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## De-Europeanization and De-Democratization in the EU and Its Neighborhood

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#### Adam Szymański

# De-Europeanization and De-Democratization in the EU and Its Neighborhood

**Abstract:** The European Union's (EU) impact on the political systems of its member states as well as countries within enlargement and neighborhood policy has been broadly analyzed, particularly in the context of the democratization process. However, there have been some political changes in recent years that justify the question of whether we still can talk about the continuation of Europeanization and democratization or have started to observe a disruption of these processes, or even their reversal. The main goal of this paper is to analyze the relationship between the phenomena of de-Europeanization and de-democratization, looking at the current political changes in selected "new" member states or candidates for EU membership (Hungary, Poland, and Turkey) to better understand the core problems of their democratization processes and, at the same time, the obstacles to effective Europeanization. **Keywords:** Hungary, Poland, Turkey, European Union, democracy

#### Introduction

The impact of the EU on the political systems of the member states as well as countries encompassed by its enlargement and neighborhood policy—i.e., membership, accession and neighborhood Europeanization—has been the subject of many now classical works. This process with regard to "new" member states from Central and Eastern Europe

1 E.g. M. Green Cowles, J. Caporaso, T. Risse (eds.), Transforming Europe. Europeanization and Domestic Change, Ithaca & London: Cornell University Press, 2001; K.H. Goetz, S. Hix (eds.), Europeanised Politics? European Integration and National Political Systems, London & Portland: Frank Cass, 2001; R. Ladrech, Europeanization and National Politics, Basingstoke & New York: Palgrave Macmillan. 2010.

(CEE) and EU neighbors at different stages of relations with the Union is analyzed particularly in relation to democratization and first of all with reference to democratic conditionality.<sup>2</sup> Democratization means in this context either democratic consolidation or transition.<sup>3</sup> Europeanization can be defined, in turn, as "processes of construction, diffusion and institutionalization of [democratic—A.S.] formal and informal rules, procedures, policy paradigms, styles, 'ways of doing things' and shared beliefs and norms which are first defined and consolidated in the making of EU decisions and then incorporated in the logic of domestic discourse, identities, political structures and public policies [of member states and EU neighbors—A.S.]."<sup>4</sup> It must be noted that Europeanization, especially in the democratization context, is something more than a formal process because it is also a transfer of the European ideas, norms and values to the society.<sup>5</sup>

Scholars have analyzed the EU impact on democratic changes in regimes, concentrating on polity or politics in the mentioned group of countries.<sup>6</sup> The development of this research, including related pro-

- E.g. H. Grabbe, The EU's Transformative Power. Europeanization through Conditionality in Central and Eastern Europe, Basingstoke & New York: Palgrave Macmillan, 2006; G. Pridham, 'Change and Continuity in the European Union's Political Conditionality: Aims, Approach, and Priorities', Democratization, Vol. 14, No. 3, 2007, pp. 446-471; D. Kochenov, EU Enlargement and the Failure of Conditionality. Pre-accession Conditionality in the Fields of Democracy and the Rule of Law, Austin: Wolters Kluwer Law&Business, 2008; L. Morlino, W. Sadurski (eds.), Democratization and the European Union. Comparing Central and East European Post-Communist Countries, Abingdon & New York: Routledge, 2010; L. Yaroshenko, Impact of the European Union upon Democratization in Ukraine: Effectiveness of EU Conditionality towards a Non-member State, Saarbrücken: Lambert Academic Publishing, 2010; A.R. Usul, Democracy in Turkey. The Impact of EU political conditionality, London & New York: Routledge, 2011; A. Elbasani (ed.), European Integration and Transformation in the Western Balkans: Europeanization or Business as Usual?, London & New York: Routledge, 2013; L. Tomini, Democratizing Central and Eastern Europe. Successes and Failures of the European Union, Abingdon & New York: Routledge, 2015.
- 3 J. Linz, A. Stepan, Problems of Democratic Transition and Consolidation: Southern Europe, South America, and Post-Communist Europe, Baltimore: Johns Hopkins University Press, 1996.
- 4 C.M. Radaelli, 'Policy Transfer in the European Union', Government, Vol. 13, No. 1, 2000, p. 30.
- A. Kaliber, 'Contextual and contested: reassessing Europeanisation in the case of Turkey', International Relations, Vol. 27, No. 1, 2013, pp. 52-73.
- 6 E.g. A. Pacześniak, R. Riedel (eds.), Europeizacja mechanizmy, wymiary, efekty [Europeanization Mechanisms, Dimensions, Effects], Toruń: Wydawnictwo Adam Marszałek, 2010; Ç. Nas, Y. Özer (eds.), Turkey and the European Union. Processes of Europeanisation, Farnham & Burlington: Ashgate, 2012; G. Noutcheva, S. Aydın-Düzgit, 'Lost in Europeanization: The Western Balkans and Turkey', West European Politics, Vol. 35, No. 1, 2012, pp. 59-78; A. Elbasani, op. cit.; S. Keil, 'Europeanization, state-building and democratization in the Western Balkans', Nationalities Papers, Vol. 41, No. 3, 2013, pp. 343-353; A. Pacześniak, Europeizacja polskich partii politycznych [Europeanization of Polish Political Parties], Warszawa: Wydawnictwo Naukowe Scholar, 2014; L. Tomini, op.

cesses, e.g., diffusion or policy transfer, contributes to the development of the specific theoretical framework concerning Europeanization.<sup>7</sup>

