof that symmetry to a certain point has prevailed, otherwise the parties would not have agreed to negotiate. To reach an agreement both actors have to agree on the prerequisites for negotiating and then the negotiation can take place. The second school argues the opposite and believes that asymmetry in power do make a difference in the way negotiations proceed and the outcomes of the process. This approach believes that more powerful parties are able to control and influence the negotiation process in a way which is preferable for them. (Zartman et al. 2000, p 4)

When it comes to the distribution of power, what is the best starting point for negotiations? Zartman argues the best starting point is a perception of asymmetry. If the parties perceive themselves to be equal the risk off slipping into a stalemate is higher. In that case the two parties would try to use a dominant approach and become the stronger one. An example of this was the cold war where both the USA and the Soviet union were using a dominant approach. This only lead to deadlock since both parties wanted to appear as powerful as possible. This results

in minimal influence on each others position in the negotiation (Zartman, 2000, p 272ff). This risk is highly plausible if both actors have a bargaining tradition which is tough and concession giving is minimal. The risk is reduced if the two actors are known to give concession and are used to compromise.

Relating the perception of power to integrative and distributive negotiation I would argue that the importance of power perception is more necessary in distributive negotiation than integrative. In distributive negotiation the necessity of "showing the muscles" is more crucial for the outcome of the process. Since creating a "win-win" situation is not necessarily a task, the risk of loosing is greater for the weaker party. (Elgström, 2005, p 118ff) Nevertheless, in different stages of the integrative negotiation it could be important for the weaker party to appear powerful, especially in the initial phase where the stronger party takes an interest for the weaker and want to integrate with it. In asymmetric negotiations, perception of power is as important as "real" power. Power is in the eyes of the observer, and power balances can differ depending on who is analyzing the balance. If one party believes itself to be stronger and projects an image of this strength, then it might become successful in broadcasting this image. If the other believes this projection is accurate it is more likely to adapt and discuss concessions. (Ibid) A wider discussion about this will emerge later in the study.

2.3   How weak parties negotiate

Weaker states can increase their power in a number of ways. One way of doing this is to form coalitions, then the parties can divide up between themselves different subjects of the negotiation to focus on. The trouble normally with weaker parties is that they don't have enough manpower and resources to cover all their areas of interest simultaneously. The advantage with the coalition is that it usually provides better relationships among the actors. Along with that comes increased commitment, since all parties trust that everyone take their commitments seriously to the coalition, and increased control, because the information shared between the parties is stronger within the coalition than before. The negative with a coalition is on some topics the states will not agree and hence the coalition can not work together in that specific issue. The failures would also be greater if some party failed to deliver the work that the group expected, one failure becomes failure for all of them. (Zartman & Rubin, 2000), (jmf Habeeb, 1988, p 24)

Another strategy of impacting negotiation and increasing power is to affect the agenda and make fuss about issues that does really concern them. One example is the United Nations Conference on Environment and Development negotiations in 1992, where weaker states obstructed the negotiations by walking out of the room or threatened with withdrawal. Moreover, they highly prioritized areas of greater importance and in others they agreed to everything being proposed. (Pfetsch, et al.

2000, p 33) By doing this, they had a power shift in matters which were of high importance to them.

A more classical approach to negotiation is simply to put pressure on the opponent. This tactic is also referred to as using: "carrots and sticks". Using the "carrots and sticks" strategy actor A simply displays an economic or politic incentive for actor B if it follows the advice that actor A prefers. If actor B fails not to follow it, then actor A will punish actor B either politically or economically. The most common ways for stronger nations to punish smaller states is simply to stop an aid program or any other type of cooperation which is beneficial for the smaller state. Historically, the tactics of persuasion are not always the most successful for the weaker part. (Habeeb, 1988, s 25) (jmf Lebow, 1996, p 72ff)

As mentioned earlier in chapter 2.1 another easy strategy in securing successful negotiations is Best Alternative To A Negotiated Agreement (BATNA). By using this strategy none of the parties are loosing and if an agreement is reached both parties have reached a winning situation. The importance of this theory can not be highlighted enough. The strategy is easy to comprehend and very easy to apply. (Fisher et al. 1992, p 97f)

2.4   The definition of power

To understand power we must first define the term "power". The traditional view of power has been focused mostly on military power. Dahl, Von Clausewitz and Waltz are a few of the advocates which argue that military power means power on the international scene. Zartman & Rubin disagree with this and believe that there is more to power then violence and constraint. They argue that to solely relate power to force is more of an ideological stand, since it constitutes a justification for violence and devaluates all other possible factors that could influence power. (Zartman & Rubin, 2000, p 9ff)

Habeeb has created a definition of power which I intend to use:*"Power is the way in which actor A uses its resources in a process with actor B so as to bring about changes that cause preferred outcomes in its relationship with B"* (Habeeb, 1988, p 15f) Many definitions previous to this one focuses on power as a static concept, but since power and the resources linked to are changing over time, power cannot be static. (Ibid, s 14)

How can this be? First, this definition describes power as a causal process and focuses on the process of change including the outcome. (Habeeb, 1988, p 15f) Secondly, by mentioning "preferred outcomes" it includes both intentionality and predictable reactions. Third, it focuses *"on one actor's ability to cause preferred outcomes in its relationship with another actors"*, but actor B also has the chance

to achieve for a preferred outcome, which makes the situation relational depending on the actor's choice. (Ibid) Any action taken to influence the opponent's choice is a matter of power. Such techniques could be persuasion, influence, leverage and pressure.

