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Asymmetric Integration and Legal-Institutional Dependency in The Türkiye–EU Customs Union: Economic Sovereignty, Technological Autonomy, And Core–Periphery Hierarchies

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Abstract

This study analyzes the Türkiye–European Union Customs Union not merely as a trade arrangement abolishing reciprocal tariffs, but as a multi-layered legal-institutional architecture that directly shapes Türkiye's economic sovereignty, technological autonomy, and industrial-policy capacity. Its central question is not "did trade grow?" but rather "within what order, and under whose rules, did this growth occur?" Accordingly, the article develops an original analytical framework that integrates the concepts of asymmetric integration, economic sovereignty, technological autonomy, and core–periphery hierarchy around a core notion of legal-institutional dependency, thereby elevating the work from a single-case description to a theoretical contribution adaptable to other instances of asymmetric integration.

Methodologically, the study adopts a qualitative research design, combining document analysis, historical-institutionalist interpretation, and comparative reading within an in-depth single-case study. The primary data are drawn from foundational legal documents—Association Council Decision No. 1/95, the Ankara Agreement, the Additional Protocol, and the official statement of the Ministry of Foreign Affairs—with each provision matched to its corresponding theoretical concept to form a systematic and traceable chain of evidence.

The findings reveal a clear tension between the textual symmetry and the substantive asymmetry of the Decision. Alignment with the Common Customs Tariff narrows Türkiye's foreign-trade sovereignty; technical legislation and standardization keep Türkiye in the position of norm-taker rather than norm-maker; the competition and state-aid regime restricts the space for selective, high-technology industrial policy; and the deep harmonization sustained in the absence of full membership generates obligation without representation and a persistent legitimacy deficit. The evidentiary chain of thirty-three findings supports the study's main hypothesis at approximately ninety-eight percent.

Without denying that this structure has afforded Türkiye market access, export volume, and institutional discipline, the study stresses that its structural constraints cannot be overlooked. The core problem is not the existence of integration but the structural persistence of unequal integration; because this dependency was historically constructed, it can also be historically redesigned. The concluding section therefore develops concrete reform proposals, including strengthening representation mechanisms, securing simultaneous participation in third-country trade, expanding policy space in strategic sectors, and establishing a balanced architecture of

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1. Introduction

The Customs Union between Türkiye and the European Union is frequently presented as nothing more than a plain trade arrangement under which customs duties have been abolished; in reality, however, it constitutes a comprehensive legal-institutional architecture that touches upon nearly every link in a state's management of its economy. The fundamental issue is not the removal of the tariff levied at the border crossing; the fundamental issue is who shall decide which country may produce what, under which standard it may sell, and which sector it may protect. In this respect, the Customs Union extends far beyond a foreign-trade instrument in the classical sense; it directly shapes Türkiye's industrial policy, its technological choices, its public procurement, and its law-making capacity. Moreover, this framework is not an order in which two equal partners sit together at the same table; it is a structure in which the parties do not share the burden of obligations and the power of decision in equal measure. One of the concepts that most clearly elucidates this structure is *asymmetric integration*. Asymmetric integration denotes the condition in which the parties, although bound to the same regime of rules, do not participate equally in the formation of those rules (Wallerstein, 2004; Hooghe & Marks, 2001; Börzel & Risse, 2012). To grasp accurately the effect of the Customs Union upon Türkiye, this asymmetry must be read not solely in its economic dimension but together with its legal, institutional, and technological dimensions. This multilayered perspective is significant, for in contemporary political economy power is measured not merely by the volume of production but also by the question of who sets the norm and who applies it (Strange, 1996; Stiglitz, 2002). Türkiye's European orientation, pursued since the 1950s, has likewise transformed this structure from a mere economic preference into part of a long-standing institutional choice (Çalış, 2016; Aydın & Açıkmeşe, 2020).

The legal foundation of the Türkiye–EU Customs Union rests upon three fundamental, successive instruments. The first of these is the Ankara Agreement of 12 September 1963. Article 2(2) of the Agreement demonstrates that the customs union was not a subsequently appended detail but an objective conceived from the very moment the association was established: this paragraph provides that, in order to realize the relevant aims, "the progressive establishment of a customs union, in accordance with the conditions and procedures set out in Articles 3, 4, and 5, is envisaged" (Ankara Agreement, 1963, Art. 2/2). Paragraph 3 of the same Article stipulated that the association would comprise a preparatory stage, a transitional stage, and a final stage; Article 28, in turn, expressly formulated the horizon of full membership: "When the operation of the Agreement has advanced far enough to justify envisaging full acceptance by Türkiye of the obligations arising out of the Treaty establishing the Community, the Contracting Parties shall examine the possibility of the accession of Türkiye to the Community" (Ankara Agreement, 1963, Art. 28). The Customs Union was thus originally conceived as the final building block of the path leading to full membership. The foundations of this building block were given concrete form by the Additional Protocol of 23 November 1970, and acquired their definitive shape through Decision No. 1/95 of the Association Council, which entered into force

on 1 January 1996. Article 1 of the Decision likewise confirms this continuity, for it expressly states that it lays down the rules for implementing the final phase of the Customs Union "without prejudice to the provisions of the Ankara Agreement and of the Additional and Supplementary Protocols" (Association Council Decision No. 1/95, 1995, Art. 1). Accordingly, the 1995 text alone does not suffice to understand the present structure; the political objective drawn sixty years earlier, and the 1970 arrangement that established its economic substructure, must also be placed on the table (Bozkurt, Özcan & Köktaş, 2018; Akçay & Göçmen, 2016). For this reason, the study treats the Customs Union not as an isolated 1995 document but as the final link in a sixty-year legal continuity; this approach renders visible the nexus between law and political economy and, at the same time, lends historical depth to the contemporary debate on modernization.

As a legal concept, a customs union proceeds several steps beyond free-trade arrangements. Under a free-trade agreement the parties abolish duties only as between themselves, while largely retaining their own foreign-trade policies; in a customs union, by contrast, a common tariff regime is adopted toward third countries as well. In the Türkiye–EU relationship this distinction is decisive; Türkiye has not merely abolished duties in its trade with the Union but has also bound its policy space toward third countries, to a large extent, to the Union's rules. Indeed, Article 13(1) of Decision No. 1/95 provides that "Türkiye shall align itself with the Common Customs Tariff in respect of countries that are not members of the Community"; paragraph 2 of the same Article makes the dynamic character of this obligation explicit by stating that "Türkiye shall, whenever necessary, adjust its customs tariff so as to reflect changes in the Common Customs Tariff" (Association Council Decision No. 1/95, 1995, Art. 13). Ostensibly this provision is a technical adjustment; in terms of development economics, however, it corresponds to a critical threshold. For the customs tariff is one of the fundamental instruments determining which sector a state will protect and at what level, and which domain it will expose to the pressure of the world market (Chang, 2002; Rodrik, 2011). The binding of this instrument, to a large extent, to a norm shaped externally alters the concrete meaning of the concept of economic sovereignty. The crux of the matter is that the foreign-trade regime operates according to a logic of dynamic alignment; that is, Türkiye is bound in advance not only to the present Common Customs Tariff but also to the changes the Union will make to that tariff in the future (Hoekman & Kostecki, 2009; Mavroidis, 2016). This circumstance narrows the temporal flexibility of foreign-trade policy and makes it difficult for Türkiye to provide an independent tariff response to newly arising development needs.

At this juncture it is necessary to clarify one of the article's central concepts: *legal-institutional dependency*. Legal-institutional dependency means that a country, despite assuming the obligation to comply with the norms produced by another legal order, does not possess equal decision-making power in the formation of those norms (Strange, 1996; Schimmelfennig, 2021). Türkiye's position within the Customs Union corresponds directly to this definition. Article 9 of the Additional Protocol imposed an early and rapid timetable of obligations upon the European Community by providing that "the

Community shall, upon the entry into force of this Protocol, abolish the customs duties and charges having equivalent effect applied to imports originating in Türkiye" (Additional Protocol, 1970, Art. 9). By contrast, Article 10 of the same Protocol provided for Türkiye a graduated schedule of reductions extending to the end of the transitional period, while Article 11 envisaged a longer schedule, to be carried out "over a period of twenty-two years," for certain sensitive goods (Additional Protocol, 1970, Arts. 10–11). On their face, these differing periods were explained by a logic of reciprocal and balanced obligation; indeed, Article 4 of the Ankara Agreement states that the transitional stage shall be conducted "on the basis of reciprocal and balanced obligations" (Ankara Agreement, 1963, Art. 4/1). Yet when this equalization culminated in the full liberalization that found its final form in Article 4 of Decision No. 1/95—namely the provision that "customs duties on imports and exports and charges having equivalent effect between the Community and Türkiye shall be wholly abolished on the date of entry into force of this Decision" (Association Council Decision No. 1/95, 1995, Art. 4)—it produced an equivalence that effectively disregarded the industrial and technological gap between the parties. Economic history shows that today's developed countries made extensive use, during their own development processes, of the protection, the incentives, and the steering they required (List, 1841/1909; Chang, 2002; Mazzucato, 2013). The curtailment of these instruments before the threshold accelerates the incorporation of the peripheral country into the industrial structure of the core country. Moreover, this attachment creates an institutional pathway that is difficult to reverse; legal dependency thereby precedes economic dependency and renders it permanent (North, 1990; Acemoğlu & Robinson, 2012).

The aim of this study is to reassess the Türkiye–EU Customs Union not merely in terms of foreign-trade volume but along the axes of economic sovereignty, technological autonomy, and core–periphery relations. The significance of the study becomes apparent on three levels. First, it situates within a common analytical framework the debate on export performance and the debate on legal dependency, which in the Turkish literature frequently proceed along separate channels. Second, it rereads the 1995 text in a contemporary register, together with the European Union's recent policies—the Green Deal, the Carbon Border Adjustment Mechanism, digital-market regulations, and strategic autonomy (Baldwin, 2016; Mazzucato, 2021; Farrell & Newman, 2023). Third, it offers a conceptual foundation for the debate on updating the Customs Union, considered not only from the perspective of expanding scope but also from that of institutional equality. Accordingly, the principal research question is the following: *Through which legal and institutional mechanisms does the Türkiye–EU Customs Union constrain Türkiye's economic sovereignty, its technological autonomy, and its strategic industrial-policy capacity?* The subsidiary questions supporting this principal question are as follows: which provisions of Decision No. 1/95 bind Türkiye's foreign-trade policy to the Union regime; what structural asymmetry is produced by the exclusion of agricultural products from scope alongside the full liberalization of industrial products; how do technical-legislation harmonization, competition law, and the state-aid regime affect domestic industrial policies; and how does this structure, established without full membership being realized, fix Türkiye in an intermediate status? The study's principal hypothesis directly answers these questions: while integrating Türkiye into the Union market, the Türkiye–EU Customs Union has simultaneously produced an asymmetric legal-institutional regime of dependency that narrows

Türkiye's foreign-trade sovereignty, its industrial-policy space, and its high-technology production capacity. The subsidiary hypotheses, in turn, are as follows: alignment with the Common Customs Tariff and the preferential trade regime has weakened independent foreign-trade capacity; the process of technical legislation and standardization has fixed Türkiye in the position of norm-applier; the competition and state-aid regime has constrained the instruments of selective industrial policy; and the structure, deprived of institutional representation owing to the absence of full membership, has given rise to a persistent legitimacy deficit.

The conceptual framework of the study rests upon three fundamental concepts, which serve as an analytical lens throughout the article. The first is *asymmetric integration*; it denotes a form of integration in which the parties, despite being bound to the same order, do not occupy equal positions in norm-production, in voting rights, and in enforcement capacity (Hooghe & Marks, 2001; Börzel & Risse, 2012). The second is *economic sovereignty*; this is not merely a state's authority to issue currency or levy taxes but its capacity to determine its foreign-trade regime, its industrial strategy, its public-procurement preferences, and its strategic-sector policies in accordance with its own development objectives (Strange, 1996; Rodrik, 2011). The third is *technological autonomy*; it points not merely to a country's capacity to produce but to its ability to develop, oversee, and govern critical technologies according to its own ordering of priorities (Mazzucato, 2013, 2021; Farrell & Newman, 2023). When considered together with the idea of the core–periphery hierarchy in Wallerstein's world-systems approach, these three concepts form an analytical quadrangle that explains the nature of the Türkiye–EU Customs Union (Wallerstein, 2004; Reinert, 2007). For in today's global order dependency is manifested no longer merely at the customs gate but in the semiconductor, in the software infrastructure, in the technical standard, in the patent regime, and in data governance (Baldwin, 2019; Mazzucato, 2021). Indeed, Article 8(1) of Decision No. 1/95 provides that Türkiye shall "incorporate into its internal legal order the Community instruments relating to the removal of technical barriers to trade"; Article 54, in turn, stipulates that, in fields directly related to the functioning of the Customs Union, Türkiye shall bring its legislation "into line with Community legislation as far as possible" (Association Council Decision No. 1/95, 1995, Art. 8/1, Art. 54). These provisions, technical in appearance, are in reality directly connected to the question of whence the norm comes and by whom it is produced. For this reason the study examines the Customs Union not through the question "Did Türkiye sell more?" but through the question "To what extent can Türkiye itself determine the direction of its own development within this structure?" This choice also accords with the new generation of political-economy approaches that move beyond the classical comparative-advantage framework and read the structure of production not through the question of "what" but through the question of "how and under which norms" (Stiglitz, 2006; O'Brien & Williams, 2020).

The asymmetric character of the Türkiye–EU Customs Union emerges perhaps most visibly in the trade relations established with third countries. For Türkiye has not merely dismantled its customs walls vis-à-vis the Union; it has also, to a large extent, conformed its policy toward non-member countries to the Union's common commercial regime. Article 12(1) of Decision No. 1/95 expressly states that Türkiye is obliged to "put into effect, with regard to non-member countries, provisions and implementing measures substantially similar to those of the Community's ... commercial policy," and extends this

obligation across a broad field encompassing common rules for imports, protection against dumped imports, the textiles regime, export credits, and the administration of quantitative quotas (Association Council Decision No. 1/95, 1995, Art. 12/1). Article 16 of the same Decision likewise provides that Türkiye shall, "within five years of the entry into force of this Decision, progressively align itself with the preferential customs regime of the Community," and that this alignment shall encompass both autonomous regimes and preferential agreements with third countries (Association Council Decision No. 1/95, 1995, Art. 16/1). The real difficulty here is this: when the European Union concludes a free-trade agreement with a third country, that country's goods may, by way of the Union's customs territory, gain indirect access to Türkiye as well; yet Türkiye's access to that same country on equal terms depends upon separate and belated negotiations. This circumstance is termed in the literature *trade diversion* and *free-trade-agreement asymmetry*; the experiences with Mexico, Algeria, South Africa, and the countries of the Mediterranean basin have repeatedly demonstrated the concreteness of this problem (Aydın-Düzgüt & Tocci, 2015; Akman, 2021). What is at issue is not a simple technical malfunction but a structural equation in which the decision is taken at the core and the consequences are borne at the periphery. This equation also illustrates how the disparity of institutional power within the global trading system is reflected in the text of the agreement; in preferential regimes, the norm-setter's monopoly of power directly constrains the bargaining capacity of the peripheral country (Hoekman & Kostecki, 2009; Shaffer, 2021). Consequently, Türkiye's foreign-trade capacity toward third countries runs the risk of becoming, independently of its own political will, an extension of the Union's global trade strategy.

Another conspicuous facet of asymmetric integration confronts us in the product scope of the Customs Union. It is often assumed in public opinion that there exists complete integration between Türkiye and the Union for every kind of good; yet the legal text states the contrary. Article 2 of Decision No. 1/95 narrows the scope from the outset by providing that "the provisions of this Section shall apply to products other than agricultural products as defined in Article 11 of the Association Agreement," and it specifies that the special provisions concerning agricultural products are regulated in a separate section (Association Council Decision No. 1/95, 1995, Art. 2). That is, the system was established essentially for industrial products and processed agricultural products; traditional agricultural products were left outside the framework of free movement. This selective scope is not a neutral technical preference. While traditional items in which Türkiye possesses a comparative advantage—such as hazelnuts, raisins, dried figs, olives, and fresh fruits and vegetables—were placed within the system's limited zone, full liberalization was applied in the machinery, automotive, chemical, electronics, and advanced-industry sectors in which the Union is strong. The separation, within processed agricultural products, of the agricultural component from the industrial component, and the subjection of only the industrial component to duty exemption, likewise reinforces this selective structure. As a result, while Türkiye gained partial opening in the fields in which it is strong, it remained under direct competitive pressure in the fields in which it is comparatively weak. What classical development economics says about the nexus between the structure of production and the foreign-trade regime acquires its full meaning precisely here: the composition of liberalization is a structural choice that determines who will produce what (Reinert, 2007; Pamuk, 2014; Akman, 2021). An equation in which agriculture is outside while industry is fully inside fixes, in legal

form, the historical division of labour between the industrial power of the core and the agricultural items of the periphery. This picture is an inverted reflection of the classical theory of comparative advantage; for Türkiye was compelled to accept full liberalization not in the item in which it is strong but in the item in which it is weak (Stiglitz, 2002; Mansfield & Milner, 2012). Furthermore, the exclusion of agriculture from scope does not merely restrict comparative advantage; it also reinforces structural dependency across a broad field encompassing rural development, food security, and employment policies (Keyder, 2014; Boratav, 2015).

To understand that this structure did not arise by chance, it is necessary to look closely at the timeline envisaged by the Ankara Agreement and the Additional Protocol. Article 2(3) of the Ankara Agreement states that the association shall comprise a preparatory, a transitional, and a final stage; Article 4, in turn, provides that the transitional stage shall be conducted "on the basis of reciprocal and balanced obligations" (Ankara Agreement, 1963, Art. 2/3, Art. 4/1). The expression "reciprocal and balanced obligations" is the text's fundamental promise of justice. Yet this promise, when it passed into implementation through the Additional Protocol, was not reflected symmetrically. Article 9 of the Protocol imposed an immediate and comprehensive obligation upon the European Community by providing that "the Community shall, upon the entry into force of this Protocol, abolish the customs duties and charges having equivalent effect applied to imports originating in Türkiye" (Additional Protocol, 1970, Art. 9). For Türkiye, by contrast, Article 10 introduced a graduated schedule of reductions extending to the end of the transitional period, and Article 11 a separate schedule for sensitive goods to be completed "over a period of twenty-two years" (Additional Protocol, 1970, Arts. 10–11). The difference in periods appeared, at the outset, to be a shield granted to allow Türkiye to prepare its industry; yet economic crises, the foreign-exchange bottleneck of the 1970s, and the post-1980 wave of outward liberalization significantly altered the function of this shield. Türkiye fulfilled its obligations until 1978, then requested their postponement; this request was accepted in 1979, and from 1988 onward the process was accelerated (Republic of Türkiye, Ministry of Foreign Affairs, 2024). The picture that emerged when Decision No. 1/95 was signed is as follows: whereas the European Community had internalized, roughly a quarter-century earlier, the duties it had reduced to zero, Türkiye, at the end of the long transitional road, was compelled to conform both its internal and its external trade regimes to the Union's rules. This belated symmetry produced, contrary to expectation, not an equalization but a structural positioning (Müftüler-Baç, 1997; Karluk, 2014). The asymmetry of timing here is not merely a technical matter of scheduling; the period granted for the peripheral country's industrial maturation lagged behind the pace of the global market's structural transformation.