However, the dynamic processes of Europeanization and democratization have been changed in recent years with reference to the mentioned group of countries. Instead of progress, we can observe processes that resemble disruption or even reversal. A process of de-Europeanization is increasingly noticeable. It means a weakening EU impact on the political systems, or more precisely: "the loss or weakening of the EU/Europe as a normative/political context and as a reference point in domestic settings and national public debates."8 In the context of democratization, it is connected to the frequent distancing of a country's politics and society from European democratic values, rules and procedures (and weakening EU capabilities to react to these changes in political regimes). In practice, it means the reversal of reforms or conducting them without reference to the EU standards of liberal democracy.9 Surprisingly, the ENP countries or candidates to EU membership, first of all Turkey, in which "selective" Europeanization had been diagnosed earlier,10 have been followed by some "new" member states from the CEE, such as Hungary, Romania and recently, Poland.11

At the same time, the related de-democratization negatively impacting the political regime can be observed in these countries as part of a broader process involving many countries all over the world. It is di-

- cit.; A. Tekin, A. Güney (eds.), *Europeanization of Turkey. Polity and Politics*, London & New York: Routledge, 2015.
- 7 T.A. Börzel, T. Risse, 'From Europeanization to Diffusion: Introduction', West European Politics, Vol. 35, No. 1, 2012, pp. 1-19; S. Saurugger, Theoretical Approaches to European Integration, Basingstoke, New York: Palgrave Macmillan, 2014, pp. 136-143.
- S. Aydın-Düzgit, A. Kaliber, 'Encounters with Europe in an Era of Domestic and International Turmoil: Is Turkey a De-Europeanising Candidate Country?', South European Society and Politics, Vol. 21, No. 1, 2016, p. 5.
- 9 Ibid., pp. 5-6.
- 10 T.A. Börzel, D. Soyaltın, G. Yılmaz, 'Same same or different? Accession Europeanization in Central and Eastern Europe and Turkey compared', in: A. Tekin, A. Güney (eds.), op. cit., p. 223.
- U. Sedelmeier, 'Anchoring Democracy from Above? The European Union and Democratic Back-sliding in Hungary and Romania after Accession', Journal of Common Market Studies, Vol. 52, No. 1, 2014, pp. 105-121; A. Agh, 'De-Europeanization and De-democratization Trends in ECE: From the Potemkin Democracy to the Elected Autocracy in Hungary', Journal of Comparative Politics, Vol. 8, No. 2, pp. 4-26; idem, 'The Rocky Road of Europeanization in the New Member States: From the Democracy Capture to the Second Try of Democratization,' Polish Sociological Review, Vol. 193, No. 1, 2016, pp. 71-86.

agnosed by some scholars as a "democracy decline"<sup>12</sup> while other well-known political scientists call it rather a crisis and a new "transition."<sup>13</sup> Although it is too early to present a precise diagnosis of what kind of process is under way, it is possible to point out the following variants: 1) change of regime, from democratic or hybrid to non-democratic (e.g., a new kind of authoritarianism), 2) loss of democratic quality, <sup>14</sup> and 3) interruption of the democratic transition of non-democratic countries. While the second option is possible with regard to the EU member states, the other processes cannot be excluded with reference to EU neighbors, depending on whether they are still at the stage of transition (when the third option is possible) or democratic consolidation.

A thorough study of these new phenomena and revision of the theoretical framework concerning Europeanization and democratization are thus required. The aim of this paper is to contribute to the development of the research on the processes of de-Europeanization and de-democratization taken together by carrying out a comparative analysis of selected EU candidates and "new" member states—Turkey (official candidate since 1999) as well as Hungary and Poland (members since 2004). They are countries notable for a weakening EU impact on their domestic changes as well as featuring symptoms of disruption or even a reversal of the democratization process (although Poland's case still differs here from the other two because of the relatively early stage of development since the change of power in 2015). The cases were chosen to analyze all of the quite surprising similarities, in other words, general regularities concerning de-Europeanization and de-democratization.

Obviously, Hungary and Poland, as representatives of the group of "new" EU members from the CEE, and Turkey have a different political character ("flawed democracies" vs. "hybrid regime") and relations with the EU. The latter issue leads to differences in the type of

<sup>12</sup> M.F. Plattner, 'Is Democracy in Decline?', Journal of Democracy, Vol. 26, No. 1, 2015, pp. 5-10.

<sup>13</sup> P. Schmitter, 'Crisis and Transition, But Not a Decline', Journal of Democracy, Vol. 26, No. 1, 2015, pp. 32-44.

<sup>14</sup> For Leonardo Morlino it is about: a procedure—correct working of procedural aspects of the representative democracy; content—the question if citizens, associations, etc. are able to enjoy liberty and equality; and results—legitimization of a democratic regime. For more, see: L. Morlino, Changes for Democracy. Actors, Structures, Processes, Oxford & New York: Oxford University Press, 2011, pp. 194-197.

Europeanization (membership vs. accession Europeanization) as well as the scope of conditions and Europeanization mechanisms. <sup>15</sup> However, these differences do not make comparison of the cases impossible. All three countries were involved in the process of unfinished democratic consolidation (although Hungary and Poland were much more advanced in this process than Turkey) and shared many Europeanization mechanisms. The latter issue is connected to the fact that there are a lot of similarities between the CEE countries and Turkey with reference to European integration. This is acknowledged by many scholars carrying out comparative studies on different aspects of relations of the CEE countries and Turkey with the EU. <sup>16</sup> This article is a contribution to this research.