Zartman & Rubin are not alone to criticize the view of power only looked upon from a military perspective. Lockhart criticizes the traditional view of power with the opinion that it is too narrow and leaves out one of the key variables to power, namely a country's resources. (Lockhart i Habeeb, 1988, p 4f) (jmf Pfetsch et al, 2000, p25f)

John Odell further points out that the use of power can shift from actor to actor depending on which strategy they use. As an example they can try to use a strategy called "power shifting" by using different techniques of persuasion to increase their power. He uses as example Latin-Americans states when they negotiate with the USA. This can be considered as an asymmetrical negotiation where the US is the stronger part and Latin-America the weaker. The US has massive domestic resources at its disposal and is huge importer from Latin-American markets. The Latin-American strategy can be explained in three points : 1) They used the pluralistic system of the US to their own advantage and created alliances with domestic organizations in the country to help them fight for their cause. 2) In cases where Latin-American markets had huge importance for US exports, the threat of not accepting American products often lead to a better negotiating outcome. 3) The Latin-American negotiators came to the negotiation very well technically prepared and argued well with detailed technical proposals to succeed the negotiation. (Odell in Habeeb, 1988, p 7ff)

Every asymmetric negotiation has its case specific strategies, and Turkey's EU-membership negotiation may not necessarily be the same as in the Latin-American case. But by applying this "power shifting" strategy to Turkey, we could assume that they have a strategy in order to reach their task. In the empirical chapter I will apply this approach and look further into if Turkey has made any attempt to apply a "power shifting" strategy. If this is the case, the study will investigate if Turkey's strategy was successful.

Lockhart further elaborates on the phenomenon. His theses is that smaller states, by using of what he refers to as "resourcefulness" and "creativity ingenuity", have the possibility of increasing their power into a more symmetric power balance. (Lockhart in Pfetsch et al, 2000, p32f) Zartman gives a good example in the US-Canadian Free Trade Agreement (FTA) which took place from 1985-87. At the time, the Canadian government was struggling with a huge budget deficit and needed something to jumpstart its economy. The US was their major exporting market with more than 75 percent of their total exports. The Canadians initiated a commission called the Macdonald commission which investigated what could be done and the results suggested a free trade agreement with the US.

After the request was made to the US the Canadians put together a negotiation team headed by Simon Reisman with full access to highest levels of government with boundless staff resources. The US negotiation team on the other hand had limited staff resources and limited access to government officials. The main task for the Canadians was to setup a dispute settlement mechanism, being afraid that acts of isolationism from the US internal market would harm the Canadian exports. After about a year of negotiation, with the US team refusing any type of dispute mechanism, Reisman walked away from the negotiation and suspended the talks. With this diplomatic crisis, US Treasury Secretary James Baker was handed the responsibility and after two weeks of Baker's efforts the negotiation was up and running. After countless efforts from both parties a deal was struck and on the 19th of October the parties had an agreement. The agreement included a dispute mechanism which was a great success for the Canadians. However, concessions on a number of areas were given in order to reach the agreement. These concessions included tariffs, investments, and financial services. (Zartman & Rubin, p 35ff)

In conclusion, by creating a diplomatic crisis the Canadians managed to get the attention from higher levels of government thereby creating the necessary attention from higher levels of US administration to close the deal. In the end, both the Canadians and the US were given what they strived for through the deal. This is another example of how a weaker state can create a power shift by drawing attention to them.

2.5   Aggregate vs. Issue-specific power

We have earlier discussed power and linked it to the term resources. But does an actor's resources tell us all about his/her power? Or do we have to use a point of reference to figure out an actor's power? According to Habeeb by viewing power in terms of structural power it allows us to determine the relative positions of actors. By making a statement about an actor, we can compare it to another one and get a picture of the relative structural power positions of these actors. (Habeeb, 1988, p16) Aggregate structural power refers to an actor's resources, capabilities and relationship to the rest of the world. Habeeb defines Aggregate structural power as: *"the actor's total (or aggregate) resources and possessions"*(Ibid, p 17). In the example of nation states, this constitutes total national resources meaning demographic, economic and military. (Ibid, p17)

Aggregate structural power does not only identify national resources, it also takes into account national potential, the ability to foresee resources and their importance. (Ibid, p 17) As an example Sweden had in 2004 a total GDP of 203.8 billion Euros. Turkey had in the same year a total GDP of 406.1 billion Euros. This implies that the Turkish economy is twice the size compared to Sweden.

Nevertheless, one should consider that the Turkish population is six times the size of Sweden. (20050621, www.cia.gov)

On the opposite of aggregate structural power, issue-specific structural power focuses on the power structure within a relationship. Instead of getting a general picture of an actor as the aggregate structural power, it focuses on actor's capabilities and positions in a specific mutual issue. The issue-specific power component is an excellent component in analyzing international negotiations since those encounters demand at least two actors and one issue to discuss. (Habeeb, 1988, p 19) Tactics in a negotiation are of issue-specific type. The objective is to alter the issue-power balance, since the issue-specific power balance determines negotiation outcomes. (Habeeb, 1988, p 24)

One measurement is crucial in analyzing the power structure of an issue specific relationship: *the interdependence paradigm*. Habeeb describes it as crucial since *"Interdependence defines a relationship characterized by mutual dependence. That is, each actor is dependent upon the other for achievement of preferred outcome."* (Ibid, p 19) He further points out that in an interdependent relationship there will be costs implied if the relationship is broken. Economically, these costs might be decreased commerce or decrease foreign direct investment. Politically, they could impinge to a setback in diplomatic relations.