The unseen yet perhaps most powerful axis of dependency in the Customs Union takes shape in the field of technical legislation. Contemporary trade is shaped not only by tariff walls but, for the most part, by the technical standards, certificates, quality documents, and conformity-assessment systems that have come to replace them. Article 8 of Decision No. 1/95 stipulates that Türkiye shall, "within five years of the date of entry into force of this Decision, incorporate into its internal legal order the Community instruments relating to the removal of technical barriers to trade" (Association Council Decision No. 1/95, 1995, Art. 8/1). Article 9 of the Decision provides that, from the moment Türkiye incorporates these instruments into its internal law, trade shall be conducted in accordance with the conditions

specified in those instruments; Article 11, in turn, provides that the results of conformity assessment carried out in Türkiye shall be accepted only on condition that they comply with the conditions in force in the Community (Association Council Decision No. 1/95, 1995, Art. 9, Art. 11). When these provisions are brought together, the resulting picture is plain: Türkiye's access to the market is contingent upon a technical order whose rules it does not itself set. In the modern economy, the power to set standards is not merely technical but at the same time an economic and political capacity; for the norm that determines which product is to be produced under which conditions effectively determines the structure of production as well (Baldwin, 2016; Mazzucato, 2021; Farrell & Newman, 2023). To sustain its exports, Türkiye is compelled to internalize these standards; yet it does not possess, in the process of their preparation, the right of representation enjoyed by full member states. This alignment, which may be regarded as positive in terms of quality and predictability, produces, in terms of development capacity, a direct normative dependency. It is also possible to read this picture in the literature through the concept of *norm externalization*; for the European Union, by carrying the regulations pertaining to its own internal market beyond its borders, has become a de facto global normative power (Damro, Gstöhl & Schunz, 2018; Smith, 2015). Türkiye's attachment in the field of technical legislation is a direct consequence of this externalization and seriously narrows the possibility of developing independent standards, particularly in the sectors of the future such as semiconductors, artificial intelligence, and data governance (Mazzucato, 2021; Baldwin, 2019).

The field of competition law and state aid constitutes another profound effect of the Customs Union upon industrial-policy capacity. Article 32 of Decision No. 1/95 prohibits agreements and concerted practices that restrict competition, Article 33 the abuse of a dominant position, and Article 34 state aid, through provisions paralleling the European Community's approach. Article 39 introduces a more concrete obligation, requiring Türkiye to render its legislation concerning the rules of competition compatible with that of the European Community and to apply it effectively (Association Council Decision No. 1/95, 1995, Arts. 32–34, Art. 39). These provisions, which ostensibly safeguard the market order, carry a different meaning from the standpoint of development economics. For today's developed economies made intensive use, during their industrialization processes, of the instruments of selective incentives, public procurement, protection, and steering state aid; moreover, the European Union today is itself reactivating its own state supports in such fields as green industry, semiconductors, and battery technologies (Chang, 2002; Mazzucato, 2013, 2021; Rodrik, 2011). The legal restriction of these same instruments for the periphery while the core employs them creates a manifestly unequal policy space. The very steering-policy possibility that Türkiye requires in strategic fields such as the defence industry, artificial-intelligence infrastructures, energy storage, and advanced machinery production is narrowed precisely through the interpretation of these provisions. This circumstance reproduces the classical order that development economics has termed *kicking away the ladder*; for the industrialization instruments freely employed in the past at the core are legally restricted for the periphery (Chang, 2002; Reinert, 2007). Particularly in the fields of strategic technology, the strict application of the state-aid regime delays Türkiye's ascent toward the high-value-added links of the global value chain and constrains its industrial-policy options (Mazzucato, 2013, 2021; Kutlay, 2021).

The institutional architecture, in turn, is the very layer that reveals by whom all these obligations are shaped. Article 52 of Decision No. 1/95 establishes the Customs Union Joint Committee and confers upon this organ the powers to exchange information and views, to make recommendations to the Association Council, and to deliver opinions with a view to the proper functioning of the Customs Union (Association Council Decision No. 1/95, 1995, Art. 52). The important point here is that this committee is not a principal decision-maker but a coordinating and advisory organ. Article 55 of the Decision provides for Türkiye to be consulted during the period in which the European Community prepares new legislation; Article 56 stipulates that Türkiye should not enact regulations in these fields without consulting Community experts; and Article 59 provides for the participation, as far as possible, of Turkish experts in the committees formed when the Commission exercises its implementing powers—yet this participation is confined to the advisory level (Association Council Decision No. 1/95, 1995, Arts. 55–56, Art. 59). When these provisions are brought together, the resulting institutional equation is plain: the norm is produced in the Council, the Commission, and the Parliament of the European Union, while Türkiye is informed and complies after the norm has been produced. In the political-science literature this equation is termed *obligation without representation*; for there is a marked incongruity between the depth of economic attachment and the shallowness of political representation (Hooghe & Marks, 2001; Schimmelfennig, 2021; Tocci, 2011). As a result, the status that emerges for Türkiye is a sui generis position, resting on the maintenance of deep alignment in the absence of membership and diverging from the classical concept of association. The counterpart of this equation in the contemporary governance literature is the *rule-taker versus rule-maker* distinction; Türkiye occupies the position of recipient of the norms produced by the Union, whereas member states occupy the position of both producer and applier (Slaughter, 2004; Börzel & Risse, 2012). This in turn demonstrates that the Türkiye–EU relationship is not merely an economic bond but also a problem of democratic representation (Aydın & Açıkmeşe, 2020; Karluk, 2014).

At the conceptual level, this legal-institutional picture amounts to a redefinition of economic sovereignty. Whereas in its classical sense economic sovereignty denotes a state's authority to issue currency, levy taxes, and set customs duties, in its contemporary sense the concept also encompasses the capacity to decide which sector will be protected, in which field of technology investment will be made, and which public procurement will support the domestic producer (Strange, 1996; Rodrik, 2011; Weiss, 2014). Through obligations such as alignment with the Common Customs Tariff, the timetable for approximation to the preferential trade regime, the period for technical-legislation harmonization, the rendering of competition rules directly parallel, and the embedding of the state-aid regime within the Union's logic, Türkiye has bound a significant portion of this contemporary domain of sovereignty to an external legal order. This does not mean an impediment to economic growth; during the Customs Union period the volume of Türkiye's exports expanded markedly. Yet growth alone does not amount to development. The crux of the matter is which structure of production, which pool of technology, and which decision-making capacity this growth has left to Türkiye (Boratav, 2015; Pamuk, 2014; Kutlay, 2021). If a state cannot independently determine its foreign-trade regime, cannot steer its own industrial strategy with its own instruments, and shapes its technical standards in dependence upon external norms, then behind the numerical figures of growth a serious contraction of sovereignty is taking place. This study, then,

examines within which legal structure, through which provisions, and within which conceptual framework this contraction is produced. This approach reframes economic sovereignty not merely as a subheading of state sovereignty but as a measure of capacity at the very centre of development politics (Stiglitz, 2002; Reinert, 2007). Proceeding from this point, Türkiye's position may also be read as a concrete instance of the typology of a growing yet dependent economy; for an increase in exports does not secure long-term production independence and technological autonomy (Kazgan, 2015; Kutlay, 2021).

The contraction of economic sovereignty is intimately intertwined with the problem of technological autonomy; for if a state cannot decide in which technology to invest, it cannot, to a large extent, decide which industrial structure it will possess either. Technological autonomy does not mean the non-purchase of foreign technology; it is a country's ability to develop and protect critical technologies through its own institutional capacity and to govern them in accordance with its strategic priorities (Mazzucato, 2013, 2021; Farrell & Newman, 2023). Today this concept has become a direct measure of geo-economic power in such fields as semiconductors, artificial-intelligence infrastructures, battery chemistry, defence systems, biotechnology, and the data economy. The discourse of *strategic autonomy* that the European Union has frequently raised in recent years rises upon this very ground; the Union is seeking, in the competition among China and the United States, to strengthen its own capacity for production and standard-setting. From Türkiye's standpoint, however, the question that must be posed is different: where, in this new technological order, does Türkiye stand on the line between the one who sets the norm and the one who applies it? When considered together with the technical-legislation harmonization, the intellectual-property regime, and the standardization obligations of Decision No. 1/95, it is seen that Türkiye is, more often than not, incorporated into the final link of the production chain yet remains outside the process of formation of the norms that determine technology. For this reason the debate on technological autonomy is not an additional heading of the Customs Union but a matter standing at its very heart. In the contemporary literature, technological autonomy is treated not merely as an engineering capacity but together with institutional capacity, public financing, and long-term mission-oriented industrial policy (Mazzucato, 2013, 2021). Türkiye's position, therefore, should be measured not by mere product-export performance but by the extent to which it can have a say at the tiers of production and standard-setting (Baldwin, 2019; Strange, 1998).

To read this structure in a holistic manner, the concept of the core-periphery hierarchy, drawn from Wallerstein's world-systems analysis, offers a powerful lens. The *core* designates the actor that concentrates the accumulation of capital, produces technology, sets the norm, and steers the operating rules of the global order. The *periphery*, by contrast, denotes the actor that is incorporated into the production chain, applies the rules, and bears the local reflections of external norms (Wallerstein, 2004; Reinert, 2007). The European Union occupies a manifestly core position in respect of industrial standards, competition law, the trade regime, financial regulation, and, more recently, environmental-digital norms. Türkiye, in turn, although it has gained access to a vast market by way of the Customs Union, stands not at the point of the rule's formation but at the point of its application. This reading is not an abstract theoretical framework; it is also confirmed directly by the language of the legal text. Article 54 of Decision No. 1/95 expressly stipulates that Türkiye shall, in fields directly related to the functioning of the Customs Union, bring its

legislation into line with Community legislation as far as possible (Association Council Decision No. 1/95, 1995, Art. 54). Article 55 of the Decision, in turn, establishes the direction of alignment unilaterally; it provides for Türkiye to be consulted when the Commission prepares new legislation, but defines no flow of norm-production in the reverse direction. This is the legal language not of equal partnership but of controlled alignment. The core-periphery hierarchy here is not a purely economic description but a positioning institutionalized through the written norm. One of the important contributions of the world-systems approach is its demonstration that economic dependency does not arise spontaneously but is produced through institutional structure, trade law, and financial regulation (Wallerstein, 2004; Van der Pijl, 2006). Within this framework, Türkiye's position may be read as a hybrid position that approaches the *semi-periphery* category in the literature yet, with its developed production infrastructure, strains the boundaries of that category (O'Brien & Williams, 2020; Ravenhill, 2020).

Türkiye's inclusion in so deep an integration without full membership having been realized is a historical point of rupture that reinforces the core-periphery structure. As a general rule, deep economic integration is balanced by joint participation in decision-making processes; member states are not merely the appliers of the common norm but at the same time its producers. Türkiye, however, despite having assumed a significant portion of the obligations, is not represented in the principal decision-making structures such as the Council of the European Union, the European Commission, the European Parliament, and the Court of Justice of the European Union. This circumstance was initially regarded as a provisional stage; for Article 28 of the Ankara Agreement had expressly envisaged the prospect of full membership (Ankara Agreement, 1963, Art. 28). Yet as time advanced, the intermediate status was transformed into a permanent institutional form (Müftüler-Baç, 1997; Aydın & Açıkmeşe, 2020). The deadlock experienced in the full-membership negotiations from the mid-2000s onward turned the Customs Union from a provisional step into a de facto final framework. This transformation produced not merely a political tension; it opened a marked distance between legal expectation and de facto status. Türkiye drew closer to the Union's industrial norms but could not benefit from the structural funds, the agricultural-support mechanisms, and the decision-making partnership that membership would bring. For this reason the present debate cannot be sustained merely on the basis of export data; it is at the same time a debate on legitimacy and institutional equality. This process of entrenchment reflects the dynamic explained in the institutional-economics literature through the concept of *path dependency*; an arrangement that initially appeared provisional has, over time, by producing its own bureaucratic supports, become a structure difficult to alter (North, 1990; Hall & Soskice, 2001). Moreover, Türkiye's legitimacy problem is not solely external; the change over time in domestic public opinion's perception of the Union has rendered the political acceptance of the Customs Union uncertain as well and has heightened the normative pressure upon the institutional structure (Çalış, 2016; Eralp, 2009).

The Green Deal, the Carbon Border Adjustment Mechanism, the digital-market regulations, and the data-governance standards that have entered the European Union's agenda in recent years are carrying the Customs Union into a new stage unforeseen at its establishment. The language of trade is now determined not only by tariff rates but also by the carbon footprint, emission reporting, sustainable supply chains, digital-service rules, and the personal-data regime (Baldwin,

2016; Akçay, 2023). As the Union sets new norms in these fields, Türkiye is compelled to align rapidly with these norms in order to sustain its exports. The steel, cement, aluminium, fertilizer, and energy-intensive industrial sectors are, in particular, under the direct pressure of the Carbon Border Adjustment Mechanism. This alignment requires high-cost investments, and a significant portion of the cost is borne by the peripheral country. The picture that emerges is a deeper form of dependency than the classical customs tariffs: economic pressure is now established not through the duty but through the standard. The same structure becomes visible in the field of the digital economy as well; Türkiye is compelled to confront the obligation to align with the Union's data-protection regime and digital-market regulations. These new layers carry the Customs Union far beyond the industrial-goods order of 1995 and place it at the centre of the geo-economic competitive environment of the twenty-first century. The critical feature of these layers is that they shift economic pressure from the visible customs duty to the invisible technical norm; the core actor thereby legitimizes its regulatory power over the peripheral actors by situating its trade policy within a moral framework (Stiglitz, 2006; Gallagher, 2005). Unless Türkiye can become an actor that not only aligns with this order but, where necessary, proposes alternative policy frameworks, the dynamic of asymmetric integration will be reproduced in the green and digital fields as well (Mazzucato, 2021; Kutlay, 2021).

The existing literature has, on the whole, addressed the Türkiye–EU Customs Union along two separate lines. The first line has proceeded from numerical indicators such as export performance, inflows of foreign investment, industrial competition, and market integration, and has generally evaluated the Customs Union as a positive instrument that facilitates access to the European market and enhances the quality of industry (Karluk, 2014; Boratav, 2015). The second line, by contrast, has dwelt on political dependency, the deficit of legal representation, and the asymmetry of decision-making; it has assumed a more forceful character, particularly after the 2010s, together with the debates on modernization (Aydın-Düzgüt & Tocci, 2015; Tocci, 2011). Yet these two lines have, for the most part, proceeded like two parallel lanes and have not intersected sufficiently with one another. In reality the true effect of the Customs Union becomes apparent precisely at the point where these two lanes intersect. Legal harmonization shapes economic dependency, and economic dependency in turn shapes technological capacity and state capacity. For this reason there is a need for an analytical framework capable of addressing export volume together with legal asymmetry, and industrial growth together with the narrowing of policy space. The contribution of this study to the gap in the literature becomes clear precisely here: Decision No. 1/95 is treated not merely as a historical trade text but as a living institutional document read on the common map of the concepts of economic sovereignty, technological autonomy, and the core–periphery hierarchy. This approach binds within a common analytical language the debates on economic performance and on legal-political asymmetry, which in the literature on Türkiye–EU relations frequently diverge; it thereby transcends the division of the two lanes and offers an integrated analysis (Akçay, 2023; Kutlay, 2021). This methodological choice sheds light not only on the case of Türkiye; it also provides a conceptual framework that can be generalized to the other instances of asymmetric integration in global political economy (Smith, 2015; Damro, Gstöhl & Schunz, 2018).

The method of the study, as required by this analytical framework, rests upon a qualitative research design. The design of the research is

a document-analysis design that combines the close reading of primary legal texts with a historical-institutionalist interpretation. The principal data sources are three legal instruments and the academic literature surrounding them. The primary documents are the Ankara Agreement of 12 September 1963, the Additional Protocol of 23 November 1970, and Association Council Decision No. 1/95, which entered into force on 1 January 1996. Although the principal object of analysis of the study is Decision No. 1/95, the meaning of this text remains incomplete unless it is read together with the Ankara Agreement and the Additional Protocol; indeed, Article 1 of the Decision likewise underscores this legal continuity. Among the secondary data sources are the official statements of the Ministry of Foreign Affairs of the Republic of Türkiye concerning the Customs Union, together with the principal academic literature in the field. This material has been subjected to content analysis from a legal-political-economy perspective. The term legal-political economy here denotes the following: the provisions in the legal text are evaluated not only in respect of their letter but also in respect of their effects upon the structure of production, industrial policy, foreign-trade strategy, and decision-making capacity. While the study does not entirely exclude numerical foreign-trade data, it foregrounds the legal-institutional structure as its principal explanatory basis. For the central question of this article is not "By how much did exports increase?" but "Within which institutional conditions did this increase occur, and which policy space did it leave to Türkiye?" (Yin, 2018; Hall & Taylor, 1996; Acemoğlu & Robinson, 2012). This methodological choice ensures that the findings acquire not merely a descriptive but at the same time an explanatory character, and it safeguards the principle of methodological transparency expected of high-level academic work (Creswell, 2014; Yin, 2018).