The author's ambition is not to investigate the direct and exact impact of de-Europeanization on de-democratization. To do so requires much study, including quantitative analysis and the consideration of many variables The goal of this paper is instead to analyze the relationship between de-Europeanization and de-democratization, looking at the current political changes in the selected states from the perspective of a changing EU impact to better understand the core problems of their democratization processes and, at the same time, the obstacles to effective Europeanization.

The main hypotheses to be verified in the article are as follows: H1: de-democratization comes as a result of the dominance of formal instead of substantive democratization in the "new" member states and candidate countries; H2: formal democratization can be supported and influenced to various degrees by the EU, depending on the stage

<sup>15</sup> For more, see: T.A. Börzel and T.Risse, op. cit., pp. 5-15.

E.g. Z. Öniş, 'Diverse but Converging Paths to European Union Membership: Poland and Turkey in Comparative Perspective', East European Politics & Societies, Vol. 18, No. 3, 2004, pp. 481-512; A. Szymański, 'Turkey and Poland: Two different countries in the process of European integration?', in: N. Neuwahl, H. Kabaalioğlu (eds.), European Union and Turkey: Reflections on the Prospects for Membership, Istanbul: TOBB, TUNAECS, Marmara University, 2006, pp. 249-258; B. Taraktaş, 'Comparative Approach to Euroscepticism in Turkey and Eastern European Countries', Journal of Contemporary European Studies, Vol. 16, No. 2, 2008, pp. 249-266; E. İçener, D. Phinnemore, D. Papadimitriou, 'Continuity and Change in the European Union's Approach to Enlargement: Central and Eastern Europe and Turkey Compared', Southeast European and Black Sea Studies, Vol. 10, No. 2, 2010, pp. 207-223; T.A. Börzel, D. Soyaltın and G. Yılmaz, op. cit., pp. 217-234; A. Szymański, 'Turkey and Poland and Their Process of European Integration', in: S. Laçiner, H. Palabıyık, K. Kujawa, V. Garayev (eds.), Turkish-Polish Relations: Past, Present and Future. Çanakkale, Ankara: Çanakkale Onsekiz Mart University, 2015, pp. 167-183.

of relations with the Union; however, the EU is unable to cope with a country's problems with the democratic political culture of its society or a historical legacy that prevents substantive democratization; H3: the problems of political culture and historical legacy trigger the appearance of de-democratization processes and contribute even more to weakening the EU's impact when governments critical of the EU and the liberal model of democracy are in power, as well as times of economic problems.

To verify these hypotheses, the following questions will be posed: What kind of democratization process can be observed in the selected states? What was the EU's impact on this process? What are the current de-Europeanization and de-democratization processes in the selected countries? What are the reasons for their appearance?

The author will first outline the processes of de-Europeanization and de-democratization in the selected states and then analyze these processes to verify the hypotheses.

## Europeanization and Democratization –Past and Current Development

#### 1.1. Historical Outline

Hungary, Poland and Turkey had undergone a democratic transformation before the beginning of their EU path. For historical reasons, this process (connected also with the transition from a non-democratic to democratic regime) started earlier in Turkey than in the post-communist countries that went through a dynamic regime change after 1989.<sup>17</sup> Although the Turkish state developed relations with the European Communities as early as in the 1960s, their impact on domestic changes in Turkey between the 1960s and the 1980s was almost non-existent and limited to political pressure.<sup>18</sup> At the beginning of the three countries' path to the EU, they were already involved in

<sup>17</sup> E. Kalaycioğlu, Turkish Dynamics. Bridge Across Troubled Lands, Basingstoke & New York: Palgrave Macmillan, 2005; J. Błuszkowski (ed.), Dylematy Polskiej Transformacji [Dilemmas of Polish Transformation], Warszawa: Dom Wydawniczy Elipsa, 2007.

<sup>18</sup> A.R. Usul, op. cit., pp. 72-99.

democratic consolidation, although Hungary and Poland were more advanced than Turkey.

The development of relations with the Union was to facilitate progress in their democratic consolidation. The EU's impact on this process was noticeable, though varied, depending on the stage of relations with the Union. This was connected to the fact that the EU requirements concerning democratization and the strength of democratic conditionality differed before, during and after the accession negotiations (with the exception of the last stage in Turkey's case).<sup>19</sup> Particularly in the case of Hungary and Poland, the conditionally was strengthened several times before the beginning of the accession negotiations.<sup>20</sup> Putting aside the differences between Hungary/Poland and Turkey in this context (democratic conditionality was developed within the accession negotiations first in 2005, for Turkey and Croatia), it must be admitted that all three countries conducted substantial reforms under EU influence at the turn of the new century to fulfill membership criteria. Hungary and Poland started the reforms a few years earlier than Turkey, since the CEE countries were involved in preaccession strategy already at the end of 1994, and Turkey in 1999. 21 The candidate status obtained by Turkey in December 1999 was a strong incentive to adopt many reforms, particularly in the years 2001-2005.<sup>22</sup> Thanks to the EU's influence (starting from the Europe Agreements concluded after 1992), Hungary and Poland made progress in the consolidation of their democratic regime and improved the functioning of state institutions and the rule of law, although the previous transformation contributed to it substantially.<sup>23</sup>

It must be acknowledged that although the EU's impact on the democratic changes was clearly present this time in all three countries, it also had its limits. Much depended on the concrete issue of democracy and human rights. There were problems in some areas

- **19** L. Tomini, op. cit., pp. 52-61.
- **20** H. Grabbe, op. cit., pp. 7-38.
- 21 Ibid., pp. 10-13; A.R. Usul, op. cit., pp. 100-102.
- For more, see E. Özbudun, Democratization Reforms in Turkey, 1993-2004, Turkish Studies, Vol. 8, No. 2, 2007, pp. 179-196.
- 23 K.A. Wojtaszczyk, 'Governmental-Political Conditioning Realities of Polish Membership in the European Union', in: J. Adamowski, K.A. Wojtaszczyk (eds.), *Negotiations of the EU Candidate Countries*, Warszawa: Oficyna Wydawnicza ASPRA-JR, 2001, pp. 23-25.