In conclusion, structural power is best examined in two levels: 1) The aggregate level 2) The issue-specific level. At the aggregate level, the structural power balance is determined by asymmetries in national resources and capabilities. At the issue-specific level, the structural power balance is determined by asymmetries in alternatives, commitments and control.

3 The case of Turkey

In this section I will present a background on why Turkey and the EU negotiated and how each actor managed to influence the process. A brief overview will also be presented about how a country apply for EU membership.

3.1 Mutual interest for Turkish membership in the European Union

As mentioned earlier in theoretical chapter 2.1 actors of negotiation must have mutual interest in order to start negotiating. Turkey being a member of the EU presents several opportunities for both actors.

Since the end of the 1980s, Turkey has seen itself as a natural member of the European community. In this aspect it believes itself to complement the European culture adding a branch of Eurasian twist to it. A statement made from Cem, previous foreign minister of Turkey, proves this posture below:

"Turkey is a paradigm of modernization for Eurasian peoples who aspire for social change within a pluralist and secular society. […] Historically, Turkey is a Eurasian power. Our history is moulded as well in Central and Eastern Europe as it is in Middle East, in the Caucasus. Istanbul, the European metropolis, sees its influence being felt in an expanding geography. Istanbul, which shelters several multi-cultural and national institutions, is on her way to become the capital of Eurasia. (Cem, 2001, s 60ff)

Parts of the desire to join is built upon hopes that the Turkish economy will flourish when the EU:s internal market is opened up fully for Turkish products. Other reasons are that if Turkey would join it is likely to have more influence in world politics by acting within the frameworks of the EU compared to on its own. (2005-07-11, www.abig.org)

Out of a European perspective the geographic strategic importance of Turkey is one of the country's greatest assets. Turkey is situated right in between three continents with a door to Asia, Russia and the Middle East. Turkey is by military strategists regarded as a key country when it comes to stability in the Middle East. (Interview with Ron Asmus, 2005-07-15, www.euractiv.com) Turkey can also be seen as the link for Europe to the important Asian market, and could potentially

increase the trade and security between the two entities. Not only are there economic advantages; the political dimension cannot be emphasized enough. Both the EU and the US have interests in democratizing the Middle East. (Ibid) The US has already made attempts in this area with Iraq. Turkey has good prerequisites with their secular model to be further democratized. Further democratizing Turkey according to a European model would likely send democracy signals through the entire Middle East.

3.2   The membership process of the EU

After mutual interest is established between the two actors, Turkey filed for membership and the EU:s formal membership process initiated.

The European commission is the main actor of the process and decides under which conditions the applicant country can become a member. If Turkey eventually joins the union it is expected to follow the "acquis" and its content of 31 charters. The content displays the laws and regulations adopted in the Rome, Maastricht, Amsterdam and Nice treaties. The negotiations focus on how Turkey is going to *"adapt, implement and enforce"* (2005-04-26, http://europa.eu.int/) the acquis and how long it is probable for Turkey to make the necessary changes in their legislation and public administration. Practically, the negotiating teams together set a date when the changes should be enforced. When that has taken place, the EU commission evaluates the progress in the Regular reports written by the Directorate of Enlargement (Ibid) (jmf Friis, 1997, p 46f).

Those Regular reports update the European council on the progress made by Turkey and the other candidate countries. The reports started in 1998 when the review process began for Turkey, Cyprus and the ten applying countries in Central and Eastern Europe. The process is very extensive where European bodies in Brussels and at the scene in Ankara are engaged. In Brussels, the Directorate for Enlargement is monitoring the process in Turkey and ultimately the ones who compose the regular reports for the commissions account. In Ankara, the European commission's representation observes and reports back to Brussels on the development. Since the first review in 1998, the commission has presented regular reports almost every year, covering Turkey, Cyprus and the ten applicant countries in Central and Eastern Europe (20050522, www.euractiv.com).

As an applicant country Turkey is currently linked to Europe via different financial programmes, such as: the Euro-Mediterranean Partnership programme (MEDA), EU-Turkey financial assistance, EIB financial assistance and European strategy regulations programmes. (http://europa.eu.int/comm/enlargement/turkey/pdf/information_package_2003.pd

f). These programmes are created to assist Turkey in re-structuring its administration and legislation according to EU standards.

3.2.1 Accession criteria

At the Copenhagen European Council in 1993, the Union decided that there would be a new round of Enlargement process, consequently the countries in Central and Eastern Europe that previously had signed Association agreements would be welcomed as members into the union. The European Council stated*:" Accession will take place as soon as an associated country is able to assume the obligations of membership by satisfying the economic and political conditions required."* (2005-04-26, http://europa.eu.int/) Parallel to this statement, the Council defined the membership criteria, which are referred to as the Copenhagen criteria.