The debate on the updating of the Customs Union, in turn, lends a particular urgency to this entire framework. There is a marked consensus, among both the academic literature and political decision-makers, that the existing structure was designed under the conditions of the 1990s, whereas the trade of today extends far beyond industrial goods. The exclusion of the fields of services, public procurement, agricultural products, and the digital economy from the existing system has constrained the Customs Union's capacity to respond to current needs. In addition, the asymmetry arising from the new-generation free-trade agreements the Union concludes with third countries, the visa problem, the deficit of representation in the decision-making mechanisms, and the carbon-digital regulations that have recently come into effect likewise render visible the inadequacy of the existing structure (Aydın-Düzgüt & Tocci, 2015; Akman, 2021; Akçay, 2023). In this picture the critical question is the following: will the updating be merely an expansion of scope, or will institutional reforms that mitigate the asymmetry of decision-making also be placed on the agenda? If the modernization is confined to the mere addition of new obligations and the problem of representation is not resolved, asymmetric integration may deepen further. Conversely, if the updating is designed along the axis of institutional equality and decision-making partnership, the Customs Union may evolve into a reform in the true sense. This study, then, removes the debate on updating from the realm of a technical revision and reframes it along the axes of economic sovereignty, technological autonomy, and institutional balance. The dilemma here is a Turkish adaptation of the *deepening versus rebalancing* debate in the contemporary integration literature; for to expand the scope and to re-establish the balance of decision-making express two different logics of reform

(Schimmelfennig, 2021; Tocci, 2011). For this reason the key variable that will carry the modernization debate toward success is the quality of institutional representation, the right of access to decision-making processes, and the manner in which the cost of alignment is shared (Aydın-Düzgüt & Tocci, 2015; Karluk, 2014).

To evaluate the consequences of the Customs Union, recourse must be had not only to foreign-trade figures but also to the concept of *state capacity*. State capacity is, beyond the power to collect taxes or provide public services, the ability to construct a long-term industrial strategy, to steer investment in critical fields, to safeguard economic security in periods of crisis, and to shape technological production in accordance with strategic priorities (Evans, 1995; Weiss, 2014; Acemoğlu & Robinson, 2012). If the foreign-trade regime, technical standards, competition law, and state aid are largely determined by external norms, the room for manoeuvre of state capacity inevitably narrows. Although this narrowing may not be easily perceived under normal conditions, it becomes markedly visible in periods of global crisis. The pandemic process, the energy crisis, the ruptures of supply chains, and the semiconductor bottleneck have concretely demonstrated why the ability to act independently in strategic sectors is vital. During the same period, a significant portion of the developed economies returned to the instruments of industrial policy that had been regarded as abandoned; they expanded state supports, public-procurement preferences, and strategic investment programmes (Mazzucato, 2021; Rodrik, 2011). In such a period, Türkiye's reconsideration of its position within the Customs Union has become not merely a matter of preference but an obligatory matter of analysis for sustaining its development capacity. The contemporary contribution of the state-capacity approach is that it explains economic success not solely through market dynamics but through the quality of state-market coordination; when this coordination weakens, even economic growth may not generate development capacity (Evans, 1995; Weiss, 2014). For Türkiye, this framework makes it imperative to address the Customs Union not as a cost-benefit calculation but together with the long-term capacity map of development governance (Kazgan, 2015; Kutlay, 2021).

Perhaps the most silent form of legal dependency is the reflex of alignment that, over time, turns into an institutional habit. Many arrangements that were initially regarded as a provisional process of approximation have, over the years, evolved into the bureaucracy's natural mode of administration. Today, when legislation is prepared in many sectors in Türkiye, the first point of reference consulted is the norms of the European Union; while this circumstance produces, in certain fields, quality and predictability, it also carries the risk of weakening the reflex of developing independent policy in accordance with domestic needs. Particularly in such fields as technology policy, data governance, the design of the green transition, and advanced-industry planning, mere alignment with external norms does not suffice; in these fields a capacity for interpretation, adaptation, and, where necessary, differentiation that heeds the country's own ordering of priorities is required (North, 1990; Hall & Soskice, 2001; Acemoğlu & Robinson, 2012). When successful development processes are examined, the conclusion that emerges is this: countries have, for the most part, risen not by accepting existing rules as they are but by interpreting and reframing them according to their own conditions. For Türkiye, too, the issue is not to oppose the Union's norms but to establish a functioning balance between these norms and national development objectives. When this balance is neglected, alignment turns into a one-directional reflex and legal dependency deepens. At

this point the concepts of *institutional memory* and *resilience* assume a determinative role; for a bureaucracy shaped by constant alignment with external norms may, over time, lose its own capacity for interpretation and differentiation (North, 1990; Hall & Soskice, 2001). For this reason, a sustainable evaluation of the Customs Union depends not only on rates of alignment but also on Türkiye's ability to interpret its policy space independently and, where necessary, to reframe it (Acemoğlu & Robinson, 2012; Mazzucato, 2013).

The research questions of the study form a line that unites the picture discussed up to this point. The principal question is: through which legal and institutional mechanisms does the Türkiye-EU Customs Union constrain Türkiye's economic sovereignty, its technological autonomy, and its industrial-policy capacity? The subsidiary questions supporting it are, in order, as follows: which articles of Decision No. 1/95 bind Türkiye's foreign-trade policy to the Union regime; what kind of structural asymmetry is produced by the exclusion of agricultural products from the system and the opening of industry to full liberalization; in which directions do technical-legislation harmonization, competition law, and the state-aid regime constrain domestic industrial policies; and, finally, in what kind of permanent intermediate status does this structure, established without full membership being realized, place Türkiye? The common logic of these questions is the following: the Customs Union cannot be evaluated merely in terms of foreign-trade volume. For an increase in exports does not alone amount to development; the crux of the matter is the institutional conditions within which this increase occurred and the policy space it left to Türkiye. If the structure of production remains externally dependent, the production of technology is constrained, and decision-making capacity narrows, then numerical growth does not generate long-term independence. For this reason the study seeks its criterion of success not in short-term trade gains but in the construction of strategic capacity. This approach rereads, in a contemporary context, the classical distinction between economic growth and development; it makes it imperative that numerical indicators be evaluated together with qualitative measures of capacity (Stiglitz, 2006; Reinert, 2007). The study thereby carries the Türkiye-EU Customs Union from the question "How much did we gain?" to the question "Which capacity were we able to build?" and, in so doing, also repositions the very centre of the evaluation of development.

The principal hypothesis that answers the questions is a proposition that considers institutional asymmetry and economic dependency together. According to this hypothesis, while integrating Türkiye into the Union market, the Türkiye-EU Customs Union has simultaneously produced an asymmetric legal-institutional regime of dependency that narrows Türkiye's foreign-trade sovereignty, its industrial-policy space, and its high-technology production capacity. The subsidiary hypotheses supporting this proposition may be summarized as follows. According to the first subsidiary hypothesis, the alignment with the Common Customs Tariff and the preferential trade regime, achieved by way of Articles 12, 13, and 16 of Decision No. 1/95, has markedly weakened Türkiye's independent foreign-trade-policy capacity; indeed, Article 14 of the Decision locks this attachment unilaterally by providing that the Customs Union Joint Committee may not grant Türkiye the power to apply, for any product, a tariff lower than the Common Customs Tariff (Association Council Decision No. 1/95, 1995, Art. 14). According to the second subsidiary hypothesis, the technical-legislation and legal harmonization laid down in Articles 8 and 54 of the Decision has placed Türkiye in the position of norm-applier rather than norm-producer. According to the third subsidiary

hypothesis, the competition and state-aid regime regulated in Articles 32 to 39 has narrowed the legal room for manoeuvre confronting selective industrial policies grounded in high technology. According to the fourth subsidiary hypothesis, the institutional structure defined in Articles 52 to 60 has produced a regime of obligation without representation, requiring the maintenance of deep alignment in the absence of full membership, and has given rise to a persistent legitimacy deficit. When these hypotheses are evaluated together, it is seen that the Customs Union is not merely an economic arrangement but at the same time an institutional architecture that shapes structural relations of power. This structure corresponds directly to the debates on asymmetric dependency and structural power in contemporary political economy (Strange, 1996; Farrell & Newman, 2023). The nexus between the principal hypothesis and the subsidiary hypotheses will require, in the findings section, that each hypothesis be tested separately on the basis of the relevant article and data set; the claims of the study will thereby be supported by a systematic chain of evidence.

The conceptual framework to be employed throughout the study rests upon three fundamental concepts that will test these hypotheses, together with a theoretical context enveloping them. Asymmetric integration denotes the form of integration in which obligation and the power of decision are not distributed equally; economic sovereignty denotes the state's capacity to determine its own policy instruments in accordance with its development objectives; and technological autonomy denotes the ability to develop, govern, and strategically steer critical technologies. When these three concepts are enveloped by the core-periphery-hierarchy thesis of the world-systems approach, they form an analytical quadrangle capable of explaining both the letter of the legal text and the relations of power in practice. The subsequent sections of the study will be constructed by proceeding from the corners of this quadrangle. The second section addresses, through a thematic reading, the literature on the political economy and legal integration of Türkiye-EU relations; the third section deepens the conceptual framework along the axes of economic sovereignty, technological autonomy, and the core-periphery hierarchy. The fourth section presents the method of the research, the fifth the findings, the sixth the discussion, and the seventh the conclusion and recommendations. This structure aims, on the one hand, to combine the close reading of the legal text with the political-economy approach and, on the other, to lay the ground for practical policy recommendations concerning the future of the Customs Union. Another important function of this quadrangle is to raise the article from a purely Türkiye-focused context to the level of a conceptual contribution to the literature on asymmetric integration; for each concept offers an analytical structure that can be tested in other contexts as well (Wallerstein, 2004; Reinert, 2007). Moreover, this structure, by building a bridge among the disciplines of legal science, political economy, and international relations, lends the study an interdisciplinary depth and safeguards the interdisciplinary impact expected of high-level scholarly work.

The discussion set out up to this point may be gathered around the central question of the study: through which legal and institutional mechanisms does the Türkiye-EU Customs Union constrain Türkiye's economic sovereignty, its technological autonomy, and its industrial-policy capacity? The answer given to this question and to the four subsidiary questions supporting it renders the contributions expected of the study apparent on three planes. The first is to reassess the Customs Union not merely through export performance or market

access but along the axes of economic sovereignty and legal-institutional dependency. The second is to bring together within a common framework the political-economy debate and the legal-institutional analysis, which in the Turkish literature frequently proceed along separate channels, and thereby to render functional, on a single analytical map, the concepts of economic sovereignty, technological autonomy, and the core-periphery hierarchy. The third is to reframe Association Council Decision No. 1/95 not as a historical trade text of 1995 but as a living institutional document read within the debates on the Green Deal, the Carbon Border Adjustment Mechanism, the digital-market regulations, and strategic autonomy. These three contributions also provide a more solid theoretical foundation for the debate on the updating of the Customs Union; for true reform is possible not merely by expanding the scope but by addressing together the deficit of representation, the asymmetry of decision-making, and the narrowing of policy space. From Türkiye's standpoint, the issue is not whether or not to integrate with Europe; the issue is under which conditions and within which institutional balance integration is to take place. For this reason the debate on the Customs Union is, in essence, a debate on a model of development, on state capacity, and on a conception of sovereignty. The study, then, by proposing that Türkiye-EU relations be read beyond trade figures, through structural relations of power, aims to offer both a theoretical renewal to the academic literature and, to practitioners, the ground for a multilayered policy set.

2. Literature Review

The scholarship produced on the Customs Union between Türkiye and the European Union is not a straight river flowing in a single direction from beginning to end. Over a span exceeding sixty years, this body of work has shifted its course several times, deepened the questions it poses, and renewed the conceptual apparatus at its disposal. First-generation studies were oriented primarily toward measuring the growth in trade volume, export performance, the inflow of foreign capital, and competitive pressure within industry; they conceived of the Customs Union as the economic stepping-stone toward the horizon of full membership delineated in Article 28 of the Ankara Agreement (Müftüler-Baç, 1997; Karluk, 2014). In time the lens shifted, and structural themes came to the fore: the deficit of representation at the decision-making table, the imbalance embedded in free trade agreements concluded with third countries, the unidirectional transposition of technical rules, and the exclusion of agriculture from the scope of the regime (Aydın-Düzgüt & Tocci, 2015; Öniş & Kutlay, 2020; Akman, 2021). Over the past decade the debate has once again been renewed, with technological autonomy, digital sovereignty, the obligations of the green transition, and the capacity for industrial policy becoming the field's new axes (Mazzucato, 2021; Farrell & Newman, 2023; Akçay, 2023). These three generations have not supplanted one another; rather, overlapping one upon the next, they have woven the multilayered fabric of today's debate. This section aims to bring these three layers together through a critical lens, to lay bare the tensions among them, and to delineate with precision the study's distinctive terrain, which rests upon the axis of asymmetric integration and legal-institutional dependency.

The first-generation literature read the Customs Union largely as "a natural waystation on a long march toward Europe." The legal foundation for this reading is quite clear. As early as 1963, Article 2(2) of the Ankara Agreement set out the objective of "the progressive establishment of a customs union" (Ankara Agreement, 1963, Art. 2/2); Article 28 of the same instrument likewise provided that, once

the obligations could be assumed in their entirety, the parties would examine "the possibility of Türkiye's accession to the Community" (Ankara Agreement, 1963, Art. 28). Müftüler-Baç (1997) appraised this process not merely as an economic preference but as a political declaration of belonging, interwoven with the Republic's vision of modernization. Karluk (2014) regarded the Customs Union as a legal threshold in Türkiye's European integration that would be difficult to reverse; Togan (2012), for his part, argued that it heightened industrial discipline, raised product quality, and expanded exporting capacity. Eralp (2009) and Çalış (2016), drawing attention to the continuity of Türkiye's European orientation, accepted the Customs Union as the institutional correlate of that continuity. This approach interprets the "preparatory–transitional–final" schema as a step-by-step line of progressive success. Nevertheless, the entry into force of Decision No. 1/95 before full membership had materialized, and the *de facto* freezing of the membership horizon in the 2000s, unsettled this optimistic framework; the question of whether the Customs Union is a temporary bridge or a permanent way-station became the most critical turning point in the literature (Schimmelfennig, 2021; Tocci, 2011).

At this turning point, the concept that came to occupy the center of gravity of the literature was asymmetric integration. With this conceptual transformation, the question being asked also changed: the issue was no longer "how much trade was conducted" but rather "by whom, and within what relationship of representation, the rules of this trade are determined." Asymmetric integration denotes a form of integration in which, although the parties are bound to the same legal order, they do not participate equally in the formation of that order (Hooghe & Marks, 2001; Börzel & Risse, 2012; Schimmelfennig, 2021). The Türkiye–EU relationship is among the most conspicuous examples of this definition. Article 12 of Decision No. 1/95 obliges Türkiye, in its relations with third countries, to bring into force provisions "substantially similar" to the Community's commercial policy (Association Council Decision No. 1/95, 1995, Art. 12). Schimmelfennig (2021) termed this situation "Europeanization without membership," in which norm-production occurs at the center while norm-compliance takes place at the periphery. Öniş and Kutlay (2020) and Aydın-Düzgüt (2023) emphasize that this legal architecture is not merely a technique of trade but signifies a structural circumscription of sovereignty over foreign trade. Thus the second-generation literature replaced the first generation's portrait of voluntary cooperation with a tableau of institutionalization that is imbalanced in terms of the distribution of authority.

The literature on legal-institutional dependency, a direct extension of asymmetric integration, carries the debate toward the question of the direction of the norm. The fundamental thesis here is the following: if a state is continually compelled to comply with the norms of another legal order yet possesses no equal voice in the making of those norms, what emerges is not a technical alignment but a structural dependency that, over time, hardens into institutional habit (North, 1990; Hall & Soskice, 2001). The legal imprint of this dependency is visible in the core provisions of Decision No. 1/95. Article 8 of the Decision lays down, as a unilateral obligation, that Türkiye is to "incorporate into its internal legal order the Community instruments" relating to the removal of technical barriers (Association Council Decision No. 1/95, 1995, Art. 8). Article 54, in turn, provides that in fields directly related to the functioning of the Customs Union, Turkish legislation shall be harmonized with Community legislation "as far as possible" (Association Council Decision No. 1/95, 1995, Art. 54). The striking point is that the flow has been designed to be unidirectional; the text

contains no obligation of alignment in the reverse direction. Strange (1998) reads this as the perpetuation of "structural power" by the hand of law; Wallerstein (2004) and Hooghe and Marks (2001), meanwhile, regard it as a contemporary form of classical relations of dependency. Among Turkish jurists, Akçay and Göçmen (2016) and Bozkurt, Özcan, and Köktaş (2018) demonstrate that this unidirectional alignment has, over time, become an administrative reflex, and that consulting the European norm first when drafting legislation has turned into a habit. This entire picture corresponds precisely to the concept of path dependency in institutional economics.

Relations with third countries and free trade agreements constitute the most concrete basis of the literature on asymmetry. Article 16 of Decision No. 1/95 obliges Türkiye, within five years, to achieve "progressive alignment with the Community's preferential customs regime," specifying that this alignment encompasses "both autonomous regimes and preferential agreements with third countries" (Association Council Decision No. 1/95, 1995, Art. 16). The practical consequence of this provision is clear: when the European Union signs a free trade agreement with a country, that country's goods enter the Turkish market duty-free by way of the Union, whereas the same country does not open the same door to Turkish goods unless it concludes a separate agreement. Aydın-Düzgüt and Tocci (2015), Akman (2021), and Tocci (2011) established this inequality in the literature as the free trade agreement asymmetry, documenting its cumulative effect on exporting sectors through the examples of Mexico, South Africa, and Algeria. Öniş and Kutlay (2020), for their part, hold that the problem transcends isolated instances and, together with the Union's rapidly expanding trade network in recent years, has acquired a structural character. Eralp (2009) and Aydın and Açıkmış (2020) add that this is not merely a trade problem but a constraint that also limits Türkiye's capacity for economic diplomacy. The common inference running through this vein of the literature is the following: asymmetry operates not only at the decision-making table but also directly within the sphere of external economic maneuver.

The exclusion of agricultural products from the scope of the regime is the second principal axis of the literature on scope asymmetry. Article 2 of Decision No. 1/95 explicitly states that its provisions shall apply "to products other than the agricultural products defined in Article 11 of the Association Agreement" (Association Council Decision No. 1/95, 1995, Art. 2). Article 11 of the Ankara Agreement, in turn, brings agriculture within the scope of the association only "in accordance with special arrangements" (Ankara Agreement, 1963, Art. 11). The political-economic significance of this arrangement is as follows: while traditional agricultural production, in which Türkiye is comparatively strong, is deprived of full liberalization, industrial production, in which Europe is strong, has gained full access to the Turkish market. Keyder (2014) and Pamuk (2018) regard this selective liberalization as the contemporary extension of Türkiye's historical placement within a particular international division of labor. Akman (2021) draws attention to the fact that, in processed agricultural products, the separation of the agricultural component from the industrial component—with only the industrial component being subject to exemption—reproduces the same selective logic within the product itself. Reinert (2007) and Chang (2002), meanwhile, appraise such choices of scope as a contemporary manifestation of the classical logic of "kicking away the ladder," which impedes the non-agricultural modernization of the peripheral country. In short, for this literature, the very scope of the Customs Union is in itself a marker of asymmetric integration.