(more numerous in Turkey than in Hungary and Poland, mainly concerning human rights) with the transfer of EU democratic norms and rules (not to mention the implementation of changes as a result of Europeanization). The common problematic areas for all three analyzed countries included respect for the rule of law, administration functions and corruption, in the case of Hungary and Turkey, also the protection of minority rights, the Roma and Kurds respectively.<sup>24</sup>

#### 1.2. Current Perspective

The EU's impact on democratization and the process itself changed after 2005 when Turkey started accession negotiations and Hungary and Poland had already joined the EU. Although Europeanization with reference to a political regime was still under way, the EU's influence on domestic changes became increasingly weaker and democratization started to be negatively affected.

The most serious changes in this context were with Turkey. There, the detachment of reforms from the EU began in 2006-2007. That was a time when the key EU membership prospect became unclear—a phenomenon connected to a lack of effectiveness of conditionality. The legal changes were still adopted, but not for the sake of democracy, rather particular interests of the ruling elites. As it appeared, the phenomenon called "counter-conduct" by Münevver Cebeci (following Foucalt's concept) could be observed in Turkey. On the one hand, Turkish politicians assured that EU membership was still a priority and that they were committed to democratic principles as the Union's basic rules; on the other hand, the domestic changes negatively influenced the democratization process. The government of the Justice and Development party (AKP) conducted reforms that only partially can be called democratic (usually they are in the AKP's interests, such

<sup>24</sup> E.g. 2002 Regular Report on Hungary's Progress towards Accession, http://ec.europa.eu/en-largement/archives/pdf/key\_documents/2002/hu\_en.pdf [2016-06-18]; 2002 Regular Report on Poland's Progress towards Accession, http://ec.europa.eu/enlargement/archives/pdf/key\_documents/2002/pl\_en.pdf [2016-06-18]; 2002 Regular Report on Turkey's Progress towards Accession, http://ec.europa.eu/enlargement/archives/pdf/key\_documents/2002/tu\_en.pdf [2016-06-18].

<sup>25</sup> A. Szymański, EU-Turkey Pre-Accession Policy and Its Impact on Democracy and State Quality', European Foreign Affairs Review, Vol. 17, No. 4, 2012, pp. 543-549.

<sup>26</sup> E. Alessandri, 'Democratization and Europeanization in Turkey after the September 12 Referendum', Insight Turkey, Vol. 12, No. 4, 2010, pp. 23-30.

as those pertaining to religious freedoms). However, they also reflect to a large extent a reversal of democratic rules (introduced mainly through legislation in 2001-2005) in the same reform package that included democratic changes, or later on.<sup>27</sup> The best example of this is the judiciary packages put in place between 2010 (constitutional amendments were adopted and approved in a referendum that year) and 2016, which demonstrate the reversal of the rule of law.<sup>28</sup>

The increasing authoritarian inclinations in Turkey connected to the strengthening of executive power at the cost of the other branches of power, primarily the judiciary, include also the aspirations of Recep Tayyip Erdogan to change from a parliamentary system into a presidential one, *a la Turca*, i.e., with a strong position for the head of state but without sufficient checks and balances. That system has been implemented gradually since the April 2017 referendum.

Different rights of individual citizens are also increasingly limited. The best examples pertain to freedom of expression and media. More and more media are under government and AKP control. It is increasingly difficult to find independent TV channels or newspapers or criticism of the government by journalists or users of social media. The banning of websites and publications, seizure and closure of media outlets, censorship or self-censorship and the increasing number of lawsuits against journalists are only a few examples of the restrictions on freedom of expression and media in the country.<sup>29</sup>

Although it is too early to talk about a transition to a non-democratic regime, i.e., a kind of new authoritarianism, in Turkey (it is still classified as a hybrid regime), the authoritarian tendencies developed in Turkey particularly after 2010 (and strengthened during emergency rule after the failed *coup d'etat* in July 2016) have led not only to a disruption of democratic consolidation but to the reversal of this process. Using Morlino's classification, the lost quality of democracy concerned both the content and results.

<sup>27</sup> M. Cebeci, 'De-Europeanization or Counter-Conduct? Turkish Democratization and the EU', South European Society and Politics, Vol. 21, No. 1, 2016, pp. 119-132.

<sup>28</sup> B. Saatçioğlu'De-Europeanization in Turkey: The Case of the Rule of Law', South European Society and Politics, Vol. 21, No. 1, 2016, pp. 137-141.

<sup>29</sup> G. Yılmaz, 'Europeanization or De-Europeanization? Media Freedom in Turkey (1999-2015)', South European Society and Politics, Vol. 21, No. 1, 2016, pp. 147-161.

All the above-mentioned negative processes are reflected in the Democratic Index by the Economist Intelligence Unit (EIU). Table 3 in the Appendix shows that from 2012 to 2016 especially, the situation regarding the state of democracy in Turkey worsened. The increasingly lower scores in the category "Functioning of the government" (at least between 2011 and 2015) reflects the aforementioned authoritarian tendencies while the sharp decline in the category "Civil liberties" from 2006 to 2016 shows the imposition of restrictions on rights and freedoms, primarily freedom of expression. In addition, a decline in electoral pluralism was observed in 2016.