The membership criteria's require that Turkey and other applicant countries must achieve the following:

- Stability of institutions guaranteeing democracy, the rule of law, human rights and respect and protection of minorities.
- The existence of a functioning market economy as well as the capacity to cope with competitive pressure and market forces within the Union.
- The ability to take on the obligations of membership including adherence to the aims of political, economic & monetary union

(Source: 2005-04-26, http://europa.eu.int)

Furthermore, according to the criteria setup at the Madrid summit, the candidate countries must have created the conditions for its integration by adjusting the national administrative structures. This means the European Community legislation has to be transposed into national legislation and that the legislation is implemented through appropriate administrative and judicial structures. This process of change is an absolute prerequisite of the mutual trust required by the EU membership. For Turkey serious changes were needed in their legislation and constitutional outline. (Ibid)

3.3 Turkey's pre-negotiation process

The EU pointed out three main obstacles to Turkish membership: the *military's influence in Turkey*, the *violation of human rights,* and the *Cyprus* problem. These topics were the key issues in the pre-negotiation for Turkish membership. Without any improvement the negotiation process could not start.

The EU has raised concerns about the military's influence in Turkish society. The military has been organized in a separate structure without any direct control from civilian authorities. According to European values, a stable and democratic state requires a military which is under orders from a civilian institution such as the prime minister's office which means that it can not inflict in democratic issues. (European Commissions, regular report 2002, Turkey)

Furthermore, Turkey's ability to deal with human rights issues especially with minorities such as the Kurds has in the past been disastrous. During the 20th century the Kurds have been fighting for a state of their own. Parallel to this growing struggle for liberty the Kurds have been oppressed by Turkey, Iraq, Iran, Syria, Armenia and Lebanon. Turkish military has fought the Kurdish workers party (PKK) during the century and in the beginning of the 1990's the army emptied over 2000 villages in search for Kurdish terrorists. (Ciment, 1996, p 188) Considering that the Kurdish minority represents more than nineteen percent of the Turkish population, the EU considers this issue very badly dealt with and Turkish awareness of human rights must increase if they are to join the Union.

Regarding the Cyprus issue, the island is divided into two communities which are still battling for independence. The Greek Cypriot part is recognized by the international community except Turkey and joined the EU in March of 2004. The Turkish part consists of 37 percent of the island and is only recognized by Turkey. (20050715, www.ne.se)

3.3.1 The Summit meetings

At the Luxembourg summit in 1997 eleven countries were promoted from applicant to candidate status. Turkey was not promoted at this time. The government of Turkey was very displeased with this development and blamed the EU for discrimination. However, evidently no other country among the ten had problems with the same magnitude as Turkey, especially within the human rights area. (European Commissions Regular Report; 1998, Conclusion)

After the Luxembourg summit the Turkish reformation process went into a stall. The EU tried to jumpstart their efforts, and send Robin Cook foreign secretary for the UK to motivate them further in the issue. But the damage was done, and Turkish foreign minister Cem told that Cook's visit wouldn't make much of a difference. (20050427, http://www.turkpulse.com) At the Cardiff summit, held in June 1998, no immediate proposal was put forward from the EU to change Turkey's applicant status, a circumstance that did not really improve the relation between the EU and Turkey.

With the Helsinki summit held in December 1999 this was about to change. Two months before the summit, the EU commission gave out its second regular report about the current EU-Turkey relation. In this report the commission stated that

steps should be taken to prepare for giving Turkey "candidate" status. Reviewing this report the government of Turkey was thrilled and not long after, foreign minister Cem announced that the Helsinki summit would initiate a new relationship between the two counterparts (20050426, http://www.turkishembassy.org).

As anticipated, at the Helsinki summit Turkey was accepted candidate status on a similar foundation as all other applicant countries. This was considered as a breakthrough in the relations as Turkey was immensely pleased with the development. Accepting Turkey as a candidate country meant that it would *"reap the benefits from a pre-accession strategy to stimulate and support its reforms."* (20050426, http://www.turkishembassy.org)

Cem further praises the EU for their decision at the Helsinki summit to start Turkey's accession into the EU. He believes this was a strategic decision to start the accession and that the EU had *"rejected the idea of a Europe defined on ethnic and religious ideas".* Furthermore he believed the EU is becoming a secular project with a clear global dimension. In this vision he saw *"Turkey situated at the crossroads of three continents and several regions including the Balkans, the Middle East, the Caucasus and Central Asia, Turkey has an effective role in the maintenance of peace, security and stability in its wider region"* (Cem, 2001, p 57f).

The candidate status was the start for a series of changes that would influence the constitutional framework for Turkey. The Turkish government and the EU created an accession partnership program for the adoption of EU laws in March 2001. Over the next few months Turkey continued the reformation work and in September 2001 the parliament passed over 30 amendments in their constitution in order to meet the EU:s Copenhagen membership criteria's (2005-05-22, http://www.euractiv.com).

The next step of change for Turkey was to improve human rights legislation. Among these were *"the exercise of fundamental rights and freedoms, pre-trial detention and regal re-dress"* all of these which were adopted by Turkish parliament in August of 2002. This improvement included signing two major UN reforms to improve civil and political rights and to ban all forms of racial discrimination. (European Commissions Regular report; Turkey, 2002)

In December 2002, the Copenhagen European council decided that if Turkey fulfilled the Copenhagen political criteria in December of 2004 the EU would initiate accession negotiations. The European Commission would be the body which would evaluate the progress and make recommendations of which step to take. Parallel to this process the economic cooperation between the two actors was enhanced. (20050522, http://www.euractiv.com) Short after the conference the European council decided upon the criteria's, objectives and conditions for Turkey's accession.