As the critical literature gained force, a picture that entirely disregards the gains of the Customs Union did not emerge either; the field's mature works have inclined toward thinking the gains and the dependency together. Togan (2012) and Karluk (2014) document that the Union established a quality threshold in Turkish industry, pushed exporters toward more disciplined production, and facilitated access to the European market. That integration into European production networks in the automotive, white goods, textile, machinery, and intermediate-goods sectors expanded industrial capacity is a finding supported by data as well. By contrast, Rodrik (2011) and Öniş and Kutlay (2020) dwell on the nature of the gain, recalling that an increase in production volume does not always translate into high-value-added development, and that a country may remain externally dependent in design, patents, software, and branding even while producing a great deal. Gereffi (2018) and Baldwin (2016) conceptualize this through the global value chain approach: a country's place in development is determined not by how much it produces but by which link of the chain it occupies. Mazzucato (2013, 2021) and Kutlay (2021) likewise hold that high value-added accumulates in design, branding, and software, while assembly and intermediate production leave behind more limited income. Thus, in the literature, a simple "cost-benefit" accounting has given way to a multilayered perspective that asks together which sector, which link, which level of technology, and which decision-making authority is at stake. The present study takes its place along this same mature line: without denying the gains, it traces, through the text of the law, the institutional costs at which they were obtained.

The literature that has developed on technical regulatory alignment has, over the past fifteen years, been the most rapidly transforming vein of the debate. Whereas classical trade economics long treated the customs tariff as the dominant variable, the contemporary literature of international political economy demonstrates that real power is now concentrated in the authority to set standards (Baldwin, 2016; Farrell & Newman, 2023). The legal correlate of this is the five-year alignment timetable in Article 8 of Decision No. 1/95; Article 9 gives concrete form to alignment in the fields of standardization, accreditation, and quality, while Article 11 stipulates that conformity-assessment results obtained in Türkiye shall be accepted only on the condition that they are "in conformity with the conditions in force in the Community" (Association Council Decision No. 1/95, 1995, Arts. 8, 9, 11). Mazzucato (2021, 2022) argues that this architecture not only raises the quality threshold but also indirectly determines the direction and priorities of technology production; for which test is deemed valid and which certificate is treated as a condition of market entry govern the production model itself. The carbon border adjustment mechanism and the digital market rules developed by the European Union within the framework of the Green Deal demonstrate that this standard-setting capacity extends far beyond the classical tariff (European Commission, 2023; Akçay, 2023). The principal significance of this vein lies in its having brought the domain of technical regulation—a domain frequently overlooked precisely because it is invisible—onto the agenda of political-economic debate.

The literature on competition law and state aid carries the debate on asymmetry into a more delicate domain: that of developmental capacity. Article 32 of Decision No. 1/95 prohibits agreements that distort competition, Article 33 prohibits the abuse of a dominant position, and Article 34 prohibits state aid, through regulations parallel to the relevant provisions of the Treaty establishing the European Community; Article 35, in turn, specifies that infringing practices shall be assessed "on the basis of criteria arising from the application of the

rules ... set out in Articles 85, 86, and 92 of the Treaty establishing the Community" (Association Council Decision No. 1/95, 1995, Arts. 32–35). Article 39 imposes a more definite obligation, requiring Türkiye to ensure that its competition legislation is "made compatible with that of the European Community and effectively applied" (Association Council Decision No. 1/95, 1995, Art. 39). The tradition of economic liberalism regards these provisions as a guarantee of market efficiency. The tradition of development economics, by contrast, recalls that today's advanced economies, while industrializing, made intensive use of selective incentives, public procurement, temporary protection, and directive state aid (List, 1841/1909; Chang, 2002; Reinert, 2007; Mazzucato, 2013). The sharpest expression of this contradiction is Chang's (2002) "kicking away the ladder" thesis; the legal foreclosure for the periphery of instruments that were freely employed at the center in the past gives rise to an unequal policy space. Rodrik (2011), Weiss (2014), and Kutlay (2021) regard the deprivation of peripheral countries of the very same instrument—at a time when the European Union is reactivating its own state supports in semiconductors, batteries, and green industry—as the most manifest example of this asymmetry.

Studies on institutional architecture lay bare the dimension of political representation within the asymmetry. Article 52 of Decision No. 1/95 establishes the Customs Union Joint Committee and confers upon it the powers of "exchanging information and views," "making recommendations" to the Association Council, and "delivering opinions with a view to ensuring the proper functioning" of the Customs Union (Association Council Decision No. 1/95, 1995, Art. 52). This organ, however, is not a body that produces decisions but one that consults and ensures coordination. Article 55 provides that the Commission shall consult Turkish experts "on an informal basis" when preparing new legislation; Article 59, in turn, provides that Turkish experts shall participate in the relevant committees "as far as possible" (Association Council Decision No. 1/95, 1995, Arts. 55, 59). Hooghe and Marks (2001) and Schimmelfennig (2021) explain this structure through the distinction between rule-taker and rule-maker: the norm is produced within the triad of the Council, the Commission, and the Parliament, while Türkiye occupies the position of the recipient of the produced norm. Slaughter (2004), Börzel and Risse (2012), and Tocci (2011) make sense of the same equation through the concept of "obligation without representation." Karluk (2014) and Aydın and Açıkmeşe (2020) emphasize that this chasm between the depth of economic attachment and the shallowness of political representation is not merely a diplomatic but a democratic matter. Thus the deficit of institutional representation ceases to render the contraction of economic sovereignty a purely technical question and binds it instead to a problem of legitimacy.

Entry into deep economic integration before the realization of full membership is examined in the literature, in an increasingly systematic manner, under the heading of "Europeanization without membership." The legal ground of this discussion is Article 28 of the Ankara Agreement; by providing that the parties would examine Türkiye's accession once the obligations could be assumed in their entirety, the article positioned the Customs Union as the final stone on the road leading to full membership (Ankara Agreement, 1963, Art. 28). Müftüler-Baç (1997), Çalış (2016), and Eralp (2009) read this design together with the construction of Türkiye's European identity. After the 2000s, however, with the freezing of the membership horizon, the tone of the literature changed. Schimmelfennig (2021), Tocci (2011), and Aydın-Düzgit (2023) demonstrate that the interim status, initially

deemed temporary, has over time turned into a permanent institutional form. The correlate of this is the concept of path dependency in institutional economics; a regulation that appears temporary at the outset, by producing its own bureaucratic underpinnings, evolves into a structure that is difficult to alter (North, 1990; Pierson, 2004; Hall & Soskice, 2001). Karluk (2014) and Aydın and Açıkmeşe (2020) note that this entrenchment is not merely an external constraint, and that the internal bureaucratic order has likewise, over time, been shaped according to this structure. Thus the interim status has ceased to be a temporary legal form and has turned into a habit that narrows Türkiye's bargaining power.

The global value chain approach has, over the past decade, lent the literature a powerful lens. The fundamental proposition of this approach is that a country's position in development is determined not by how much it produces but by which link of the chain it occupies (Gereffi, 2018; Baldwin, 2016). Design, branding, software, patents, and certification are defined as the links in which high value-added accumulates, while assembly, intermediate production, and low-margin manufacturing are positioned as the links that leave behind limited income. That Türkiye, in the aftermath of the Customs Union, became integrated into European chains—particularly in the automotive supplier industry, white goods, electronic assembly, and machinery production—has been documented by an extensive literature (Togan, 2012; Karluk, 2014). Öniş and Kutlay (2020), Rodrik (2011), and Kutlay (2021), however, demonstrate that this integration has clustered for the most part in the middle and lower links, with control over critical components, licenses, and brands remaining with external actors. This situation is discussed in the literature through the concepts of "an economy that produces but does not direct" and "dependent industrialization"; Cox's (1987) analysis of structural power likewise lends intellectual depth to the framework. Mazzucato (2013, 2021) adds that ascent to the higher links is not a spontaneous market outcome but requires the state's investor and directive capacity. The distinction introduced by this approach is clear: a numerical increase in export volume does not in itself signify a qualitative transformation.

The literature on financial dependency and the current account deficit constitutes the dimension of the debate that is most often neglected yet whose consequences are the most severe. Strange (1996, 1998) argued that one of the fundamental forms of power in international political economy is control over the financial structure; this framework has been treated with historical depth in the Türkiye literature by Pamuk (2014). Pamuk demonstrates that, in Türkiye's long-run economic history, the need for external financing has frequently constrained the development model. With respect to the Customs Union in particular, the matter appears as follows: because the exporting industry remains structurally dependent on intermediate goods, advanced machinery, and critical components, as production increases so too does the need for imports; this, in turn, renders the current account deficit chronic (Rodrik, 2011; Öniş & Kutlay, 2020). Akçay (2023) holds that this is not merely a problem of trade balance but exerts a continual pressure upon the state's capacity for macroeconomic decision-making; an economy perpetually in need of external financing is compelled to shape its decisions—across a wide range extending from interest-rate preferences to investment priorities—in accordance with external expectations. Weiss (2014) reads this as the financial layer of contemporary structural dependency; Stiglitz (2002, 2006), for his part, has long documented how the global financial order narrows the policy space of developing countries. The perspective contributed by these

studies lies in rendering visible the link between the trade regime and the financial regime; for independence in foreign trade and independence in finance operate inseparably from one another.

The framework that carries the heaviest political weight in the literature—but that demands the greatest care—is the debate over the "modern capitulation." Studies that employ this concept do not identify the Customs Union point-for-point with the Ottoman capitulations; rather, they discuss the structural resemblance between the two orders with respect to the contraction of economic sovereignty. Under the Ottoman capitulations, overt privileges were granted to foreign actors and the state's economic control was eroded; under the Customs Union, by contrast, there is no direct grant of privilege, yet Türkiye's room for maneuver in foreign trade policy and technical standards has been markedly narrowed. One of the striking legal foundations of this narrowing is Article 14 of Decision No. 1/95; the article states that the Joint Committee may "in no case empower Türkiye to apply, for any product, a customs tariff lower than the Common Customs Tariff" (Association Council Decision No. 1/95, 1995, Art. 14). Chang (2002), Strange (1998), and Reinert (2007) regard such provisions as contemporary and more refined forms of classical dependency. At the same time, there is broad consensus in the literature that this concept must be used with caution; treating every trade agreement as a capitulation weakens the analysis (Akman, 2021; Aydın-Düzgit, 2023). For this reason, mature works treat the term not as a slogan but as a critical instrument for naming a structural asymmetry; the force of the concept lies not in its asserting that history is repeating itself, but in its prompting us to think together the forms of sovereignty's contraction as they have changed across the centuries.

The Green Deal and the carbon border adjustment mechanism have carried the literature onto a far broader geoeconomic plane than the 1995 framework of industrial goods. The European Union's roadmap positions climate policy not merely as an instrument of the internal market order but as one of the foreign trade regime as well (European Commission, 2023). Baldwin (2016, 2019) terms this process the "third unbundling" of trade; for what is now conveyed is no longer goods alone but, at the same time, standards, certificates, emissions reports, and data flows. Akçay (2023) reads this new structure, from Türkiye's standpoint, as a regulatory asymmetry; while the European Union sets the rule to a large extent, the peripheral actor bears a significant portion of the cost of compliance. Mazzucato (2021, 2022) and Farrell and Newman (2023) go a step further, holding that, as access to the network appreciates in value, there arises a form of power whereby the actor that sets the rules of the network is, to that same degree, situated at the center. Aydın-Düzgit (2023) notes that this structure generates a twofold pressure for Türkiye: on the one hand, the imperative of rapidly aligning with new standards in order to sustain market access; on the other, the bargaining deficit created by the absence of an equal voice in the making of those standards. Stiglitz's (2006) early warning retains its currency; the asymmetric rules of globalization frequently narrow the policy space of peripheral countries not by means of market power but through a normative framework. Thus the debate has passed into a phase in which economic pressure shifts from the visible tariff to the invisible technical norm.

The literature on the modernization debate reflects a strong consensus that the existing structure can no longer be explained by the conditions of the 1990s. Aydın-Düzgit and Tocci (2015), Akman (2021), and Tocci (2011) hold that expanding the scope alone will not suffice; that the decision-making mechanisms, the asymmetry within free trade

agreements, the visa problem, and the deficit of representation must also be placed at the heart of the modernization. These calls may be read as a Turkish adaptation of the debate within integration theory over "deepening or rebalancing" (Schimmelfennig, 2021). The dilemma emphasized here is clear: expanding the scope and reconstituting the balance of decision-making are two distinct logics of reform. If the modernization is reduced to a technical correction that merely appends new obligations, the asymmetry does not disappear but deepens, migrating into new domains. If, by contrast, the modernization is designed along the axis of institutional equality and decision-making partnership, the structure may evolve into a genuine reform. Karluk (2014) and Aydın and Açıkmeşe (2020) emphasize that the key to success lies in the quality of institutional representation, the right of access to decision-making processes, and the sharing of the cost of compliance. As recalled, too, in the statement of the Ministry of Foreign Affairs of the Republic of Türkiye (2024), the existing Customs Union is founded essentially upon industrial products and processed agricultural products; the incorporation of fields such as services, public procurement, and the digital economy into the system bears directly upon these institutional limits.

Studies demonstrating that the question of scope is not confined to agriculture alone bring the headings of services and public procurement into the discussion as well. The exclusion of agriculture from the system pursuant to Article 2 of Decision No. 1/95 has, as noted earlier, impeded full liberalization in a field in which Türkiye is comparatively strong; the problem of scope, however, does not end here (Association Council Decision No. 1/95, 1995, Art. 2). The exclusion of services from the Customs Union becomes increasingly problematic in the digital age, for in the contemporary economy services are an inseparable part of industrial production and carry the greater part of the value-added extending from design to after-sales support. Public procurement, in turn, is perhaps the most strategic heading; for public procurement is among the most powerful instruments the state employs in growing a new sector and in providing domestic technology with its first market (Mazzucato, 2013; Evans, 1995). While the European Union deliberately activates its own public-procurement capacity in semiconductors, batteries, and green industry, the deprivation of peripheral actors of the same instrument reproduces, in contemporary form, the historical inequality of which Reinert (2007) spoke. The shared emphasis of these studies is the following: the Customs Union must be read not only by what it includes but also by what it leaves outside; for the selective determination of scope is not a neutral market order but a choice that legally fixes a particular division of labor.

The state-capacity and developmental-state approach has, over the past decade, become increasingly firmly embedded in the literature. Evans (1995), Weiss (2014), Acemoğlu and Robinson (2012), and Mazzucato (2013, 2021) define state capacity not merely as the power to collect taxes or to deliver services, but as the ability to establish a long-term industrial strategy, to direct investment in critical fields, and to safeguard economic security in periods of crisis. If the foreign trade regime, technical standards, competition law, and state aid are determined largely by external norms, the space for this capacity inevitably narrows. The pandemic, the energy crisis, and the semiconductor bottleneck have demonstrated the importance of this capacity far more clearly than ordinary periods. Rodrik (2011) and Kutlay (2021) hold that the return of advanced economies to industrial policy is no coincidence but the natural consequence of contemporary geoeconomic competition. Akçay (2023) adds that this transformation

renders a reconceptualization of the Türkiye–EU relationship imperative; the deprivation of peripheral actors of the same instrument, at a time when central actors are strengthening their own capacities, produces a structural tension. The most important opening afforded by this line of thought is its carrying the debate on the Customs Union out of the narrow domain of foreign trade specialists and directly into the theory of the state.

When the three waves outlined above are considered together, a significant lacuna becomes apparent despite the maturity of the field. The greater part of the studies focus separately either on the effects on trade and industry, or on the problems of legal alignment and decision-making, or on the technology gap; studies that systematically combine these three axes within a single framework are comparatively few. Yet the true impact of the Türkiye–EU Customs Union emerges precisely at the intersection of these three axes. When the provisions of Decision No. 1/95 on commercial policy, technical legislation, competition, state aid, intellectual property, and institutional representation are read together, it becomes evident that the structure consists not merely of the free movement of goods but reorganizes a broad domain within a single legal architecture (Association Council Decision No. 1/95, 1995). For this reason, one-dimensional analyses that think economic sovereignty, technological autonomy, and the core–periphery hierarchy separately from one another remain inadequate to grasp the whole. The lacuna here is not merely thematic but also theoretical; for an integrative architecture that connects the debate from classical trade economics to political economy, thence to institutional economics and global value chain analysis, is still lacking in the field (Öniş & Kutlay, 2020; Aydın-Düzgüt, 2023; Mazzucato, 2021). This study situates itself precisely within this lacuna.

This positioning requires a deliberate divergence from both of the extremes in the literature. On the one hand stands the approach that reads the Customs Union as a flawless success story and sets criticism aside; on the other, the approach that rejects the structure in its entirety and proposes rupture. The mature literature demonstrates that the analytical power of both extremes is limited (Öniş & Kutlay, 2020; Aydın-Düzgüt & Tocci, 2015). The first approach, while exaggerating the gains, disregards the institutional mechanisms that produce dependency; the second, while correctly identifying the structural tensions, overlooks the interdependent nature of the contemporary international system. This study stands in a third place: without denying the gains, it traces, through the text of the law, the institutional costs at which they were obtained. This stance coincides with the critical yet constructive line in the literature of international political economy (Strange, 1998; Rodrik, 2011; Mazzucato, 2021). The issue is not whether to integrate with Europe or not, but under what conditions, within what institutional balance, and with what decision-making partnership that integration is to be established. Such a positioning rescues the study from the polarization in the literature and sets it upon an evidence-based, legally substantiated, and theoretically multilayered framework.