In Hungary and Poland, the state of democracy was much better in 2006-2016 in comparison to Turkey. According to data from the EIU Democracy Index, the EEC states were "flawed democracies" while Turkey was a "hybrid regime" (see Tables 1 and 2 in the Appendix). However, similar general processes as in Turkey occurred in these post-communist countries, mainly the lowering of the quality of democracy in terms of content, particularly in the second decade of the current century. Looking at the Democracy Index scores, we can notice one important difference between Hungary and Poland concerning the time of the development of the de-democratization processes. The scores for Hungary show that democracy there was in constant decline between 2006 and 2015, with an acceleration of the negative processes particularly after 2011 (starting with this year, Hungary was lower in rank in the EIU Democracy Index than Poland). In Poland, there was, in turn, a change in trend, with the last three years showing the clear development of negative processes. This has had a lot to do with who governed these countries during these times.

It was predictable that the mechanisms of Europeanization would change little after the accession of Poland and Hungary. It seemed that the EU gained even more instruments to influence developments in "new" member states. However, the membership goal, which was a strong incentive for democratic reforms in the past had already been reached. This fact obviously influenced the possibility of the EU to impact further political reforms, similar to the Turkish case. The difference between Turkey and the CEE countries is that the latter did not, or better to say could not, detach their domestic changes from the EU after accession. However, although EU members are obliged to respect EU law, including treaties recognizing democratic principles

as basic EU rules, the change of relationship with the EU, being more asymmetric beforehand, had to influence the scope of the EU impact.

Although democratic regression has in Hungary been a constant process since 2006 (as indicated by the consecutively lower overall score in the EIU Democratic Index—see Table 1 in the Appendix), it accelerated after 2010. Agh writes about the development of "chaotic democracy," a regime in which the substantial role of oligarchic structures (network of party members, business people, and media actors) captured the weak state and dominate the political system with extensive political patronage and corruption.<sup>30</sup> The critical juncture was the 2010 election that resulted in the single party government of Fidesz (a party that had had links with business) with Viktor Orban as prime minister. Thanks to its supermajority, it started "systematically to dismantle all checks on government."31 It was a similar process to the one in Turkey—executive power was strengthened at the cost of the other branches, first of all by increasingly controlling the judiciary to destroy the checks and balances system and diminish the role of institutions important to this system, e.g., the Constitutional Court or Central Bank. Adoption of many laws, often later corrected because they were poorly written, as well as the new, undemocratic constitution of 2011 contributed to the creation of a new system described by Bogdan Goralczyk as the "Orban system", but called by the Hungarian government the "National Cooperation System."<sup>32</sup> The inclusion of the adjective "national" and underlining the opposition to the previous political system clearly reflected the detachment from the EU and the political situation in Hungary previously affected by the Union, which was often criticized by Orban.

State posts or institutions and media were captured by the party, whose functioning in practice started to remind of a hegemonic party system after subsequent elections (based on the changed electoral law favorable to Fidesz), which left a lot to be desired when it came to fair competition and equal access to resources, media, etc. (the

<sup>30</sup> A. Aqh, 'De-Europeanization...', op. cit., pp. 10-16.

<sup>31</sup> L. Tomini, op. cit., p. 155.

<sup>32</sup> Ibid., p. 156; B. Góralczyk, 'Aksjologiczna dezintegracja w UE? Przypadek Węgier' [Axiological Disintegration of the EU? Case of Hungary], Studia Europejskie, Vol. 76, No. 4, 2015, p. 109.

same phenomenon can be observed in Turkey, e.g., in the elections of 2014 and 2015).<sup>33</sup>

These clear de-democratization examples are reflected in the EIU Democratic Index—the results in the category "Functioning of government" began to move lower already by 2008, "Political participation" (very low score generally) in 2011, and "Electoral process and pluralism" in 2012. The same trend concerns "Civil liberties," in decline since 2008 (in 2014-2016 there was another decline after three years of the same score). For instance, similar to Turkey, the restrictions on freedom of media and expression were imposed through the National Media and Telecommunications Agency, which can decide, e.g., about sanctions on media for "insulting the majority." 34

De-Europeanization and de-democratization in Poland is a relatively new phenomenon, although its prelude was visible during the Law and Justice (PiS) rule (both alone and in coalition) in the 2005-2007 period. In 2015, the country's overall score went down in the Democratic Index as well as in the category "Functioning of government" (surprisingly already in 2014). In 2016, in turn, we could observe a decline in "Electoral pluralism" and "Civil liberties".

PiS won the presidential election and later the parliamentary elections in 2015 with a majority that enabled it to form a single-party government. That created a political situation quite similar to Turkey and Hungary. The difference between Poland and the other two countries is that the leader of the Polish governing party, Jaroslaw Kaczynski, is not the prime minister or president. That creates a situation quite distant from European standards because the person who plays the key role in the decision-making process in the state is not accountable.

The Polish government's policy in 2015-2017 can be diagnosed as one that reminds of the practice of AKP and Fidesz, primarily with regard to the willingness to tamper with the system of checks and balances and the capture of different state political and economic institutions as well as judiciary bodies (Constitutional Tribunal, Supreme

<sup>33</sup> A. Agh, 'De-Europeanization...', op. cit., pp. 16-20.

