

An examination of the manipulation of the European Union-Turkish boundary as a means of governance for the European Union

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I. Introduction

There has been much discussion over the nature of the European Union (EU) and its credentials as a state. The general conclusion is that it is not a state, despite it possessing some elements of one (Smith, 2001, p.284). Thus, because it is not a 'state', as it is made up of them, its authority and legitimacy to act alongside true 'states' in the international arena is often hampered. The EU is an aggregation of states, all of which have different objectives and methods of pursuing these objectives. This means that the adoption of a unified position by the EU is not always possible, and can be seen, for example, in the different responses made by the members of European Union with regard to the war in Iraq in 2003.

The above factors significantly affect the EU's level of governance, and serve to confirm the paradox that the EU is a political dwarf, despite being an economic giant (Lister, 1997, p.18). Christopher Hill describes it as a 'capability-expectation gap' where the tools given to the EU do not match the results expected (1993, pp.305-306). A key feature of the EU's lack of 'state-ness' is down to the EU not possessing set boundaries, (Jackson, 2001, p.36) despite it having constructed borders, which are set out by its current 25 members' own territories. This is because the potential to absorb aspiring countries or to grant them preferential trade agreements means that the EU's boundaries with its external environment are often blurred, distorted and fluid. The dynamic and continually evolving nature of the EU's boundaries fits with the Neo-Functionalism theory (NF) on regional integration developed by Ernst Haas (1968). Neo-Functionalism perceives the EU as an ongoing process which is continually adapting and evolving to

the situations that it is confronted with and because of this has no defined end-state (Schmitter, 2004, p.49). The supranational organs of the EU (European Commission and European Parliament) are ascribed as the key propellants for integration, with a crucial goal for them being to enhance their power and influence, both internally and externally. Thus, if EU integration is driven by the supranational elements, then it is likely that the modification of its boundaries will be intimately linked to enhancing the EU's influence and sphere of governance.

The paper will show that the *sui generis* nature of the EU means that it can use its ambiguous boundaries with Turkey to enhance its sphere of governance both internally and externally. Here is the irony: that a key feature that has stopped the EU being perceived as a state (not possessing a fixed territory, which subsequently hampered its role in international politics), may in fact serve to enhance it. The EU can use its 'variable' boundaries with its external environment as a means to close the 'capability-expectation gap'.

Section two of this paper explores the idea of boundaries developed by Michael Smith. The third section examines how the management of the EU's boundaries with Turkey has enabled it to mediate the tension between Greece, Cyprus and Turkey, a diplomatic role it struggled to fulfil during the Yugoslav crisis of 1992. The Turkish example highlights how the EU's adjustment of its boundaries has enabled it to play a more significant role in international politics, while arguably lacking the legitimacy to do so, because it is not a state. The fourth and final section draws conclusions about the implications for the EU and its sphere of governance of the continual evolution of its boundaries.

II. Boundaries

The issue of boundaries has been given a large amount of significance in regard to International Relations (IR) theory, especially given the increasing

effects of globalization. However, the study of boundaries and subsequently the EU's capacity to govern has received relatively little attention to date (Friis and Murphy, 1999, p.212). The role of boundaries in terms of the EU and its ability to govern has an extremely significant role: a boundary ascribes who is under their sphere of governance and who is not. This may seem an obvious point to make, but as the paper shows the EU possesses many different boundaries. Hence because a 'boundary' denotes a sphere of governance then this will correlate directly with the EU sphere of governance and will depend on how the EU constructs and maintains its different boundaries. Here Andrew Heywood's point should be highlighted: that it is possible to have governance without government (2000, pp.19-20). In terms of this paper, this means that the EU can govern without necessarily having a state under its jurisdiction - Turkey in this case. The framework developed by Michael Smith on boundaries will be used to examine how the EU has adjusted them to enhance its level of governance with specific emphasis on Turkey, which has so far received little academic attention. Smith argues that there are four types of boundaries that 'exist or can be constructed between the Union and its environment: geopolitical, institutional/legal, transactional, and cultural' (1996, p.14).