January of 2004, Turkey decides to drop the death penalty, whereas previously it could be used in state of war or in state of emergency. A few of Turkey's provinces have been in a state of emergency for many years, in result banning the death penalty was a demand from the EU. (Ibid) (Jmf 20051005, http://europa.eu.int/comm/external_relations/human_rights/adp/)

In October of 2004 the European Commission reports on the progress of Turkey. The report concludes that Turkey is complying with all the Copenhagen criteria's in accordance with the acquis. Although further progress is needed to be made in certain areas, the commission recognizes the efforts being made by Turkey and recommends for beginning accession negotiations. In December the same year, the European Council decides to set a starting date for membership which means the end for Turkey's pre-negotiation phase. However, the European council emphasized that the negotiation is "open ended" and no outcome can be guaranteed. (European Councils recommendation on Turkeys accession, http://europa.eu.int/comm/enlargement) (jmf 20050522, http://www.euractiv.com)

3.3.2 Turkey as a negotiator

Market by its violent history, Turkey is known in the west more for its aggressive measures than for its democratic problem solving abilities. (Ciment, 1996, s 51f)). Turkish scholars on the other hand point out that the country is the only country in the region having both a parliament and a market economy. This would imply that Turkey could stand as a model for other countries in the Middle East with Muslim populations. (Ugur & Canefe, 2004, p 265)

In the end of the 1990's Turkey was really enthusiastic in the accession talks. But how does Turkey negotiate as an actor? Could they be described as a hardliner or a softliner? Considering how the government has dealt with the Kurds or human rights, one could argue it to be hardliner. Nevertheless, this attitude might be changing with the ongoing accession talks. Turkey knows, one step in the wrong direction can be enough to alter the process and force it to stop. (Ciment, 1996)

3.3.3 EU as a negotiator

The EU is considered to be one of the key players on the international arena, mainly thanks to its economical power but also thanks to its strong constitutional base and its consensus democracy between the member countries. The EU is the world's biggest exporter and the next biggest importer of commodities. The economical means in relation to the union's high institutional density contributes to the unique position on the world market and impacts in negotiations. By its position, the EU attracts external countries like Turkey in its surroundings through

its ability by creating trade agreements or other types of agreements. (Elgström, et al. 2005 s, 119ff) This unique position could give the EU the upper hand in negotiation and consequently, power.

The outcome of international negotiations which concern the EU is established in two different negotiation levels. First, there is a internal negotiation between the member countries where they agree on a mandate the commission can negotiate from. When this process is complete, the EU then negotiates with the external country and tries to reach an agreement. One of the problems in this process is that the internal negotiation between the membership countries can drag out in time since the members have many different opinions. After concessions made from union countries a mandate can be given. This issue has contributed to the image of EU as a very pale and rigid negotiator with synchronization and coordination problems. Moreover, the EU is not perceived to be creative or groundbreaking due to its structure. (Elgström, et al. 2005 p, 119ff) In Turkey's case, there are countries such as France and Austria who are struggling with internal criticism and the political leaders in these cases have been reluctant to step forward and support Turkey's accession negotiation.

However, there are advantages with having this stiff appearance. When Turkey negotiates with the EU it is likely aware of the union's negotiations restrictions and therefore more inclined to make concessions in order to get an agreement faster. Ankara thereby has the ability to foresee what is being asked in order to continue the negotiation process. Elgström and Friis highlight that especially in distributive negotiations inflexibility is an advantage. (Elgström, et al. 2005 p, 120)(jmf Friis, 1997, p 46)

3.4   The Results of the pre-negotiation

As mentioned in chapter 2.2, states with high asymmetric power comparing to their opponents have an advantage. By applying this approach to the EU-Turkish pre-negotiation we can assume that the EU has used its influence and power on Turkey. This means the EU has pressured Turkey to make the necessary changes in the three key issues, *military influence*, *human rights* and *Cyprus*. Now that the pre-negotiation process is over, what is the situation in those three areas? Did the EU succeed in getting the wanted results from Turkey?

3.4.1   A decreasing role of military in Turkey

Throughout the last century the military's involvement has been noticeable in all levels of Turkish society.

In the end of the 1950´s the party in government, the Democratic Party, was starting to harass the opposition and opposing journalists with acts of violence (Özdalga, 1978, p 72f). As a result of these actions the military intervened in 1960 and founded a new constitution with a balanced power between the Senate and the Constitutional court. The idea with this new constitution was to make it impossible for future governments to practice violence against dissident citizens, and to secure the democratic foundation and its handling of government finances (Özdalga, 1978, p 72f)(jmf Cornell, 1997, p 56).

With the constitution in place, the military had created a new institution called the National Security Council (NSC). Included in this council the military had representatives whose purpose was to keep an eye on the ongoing activities throughout society. This council would proved to be a goldmine of influence for the military, giving them a powerful tool against any type of change they did not please (European Commission, Regular Report: 1998, p 14).