<sup>34</sup> L. Tomini, op. cit., p. 157.

Court, National Council of the Judiciary) and public media by people connected to PiS to bring these institutions under its control.<sup>35</sup>

#### What Went Wrong?

What went wrong:

The key question is why we can observe de-Europeanization

The author agrees and de-democratization in these three countries. The author agrees in this context with Agh, who claims with reference to the CEE countries that the processes of Europeanization and democratization were unfinished.<sup>36</sup> The same can be said about Turkey. In Hungary, Poland and Turkey, the level of formal/institutional democracy was achieved at a certain time thanks to many legal reforms, also within the EU pre-accession process, but not substantive democracy. Referring to the dimensions of democratic consolidation proposed by Juan Linz and Alfred Stepan,<sup>37</sup> the formal-institutional dimension is satisfactory (with some reservations with reference to Turkey) but attitudinal and behavioral dimensions, having a lot to do with the political culture (the attitude towards democracy and democratic rules as well as the commitment to it in practice through certain activities), leave a lot to be desired. The recent research on democracy in the CEE confirms this thesis.38

The previous section proved that for the governing elites, democracy (at least the liberal model) is currently not "the only game in town." However, generally the attitude and behavior of the societies in Hungary, Poland and Turkey with reference to democracy show there are some deficits in the democratic political culture. This is seen when looking at the EIU Democracy Index (Tables 1, 2 and 3 in the Appendix). The categories "Political participation" and "Political culture" are relatively low in all the cases, e.g., in comparison to "Electoral process and pluralism", which reflects a more formal-procedural kind of democracy. These scores are confirmed in surveys reflecting the state of

<sup>35 &#</sup>x27;Democracy Index 2015. Democracy in a Age of Anxiety', Economist Intelligence Unit, 2016, pp.

<sup>36</sup> A. Agh, 'De-Europeanization...', op. cit., p. 9.

<sup>37</sup> J. Linz and A. Stepan, op. cit., p. 16.

<sup>38</sup> E.g. P. Blokker, New Democracies in Crisis? A Comparative Constitutional Study of the Czech Republic, Hungary, Poland, Romania and Slovakia, Abingdon & New York: Routledge, 2014; J. Holzer, M. Mareš (eds.), Challenges to Democracies in East Central Europe, Abingdon & New York: Routledge, 2016.

the attitudinal and behavioral dimension in the three countries. For instance, the World Values Survey 2010-2014 (including data on Poland and Turkey) and Pew Research Center's survey from 2009 (data on Poland and Hungary) show that although democracy is important for the Hungarian, Polish and Turkish societies, a higher percentage of respondents give priority to economic prosperity or more specific economic issues (for example, fighting rising prices) as well as to order in the nation than to democracy.<sup>39</sup> There is a problem with the quality of democracy in terms of results, i.e., legitimacy for the democratic regime.

When it comes to the behavioral dimension of democratic consolidation connected to political participation, for instance, the relatively low percentage of people who are members of different associations is striking. In Poland and Turkey (there is no comparable data on Hungary), in 2010-2014, more than 90% of the public did not belong to different types of associations, compared to citizens of some "old" member states, e.g., the Netherlands or Sweden, where this percentage was usually at or below 90%, sometimes even 80%, depending on the country and type of association.<sup>40</sup>

The deficits of democratic political culture in the three countries are often connected with historical legacy. Let us take the example of corruption. In Turkey, there is a specific historical legacy of the Ottoman Empire, a rent-seeking and rent-providing state, in which state employees got their income from the users of public services. However, in all three of the analyzed countries, corruption was not morally condemned and was a result of a kind of patron-client relationship that seems to have developed again nowadays. The custom to give gifts to public officials was present in Turkey and the CEE countries. Although in Turkey it had deeper roots (the existence of collective culture: loyalties are given to a family, religion, village), in all the analyzed cases, the need to go through complex bureaucratic procedures to obtain the many required permits generates corruption. Another

<sup>&#</sup>x27;Two Decades After The Wall's Fall. End Of Communism Cheered But Now With More Reservations', The Pew Global Attitudes Project, 2 November 2009, pp. 24-25, www.pewglobal.org/files/pdf/267.pdf [2016-05-17]; 'World Values Survey 2010-2014. Crossings by country, World Values Survey 2015, p. 123 and 125, www.worldvaluessurvey.org/WVSDocumentationWV6.jsp [2016-11-27].

<sup>40 &#</sup>x27;World Values Survey 2010-2014', op. cit., pp. 54-61.

factor in this context is "wild privatization," which also led to many cases of corruption.  $^{41}$ 

This example should not be surprising. One of important scope conditions deciding the effectiveness of Europeanization (here, we mean the transfer of democratic rules and norms) is high political and organizational culture, or more broadly, the informal institutions facilitating domestic change. <sup>42</sup> In the case of Hungary, Poland and Turkey, historical processes made this scope condition dysfunctional for effective Europeanization. Referring to Artista Maria Cirtautas and Frank Schimmelfennig, certain common problems of the CEE countries and Turkey in their adoption of EU democratic standards reveal the importance of historical legacy—as "deep conditions" that influence the character of the contemporary scope conditions. <sup>43</sup>

This issue is emphasized because it reflects at the same time much broader problems important to the explanation of the current de-Europeanization and de-democratization processes in Hungary, Poland and Turkey. The lack of achievement of substantive democracy in these countries is the reality affected by the indirect result of deficits on the EU side, mainly enlargement policy. Candidates for EU membership—Hungary and Poland before 2004, as well as Turkey between 1999 and 2005—did what was required to fulfill the political Copenhagen criteria, but the conducted reforms were then not for the sake of democracy but rather to achieve EU membership.