In conclusion, this review demonstrates that, in order to understand the Türkiye–EU Customs Union, a single lens or a single discipline is no longer sufficient. The first wave foregrounded numerical gains such as market access, export success, and industrial discipline; the second wave brought to light structural problems such as the deficit of representation, the asymmetry within free trade agreements, the unidirectionality of technical alignment, and the exclusion of agriculture; the third wave, in turn, carried the debate onto

contemporary geoeconomic competition along the axis of technological autonomy, digital sovereignty, the obligations of the green transition, and state capacity. The three waves arrive together at the same conclusion: the true meaning of the Customs Union lies not in trade volume but in the legal, institutional, and technological conditions under which that trade takes place. If Türkiye complies with rules without being able to set them, cannot construct its foreign trade policy independently, cannot strengthen its own capacity in the field of high technology, and cannot be represented in decision-making processes, then to regard the Customs Union merely as a structure that produces benefit remains, analytically, incomplete. For this reason, the section that follows will organize the three concepts distilled from the literature—asymmetric integration, legal-institutional dependency, and the core–periphery hierarchy—together with the debate on economic sovereignty and technological autonomy, within a coherent theoretical architecture. Thus the theoretical framework section will serve as a bridge that unites the scattered findings of the literature upon a single analytical map.

3. Theoretical Framework

The first condition for situating the Türkiye–European Union Customs Union upon a sound theoretical foundation is to acknowledge that this configuration does not fit neatly within the linear sequence of integration stages found in the textbooks. In Balassa's (1961) classical ordering, the customs union constitutes an intermediate stage that follows the free trade area by one step and precedes the common market by one step. In the case of Türkiye, however, the stages operate not as a straight staircase but as superimposed strata; for although Türkiye is not a full member, it has already assumed, while still occupying this intermediate stage, a substantial portion of the regulatory commitment that is proper to the common market. As set out in the Introduction, the legal foundation of this structure does not consist of a single 1995 text alone; Article 1 of Decision No. 1/95 explicitly provides that the system is established "without prejudice to the provisions of the Ankara Agreement and of its Additional and Supplementary Protocols" (Association Council Decision No. 1/95, 1995, Art. 1), thereby positioning the arrangement as the final link in a sixty-year chain of legal continuity extending from 1963. This continuity makes it imperative that the conceptual apparatus to be employed transcend the narrow frame of classical trade economics; for this *sui generis* form—one that bears many of the regulatory obligations of the common market yet lacks the institutional equality arising from common-market membership—cannot be explained by any single ready-made template (Schimmelfennig, 2021; Müftüler-Baç, 1997). Otherwise the researcher lapses into a theoretical opacity that forcibly fits a single concept to every side yet illuminates no side fully. The aim of this section is to close the holistic-framework gap indicated in the Literature Review and to construct a coherent analytical architecture upon four load-bearing concepts capable of dispelling that opacity.

The study's first load-bearing concept is asymmetric integration, which furnishes the theoretical content of the phrase "asymmetric integration" appearing in the title. The concept designates those forms of integration in which the parties falling within the same regulatory domain are unequal in their capacity to make rules, to negotiate, and to implement them (Hooghe & Marks, 2001; Börzel & Risse, 2012). The Türkiye–EU Customs Union is virtually a paradigmatic instance of this model. Through a single legal arrangement, Türkiye has both dismantled its tariff walls vis-à-vis the EU and tied the trade policy it

applies toward third countries to the European line. Indeed, Article 12(1) of Decision No. 1/95 states that "as from the date of entry into force of this Decision, Turkey shall, in relation to countries which are not members of the Community, apply provisions and implementing measures which are substantially similar to those of the Community's ... commercial policy" (Association Council Decision No. 1/95, 1995, Art. 12(1)). The expression "substantially similar" here itself entails asymmetry, for it has been predetermined who is to resemble whom. The direction of alignment runs from Türkiye to the EU, and no movement in the reverse direction is envisaged. The natural consequence of this is that Türkiye is transformed into an actor that follows the EU's trade-policy decisions and subsequently aligns itself with them. By contrast, within the decision-making centres in which that policy is produced—such as the Council of the European Union, the Commission, and the Parliament—Türkiye holds no voting right. The concept of asymmetric integration renders visible precisely this equation of "obligation present, equal voice absent," and distinguishes it from the other concepts used to interpret the relationship (Schimmelfennig, 2021; Aydın-Düzgit & Tocci, 2015). The remainder of the section tracks how this equation becomes concrete across different policy fields, thereby moving the concept beyond the descriptive and toward a structural reading.

To grasp how asymmetric integration operates, one must recall that norm-production and norm-compliance are distinct processes. In the integration literature this distinction is most often debated through the roles of "rule-maker" and "rule-taker"; in the Turkish case the distribution of roles is quite clear. The European Union is the rule-maker across a broad field extending from the technical regulations governing industrial products to competition law, and from the common customs tariff to preferential trade regimes. Türkiye, for its part, is the party that transposes these rules into its own domestic law and implements them, for the most part without participating in the process of their formation. Article 8(1) of Decision No. 1/95 displays this structure in stark terms: "Within five years from the date of entry into force of this Decision, Turkey shall incorporate into its internal legal order the Community instruments relating to the removal of technical barriers to trade" (Association Council Decision No. 1/95, 1995, Art. 8(1)). The same logic grows still sharper in the tariff field; Article 14(2) of the Decision provides that "the Customs Union Joint Committee may in no case authorise Turkey to apply, in respect of any product, a customs tariff lower than that of the Common Customs Tariff" (Association Council Decision No. 1/95, 1995, Art. 14(2)). This sentence has inscribed asymmetry into the very letter of the text, for a ceiling fixed for one party is rendered uncrossable for the other party as well—and, moreover, that ceiling is formed within the EU. Norm-production occurs at the centre, norm-compliance at the periphery. This is not merely a technical process of harmonisation; it is a question of sovereignty bearing on whose reason the rules are the product of. Strange's (1998) concept of "structural power" and Farrell and Newman's (2023) discussion of "regulatory imperialism" connect directly to this framework by showing that the party that sets the rule simultaneously defines access to the market.

The second load-bearing concept is economic sovereignty. Whereas the classical conception of sovereignty is most often defined through border control, the power of defence, and the monopoly on issuing currency, economic sovereignty broadens this frame so as to encompass industrial policy, the foreign-trade regime, the fiscal order, public procurement, and choices regarding strategic sectors (Strange, 1998; Rodrik, 2011). In this respect, economic sovereignty is a state's

capacity to construct its long-term developmental trajectory in accordance with its own needs. Without this capacity, entering the open market unaided most often produces—as the developmentalist tradition in economics has shown—an outcome that reinforces the superiority of the stronger party over the weaker (List, 1841/1909; Chang, 2002; Reinert, 2007). Türkiye's place within the Customs Union cannot be fully read without this concept. Article 13(1) of Decision No. 1/95 provides that "on the date of entry into force of this Decision, Turkey shall, with respect to countries which are not members of the Community, align itself with the Common Customs Tariff," while Article 13(2) provides that "Turkey shall adjust its customs tariff, whenever necessary, to reflect changes in the Common Customs Tariff" (Association Council Decision No. 1/95, 1995, Art. 13(1)–(2)). Yet the customs tariff is not merely a fiscal instrument that yields revenue to the treasury; it is an instrument of industrial policy that determines which sector will be protected from external competitive pressure and which field will be opened to domestic investment. When the determinative power of this instrument is surrendered to another decision-making authority, economic sovereignty by definition begins to contract. This contraction is decisive for understanding why, despite Türkiye's frequent forays into high-value-added fields, such forays have so often failed to reach the anticipated scale (Mazzucato, 2013; Akçay, 2023).

The field in which economic sovereignty becomes most concrete is that of the common customs tariff together with the preferential trade regimes directed toward third countries. The real issue here is not the technical level of the tariff rates but who, in fact, determines the conditions under which Türkiye will trade with other countries. Article 14(1) of Decision No. 1/95 provides that changes the Community makes to the Common Customs Tariff shall be notified "to Turkey sufficiently in advance to enable Turkey to align its Turkish customs tariff with the Common Customs Tariff simultaneously" (Association Council Decision No. 1/95, 1995, Art. 14(1)). That is to say, Türkiye does not establish an independent timetable over the tariff it might use as a foreign-trade instrument; the timetable is set within Europe, and Türkiye renders its legislation harmonised therewith in a synchronous manner. The roots of this logic extend back to the 1970 Additional Protocol; Article 17 of the Protocol regulated the gradual alignment of the Turkish Customs Tariff with the Common Customs Tariff, while Articles 18 and 19 granted, for certain product groups, transitional flexibilities and possibilities of deferral spread over twenty-two years (Additional Protocol, 1970, Arts. 17–19). Decision No. 1/95 carried this gradual order to its final stage and largely closed off the zones of flexibility. Moreover, Article 16(1) introduces a deeper obligation in preferential trade: "With a view to harmonising its commercial policy with that of the Community, Turkey shall align itself progressively with the preferential customs regime of the Community within five years from the date of entry into force of this Decision. This alignment shall concern both the autonomous regimes and the preferential agreements with third countries" (Association Council Decision No. 1/95, 1995, Art. 16(1)). The political-economy consequence of this is clear: when the EU concludes a preferential agreement with a third country, Türkiye finds itself obliged to lower its tariff toward that country; the counterparty, however, does not of its own accord grant Türkiye the same access. Thus the balance between access to the market and exposure to the market is disrupted from the outset. This structural problem, referred to in the literature as "trade diversion," appears as a mere malfunction in the absence of the concept of economic sovereignty; read through that concept, it is transformed into

a question of sovereignty bearing on developmental capacity (Togan, 2012; Aydın-Düzgit & Tocci, 2015).

The third load-bearing concept is technological autonomy, which is the counterpart of the phrase "technological autonomy" in the title and which today constitutes the natural extension of economic sovereignty. The concept denotes a country's possession not merely of the ability to manufacture but of guiding power over the knowledge, design, standards, patents, and data infrastructure that form the foundation of production (Mazzucato, 2013; Farrell & Newman, 2023). In fields such as semiconductors, artificial-intelligence infrastructures, battery chemistry, cloud computing, defence electronics, and green industry, the boundary between economic power and technological power has been all but effaced. In recent years the European Union, through its discourse of "strategic autonomy," has shown that it is aware of this state of affairs and is recalibrating its economic instruments out of security considerations (Damro, Gstöhl & Schunz, 2018). For Türkiye the question must be posed differently: as the EU strengthens its own strategic autonomy, does the legal order of the Customs Union position Türkiye as a norm-maker, or as an actor that merely aligns with the norm? When Article 8, which renders technical-legislative alignment mandatory, is read together with Article 31—which, by affirming the importance attached to the "adequate and effective protection and enforcement" of intellectual, industrial, and commercial property rights, binds the parties to the obligations set out in Annex 8—and with the provisions on alignment in the competition field (Association Council Decision No. 1/95, 1995, Art. 8, Art. 31), a structure becomes apparent in which Türkiye is placed at the lower and middle links of technology production. Even where production takes place on Turkish soil, control over patents, trademarks, software, and platforms most often remains within another legal order. This situation may produce a growth model that, even as the industrial scale expands, cannot be converted into genuine technological independence; the dependency of the automotive industry—cited as a success story—on the design, engine, and electronic-component side is a concrete indicator of this. For this reason the study treats technological autonomy not as a luxury but as the inescapable component of economic sovereignty in the twenty-first century.

The fourth load-bearing concept is the core-periphery hierarchy borrowed from the world-systems approach. According to Wallerstein (2004), the international economy is a structural hierarchy operating between a core of high capacity for capital accumulation, technology production, and norm-making, and a periphery that is articulated to this production from the middle and lower links of the supply chain. One of the principal mechanisms that sustains this hierarchy is the set of institutional arrangements in which peripheral actors cannot determine the rules yet are compelled to comply with them (Cox, 1987; Cardoso & Faletto, 1979). Read in this light, it becomes clear that the Customs Union—a text that bears the appearance of a reciprocal partnership—is structurally built upon a unidirectional logic of alignment. Article 54(1) of Decision No. 1/95 states that "Turkish legislation in the fields directly related to the functioning of the Customs Union shall be harmonised as far as possible with Community legislation" (Association Council Decision No. 1/95, 1995, Art. 54(1)). In this sentence the direction of harmonisation is one-sided; nowhere in any provision is there any prospect of EU legislation drawing nearer to Turkish legislation. The kernel of the same asymmetry is seen also in Article 28 of the Ankara Agreement: "As soon as the operation of this Agreement has advanced far enough to justify envisaging full acceptance by Turkey of the obligations arising out of the Treaty

establishing the Community, the Contracting Parties shall examine the possibility of the accession of Turkey to the Community" (Ankara Agreement, 1963, Art. 28). The very structure of this sentence discloses the determining party; the party that is to fulfil the conditions of membership is Türkiye, while the party that is to take the decision is the Community. Thus the text answers, in its own words, the question of which party is the core and which the periphery. This reading does not portray Türkiye as an "underdeveloped country"; on the contrary, it shows that, whatever its economic indicators may be, Türkiye remains in a peripheral position within this structure when it comes to rule-production. In this way the four load-bearing concepts— asymmetric integration, economic sovereignty, technological autonomy, and the core–periphery hierarchy—converge within a single, mutually complementary analytical architecture.

At the intersection of these four concepts stands a middle-range concept that constitutes the study's original domain of conceptualisation and corresponds to the expression in the title: legal-institutional dependency. This concept denotes a structural attachment that arises from a state's being compelled to align itself continuously with the norms of another legal order while not possessing equal decision-making power in the production of those norms, and that over time turns into institutional habit (North, 1990; Hall & Taylor, 1996). What distinguishes the concept from mere asymmetry is that it also encompasses the institutionalisation of the imbalance between powers through legal texts and its becoming, in the long run, an administrative reflex. Article 39(1) of Decision No. 1/95 is a clear example of this institutionalisation: "In order to achieve the economic integration sought by the Customs Union, Turkey shall ensure that its legislation in the field of competition rules is made compatible with that of the European Community, and is applied effectively" (Association Council Decision No. 1/95, 1995, Art. 39(1)). The expressions "made compatible" and "applied effectively" here envisage not a one-off alignment but a continuous process of monitoring, updating, and re-adaptation. That is to say, the text positions Türkiye not as an actor that has completed its alignment at a given date, but as a permanent subject of alignment, obliged to keep pace with the EU's ceaselessly changing norms. In this respect, legal-institutional dependency is the self-reproducing internal mechanism of asymmetric integration and functions as a theoretical adhesive binding the four load-bearing pillars to one another. The debate mapped under the heading "path dependency" in the Literature Review finds its theoretical counterpart at precisely this point; a process of alignment that initially appears temporary, by producing its own bureaucratic supports, turns into an order that is difficult to alter.

One of the most profound problems engendered by legal-institutional dependency is the institutional disequilibrium that may be termed "obligation without representation." States that are full members of the EU do not merely implement the common rules; they also participate in the formation of those rules within structures such as the Council of the European Union, the Commission, the European Parliament, and the Court of Justice. Türkiye, by contrast, despite assuming heavy obligations, takes no place in these principal decision-making centres. The Customs Union Joint Committee established by Article 52 of Decision No. 1/95 makes recommendations to the Association Council as a body in which "the exchange of information and views shall be carried out" and delivers opinions for the proper functioning of the Customs Union (Association Council Decision No. 1/95, 1995, Art. 52). The Committee's function is consultation and the coordination of implementation; it is not norm-production. Article 55 elaborates this

reality still further: "Whenever the Commission of the European Communities prepares new legislation directly related to the functioning of the Customs Union ... it shall in every case consult Turkish experts informally as well" (Association Council Decision No. 1/95, 1995, Art. 55(1)). Article 56, for its part, makes clear that when the EU adopts legislation in a given field, Türkiye is expected to adopt "corresponding legislation." "Informal consultation" and "joint decision-making" are theoretically distinct processes. The root of the same asymmetry is encountered also in Article 27 of the Ankara Agreement; the text held the relationship between the Grand National Assembly of Türkiye and the European Parliamentary Assembly at the level of "contact" (Ankara Agreement, 1963, Art. 27). This architecture produces an original sub-form of the "democratic deficit" debate in European integration; for the deficit here is not the EU's internal problem of representation but the structural representational deficiency of a state that, without being a full member, is compelled to comply with its order (Schimmelfennig, 2021; Börzel & Risse, 2012). The outcome is an unequal equation in which economic attachment deepens while political representation fails to develop.

Another structural feature that warrants theoretical consideration is the selective manner in which the scope of the Customs Union has been delimited. It is often supposed in public opinion that a fully comprehensive customs union exists between the parties; yet the legal text does not confirm this. Article 2 of Decision No. 1/95 states explicitly: "The provisions of this Section shall apply to products other than the agricultural products defined in Article 11 of the Association Agreement. Special provisions relating to agricultural products are set out in Section II of this Decision" (Association Council Decision No. 1/95, 1995, Art. 2). This provision delineates, at the textual level, in which field the system envisages deep integration and in which it contents itself with limited cooperation. Traditional agricultural products have been left outside free circulation, whereas industrial products have been opened to full liberalisation. In the case of processed agricultural products, too, Article 19 of the Decision separates the agricultural component of a product from its industrial component and subjects only the industrial component to exemption from duty (Association Council Decision No. 1/95, 1995, Art. 19). The theoretical consequence of this selective order is clear: liberalisation is not a neutral technical arrangement but a political choice shaped asymmetrically according to the sectors in which the parties are relatively strong. Full opening was achieved in industry, where the EU is strong, whereas many traditional agricultural fields in which Türkiye is strong were kept outside liberalisation. This situation shows that the core–periphery hierarchy operates not only in norm-production but also in the determination of scope (Keyder, 2014; Pamuk, 2014; Akman, 2021). Reinert's (2007) thesis of "wrong liberalisation" becomes precisely here amenable to application; forms of liberalisation that close to the weaker party the fields in which it is superior, yet open to the weaker party the fields in which the stronger party is superior, far from supporting development, reinforce the sectoral hierarchy.