In the 1970's, with the start of the oil crisis, the economical situation was destabilizing and both left and right wing extremists were gaining support. Being dangerously close to a civil war the parliament tried to form a government but failed due to internal shortcomings. With the risk of having a civil war the military intervened in 1980. This time the military tried to force the democratic parties to form a coalition government and solve the national crisis. However, the parties refused to act in accordance with the military's demands and as a result the military dissolved the parties and banned all political leadership from political exercise. (Cornell, 1997, p 57f) In Europe this development was looked upon as severely undemocratic and European voices expressed worries in the military's involvement in the Turkish democracy (Mastny & Nation, 1996, p 135f).

The new constitution setup by the military imposed restrictions on a wide range of areas, such as: freedom of expression, the economic sector, security, public order and morality. On top of this, the political leaders from the last ten years were not allowed to be active in parties. (Ibid) Union leaders, school and university teachers and civil servants were not allowed to be engaged in political activities (2005-07-15,www.ne.se).

In 1983 democracy was reintroduced and in the announced election the new motherland party (ANAP) won with Turgut Özal as prime minister. The voters had signalled for a new government and the military handed over the government power to ANAP (Cornell, 1997, p 55ff). After the election Özal announced that efforts would be made to turn the country back onto the road of democracy. This work continued gradually and during the next few years Özal tried to abolish articles in the penal code which excluded citizens from politics. His attempts were only partially successful. (Mastny & Nation, 1996, p 135f)

In the election campaigns of 1991 the opposition parties called for a radical change in the constitution and therefore aimed to remove Özal from his post. Due

to a glitch in the electoral system, giving bigger parties proportionally more mandates then the smaller ones, Özal won again but died in 1993. (Özdalga, 1996, p 7) In 1995 the Islamic Welfare Party made powerful progress in the election for the parliament, which worried the international community and the middleclass, that a new development towards religion was emerging. With this support, the Welfare Party managed to build a coalition government headed by Necmettin Erbakan. The party initiated a liberal agenda with the goal to abandon Turkeys secular path and to change its foreign policy, but with a heavy resistance from the National Security Council and president Demirel, the party's politics derailed in 1997. (2005-07-15, www.ne.se)

When Erbakan resigned, Mesut Yilmaz from the Welfare Party took government. In 1999 the Welfare Party lost the elections and Bülent Ecevit from the social democrats took government. In 2002 Recep Tayyip Erdogan and his Islamic justice and development party won the election and formed government with majority in parliament, something rear to achieve in Turkish democracy (Ibid).

The *demilitarization of the government* was a necessary step to strengthen the democracy in Turkey. The constitutional and legal framework have been changed to increase the civilian control over the armed forces with the aim to align it side by side with the EU member states. When it comes to the National Security Council, their composition and functioning have changed. Their representation in numerous public boards, such as TV and radio have been terminated and they are now under the jurisdiction of the Prime minister's office, whereas before they were seperate. With this new regulation adopted in January of 2004, the National Security Council can no longer do national security investigations in their own initiative without direct orders from the president's office. Judging by these changes within the legal and constitutional framework, it seems very positive. (European commission's; regular report 2004; Turkey, p 20ff)

In conclusion, the Turkish democracy has experienced political turmoil for the last fifty years because of the various military interventions. However, since the beginning of the 1990's the democratic stability has grown deeper into society, which has decreased the military's influence. Thanks to the pre-negotiations the EU has had an opportunity to escalate the government's control over the military in a rate that would not have been possible otherwise. The fact that the military is completely under the command of the prime minister's office is a sign that the EU succeeded in its negotiation.

3.4.2 Improvements in human rights

A noticeable increase of *human rights* has occurred according to the European commission and the non governmental organization Human Rights Watch. The change started in the late 1990:s and has had its peak during the current President Erdogan's administration. According to the Regular Report from the European

commission 2004, the Erdogan government has created five government bodies, both at local, regional, national and international levels which are to make sure no governments branches are violating these rules. These bodies work include gathering complaints about violations of human rights, such as torture, breach of police custody and other mistreatments. (European commission's Regular report 2004; Turkey)

In December of 2003 and January 2004 there were a series of changes being made in the constitutional framework to increase *civil and political rights*. The death penalty was removed completely. After the changes in the penal code in September 2004 there have been improvements within the following areas: human rights, women's rights, discrimination and mistreatment such as torture. Thanks to those changes, there has been a reduction in number of cases which are violating freedom of expression and freedom of press (a new press law was adopted in June 2004).

At the same time, the protocol for arresting citizens has been improved and all prisoners are to be informed of their right to an attorney. The timeframe for keeping a suspect in custody without charges has decreased from thirty to ten days. Since July 2004 a law for claims against mistreatment was put though so individuals could file a suit against the state in order to get compensation. (European commission's Regular report 2004; Turkey, p 29ff) After the changes being made, European courts have the right to look into Turkish cases and give advisory statement to the Turkish government.(Ibid.)