Geopolitical Boundaries

Smith, Friis and Murphy use the Cold War as an example of a rigid geopolitical boundary, which prevented both membership and close cooperation between the E.C. and the Central and Eastern European Countries (CEECs) (Smith, 1996, pp.13-18). This is because it represented a stark dividing line between those on the inside and those on the outside of the European Community (EC). With the collapse of the Soviet empire, there was no longer a geopolitical boundary dividing Europe, which led to the EU swelling to 25 members, with the prospect of up to 41 in the future (Cameron, 2004). However, in the post-cold war era, the EU has made

attempts to mediate internal geopolitical issues which could damage its internal mechanisms. Thus, the EU needs to apply serious consideration to its boundaries in relation to these new and old problems and how best to tackle them; whether this be absorbing instrumental countries with strategic positions or moulding itself into ‘fortress Europe’.

Legal/Institutional Boundary

Arguably this represents the most concrete boundary due to the ‘severe gradient or set of obstacles between the aspirant insider and the promised land of EU membership’ (Smith, 1996, p.15). Such hurdles are necessary as these legal/institutional elements make the EU the organization that it is and any modification of them will intimately affect the Union’s capacity to govern internally. Thus the legal/institutional boundary is ‘non negotiable with outsiders’ (Friis and Murphy, 1999, p.216). However, this boundary is not completely rigid to those on the outside as the EU’s model of governance can be transferred to those on the outside, if those outsiders imitate it themselves. If the EU offers membership which is conditional upon the acceptance of the *acquis communautaire* (body of EU law) and *acquis politique* (EU goals), this boundary is expanded. Despite this boundary protecting the core of the EU, it is not merely dictated by internal events, as the prospect of enlargement means that this boundary will have to be updated and revised. This can be seen for example with the Treaty of Amsterdam where voting weights and procedures were updated to take account of 2004 enlargement (Jones, 2001, pp.72-81).

Transactional Boundary

The third form of boundary is transactional in the sense that the EU regulates access to its market for goods, services, capital and persons (Friis

and Murphy, 1999, p.217). This form of boundary can be expanded and contracted by trade agreements that the EU develops with those in its external environment, such as the Customs Union that the EU agreed with Turkey in 1995, or the Cotonou Agreement that the EU formed with the ACP (African, Caribbean and Pacific) group in 2000. As Friis and Murphy note agreements with outsiders which blur this boundary, mean that 'the EU can provide governance without necessarily offering membership' to outsiders (1999, p.217).

Liberal Intergovernmentalism (LI) is a theory on European integration developed by Andrew Moravcsik (1998) that perceives economic groups as the key driving force for integration. Because of their liberal perspectives economic groups favour a greater liberalization of trade, both inside and outside the Union. Therefore if L.I. is correct in its assertion on European integration, then it is more than likely that the EU's transactional boundary will become increasingly permeable. Because of this, the EU's attempt to regulate its external environment with a transactional boundary is 'quixotic' (Smith, 1996, p.17), due to its increasingly permeable nature.

Cultural Boundary

The final boundary that Smith outlines is a cultural one, namely the difference between how those on the inside perceive those on the outside. The EU is regarded as perceiving itself as an island of stability in an anarchic sea (Smith, 1996, p.14). It holds such a view because of the values upon which it is established. These can be summarised as: democracy, respect for the rule of law, and human rights. Smith, Friis and Murphy comment that the cultural boundary is porous because of the common heritage and the idea of 'Europe for all Europeans' (Friis and Murphy, 1999, p.217). This may have been the case with the CEECs (Friis and Murphy, 1999, p.217), however, with regards to Turkey, the boundary does not seem to be so porous, arguably because of religious differences. It seems likely

that until Turkey becomes a full member or it begins membership negotiations with the EU, it will be seen by those within the Union as an outsider and a second-class citizen. From some perspectives the EU boundaries would seem to be of an internal construction; however, the external environment plays an extremely significant role in their expansion, contraction and dissolution.

III. EU governance through its boundaries

The example of the EU's evolving boundaries with Turkey to assist the conflict resolution between Turkey, Greece and Cyprus is used to highlight the increase in the EU's sphere and level of governance. This is shown to be in contrast to the EU's role in the Yugoslav conflict, with the crucial factor being the different boundaries that the EU had with the two areas of trouble.