There appears a set of problems here on the part of the EU that has made the Union's impact on democratization less effective and contributes today to the reversal processes in this area. First, there was a group of problems connected to EU governmentality (Foucault's term) during the pre-accession process of selected countries. Conditionality is more about procedures, benchmarks, etc. than about the attitudes and behavior patterns in societies. Moreover, conditionality is selective—with different priority given to democratic criteria at

<sup>41</sup> U. Ömürgönülşen, A. Doig, 'Why the Gap? Turkey, EU Accession, Corruption and Culture', *Turkish Studies*, Vol. 13, No. 1, 2012, pp. 7-25; L. Tomini, op. cit., pp. 104-145.

<sup>42</sup> T. Risse, M. Green Cowles, J. Caporaso, 'Europeanization and Domestic Change: Introduction', in: M. Green Cowles, J. Caporaso, T. Risse (eds.), op. cit., pp. 9-12.

<sup>43</sup> A.M. Cirtautas, F. Schimmelfennig, 'Europeanization Before and After the Accession: Conditionality, Legacies and Compliance, *Europe-Asia Studies*, Vol. 62, No. 3, 2010, pp. 431-433.

different stages of the pre-accession process (Poland, Hungary before accession) or a kind of cherry-picking of democratic problems (Turkey). Besides this, as mainly the Turkish example shows, the EU influence empowers a government that treats the reforms instrumentally.<sup>44</sup> The result of all of these problems with EU governmentality within the pre-accession process (and sometimes afterwards) was that the domestic changes taking place as a result of EU influence were quite modest. The adaptation mechanism dominated in the pre-accession process and the change was to a large extent gradual. Therefore, using Tanja Borzel's and Thomas Risse's classification, accommodation was the main outcome of the domestic changes as a result of Europeanization.<sup>45</sup>

The second group of problems concerns the limited EU impact on the democratization process after accession (although some of them are comparable to the problems of candidates). Sometimes it is just the lack of formal competences (political ones seem to be insufficient) to influence the domestic politics. 46 Article 7 of the Treaty on the EU provides for sanctions but has always seemed too radical in its application. 47 Because of this, EU institutions focused more on alternative measures that often were not very effective. It is connected to some extent with formal tools, e.g., the Cooperation and Verification Mechanism, which did not provide for sanctions and has not been used since applied to Bulgaria and Romania, or infringement procedures, sometimes enforcing compliance, e.g., in Hungary (after 2011), but limited in use to issues clearly included in EU law and only partially concerning democracy (independence of the Central Bank, data protection or retirement age of judges in the Hungarian case). It is doubtful that the European Commission's intervention in reaction to the developments in 2015 to 2017 in Poland will make a difference.

The determinants mentioned in this section are unfavorable for an effective EU impact on democratic changes in candidate and member states. The question is why are we seeing the development of these pro-

<sup>44</sup> M. Cebeci, op. cit., pp. 123-125.

<sup>45</sup> T. Börzel, T. Risse, 'Conceptualizing the Domestic Impact of Europe,' in: K. Featherstone, C. M. Radaelli (eds.), *The Politics of Europeanization*, Oxford: Oxford University Press, 2003, pp. 69-70.

<sup>46</sup> L. Tomini, op. cit., p. 60.

<sup>47</sup> Ibid., pp. 59-60.

cesses in the second decade of this century, and in the case of Turkey, even a few years earlier. The answer can be found in the particular set of determinants. The dysfunction role of the deficits in the attitudinal and behavioral dimensions of the democratic consolidation in these countries, connected often to the historical legacy of communist or Ottoman and Atatürk's times, respectively (crucial for the existence of political patronage or a "flexible" attitude to corruption) in the three states, as well as the EU mechanisms and instruments of influence on their political systems (no matter whether in the pre-accession or membership period) have been enhanced by additional factors that appeared at the turn of the second decade of this century. First, global developments, such as the problems in the socio-economic and security spheres, influenced the attitudes and behavior of both common citizens and elites. As mentioned above, more citizens in Hungary, Poland and Turkey prefer economic benefits and stability than the liberal model of democracy. Many people are disappointed with this model because they associate it with the socio-economic problems of their country and even their own situation (as "losers" in reform processes or a group that cannot expect benefits). 48 Second, in Hungary, Turkey and Poland, power was taken or consolidated by political parties already critical of the EU or which became critical of it after being disappointed by EU policy (as in the case of Turkey after 2005).

Referring to Europeanization literature, the new dysfunction scope conditions appeared then and were added to those existing (first of all, to the political culture).<sup>49</sup> The norm entrepreneurs lost their impact and the veto players appeared, who in the case of the governing elites have dismantled the formal structures, e.g., the Constitutional Court, which can contribute to sustaining the impact of liberal democratic principles. The weakening presence of EU democratic rules is increasingly noticeable in these countries. There is a lack of sufficient scope

<sup>48</sup> A. Agh, 'De-Europeanization...', op. cit., pp. 4-26; 'Two Decades After The Wall's Fall...', op. cit., pp. 31-33.

<sup>49</sup> Thomas Risse, Maria Green Cowles and James Caporaso identified five scope conditions determining the effective Europeanization: the multiple veto players (the degree of power dispersal), facilitating formal institutions (thanks to them the domestic actors can exploit EU opportunities), political and organizational culture (e.g. the presence of the consensual culture, the attitude to law, etc.), different empowerment of actors and learning process (reassessment leading to changes). For more, see: T. Risse, M. Green Cowles, J. Caporaso, op. cit., pp. 9-12.

conditions facilitating the transfer of these rules. There are more and more obstacles instead.