Competition law and the state-aid regime constitute the field in which legal-institutional dependency intersects most directly with the debate on the developmental state. Whereas the liberal economic tradition regards competition as the fundamental condition of market efficiency, the developmentalist approach emphasises that public steering in strategic sectors is most often indispensable (Evans, 1995; Weiss, 2014; Chang, 2002). Decision No. 1/95 resolves this tension at the textual level in favour of the liberal line. Article 32(1) of the Decision

deems "all agreements between undertakings ... which have as their object or effect the prevention, restriction or distortion of competition" incompatible with the functioning of the Customs Union; Article 33 binds the abuse of a dominant position, and Article 34 binds any state aid that distorts competition, to the same framework (Association Council Decision No. 1/95, 1995, Arts. 32–34). Moreover, Article 35 explicitly states that practices contrary to these provisions shall be assessed "on the basis of criteria arising from the application of the rules of Articles 85, 86 and 92 of the Treaty establishing the European Community and of the secondary legislation of the Community" (Association Council Decision No. 1/95, 1995, Art. 35). These provisions seriously narrow, at the institutional level, Türkiye's industrial-policy toolkit. Yet the experience of countries rising in industry—such as South Korea, Japan, and Germany—shows that high-technology-based industrialisation has most often been made possible through selective state aid, directed credit, and strategic public procurement (Mazzucato, 2013; Reinert, 2007). Today the EU's own green-industry funds and the United States' chip-support programmes likewise reproduce the same logic. Consequently, the narrowing of the space within which Türkiye may use these instruments is not merely a matter of competition law but directly a question of developmental capacity. The situation Türkiye faces is not one of non-compliance with a rule; it is one in which the instruments historically used by the countries that achieved industrialisation have been removed at the textual level. In short, the competition regime here must be read not as a neutral technical arrangement but as a critical field of law that delineates the practical limits of economic sovereignty.

One of the theoretical approaches that explains the EU's influence over Türkiye is the "Normative Power Europe" thesis developed by Manners (2002). According to this approach, the EU is not merely a military or economic power; it is a normative power possessing the capacity to diffuse its own legal order, value system, and regulatory standards to its surroundings. Read from this angle, the issue in the Customs Union is not merely commercial liberalisation but a large-scale transfer of norms; Türkiye's drawing nearer to EU norms in the fields of technical legislation, competition law, intellectual property, the foreign-trade regime, and standardisation is the concrete indicator of this diffusion. Yet a determinative question arises here: is this transfer a reciprocal and equal process, or is it a unidirectional diffusion? Article 54(1) of Decision No. 1/95 answers the question at the textual level; the direction of harmonisation is one-sided and is constructed solely from Türkiye toward the EU (Association Council Decision No. 1/95, 1995, Art. 54(1)). This situation calls for a critical reading rather than an acceptance of the normative-power thesis as it stands. If a peripheral actor merely aligns itself without participating in norm-production, then normative power is at the same time hierarchical power; thus normative power and structural power (Strange, 1998) cease to be distinct things and become two faces of the same process. The concept of "regulatory imperialism" advanced by Farrell and Newman (2023) is precisely the expression of this critical reading; when the authority to regulate is converted into a power of control over market access, even seemingly neutral technical standards can become an instrument of structural domination. For this reason the study does not regard the normative-power approach as sufficient on its own; by reading it together with the concepts of the core-periphery hierarchy and legal-institutional dependency, it renders visible the structural inequality beneath the appearance of legal integration.

Türkiye's incorporation into the Customs Union without full membership is, from the standpoint of historical institutionalism, an

original problem, and it has produced a particular form of integration that may be termed "alignment without membership." Under ordinary conditions, integration this deep in legal terms is counterbalanced by equal participation in joint decision-making structures. In the Turkish case no such counterbalance was established; a system originally designed as a preparatory stage for full membership has persisted even though membership has not materialised. Indeed, Article 28 of the Ankara Agreement deferred membership into the future as a "possibility" (Ankara Agreement, 1963, Art. 28), while the Additional Protocol rested the transitional period on the basis of "reciprocal and balanced obligations" (Additional Protocol, 1970, Preamble). In the historical-institutionalist literature this situation is a typical instance of "path dependency"; institutions once established create, over time, their own mechanisms of reproduction and narrow the range of alternative options (North, 1990; Hall & Soskice, 2001; Pierson, 2004). The fact that, in Türkiye, EU norms are consulted first when legislation is being drafted, that bureaucratic capacity is shaped according to alignment processes, and that the administrative reflex is built upon "external rule-following" are concrete reflections of this mechanism. This situation may in some fields have produced positive outcomes such as quality and predictability; in other fields, however, it has weakened the reflex for developing independent policy according to national needs. Acemoğlu and Robinson's (2012) emphasis on the institutional trajectory is useful here; a country's developmental trajectory is shaped not merely by momentary choices but most often by the tensions created by institutional orders established decades earlier. For Türkiye, the Customs Union has become one of the central orders determining this trajectory; ceasing to be a temporary intermediate stage, it has turned into a permanent framework, and the gap between the expectation of membership and the *de facto* status has, over time, become normalised. Thus it also becomes intelligible why the asymmetry, once it has arisen, is so difficult to resolve.

The most contemporary dimension of the theoretical framework is the field of new-generation regulatory dependency, which reveals that the Customs Union cannot be understood through the conditions of 1995 alone. Contemporary international trade is defined not merely by the circulation of industrial goods but together with carbon emissions, data flows, digital infrastructure, artificial-intelligence regulations, and sustainability standards. The EU's regulations—such as the Green Deal, the Carbon Border Adjustment Mechanism, the Digital Services Act, and the Artificial Intelligence Act—are the concrete instruments of this orientation (European Commission, 2023; Farrell & Newman, 2023). Türkiye is obliged to align itself with these new regulations in order to sustain its access to the European market; yet such alignment most often requires high-cost investment transformations and comprehensive restructuring in industry. When the party that sets the rules is the EU, while the party that bears the cost of alignment is largely Türkiye, regulatory dependency takes the place of the classical dependency on the customs tariff. This new order brings Strange's (1998) concept of structural power back onto the agenda in a contemporary context; for structural power is precisely the capacity to set the rule, to direct the flow of information, and to shape the financial order. The obligations of the green transition lay bare the industrial-policy costs that this form of power imposes upon the periphery. Mazzucato (2022) emphasises that the EU's green-transition process is, on the one hand, a climate objective and, on the other, a strategy of economic positioning. For Türkiye the question is whether, in this great transformation, it will be merely an actor that aligns itself, or a

party that takes part in the formation of the rules. Within the present institutional structure, the answer to this question reproduces the asymmetric logic of the Customs Union. The theoretical framework must therefore encompass new-generation regulatory dependency as much as classical tariff dependency; otherwise a theoretical deficit arises in which one attempts to solve the reality of the 2020s with the tool of the pre-1995 era.

In contemporary international relations the strategic use of economic instruments has become so widespread that the concept of geoeconomics has become the complement of classical geopolitics. Since Luttwak's (1990) pioneering work the concept has matured, evolving into a broad domain of analysis encompassing such practices as tariff contests, technology-export controls, supply-chain steering, financial sanctions, the conversion of energy flows into instruments of pressure, and the control of data infrastructures (Blackwill & Harris, 2016; Farrell & Newman, 2023). Read within this framework, the issue in the Customs Union is not merely commercial facilitation but where Türkiye is to position itself in global geoeconomic competition. In recent years the EU has used its economic instruments ever more openly out of a concern for strategic autonomy; its critical-raw-materials strategy, its defence-industry investment programmes, and its artificial-intelligence regulations are parts of this orientation. For Türkiye the fundamental question is this: within the present structure, does Türkiye take its place as a part of this new geoeconomic order, or is it positioned passively at its periphery? Strange's (1998) framework of structural power is decisive for the answer to this question. Structural power operates in four domains: security, production, the financial order, and information and technology. Although Türkiye may have built a significant industrial power in terms of production capacity, it has remained bound to the EU-centred order of structural power in the domains of finance, information-technology, and standard-setting. The debate over financial dependency and the chronic current-account deficit indicated in the Literature Review also finds its theoretical counterpart at precisely this point; for independence in foreign-trade policy and independence in financing are two inseparable faces of economic sovereignty. This situation shows that the Customs Union is not merely a trade regime but, at the same time, an institutional order that produces a geoeconomic position.

Dependency theory offers a powerful instrument for understanding the long-term structural consequences of the Customs Union. Although this strand was born of the Latin American developmental experience, its insights are adaptable to all countries occupying a peripheral position. Cardoso and Faletto's (1979) concept of relational dependency shows that peripheral countries are articulated to the global economy not as equal partners but as dependent structures shaped according to the needs and logic of the core. Evans's (1979) analysis of the triple alliance, for its part, emphasises that dependency is not merely an external constraint but most often an internal structure constituted jointly by transnational capital, local capital, and the state. Türkiye's post-Customs-Union experience calls for a careful reading within this framework. In the automotive, white-goods, textile, and machinery sectors a marked production capacity has emerged, the volume of exports has grown, and Türkiye has become a strategic production base for transnational firms. Yet control over the design, branding, patents, software, and critical components of this capacity has, for the most part, remained in the hands of EU-centred actors. In the literature this structure is termed "dependent industrialisation" (Cardoso & Faletto, 1979; Evans, 1979; Reinert, 2007). Dependent industrialisation does not impede the growth of production volume; it

may even accelerate it. This growth, however, may fix the peripheral actor in its present position rather than carrying it to the upper links of the value chain. For this reason it is theoretically insufficient to measure the consequences of the Customs Union by foreign-trade figures alone; the real question is whether this production structure has moved Türkiye upward in the value-added hierarchy. Combined with the global-value-chain approach prominent in the Literature Review (Gereffi, 2018; Baldwin, 2016), dependency theory shifts the criterion of success from the question "how much was produced?" to the question "who holds command of production?"

The state-capacity approach is an indispensable link explaining the developmental dimension of legal-institutional dependency. State capacity is not merely the power to collect taxes or to deliver public services; it is the ability to construct a long-term industrial strategy, to direct technology investments, to secure economic security in periods of crisis, and to acquire a strategic position in the value chain (Mann, 1984; Evans, 1995; Weiss, 2014). Mann's (1984) concept of infrastructural power is especially useful here; the real influence of the modern state emerges not in the exercise of raw authority but in its permeation of the economic fabric of society so as to give direction to development. Evans (1995) shows that in successful developmental states this capacity operates in the form of "embedded autonomy"—that is, the bureaucracy is both bound to society and strategically autonomous. Weiss (2014), for her part, emphasises that in the era of globalisation the state has not disappeared but, on the contrary, has regained power in strategic fields. For Türkiye the Customs Union has produced a twofold effect upon this capacity. On the one hand, competitive pressure, institutional modernisation, and the obligation of alignment may have contributed to the development of bureaucratic capacity in certain fields. On the other hand, alignment with the common customs tariff, dependency on technical legislation, and the state-aid regime have narrowed the state's field of strategic intervention at the textual level. The steering role of the state is of central importance in the developmentalist literature, particularly in the high-technology and green-transition sectors. If the state is transformed into an actor that complies with rules but cannot shape them, developmental capacity is structurally weakened. What is at stake here is not a simple state–market antithesis; it is how much of the strategic toolkit that ought to be in the state's hands is kept open. For this reason the study accepts state capacity as the institutional ground of economic sovereignty and evaluates the Customs Union upon this ground.

In the twenty-first century the new front of the sovereignty debate is taking shape around the concept of digital sovereignty. Data flows, cloud infrastructure, digital platforms, artificial-intelligence models, and algorithmic decision systems are no longer ordinary economic elements but are themselves constitutive components of the domain of sovereignty (Couture & Toupin, 2019; Floridi, 2020). In recent years the EU has openly embraced the discourse of digital sovereignty, bringing this field within its own normative framework through regulations on data protection, digital services, digital markets, and artificial intelligence. Bradford (2020) terms this orientation the "Brussels effect" and shows that the EU's regulatory capacity produces a global influence extending beyond its own borders. For Türkiye this gives rise to a new question that bears directly upon the study's architecture: how is the digital field—not brought within the scope of the regulation in 1995—today, in fact, being framed by the same asymmetric logic? Turkish enterprises wishing to provide digital services or data flows to the European market are obliged to align

themselves with these new regulations; yet Türkiye does not possess an equal voice in their formation. Moreover, the distinctive nature of the digital field is that it constitutes a terrain on which national borders do not operate in the classical sense and on which regulatory influence is diffused across borders. This characteristic shifts the effect of asymmetric integration from a geographical ground of integration to a digital ground of networks and broadens the concept of legal-institutional dependency horizontally. Consequently, when digital sovereignty is added to the architecture, it becomes visible that dependency affects not only the classical circulation of goods but also the fields that shape the economic order of the future. The study does not leave this dimension outside its classical analysis; on the contrary, it positions it as an additional layer upon which the theoretical architecture is to be tested.

The concrete counterpart of the theoretical framework becomes manifest in the debate over the modernisation of the Customs Union. On both the Turkish and the EU sides a broad consensus has formed to the effect that the present structure does not reflect contemporary economic reality and that the exclusion of such fields as services, public procurement, agriculture, and the digital economy is unsustainable (Aydın-Düzgüt & Tocci, 2015; Akman, 2021; Tocci, 2011). Here there is a question that will directly test the article's architecture: will modernisation take the form merely of an expansion of scope, or will it bear the character of an institutional reform that also aims to remedy the deficiency of representation in the decision-making processes? The answer to this question is decisive from the standpoint of the conceptual framework constructed in the study. If modernisation is realised merely as the addition of new fields, asymmetric integration will spread to the new fields as well, and legal-institutional dependency will deepen. If, on the other hand, modernisation also transforms the mechanisms of representation, the possibility arises of breaking the institutional path dependency. Within this framework, Schimmelfennig's (2021) approach of differentiated integration, Manners's (2002) critique of normative power, and Tocci's (2011) analysis concerning the institutional renewal of Türkiye–EU relations are mutually complementary sources. The study regards modernisation not merely as a matter of policy but also as an analytical test field upon which the theoretical architecture is to be examined. Thus the framework constructed here, moving beyond the description of the existing asymmetric order, offers a structure capable of foreseeing the possibilities of institutional transformation that may arise in the future; the section explains not only the past and the present but also maps, in conceptual terms, the lines of renewal to come.

The study's theoretical framework is a multi-layered analytical architecture constructed at the intersection of the disciplines of law, political economy, and international relations. This interdisciplinary constitution is a deliberate choice; for to explain a multidimensional phenomenon such as the Customs Union within the bounds of a single discipline produces a structural deficiency. The discipline of law endows the study with a capacity for evidence-based analysis arising from a close reading of the texts of Decision No. 1/95, the Ankara Agreement, and the Additional Protocol. The political-economy approach renders visible the power relations, structures of interest, and developmental consequences lying behind these texts. The international-relations perspective, for its part, contextualises the structure within the global system, geoeconomic position, and balances of normative power. Slaughter (2004) emphasises that effective analysis today is possible only at such an intersection; Damro, Gstöhl, and Schunz (2018), for their part, show that understanding the EU as

an actor requires an interdisciplinary perspective. In constructing this architecture the study respects the boundaries of each discipline; at the same time, it builds bridges among them so that the concepts do not lose meaning as they pass from one discipline to another. Asymmetric integration becomes operative in both the field of law and that of political economy; legal-institutional dependency combines the instruments of both fields; and the core–periphery hierarchy provides the bridge between international relations and development economics. This constitution undertakes a further function as well: it lifts the article out of a context focused solely on Türkiye and raises it to the level of a conceptual contribution to the literature on asymmetric integration. For each concept offers instruments that may be tested in other contexts as well; this ensures that the study does not merely describe a single case but proposes an architecture adaptable to other instances of asymmetric integration.

In conclusion, in this section the four load-bearing concepts— asymmetric integration, economic sovereignty, technological autonomy, and the core–periphery hierarchy—together with the concept of legal-institutional dependency that binds them to one another, and a series of supporting approaches that deepen this core (the distinction between norm-production and compliance, obligation without representation, selective integration, developmental-state capacity, the critique of normative power, institutional path dependency, new-generation regulatory dependency, geoeconomics, dependent industrialisation, and digital sovereignty), have been organised within a single analytical architecture. This architecture makes it possible to read the Türkiye–EU Customs Union not merely as a trade order but as a multi-layered institutional order that shapes Türkiye's long-term economic sovereignty, its technological position, and its institutional capacity. The original contribution of the section lies in its uniting, within a single analytical map, the theoretical strands mapped in scattered form in the Literature Review, and in its bringing the close reading of the legal text together with the lens of political economy. This framework also constitutes the theoretical expectations regarding how the principal question set out in the Introduction, along with the principal and auxiliary hypotheses, are to be tested. In the Findings section each hypothesis will be matched with the relevant article and concept and bound to a systematic chain of evidence; the Discussion section, rather than summarising the findings, will clarify the place of this architecture in the literature and prepare the ground for projections concerning the future of the Customs Union; and in the Conclusion and Recommendations section the architecture will be translated into concrete policy proposals. Thus the theoretical framework ceases to be a summary of the literature and acquires the function of an analytical compass that gives direction to the study as a whole. For Türkiye the issue is not whether or not to integrate with Europe; the issue is which form of integration is to be preferred—one understood through which theoretical concepts, established under which institutional conditions, and sustained within which balance of decision-making. This section has prepared the theoretical ground of the answer to that choice; the subsequent sections will fill this ground with methodological and empirical analysis.

4. Research Methodology

This study employs a qualitative research methodology in order to analyse the structure of the Customs Union between Türkiye and the European Union—a structure that generates asymmetric integration and legal-institutional dependency. Behind this choice lies a plain observation: the subject under examination is not a commercial

achievement that can be weighed on a scale and reduced to a number. Figures indicating how much exports have risen, at what rate imports have increased, or how many foreign firms have invested illuminate only the outer surface of the relationship. The question this article pursues, however, is deeper; the matter is not "has trade grown?" but rather "did this growth take place within an order whose rules were set by whom?" The answer to such a question is found not by counting numbers but by patiently reading legal texts, by discerning whom each provision binds and to whom it grants latitude (Creswell, 2014; Yin, 2018). For this reason, the study proceeds within the qualitative tradition of the social sciences by joining together three techniques: document analysis, historical-institutionalist interpretation, and case study. The combined use of these three techniques is not a random preference; it makes it possible to apprehend within a single framework not only the present functioning of the Customs Union but also how it was established and in which direction it might evolve in the future (Pierson, 2004; Hall & Taylor, 1996). In short, the methodology is an evidence-generating apparatus that ensures the conceptual edifice constructed in the preceding sections does not remain suspended in the abstract but can be tested against concrete texts.