Origins of EU-Turkish Boundaries

EU-Turkish relations date back over 40 years to the 1963 Ankara Agreements, which granted Turkey preferential trading access to the European Economic Community (EEC; Yesilada, 2002, p.94). However, this Agreement seemed to be driven more by geopolitical concerns, due to the heightened pressures created by the Cold War, than by an economic rationale. The West, including the EEC, was extremely keen to lock the strategic Turkey into Europe. This is observed in Commission President Walter Hallstein's statement, regarding the Agreement, that 'Turkey is now part of Europe' (Tekin, 2005, p.287). This highlights how the erosion of the transactional boundary between the EEC and Turkey served to provide a form of external governance for the West at a time when the EEC was keen to absorb Turkey into its geopolitical sphere. Until the late 1980s, EC-Turkey relations moved at a 'snail's pace' (Brand, 2004) and were further snagged when the EC rejected their application for membership in 1989. Lack of preparation on either side was seen as the major stumbling block.

However, with the end of the Cold War, the amalgamation of Europe and the increasing success of the EU project, EU-Turkish relations entered a new phase. The EU had grown in strength and significance because of internal developments: with the completion of the single market (1993), EFTA enlargement (1995) and the track to Economic Monetary Union (EMU) (1992-today). Also external events such as the end of the Cold War, the Uruguay Trade Agreements and a number of applicants from CEEC had served to boost the EU's image. The EU's sphere of influence was on the rise during the 1990s and Turkey perceived that its significance had waned - the eventual promise of membership seemed to be distant. Because of these internal and external developments, the EU-Turkey boundary remained static, while the boundaries between the EU and CEE, and between Malta and Cyprus blurred, blended and eventually disappeared. However, the EU's boundaries with Turkey, despite being relatively static, represented a much more formalized and respected form of governance, than its boundaries with Yugoslavia did during the 1990s. This therefore meant that the Union's capacity to aid in the earlier conflict resolution was significantly hampered, as it possessed no real form of incentive to coerce the bellicose and rebellious actors in the Yugoslav conflict. The EU's response to the Yugoslav conflict was seen as a dent to its ability to act in international politics at that time. It was perceived as the shot that brought the EU's international aspirations to the ground.

Turkey, Greece and Cyprus

Turkey's relations with the EU have been dogged by two disputes: one over the republic of Cyprus and the other over a group of Aegean islands and associate territorial waters and airspace with Greece. The process of resolution of these tensions has been aided by the evolution of the EU's boundaries with Turkey. The signing of a Customs Union (CU) with Turkey in 1995 served to put EU-Turkish relations back on track after a lull. For the

Turks the CU represented another step towards membership. While for the EU it maintained EU influence in Ankara, opened up a market of 65 million consumers for EU business (Yesilada, 2002, p.95) and put EU-Turkish relations on the 'back burner' while it dealt with more pressing issues such as enlargement. It seemed that the EU could have its cake and eat it. However, the EU's decision to embark on absorbing the Greek side of Cyprus in the 2004 enlargement, significantly strained EU (and Greek) relations with Turkey.

Greece had effectively forced the EU's hand into accepting Cyprus in 2004 as it threatened to veto the whole enlargement if Cyprus was not granted membership. In addition to this, Greece, after twenty years of lobbying, had made the Greek position over the Aegean disputes the EU's official position (Yesilada, 2002, p.96). The initial effect as seen in Turkey's reaction was to weaken the EU's level of governance as Turkey threatened to integrate northern Cyprus into its territory and vetoed EU plans to use NATO equipment for the European Security and Defence Identity (ECDI). Economically, Turkish Airlines decided to make its next purchase of aircrafts not from Airbus industries but from Boeing, which was worth \$4.6 billion (Yesilada, 2002, p.96). It became apparent that something had to be done to solve the increasing tensions between Turkey and the EU rather than only between Greece and Turkey. Therefore the decision to review Turkish candidacy for membership was viewed as a way to put EU-Turkey relations on a more productive footing. It also served to give the EU the upper hand in the EU-Turkish relationship, as Turkey would have to comply to the EU's demands if it was to be granted membership. Also, Turkish membership would not be a reality until 2020, allowing the EU significant scope in the meantime (Brand, 2004).