#### **Conclusions**

The article demonstrates that the processes of de-Europeanization and de-democratization are present in the selected cases of Hungary, Poland and Turkey, particularly in the second decade of the current century. There are some differences in details concerning these phenomena, first of all between the selected "new" member states, on one hand, and Turkey, on the other, connected to the different stages of relations with the EU and the type of regime. However, there are also important similarities. In all three countries, the formal/institutional dimension of democratic consolidation was well-developed through the reforms within the transformation and EU pre-accession processes. The EU impact differed here depending on the issue and stage of relations with the EU of the country, but it was clearly recognizable.

It was enough to achieve a formal democratic regime but insufficient to go beyond it and reach the stage of substantive democracy. The latter would be possible through the development of the attitudinal and behavioral dimensions of the democratic consolidation. However, as the democracy indexes and surveys show, in all three countries, both elites' and common citizens' approach and commitment to democracy (at least its liberal model) leave a lot to be desired. The author of this text agrees in this context with Agh who points out that as far as the political culture is concerned there is still a substantial gap between the West and the East (to the latter belong both CEE countries and Turkey), having a lot to do with historical legacy.<sup>50</sup> The EU is not able to change this situation in either the candidate or member states due to different deficits of the pre-accession processes and the technical, formal and political deficits of its institutional system. Referring to Senem Aydın-Duzgit and Alper Kaliber, the process of "EU-ization" in the democratization context is present but not necessarily Europeanization as connected in the analyzed cases with the transfer of democratic norms and rules to the society.<sup>51</sup>

The divergence of the analyzed countries from West or the rest of Europe in terms of the liberal model of democracy deepened based on the aforementioned problems of political culture and historical legacy at the time of the appearance of some additional factors. The socioeconomic problems, connected partly to the global crisis, as well as the domestic situation characterized by the rule of parties critical of the EU and liberal model of democracy enhanced the dysfunction role of political culture and historical legacy. That has resulted in the currently visible weakened EU impact on domestic policy and discourse concerning democracy in Hungary, Poland and Turkey, as well as in the disruption or even reversal of democratic reforms and democratization in these states.

The hypotheses formulated at the beginning of the text thus have been positively verified. The interesting question is whether the processes of de-Europeanization and de-democratization will deepen in the analyzed countries in the coming years. That is probable due to the long-term nature and resistance to change of issues connected to political culture and historical legacy. However, these processes do not have to be continuous (as confirmed, e.g., by the EIU Democracy Index). A change of factors enhancing the dysfunction role of political culture and the introduction of more effective EU practices to cope with democratic reversal can reinvigorate the processes opposite to de-Europeanization and de-democratization.

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51 S. Aydın-Düzgit, A. Kaliber, op. cit., pp. 4-5.

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## **APPENDIX**

			المداد المحاسمين المحاس المساؤسان		66				
Category/Year	2006	2008	2010	2011	2012	2013	2014	2015	2016
Overall score (10=best)	7.53	7.44	7.21	7.04	96.9	96.9	06.90	6.84	6.72
Electoral process and pluralism	9.58	9.58	9.58	9:28	9.17	9.17	9.17	9.17	9.17
Functioning of government	6.79	6.07	6.07	6.07	6.07	6.07	6.07	6.07	6.43
Civil liberties	9.41	9.12	8.53	8.24	8.24	8.24	7.94	7.65	7.06
Political participation	2.00	5.56	2.00	4.44	4.44	4.44	4.44	4.44	4.44
Political culture	88.9	6.88	6.88	6.88	6.88	6.88	6.88	6.88	6.88

Source: Economist Intelligence Unit (EIU), www.eiu.com

Category/Year	2006	2008	2010	2011	2012	2013	2014	2015	2016
Overall score (10=best)	7.30	7.30	7.05	7.12	7.12	7.12	7.47	7.09	6.83
Electoral process and pluralism	9:28	9.58	9.58	9.58	9.58	9.58	9.58	9.58	9.17
Functioning of government	6.07	6.07	6.07	6.43	6.43	6.43	5.71	5.71	5.71
Civil liberties	9.12	9.12	9.12	9.12	9.12	9.12	9.12	9.12	8.24
Political participation	6.11	6.11	6.11	6.11	6.11	6.11	6.67	29.9	6.67
Political culture	5.63	5.63	4.38	4.38	4.38	4.38	6.25	4.38	4.38

Source: Economist Intelligence Unit (EIU), www.eiu.com

		Ia	lable 3: Democracy Index — Iurkey	cy Index – Iurk	ey				
Category/Year	2006	2008	2010	2011	2012	2013	2014	2015	2016
Overall score (10=best)	5.70	5.69	5.73	5.73	5.76	5.63	5.12	5.12	5.04
Electoral process and pluralism	7.92	7.92	7.92	7.92	7.92	7.92	6.67	6.67	5.83
Functioning of government	6.79	6.07	7.14	7.14	6.79	6.43	5.36	5.36	6.07
Civil liberties	5.59	2.00	4.71	4.71	4.12	3.82	3.53	2.94	2.65
Political participation	4.44	4.44	3.89	3.89	5.00	2.00	4.44	2.00	5.00
Political culture	3.75	5.00	5.00	5.00	5.00	5.00	5.63	5.63	5.63