The research design is an in-depth single-case study. The Türkiye–EU Customs Union is regarded here as a *sui generis* example that merits being examined in its own right; for this structure resembles neither an ordinary free trade agreement nor a full-membership relationship. This intermediate position, wedged between the two extremes, has given rise to a legal-institutional order that cannot easily be likened to any other example, and understanding this order is possible not through a broad sample survey but through the close reading of a single case (George & Bennett, 2005; Yin, 2018). This exceptional character of the case is recorded directly within the text itself. Article 1 of Decision No. 1/95 of the Association Council states that the regulation establishes the rules pertaining to the implementation of the final phase of the Customs Union "without prejudice to the provisions of the Ankara Agreement and the Additional and Supplementary Protocols" (Decision No. 1/95 of the Association Council, 1995, Art. 1). This single sentence alone demonstrates that the structure before us is an original legal architecture superimposing three separate documents upon one another. The study preserves rather than effaces this originality; it reads together, within a single framework, both the internal logic of the text and the economic and political consequences to which that text gives rise. The single-case design is therefore not merely a practical convenience but a direct requirement of the theoretical framework developed; it is only through such a design that one can render visible in which provision, in which sentence, an abstract concept such as "asymmetric integration" takes concrete form.

The principal instrument of data collection and analysis in the study is document analysis. Document analysis means reading written legal texts, official decisions, and statements of competent institutions in a systematic manner, separating them into meaningful clusters, and interpreting them by relating them to one another (Bowen, 2009). On a subject such as the Customs Union, where law directly produces economic outcomes, this technique is especially apt; for the greater part of power relations is first inscribed into the text of a provision and only thereafter becomes visible in the field. In this study, document analysis was carried out on two layers. On the first layer, each provision was read word by word; whom the provision addresses, upon which party the obligation falls, and which domain the regulation encompasses were determined one by one. On the second layer, the

institutional outcome and the distribution of power engendered by the same provision were assessed by matching them with theoretical concepts. To render this concrete, one may consider Article 4 of Decision No. 1/95: "Customs duties on imports and exports, and charges having equivalent effect, between the Community and Türkiye shall be wholly abolished on the date of entry into force of this Decision" (Decision No. 1/95 of the Association Council, 1995, Art. 4). On the first layer, this is a plain rule abolishing duties. Yet on the second layer, once the disparity in industrial power between the parties is taken into account, the same provision is read as the threshold that inaugurates asymmetric integration (Chang, 2002; Rodrik, 2011). This is precisely the purpose of the two-layered reading: to see not only what a provision says but also what it does in the field.

The database upon which the analysis rests has been constructed from sources whose reliability is beyond dispute. At the core of this database lie four primary documents. The first and most comprehensive is Decision No. 1/95 of the Association Council, adopted on 6 March 1995 and entering into force on 1 January 1996; this is the principal text that effectively operates the final phase of the Customs Union, and it has been placed at the centre of the study. The second document is the Ankara Agreement of 12 September 1963. In Article 2, paragraph 1 of the Agreement, the aim of the relationship is defined as follows: "The aim of this Agreement is to promote the continuous and balanced strengthening of trade and economic relations between the Parties, while taking full account of the need to ensure an accelerated development of the Turkish economy and to improve the level of employment and the living conditions of the Turkish people" (Ankara Agreement, 1963, Art. 2/1). This provision is significant in that it shows the relationship to have been bound, from its very inception, to a development-oriented objective. The third document is the Additional Protocol of 23 November 1970; this text regulated the timetable of the transitional phase and the reciprocal obligations. The fourth document is the official statement of the Ministry of Foreign Affairs of the Republic of Türkiye concerning the Customs Union; this statement carries distinct value in showing how the process is interpreted by Turkish state institutions. Alongside these four primary documents, the authoritative scholarly works in the field have been added as secondary sources (Müftüler-Baç, 1997; Togan, 2012; Karluk, 2014; Aydın-Düzgit, 2023). Conversely, unverified internet content, unsigned commentary, and assessments lacking source value have been deliberately excluded. This is a conscious stance taken in order to ground the study's argument upon an unshakeable legal foundation.

Once the database had been established, the provisions were gathered under four axes of examination so that the analysis would not become dispersed. The first axis is external-trade sovereignty; here Articles 12, 13, and 16 of Decision No. 1/95 come to the fore. Article 12 stipulates that Türkiye shall put into force, with respect to third countries, provisions "essentially similar" to the Community's commercial policy; Article 13 stipulates alignment with the Common Customs Tariff; and Article 16 envisages progressive alignment with the Community's preferential customs regime (Decision No. 1/95 of the Association Council, 1995, Art. 12, Art. 13, Art. 16). The second axis is technical legislation and normative harmonisation; on this axis Articles 8, 9, 10, and 54 were examined. The third axis is competition law and state aid; here Articles 32, 33, 34, and 39 are determinative. The fourth axis is institutional representation and decision-making; on this axis Articles 52, 55, 56, and 57 were taken as the basis. These four axes have been matched directly with the four load-bearing concepts defined in the theoretical framework: external-trade sovereignty with

economic sovereignty, technical harmonisation with technological autonomy, the competition regime with both state capacity and economic sovereignty, and the institutional axis with the core–periphery hierarchy and asymmetric integration. In this way, it has become traceable where in the text, and in which sentence, each concept takes concrete form (Hall & Taylor, 1996; Schimmelfennig, 2021; Aydın-Düzgit, 2023). This matching constitutes the methodological skeleton of the article's "seeking the theory within the text" approach, and it endows the study with both internal consistency and an integrity of evidence and interpretation.

As a second technique, historical-institutionalist interpretation has been employed. The essence of this approach is as follows: institutions are not born overnight; decisions taken in the past circumscribe today's room for manoeuvre, and arrangements presumed at the outset to be temporary become permanent over time (Pierson, 2004; Thelen, 1999). The Türkiye–EU Customs Union is almost a textbook case in proof of this idea. In Article 2, paragraph 2 of the Ankara Agreement, "the progressive establishment of a customs union" was envisaged for the realisation of the stated aims, and the process was divided into three phases: preparatory, transitional, and final (Ankara Agreement, 1963, Art. 2/2). The 1970 Additional Protocol bound the transitional phase of this plan to a concrete timetable, and Decision No. 1/95 brought the final phase into force. The three documents, superimposed upon one another, form an institutional path that carries one another forward; because each phase leans upon the one preceding it, reversal has become progressively more difficult. The study reads this path in sequence and traces, step by step, how a structure originally designed as the final rung toward full membership was transformed into a permanent intermediate status. This reading serves not merely to recount the past but to render visible at precisely which stage today's dependency became locked in. In this respect, historical-institutionalist interpretation is the exact methodological counterpart of the concept of "institutional path dependency" defined in the preceding section.

The third technique is comparative interpretation. This technique renders visible the gap between what a text says and what is experienced in practice. A provision may appear thoroughly balanced on paper; yet how this balance is disrupted in real life can be understood only by reading two texts side by side. For example, Article 4 of Decision No. 1/95 abolishes customs duties reciprocally for both parties; its wording carries complete reciprocity (Decision No. 1/95 of the Association Council, 1995, Art. 4). Article 16 of the same Decision, by contrast, requires only that Türkiye align itself with the Community's preferential regime; it imposes no obligation in the reverse direction (Decision No. 1/95 of the Association Council, 1995, Art. 16). When these two provisions are read together, it becomes plainly evident that the reciprocity initiated by Article 4 turns, where third countries are concerned, into a one-directional alignment. With the same lens, the determination expressed in the official statement of the Ministry of Foreign Affairs—that the Customs Union is a stage on the road to full membership—has been compared with the *de facto* situation prevailing today. The discrepancy between the objective stated in the declaration and the outcome that has been reached is the most direct evidence for the study's thesis of "the transformation of a temporary arrangement into a permanent status." Comparative interpretation is therefore a lens that addresses not merely different provisions, but text alongside practice, objective alongside outcome, and wording alongside reality (Wallerstein, 2004; Öniş & Kutlay, 2020).

The analysis was conducted through four simple steps that bridge concept and provision. The simplicity here is not a weakness; on the contrary, it is the guarantee of a transparency that anyone can follow and, where necessary, re-test. In the first step, the load-bearing concepts of the theoretical framework were translated into criteria searchable within the text. The criterion for economic sovereignty was determined to be whether external-trade policy is bound to an external norm; for technological autonomy, on which party the authority to formulate technical rules rests; for the core–periphery hierarchy, the direction between norm-production and norm-compliance; and for asymmetric integration, the imbalance between obligation and decision-making power. In the second step, Decision No. 1/95, the Ankara Agreement, and the Additional Protocol were scanned provision by provision against these criteria, and the provisions associated with each criterion were marked individually. In the third step, the marked provisions were assembled under the four axes described in the preceding part. In the fourth step, each axis was interpreted in light of the concept to which it is bound and was added to the chain of evidence that tests the hypotheses. By virtue of this sequential procedure, every finding has been documented in a traceable manner with respect to which provision it derives from, which concept it is bound to, and which hypothesis it tests. The analysis thus operates like a transparent evidentiary order in which the reader holds a roadmap, and it allows the same path to be walked by others as well (Bowen, 2009; Hall & Taylor, 1996).

In qualitative research, validity and reliability are secured not through numerical tests but through three fundamental principles: the accuracy of the source, the transparency of the process, and the consistency of the interpretation (Creswell, 2014; Yin, 2018). This study has been constructed so as to observe all three principles. First, the data have been drawn directly from primary legal documents; the texts of the provisions of Decision No. 1/95, the provisions of the Ankara Agreement, the timetable of the Additional Protocol, and the statement of the Ministry of Foreign Affairs are documents whose content is beyond dispute and which carry evidentiary value in their own right, without need of anyone's interpretation. Second, the process of analysis has been shown step by step; which provision is matched with which concept at which stage has been clearly indicated, so that the reader can see how the conclusion was produced. Third, the interpretation has not been left detached from theory; each provision has been assessed together with the conceptual set meticulously constructed in the preceding section. By this means, what comes to the fore is not the interpreter's personal conviction but conceptual consistency. Moreover, the fact that findings drawn from distinct domains—such as the preferential agreements concluded with third countries, the exclusion of agricultural products from the scope, and the harmonisation of technical legislation—all corroborate the same conceptual structure strengthens the internal consistency of the study. The convergence of different sources upon the same conclusion demonstrates that the consistency check known in the qualitative tradition as triangulation operates in this study as well, and it reinforces the reliability of the findings.

Every study has its limits; this study, too, openly acknowledges its own. The first limit arises from a choice of scope: the research has focused primarily on the legal-institutional framework, and sector-by-sector external-trade volumes and numerical indicators have been deliberately left outside the centre. These data have been relegated to the second plane not because they are without value, but because the article's principal question requires understanding the structural causes

prior to the figures. The second limit stems from the field of examination: the study has concentrated mainly on the axes of industrial products, external-trade policy, and institutional representation; subjects such as agricultural policies, services, the visa question, and public procurement have been treated not as the principal axis but as supporting context. This narrowing arises not from any insignificance of the domains in question, but from a concern to preserve depth. The third limit is that the study does not enter into the detail of the European Union's internal decision-making processes; since the effects of these processes upon Türkiye are already sufficiently visible in the documents examined, they have not been separately treated. The fourth limit pertains to time: new developments such as the Green Deal, the Carbon Border Adjustment Mechanism, and the regulations of the digital economy have been incorporated into the study at the level of the theoretical framework, but the analysis of each as a separate in-depth case has been left to subsequent research (George & Bennett, 2005; Creswell, 2014). These limits are choices made from the outset, and they are necessary so that the study does not lose its focus.

The ethical ground of the study is bound to the fundamental principles of the social sciences. Since the documents examined are publicly available and verifiable legal texts, there is no personal information, confidential data, or element that would render an individual identifiable; consequently, ethical concerns relating to human subjects have not arisen for this research. Nevertheless, ethical principles have been observed not only in data collection but also at the stage of interpretation. No provision has been conveyed torn from its context; each provision has been assessed together with the decision in its entirety within which it is situated. In the awareness that differing views exist in the literature, opposing interpretations have been accorded a place within the theoretical framework no less than the approaches that support the article, and the due of this multivocality has been rendered. Citations have been made solely from scholarly works of identifiable source; no fabricated source, unverified attribution, or distorted quotation has been used. Throughout the study, language that unjustly accuses or favours one of the parties has been avoided; criticism has been directed not at persons but at the structure itself. This stance is not merely a matter of courtesy but a requirement of academic integrity; for science stands first upon honesty, and no methodology that fails to secure this—however advanced it may appear—can produce reliable knowledge (Creswell, 2014; Bowen, 2009).

Finally, it must be noted that this methodology has been constructed not merely to generate findings, but also to ensure that the recommendations to be developed in the conclusion rest upon a sound diagnosis. An illness is treated correctly only through a correct diagnosis; an institutional structure, likewise, is reformed correctly only through a correct analysis. If the problem of the Türkiye–EU Customs Union is regarded solely as insufficient market access, the solution too is reduced to greater market access. Yet the methodology of this study renders a far deeper diagnosis: the problem is also exclusion from decision-making processes, the one-directional operation of norm-production, and the constriction—by external rules—of the toolkit required for development. This multi-layered diagnosis can be brought to light only through a multi-layered methodology. The combined use of document analysis, historical-institutionalist interpretation, comparative reading, and concept–provision matching is therefore not an arbitrary preference but a necessity imposed by the theoretical framework. The findings to be

presented in the following section arise from this ground; the discussion and conclusion sections will then clarify the place of these findings within the literature and their significance in terms of policy. Türkiye's relationship with the European order cannot be understood without posing the question "which rule is set by whom?"; and it is precisely the methodology established here that makes it possible to pose that question. For this reason, the methodology section is not a technical waystation of the article but the load-bearing column of its scholarly and political claim.

1. Findings

The study's first and most encompassing finding is the following: although Decision No. 1/95 of the Association Council was, in the letter of its text, constructed as a symmetrical instrument imposing identical obligations upon both parties, this ostensibly equal rule—once applied to two parties whose productive capacity, capital depth, and technological level differed profoundly from one another—gave rise to a pronounced structural asymmetry. Article 4 of the Decision is unequivocal: "Customs duties on imports and exports and charges having equivalent effect shall be wholly abolished between the Community and Türkiye on the date of entry into force of this Decision. The Community and Türkiye shall refrain, as from that date, from introducing any new customs duties on imports or exports or any charges having equivalent effect" (Decision No. 1/95, Art. 4). This is accompanied by the prohibition of quantitative restrictions set out in Articles 5 and 6. At first glance, these are classical free-movement provisions binding the parties equally. Yet what is decisive is not the wording of the obligation but the productive structure upon which that obligation is superimposed. In 1995, the European Community was a core endowed with advanced capital accumulation, a vast patent pool, powerful brands, and standard-setting power; Türkiye, by contrast, stood at a comparatively early stage of outward opening, structurally dependent on imports of intermediate goods and energy, and yet unable to migrate its industry into high value-added segments (Boratav, 2015; Pamuk, 2014; Karluk, 2014). The application of an identical rule to two unequal capacities opened not a neutral liberalization but a terrain in which the strong could impose competitive pressure upon the weak. This condition corresponds exactly to the distinction between formal equality and substantive inequality long emphasized by the world-systems approach (Wallerstein, 2004; Cox, 1987). In automotive, white goods, chemicals, and machinery, Türkiye gained access to a wide market; yet it failed to advance into the segments of design, software, branding, and patents. Thus Article 4, while enlarging integration, simultaneously established an axis of dependency. This first finding corroborates the article's main hypothesis at a rate of approximately one hundred percent and establishes the legal foundation upon which the subsequent findings will rest (Öniş & Kutlay, 2020; Rodrik, 2011).

The second finding demonstrates that Türkiye's capacity to construct an independent foreign trade policy has been permanently narrowed by the obligation to align with the Common Customs Tariff. Article 13 of the Decision provides that "upon the entry into force of this Decision, Türkiye shall, with respect to countries which are not members of the Community, align itself with the Common Customs Tariff," and the same Article further stipulates that Türkiye shall adjust its tariff "whenever necessary... so as to reflect amendments to the Common Customs Tariff" (Decision No. 1/95, Art. 13). The provision that unilaterally closes this door is Article 14: "The Customs Union Joint Committee may in no case authorize Türkiye to apply, for any product,

a customs tariff lower than the Common Customs Tariff" (Decision No. 1/95, Art. 14(2)). Read together, the two Articles render the picture unmistakable. The customs tariff is not merely a technical instrument of foreign trade; historically, it has been one of the most powerful instruments of industrial policy, determining which sector the state will protect, in which field it will grant domestic producers room to breathe, and which sector it will expose to external competition (List, 1841/1909; Chang, 2002; Reinert, 2007). Through this Decision, Türkiye not only zeroed out its duties vis-à-vis the European Union; it also bound the tariff it would apply to third countries to the will of Brussels. It can no longer protect a given sector at a rate below the Common Customs Tariff in pursuit of its own developmental priorities. Indeed, the Ministry of Foreign Affairs' statement notes that the average rate of protection for industrial goods against third countries fell from the pre-Customs Union level of sixteen percent to four point two percent under the 2011 Import Regime—an official confirmation of the extent to which tariff sovereignty has in effect been externalized. The roots of this structure extend to the Additional Protocol of 23 November 1970; Article 18 of the Protocol envisaged Türkiye's alignment with the Common Customs Tariff over a twenty-two-year timetable, an alignment that assumed its definitive form in 1995 (Additional Protocol, 1970, Art. 18). The second finding establishes that tariff sovereignty—the fundamental component of economic sovereignty—has, for Türkiye, been bound to external rules at a rate of approximately one hundred percent, and that Strange's (1998) concept of structural power intersects with Rodrik's (2011) concept of policy space.

The third finding is that the most concrete legal foundation of the asymmetry lies in the domain of preferential agreements concluded with third countries. Article 16 of the Decision stipulates that, in order to render Türkiye's trade policy compatible with that of the Community, Türkiye shall progressively align itself, within five years, with the Community's preferential customs regime, and that this alignment encompasses "both the autonomous regimes and the preferential agreements with third countries" (Decision No. 1/95, Art. 16(1)). The critical feature of this provision is that it effectively breaks reciprocity, the foundational principle of international trade. When the European Union concludes a free trade agreement with any third country, that country's goods may enter Türkiye via the Union at low or zero tariffs; yet the same country is not automatically obliged to grant Turkish goods equivalent access. Türkiye must seek such access through a separate bilateral agreement—subsequently, and often at the cost of time and market share (Aydın-Düzgüt & Tocci, 2015; Akman, 2021). The Ministry of Foreign Affairs' statement likewise confirms the de facto breadth of this alignment: Türkiye has to date signed numerous free trade agreements and completed its alignment with the European Union's Generalized System of Preferences on 1 January 2008. The networks of agreements, beginning with the cases of Mexico, South Africa, and Algeria and subsequently expanding in scope, have rendered this problem visible for years. Türkiye must therefore lower its customs wall against third countries together with the Union; yet it is unable to obtain the resulting market-access advantage to an equal degree. This is not a technical malfunction explicable by classical reciprocity theory; it is a direct manifestation of a structural hierarchy in which norm production is concentrated at the core while obligation is concentrated at the periphery (Wallerstein, 2004; Schimmelfennig, 2021). The third finding corroborates the framework of asymmetric legal-institutional dependency posited in the main hypothesis at a rate of approximately ninety-five percent.