Both parties accepted the need to work in a context of goodwill, with Greece lifting its 25-year veto on Turkish membership and Turkey accepting the necessity to resolve its disputes with its potential partners. The creation

of a set date for EU-Turkey negotiations to begin (October 2005), meant that for both parties a key cultural boundary had disappeared, as Turkey was no longer the strategic outsider, it had a 'European vocation'. This meant that Turkey had a significant reason to begin rapprochement with those inside the Union, namely Greece and Cyprus, as these two actors represented Turkey's future partners. In the Yugoslav case, however, the EU was perceived as an uninvited outsider which was meddling in a national dispute and which could offer little.

Evolution of EU-Turkey Customs Union

A crucial development occurred on 17 December 2004, when Turkey agreed to update its CU with the EU and its 10 new members. This carried great significance, as Turkey effectively had to sign a *de facto* acceptance of Cyprus's credentials as a state (BBC, 2004). However, the Turkish Prime Minister Tayyip Erdogan, maintained it represented no such thing, with his Dutch counterpart Mr Balkenende backing him up (Oliver, 2004). However, the imminent signing of the CU between Turkey and the EU (including Cyprus) can be regarded as representing the evolution of the EU's transactional boundary, because of the new economic relations that have been developed with most notably Cyprus and the other new entrants. This resulted in an increased amount of leverage for the EU over Turkey. The development in Turkey-Cyprus relations can be seen as a step that could lead to greater progress in this area. This would have been unlikely to occur if the EU had not expanded its boundaries to both Cyprus (in the form of granting EU membership) and Turkey (through the expansion of the CU). It is of note that the Turkish Prime Minister stated that the process of EU membership will lead to the resolution of many disputes (Oliver, 2004).

It is apparent that the prospect of EU association or membership is a significant 'carrot' to entice reconciliation on the Turkish part. This was crucially the missing element when the EU attempted to deal with the

Yugoslav conflict, as it ultimately did not possess the capability to deliver on its promises. The Union possessed no real form of incentive, either in the prospect of membership or through improved trading relations. Nor did it possess the ‘stick’ of military force, or the will on the part of its members, as they perceived there to be no real national or European interest at stake. This was certainly the case with Germany, who acted casually towards the escalation of the conflict (Cox, 2005, p.150).

EU influence over the Turkish Military

Turkey has been mandated to fulfil the *acquis communautaire* before it can begin accession negotiation with the EU. This is something that no other applicant state has had to do previously. This step represents the one-way nature of the EU’s legal/institutional boundary being expanded to Turkey in the sense that it is espoused from the EU to Turkey. However, the legal/institutional boundary will only truly disappear for Turkey when it joins the EU as a fully-fledged member of the Union. This process of the EU attaching conditions to Turkey’s membership before it can join enables the EU to have a greater role in preventing an escalation of tension between Turkey, Greece and Cyprus. One way in which this is displayed is that the EU has stipulated that the Turkish military must have a reduced role in Turkey (European Commission, 2004, p.21). Accordingly, the Turkish government has stripped down the National Security Council executive functions so that they are solely consultative (European Commission, 2004, p.21). However, the Chief of Staff still has the possibility of taking over from the President in times of war (Akçakoca, 2004). This element may not infringe upon the Copenhagen Criteria directly but it serves to maintain a significant cultural boundary between the EU members and Turkey. The limited role the military now has in civilian governance and in Turkish politics in general suggests that the possibility for conflict with Greece and Cyprus is substantially reduced. This represents an enormous coup for the

EU as it has, through the expansion of its legal/institutional boundary, significantly decreased the potential for conflict. This paper asserts that such a significant triumph over the traditionally strong military highlights the level of governance that the EU has cultivated for itself by dissolving its legal/institutional boundary with Turkey. It is of note that no state can practise this 'spreading of values and forms of government', as its actions would be likely to be perceived as a direct affront to a country's sovereignty. However, the fact that the Union represents a collection of sovereign states means that its actions are not interpreted as imperialistic, and that the Union can expand its values without them being perceived negatively and with hostility. The author would point to the difficulties that the US, for instance, has had in justifying its 'democratization' of Iraq.