Although efforts have been made, there are still a considerable amount of cases where mistreatments have been occurring. The majority of complaints come from police authorities which have not adapted the new rules and are still mistreating prisoners, in some cases they even try to change medical journals to get away with it. (European commission's Regular report 2004; Turkey) (Jmf 2005-06-25, http://www.humanrightswatch.org)

Concerning the constitutional framework and the government's zero tolerance policy against mistreatments, there are still reports of illegal detentions, abductions and disappearances. The implementation of newly created government bodies are going slow. The reason is that the civil servants working for these organizations are often governors or servants from the local governments. It is believed that some mistreated citizens are afraid to turn in complaints due to fear of retribution from local law enforcement. (European commission Regular report 2004; Turkey, p 32) However, the European Commission recognizes the Turkish governments attempts to terminate these actions. (Ibid)

The NGO "Human Rights watch" confirmed these cases of torture and mistreatment and claimed that in the year of 2004, 692 incidents alone were reported to the human right's office directly under the Prime Minister's office. Even though the Erdogan government has declared zero tolerance, these types of

activities still occur when people are detained in custody. The police and gendarmies (soldiers who uphold law in rural areas) are still not acting along the new safeguards sent out by Ankara. Since the supervision of the police activities is poor, these type of mistreatments rarely go punished. Nevertheless, the situation is improving and one of the measures that Human Right Watch calls for is super visionary teams from NGO:s to supervise that the new regulations are being followed. The new various human rights boards setup by Erdogan government are suppose to pay visits, but only twenty-five of eighty-one have so far visited police stations in their district. Some boards have never even received applications or had meetings. This proves the boards have serious improvements to make. (2005-07-14, www.humanrightswatch.org)

The human rights areas improvements should been seen in the light of asymmetrical impact. The EU has been very firm in this issue, stating that the human rights situation in Turkey must improve tremendously if Turkey is to be a member of the union. Thereby, Turkey has no choice but to improve and to improve by far. The development can thereby be seen as a direct result of asymmetry and influence.

3.4.3 Cyprus

Cyprus has been a EU-concern ever since the decolonization of the island in 1960. After the British left the island, a new constitution was signed, based on communal dualism; it established a bicommunal state which would look after the interests of the two ethnic groups: Greek Cypriots and Turk Cypriots. The two communities would be entitled to setup any separate special relationships with Greece or Turkey on a number of areas, such as: educational, religious, cultural and athletic. (Joseph, 1997, p 16ff)

The dispute of the conflict between Turkey and Greece has been seen as a major issue for the EU and the international community. This has led to problems even in NATO where the two countries are members. When Turkey invaded the island in 1974, Greece asked the international community to reject the recognition of the Turkish act, on the basis that it was illegal. The EU along with the UN rejected the annexation, and even until today, no other countries have recognized the annexation. (2005-07-15, http://www.ne.se)

The Greek part of Cyprus has always been interested in the EU and filed interest of becoming a member of European Economic Community in 1962. In 1987 the two parties signed a customs agreement which made the relationship even closer and led to a membership application in 1990. Turkey objected loudly and argued that this was illegal according to the independence declaration signed in 1960. Nevertheless, the EU rejected this argument since they did not recognize the Turkish Cypriot government and further meant that Turkey could not refer to an agreement they themselves did not follow (Joseph, 1997, s 116).

The conflict took a new spin-off in 1999 when Turkey received candidate status. During the 80's and 90's, Turkey has been quite a reluctant actor to development. By giving Turkey candidate status, the EU had sent a signal that Turkey's efforts needed to be intensified to find a peaceful development in order for Turkey's membership negotiation to start. (2005-07-15, http://www.euractiv.com) This development should be seen in the light of the EU:s asymmetrical advantage to Turkey, pressuring them to act progressively in the conflict for a peaceful solution. By using this advantage, the EU was forcing Turkey to engage in order for Turkey's own accession process to continue as planned.

In order to get progress on the issue UN:s secretary general, Kofi Annan in cooperation with EU, introduced a new plan called United Nations Peace Plan in March 2004. At the conference all parties of the conflict were gathered; the Turkish government, the Greek government, The Greek Cypriot community and the Turk Cypriot community. The final plan drawn by the secretary general's office, and presented for the conference included a referendum for both communities. Turkey and the Turkish Cypriot community agreed to the plan but the Greek Cypriot community disapproved and the agreement failed. Despite that, Cyprus became a member of the EU in March of 2004. (2005-07-15, http://www.euractiv.com)

The problem of Cyprus has not been resolved. The parties still disagree on a solution. In the terms created by the EU to Turkey, the Cyprus issue was to be resolved before any continues talks could be held for membership. Nevertheless, Turkey has still been able to proceed and start with the membership negotiation despite the stalemate of this issue. This proves that Turkey to some extent managed to maintain political power and defend its position.

4 Analysis

In the work of analyzing the asymmetries in the pre-negotiation between Turkey and the EU, I can conclude that the EU has used its position of power to influence the development in Turkey. During the pre-negotiation talks, the EU had the opportunity to present a number of issues that Turkey needed to change before starting the membership talks. By doing this, the EU used its asymmetrical advantage and pressured for changes mainly within the following areas: *Human rights*, *decrease of military influence* and *Cyprus*.

By asking for these changes, the EU has speeded up the democracy process in Turkey in a way that would not have been possible otherwise. These changes could in the long term have a very positive effect in Turkey if maintained as planned. As mentioned before the area of human rights has had a positive upswing with the government introducing zero tolerance for misbehavior. The demilitarization process in society is progressing, with less and less influence from the national security council.

However, the EU is not the only part which has been successful. Despite the negotiation asymmetries between the two parties, Turkey has been able to continue with the pre-negotiation even though many countries in Europe are sceptical towards Turkish accession. In asymmetrical negotiation the weaker parties develop different strategies in an attempt to level out the power difference that exists. Power differences are as many other matters an estimation of an actor's resources. But what actions has created this "power shift"?

Turkey's "power shifting" strategy has been viewable through speeches made by the two previous Turkish administrations. These speeches (example in chapter 3.1) are stating how much Turkey is a part of Europe and emphasize the historic connection with Europe. Furthermore they point out that Turkey will be EU:s link to three continents and finally prove once for all that Muslims and western nations can work together in the same union. By using this strategy parallel to the ambitious changes made by Turkey, it became and is becoming increasingly more difficult for the European countries to reject Turkey as a membership country. This concludes that Turkey was to some extent successful in its strategy. Emphasizing its importance to the EU, Turkey was appealing to the critical voices of Europe, such as France and Austria, explaining them why Turkey is important. One area in which Turkey was asked to make progress in was the Cyprus matter. Turkey managed to avoid it up until 2002, when the EU started to be specifically firm on this issue. One of the reasons why this area did not progress as much as the others is because of a sensitivity among the Turkish population to make

concessions on the Cyprus issue. Therefore it is likely that Turkey made up a strategy, where heavy focus would be put on areas such as human rights and decrease of military influence. By making huge compromise in these two areas which were very important for the EU, Turkey managed to preserve its political will on the Cyprus problem, thereby creating a power shift in this single matter.

In this thesis, the strengths and the weakness of the actors have been brought up to attention. But how can we classify their power resources? This can be explained and classified in terms of aggregate structural power as mentioned in chapter 2.5. The EU:s bigger power resource is its financial resources. The EU can provide financial support for Turkey to help it do the necessary changes to start the negotiation for membership. In Turkey's case, it relates more to a cultural and religious agenda where it states that the EU needs Turkey as a link to Asia.

In chapter 2.1 negotiations out of a distributive and integrative approach is mentioned. By applying this approach to the pre-negotiation between the two actors I would argue that elements from both approaches were involved in this case. The EU made it clear for Turkey that some changes had to be done in accordance with the "Acquis" for the negotiation to begin. Increasing human rights and making changes before any further development could be seen are processes which are mostly distributive. On the other hand, asking Turkey to remove the death penalty from their jurisdiction is a matter of integrative measures. The European union does not accept any membership country to use the death penalty, and therefore this legal punishment would have to be taken away from the Turkish penal code. Moreover, the Cyprus problem can be looked upon with the same principle. It is in EU:s interest to stabilize the situation in Cyprus and to get it solved. If Turkey eventually would become a member the situation between Cyprus, Greek and Turkey would have to be solved.

Considering the changes being made in regards to demilitarization, human rights and the Cyprus issue, all these improvements have been made out of one perspective, to become a member of the EU. Being negative to Turkey's appliance would seriously hurt the relations between Turkey and the EU. As of now, Turkey has a huge incentive to change their political system and administration so that it could eventually emerge into the European model. However, if Europe decides not to offer Turkey membership, the incentive for Turkey to change would be close to zero. Further on, this would have an impact not only on Turkey's commerce which would possibly be affected negatively, but also from a security perspective this would destabilize the entire middle-east region. There are a lot at stake, considering this project could send out a signal to the rest of the Islamic world and high-light that there are clashes between the religions or not. That's one of the reasons why the US is so supportive for Turkey to join. If Europe would accept Turkey, this would send a signal to the entire Middle East and prove that western countries and Muslim nations can work together. Considering how much is at stake, the question remains whether or not the EU can actually say no to Turkey's

membership considering the reforms and changes that Turkey has made in both its legislation and public administration.

5 Conclusion

Turkey's accession into the EU is a widely debated subject. Never have so many member states in the union been hesitant about a country's application. The length of the pre-negotiation process is partly a sign of this hesitation. Before being granted candidate status Turkey had to make improvements in a number of areas. I have chosen to focus on the three areas of human rights, decrease of military influence and Cyprus.

In this pre-negotiation, with its position of power, the EU had a unique chance to help Turkey further in its democratic development, and by doing so, bridging the gap between the west and the middle east. If this membership process is complete, this opens up for a potential cooperation never seen before.

Studying the pre-negotiation process between Turkey and the EU is a good opportunity to see how asymmetry can impact a negotiation. Thanks to its asymmetrical advantage, the EU managed to get quick results and important changes which have had and will continue to have enormous impact on Turkey's democratic development. Without this incentive to change on EU:s request, this process would have, if ever, taken considerably longer.

However, the asymmetrical difference did not mean that the weaker part can not be successful in maintaining their political standpoint on a few issues. By making concessions on a number of areas, Turkey managed to keep the pre-negotiation process moving forward while preserving its most important issue from negotiation.

In conclusion, the EU:s advantage in power asymmetry comparing to Turkey's made it possible up for serious changes in Turkish legislation and functionality of government. The EU managed to influence Turkey in two out of three areas which have been examined: human rights and decrease of military influence in government. On the other hand, Turkey managed to defend much of its position in Cyprus.

Now that the pre-negotiation process is over, it will be interesting to see which further changes the power asymmetry can lead to, whether it will occur on EU:s part or on Turkey's.

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