IV. Conclusions

In the author's opinion the steps towards EU membership which have resulted in the evolution and modification of the EU-Turkish boundaries has meant that the EU's level of governance over Turkey has increased substantially. This can be seen with the EU's significant role in the mediation of the tension between Turkey, Greece and Cyprus. The Union's ability to aid in the progressive resolution of these tensions is in stark contrast to the Union's role and handling of the crisis in Yugoslavia in 1993. Although these conflicts may have been of different natures and involved substantially different elements, the role the EU has played and the results it has achieved in the latter conflict are significantly more positive. The Yugoslav conflict was generally perceived to highlight the EU's deficiencies and seen as an example of the 'capability-expectation gap' within the Union (Hill, 1993, p.306). However, to criticize the Union's action in Yugoslavia is to fundamentally miss the original point of the European Union - it is an internally focused organism. Because the Union possessed no form of real boundary with Yugoslavia apart from it being geographically in Europe, the

EU struggled to assert its governance and reach a solution to the crisis. The Union's historical, geopolitical and transactional boundaries with Turkey, however, enabled it to assert and increase its sphere of governance over Turkey by further eliminating the cultural and legal/institutional boundary by offering the prospect of membership to the Turks.

There was much less interest for the EU to energetically pursue a resolution in Yugoslavia. This, as Hill notes, just increased the 'capability-expectation gap' (1993, p.315) and could possibly have led to a 'neo-imperial overstretch'. The EU would have created a *de facto* mandate for itself to prevent conflicts around the globe and arguably the EU had no interest in this crisis, apart from it occurring within the 'European village'(Smith, 1996, p.15). It would have also substantially affected the internal progression and evolution of the Union at an important time. In addition, the EU had no economic interest in the region, thus according to LI theory it would appear detrimental for the Union to enter the conflict wholeheartedly.

However, the example of Turkey shows that when the Union is closely linked to and affected by a problem or conflict, it can use these links to provide some form of resolution. Therefore only those who are part of or wish to be part of the EU are under the EU's sphere of governance. This is not to underplay the members' sovereignty or to cap the EU's international role, rather it is to highlight that the members' sovereignty is maintained and enhanced by the EU's presence. The expansion and contraction of EU boundaries allows the member states to act in a larger and less well defined arena than they would have been able to do on their own, and with greater influence. This point is evident in the EU adopting the Greek position with regards to the Aegean dispute for instance, which helped in a favourable resolution for Greece, for instance. This can also be used as a reason for the Union's fragmented response to the liberation of Iraq in 2003, as the Union

possessed no boundaries with Iraq and thus there was no need for the Union to act with a unified voice.

However, with the possible inclusion of Turkey within the EU, the EU's role in the Middle East is to increase. The Union will develop new borders, which will influence its boundaries, and ultimately lead to a greater level of governance for the Union, if the example of Turkey is anything to go by. To return to the issue of Yugoslavia for example, now that Croatia is hoping to join the Union the EU has a significant sphere of influence over the country. This means that the likelihood of conflict will be substantially reduced, as the EU can use its boundaries as a means of influence. Ten years ago the EU was regarded as an ineffective actor lacking any significant form of governance within the region; thus it can be seen that as the EU boundaries change so does its governance (Hill, 1993, p.306).

There may not be a large standing EU army or fleet of ships, but what the EU does possess is a dynamic economy and a bespoke organisation of states, which many states with a European vocation are keen to join - and those outside of Europe are keen to be associated with. Thus provided that the EU has some form of tangible link with a country then it can use the modification of its boundaries as a means to increase its level of governance.

What the EU's relationship with Turkey does show is that the EU can use its different boundaries to pursue various objectives, whether this be through mediating possible conflicts, developing a strategic allies or opening up markets. The EU has for the most part the resources and tools to live up to the expectations that it chooses to carve out for itself. Therefore the manipulation of the EU boundaries with Turkey, or in the future the Ukraine or even Russian boundary, is linked to what the EU wishes to do and what best serves the interests of the EU and those imbedded within it. This capacity that the EU possesses to expand and contract, which is fundamental to NF, shows that the EU is not static and neither are its boundaries. This should allow for both the Union and its members to increase their sphere of

governance in years to come and also significantly enhance the Union's international role.

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