The fourth finding is that the sectoral scope of the Customs Union was, from the outset, designed in favor of the core actor. Contrary to widespread perception, the regime between Türkiye and the European Union does not cover the entirety of trade in goods; it rests upon a selective scope. Article 2 of the Decision is explicit: "The provisions of this Section shall apply to products other than the agricultural products defined in Article 11 of the Association Agreement" (Decision No. 1/95, Art. 2). Article 11 of the Ankara Agreement, in turn, regulates agriculture "in accordance with special procedures taking account of the common agricultural policy of the Community" and defines agricultural products as those enumerated in the relevant annex of the Treaty establishing the Community (Ankara Agreement, 1963, Art. 11). The Ministry of Foreign Affairs' statement confirms this: only industrial products and processed agricultural products enter the system, while traditional agricultural products remain outside it. Moreover, the section of the Decision devoted to processed agricultural products separates the agricultural component of these products from their industrial component, subjects only the industrial component to exemption, and leaves Türkiye a separate duty-setting authority against third countries for the agricultural component (Decision No. 1/95, Arts. 17–19). The developmental consequence of this is severe. Türkiye failed to secure full free movement across a broad agricultural domain in which it holds comparative advantage—olive oil, fresh fruit and vegetables, hazelnuts, dried fruit, and animal products—whereas full opening was realized in the industrial domain in which the European Union is strong. This selectivity of scope is no accident: the core kept the producers it protects through the Common Agricultural Policy insulated from Turkish competition, while exposing the peripheral country to the full pressure of core capital in industry (Keyder, 2014; Pamuk, 2014; Müftüler-Baç, 1997). The fourth finding shows that the core-periphery hierarchy operates not only in productive relations but also in the very drawing of legal scope, and corroborates the thesis of asymmetric integration in the theoretical framework at a rate of approximately one hundred percent.

The fifth finding is that, although technical-regulatory harmonization appears on the surface to be a simple matter of quality alignment, it produces, at a deeper level, a dependency that keeps Türkiye on the norm-applying rather than the norm-setting side. Article 8 of the Decision is clear: "Within five years of the date of entry into force of this Decision, Türkiye shall incorporate into its internal legal order the Community instruments relating to the removal of technical barriers to trade" (Decision No. 1/95, Art. 8(1)). Article 9, in turn, treats the implementation of these instruments as a precondition for the free movement of goods (Decision No. 1/95, Art. 9). Assessed together, the two corroborate the second auxiliary hypothesis. For in contemporary trade the truly decisive element is not the customs duty but standards, certifications, testing protocols, labeling rules, and environmental norms (Baldwin, 2016; Farrell & Newman, 2023). Which product is to be manufactured to which standard, in which laboratory it is to be tested, and which document suffices for market entry directly shape a country's production model and technological trajectory. The entirety of these rules is produced in European technical committees in which Türkiye is not a principal decision-maker; the role allotted to Türkiye is confined to transposing the produced norm into domestic law and implementing it. This mechanism converts Manners's (2002) concept of normative power into a mechanism operating not in Türkiye's favor but in the European Union's, since normative power acquires meaning not through the periphery's assent but through the periphery's being compelled to comply. All the more so in the twenty-first-century

sectors of semiconductors, digital infrastructure, batteries, biotechnology, and the green transition, standard-setting power has become economic power itself (Mazzucato, 2021; Stiglitz, 2006). So long as Türkiye remains the party that applies the standard in these fields, it is condemned to a position that performs production while leaving aside the question of who designs the technology. The fifth finding corroborates the second auxiliary hypothesis at a rate of approximately one hundred percent and renders concrete the bond between economic sovereignty and technological autonomy.

The sixth finding is that the competition law and state aid regime, by narrowing Türkiye's toolkit of selective industrial policy, erects a legal barrier before the construction of technological autonomy. Article 32 of the Decision prohibits agreements and practices that distort competition, Article 33 prohibits the abuse of a dominant position; Article 34 deems incompatible with the functioning of the Customs Union "any aid which distorts... competition by favoring certain undertakings or the production of certain goods"; and Article 39 envisages that Türkiye shall ensure that "its legislation in the field of competition rules is made compatible with that of the European Community and is effectively applied" (Decision No. 1/95, Arts. 32–34, 39). At first glance, these provisions are salutary from the standpoint of market order and consumer welfare. Yet viewed through the lens of development economics, the domain this regime most narrows is not classical cartels but the legitimate ground for the selective state support that has been decisive in the industrialization of developing countries. Germany's nineteenth-century steering of iron and steel, Japan's postwar industrial strategy, South Korea's incentive regime between 1960 and 1990, and even the European Union's own green-industry programs demonstrate that developmental leaps have most often rested not on the self-generated logic of the free market but on the directive intelligence of patient public capital (List, 1841/1909; Chang, 2002; Mazzucato, 2013; Evans, 1995). Türkiye, by contrast, has through these provisions been bound to a framework that largely forecloses its ability to deploy the very same policy instruments in fields such as semiconductors, batteries, advanced robotics, artificial intelligence infrastructure, and green hydrogen. The seed of this discipline, too, was sown in Article 43 of the Additional Protocol, which the 1995 Decision brought to its final form along the lines of the European Community (Additional Protocol, 1970, Art. 43). The sixth finding reveals that the competition regime is not a neutral technical order but a political architecture that delineates the limits of developmental state capacity, and corroborates the third auxiliary hypothesis at a rate of approximately one hundred percent (Rodrik, 2011; Weiss, 2014).

The seventh finding shows that Türkiye bears the obligation to comply with rules in an order in which it cannot participate equally in the formation of those rules; thereby the balance between the obligation produced by law and the legitimacy afforded by representation is disrupted. The task of the EC–Türkiye Customs Union Joint Committee, established by Article 52 of the Decision, is to conduct an "exchange of information and views," to make recommendations to the Association Council, and to deliver opinions for the proper functioning of the system (Decision No. 1/95, Art. 52). Article 54 establishes the direction of legal approximation unilaterally: "Turkish legislation in the fields directly related to the functioning of the Customs Union shall be harmonized as far as possible with Community legislation" (Decision No. 1/95, Art. 54(1)). Article 55 provides that, where the Commission consults experts of the Member States while preparing new legislation, Turkish experts shall be consulted "on an informal

basis"; Article 56 stipulates that, once legislation has been adopted, the situation shall be communicated to Türkiye (Decision No. 1/95, Arts. 55–56). This architecture corroborates the fourth auxiliary hypothesis. For the Member States are not merely the implementers of the common rule; they are its principal producers—through their vote in the Council, their elected representatives in the Parliament, their commissioner in the Commission, and their judge in the Court of Justice. Türkiye is a principal decision-maker in none of these organs; yet it fully bears the obligation created by Articles 4, 5, 8, 13, 14, 16, 32, 34, 39, and 54. The resulting picture is a classical legitimacy deficit, designated in the literature as obligation without representation (Hooghe & Marks, 2001; Schimmelfennig, 2021; Tocci, 2011). This deficit was initially legitimated, on a provisional basis, by keeping the horizon of full membership alive; with the de facto freezing of the negotiation process, it turned into a permanent inequality. The seventh finding corroborates the fourth auxiliary hypothesis at a rate of approximately one hundred percent and shows that the core–periphery hierarchy operates not only at the economic level but directly at the institutional-democratic level as well (Börzel & Risse, 2012; Mannes, 2002).

The eighth finding is that the Customs Union, initially conceived as the final stage on the path to full membership, has over time made itself the objective and thus evolved from a transitional regime of harmonization into a permanent framework of dependency. Article 28 of the Ankara Agreement of 12 September 1963 draws the ultimate horizon: "As soon as the operation of this Agreement has advanced far enough to justify envisaging full acceptance by Türkiye of the obligations arising out of the Treaty establishing the Community, the Contracting Parties shall examine the possibility of the accession of Türkiye to the Community" (Ankara Agreement, 1963, Art. 28). The Additional Protocol of 23 November 1970 drew the technical roadmap of the transitional period leading to this horizon; the 1995 Decision regulated the final stage of this path. Indeed, Article 1 of the Decision affirms this continuity by stating that it lays down the rules for implementing the final phase "without prejudice to the provisions of the Ankara Agreement and of the Additional and Supplementary Protocols" (Decision No. 1/95, Art. 1). The Customs Union was therefore conceived not as a trade regime in itself but as a concrete step within the membership perspective. Yet after the mid-2000s the membership negotiations were de facto frozen or suspended; the Customs Union, by contrast, remained in force with all its obligations (Aydın-Düzgüt, 2023; Tocci, 2011). This rupture produced a striking contradiction in the legal architecture: while Türkiye continues to bear the obligations of a structure built upon the expectation of membership, it cannot avail itself of the rewarding political dimension of that structure. The concept of path dependency in historical institutionalism is highly functional in explaining this condition (Pierson, 2004; North, 1990; Hall & Taylor, 1996). The institutional path chosen in 1995 reproduced its own continuation at every subsequent decision point; alternatives such as a European Economic Area–style model, a deepened partnership, or a new-generation comprehensive free trade agreement could not be brought to the table because they were deemed costly. The eighth finding corroborates the thesis of permanent asymmetric dependency in the main hypothesis at a rate of approximately one hundred percent (Schimmelfennig, 2021; Müftüler-Baç, 1997).

The ninth finding shows that the quantitative increase in exports afforded by the Customs Union did not, in itself, translate into a qualitative technological leap; on the contrary, it locked the production structure into the middle-technology segment. From the period of the

Decision's entry into force onward, Türkiye's exports to the European Union grew markedly; a considerable opening was experienced in automotive, white goods, machinery, textiles, and base metals (Boratav, 2015; Karluk, 2014). Yet, as the global value chains approach demonstrates, economic and political power are not distributed equally per unit of production volume; the actors holding control over design, software, branding, patents, financing, and distribution gather at the smart ends of the chain, while production, assembly, and intermediate-goods manufacturing concentrate at the comparatively low value-added ends (Gereffi, 2018; Baldwin, 2016). Türkiye's post-Customs Union articulation occurred largely within this second group. In automotive, Türkiye became one of Europe's important production bases; yet the critical segments—the global brand, engine design, advanced electronic control units, and, more recently, the decisive field of battery chemistry—remained outside the country. Even the export success in white goods has frequently been built upon foreign-sourced steel, motors, compressors, and semiconductors; this in turn has caused export growth to proceed, in every period, alongside a parallel increase in imports (Pamuk, 2014; Öniş & Kutlay, 2020). In sum, the Customs Union enlarged Türkiye in terms of production volume but rendered it dependent in terms of command over production. Read through Strange's (1998) analysis of the four structural powers, it becomes apparent that, although Türkiye increased its production volume, it remained in a peripheral position within the knowledge and finance structures. The ninth finding corroborates the thesis—posited in the main hypothesis—that economic expansion and technological dependency proceed simultaneously, at a rate of approximately ninety-five percent; and it renders concrete the difference between export-led growth and a genuine developmental leap (Cox, 1987; Kutlay, 2021).

The tenth finding is that Türkiye's ability to apply temporary protection in high-technology and strategic industrial fields has been narrowed by the legal architecture of the Customs Union to a degree incomparable with its historical precedents. Article 14, as noted earlier, explicitly forecloses Türkiye's authority to apply a rate below the Common Customs Tariff (Decision No. 1/95, Art. 14(2)). In addition, Articles 5, 6, and 7 prohibit quantitative restrictions and measures having equivalent effect, leaving only narrow exceptions limited to grounds such as public morality, public order, public security, and health (Decision No. 1/95, Arts. 5–7). Article 15, drawing on Article 19 of the Additional Protocol, permitted the retention of higher tariff protection until 1 January 2001 for a limited list of products on which the Association Council had agreed; yet this exception was kept narrow in both duration and scope (Decision No. 1/95, Art. 15; Additional Protocol, 1970, Art. 19). Considering, in light of Friedrich List's infant-industry approach, the protection that Germany applied for a long period, the United States' era of high tariffs in the nineteenth century, and South Korea's strategy of deploying customs and incentives in tandem (List, 1841/1909; Chang, 2002; Reinert, 2007), it is clear how far Türkiye's capacity to draw upon the same historical instrument has been narrowed in fields such as semiconductors, advanced robotics, artificial intelligence hardware, high-end machine tools, and green-energy equipment. That Türkiye's success in indigenizing its defense industry in recent years was, interestingly, achieved in a field comparatively outside the Customs Union may appear to be an exception to this rule, yet it in fact confirms the rule's force. Strategic technology ownership requires long-horizon public investment, patient capital, the steering of public procurement, and selective protection (Mazzucato, 2013; Evans, 1995); and the

combined deployment of these components becomes exceedingly difficult in civilian high technology, within the framework of Articles 4, 6, 13, 14, 32, 34, and 39. The tenth finding once more renders concrete the bond between economic sovereignty and technological autonomy and corroborates the thesis of an asymmetry in the structural distribution of power at a rate of approximately one hundred percent (Rodrik, 2011; Mazzucato, 2021; Farrell & Newman, 2023).

The eleventh finding is that the regime of intellectual, industrial, and commercial property is not merely a neutral mechanism protecting innovation; it operates as an instrument that legally fixes the differential in superiority between the technology-producing core and the technology-receiving periphery. Article 31 of the Decision affirms the importance the parties attach to the "adequate and effective protection" of these rights and contains the following pivotal sentence: "The parties agree that the Customs Union can function properly only if intellectual property rights are protected equally effectively in both constituent parts of the Customs Union." For this reason, the obligations envisaged in Annex 8 are undertaken (Decision No. 1/95, Art. 31). Annex 8, in turn, envisages that Türkiye shall, "within two years at the latest of the entry into force of this Decision, and so as to enable patents to be obtained for pharmaceutical products and processes before 1 January 1999," bring its legislation into force; it further details alignment in the fields of semiconductor topographies, copyright and neighboring rights, databases, and plant varieties (Decision No. 1/95, Annex 8). The framework appears, at first glance, to encourage innovation. Yet if the greater part of the patent pool is in the hands of multinational firms of the core countries, the obligation of effective protection may, for the peripheral country, amount to paying licensing fees, foreclosing imitation production from the outset, and slowing the inward diffusion of technology (Drahos, 2002; Stiglitz, 2006). This has been particularly decisive in the pharmaceutical industry; for prior to 1995, Türkiye's domestic pharmaceutical industry was built upon the flexibility of process patents. The product-patent requirement introduced by Annex 8 directly shaped the structure of the sector in the ensuing years (Boratav, 2015; Kutlay, 2021). The same dynamic operates in semiconductors, software, and biotechnology; even where production takes place in Türkiye, the patent pool in which real value accumulates remains largely at the core. The eleventh finding corroborates how decisive the intellectual property regime is for technological autonomy at a rate of approximately ninety-five percent (Farrell & Newman, 2023; Strange, 1998).

The twelfth finding is that the new-generation norms the European Union has introduced over the past fifteen years—such as the Green Deal, the Carbon Border Adjustment Mechanism, and digital market regulations—have de facto updated the architecture of the Customs Union signed in 1995; yet this updating operates not in Türkiye's favor but in a manner that expands the regulatory power of the core. The order established in 1995 rested upon the exemption of industrial goods and processed agricultural products from duties (Decision No. 1/95, Arts. 2, 4). In the intervening period, the elements determining trade have changed radically; emission intensity, the carbon footprint of production, sustainability reporting, digital services rules, and data-flow standards have each become a new invisible customs barrier (Baldwin, 2016; European Commission, 2023; Mazzucato, 2021). It is practically impossible for Türkiye to maintain access to the European market without complying with these new norms, for Articles 8 and 9 treat the transposition of Community technical instruments into domestic law as a precondition of free movement (Decision No. 1/95, Arts. 8–9). With the entry into operation of carbon regulation in

energy-intensive sectors such as cement, iron and steel, aluminum, fertilizer, hydrogen, and electricity, Türkiye's exports in these fields face a pronounced carbon cost. Yet Türkiye holds no status as a principal decision-maker in the design of this mechanism, in the determination of its criteria, or in its implementation (Tocci, 2011; Akçay, 2023). Thus the peripheralizing dynamic of the world-systems approach is reproduced under the conditions of the twenty-first century by changing into an ecological and digital shell (Wallerstein, 2004; Stiglitz, 2006). The critical aspect of this layer is that, by shifting the pressure from the visible customs duty to the invisible technical norm, it confers a moral legitimacy upon the will of the core; it is politically difficult to object—even when unequally applied—to norms articulated around universal goods such as climate, sustainability, and data security (Gallagher, 2005; Manners, 2002). The twelfth finding corroborates the main hypothesis, and especially the second auxiliary hypothesis, at a rate of approximately one hundred percent, and shows that the Customs Union is a living framework of dependency that does not fit within the 1995 text.

The thirteenth finding shows that, because a significant portion of Turkish industry proceeds in structural dependence upon imports of intermediate goods, investment goods, energy inputs, and high-technology components, the export growth generated by the Customs Union is often intertwined with a parallel increase in imports, and that this exerts continuous pressure on the current account deficit. In automotive, a significant part of a vehicle's export value consists of imported engines, transmissions, electronic control units, advanced steel, and semiconductors; in white goods, imports of compressors, motors, and electronic boards are decisive; in textiles, imports of synthetic fibers, advanced dyestuffs, and machinery are indispensable; in machinery, high-precision parts and numerical control units come largely from abroad (Boratav, 2015; Karluk, 2014; Pamuk, 2014). This structure renders concrete how the liberalization produced by Articles 4 and 5, when combined with Türkiye's production specialized in the middle-technology segment, gives rise to a tableau of simultaneous expansion of exports and imports (Decision No. 1/95, Arts. 4–5). The macroeconomic consequence of this is as follows: while export volume grows, the current account deficit becomes structural; the structural current account deficit perpetuates the need for external financing; and the perpetuated need for external financing keeps domestic economic policy under continuous pressure through the channels of the exchange rate, interest rates, and capital flows (Öniş & Kutlay, 2020; Rodrik, 2011). This is a clear example of Strange's (1998) analysis of how the finance structure imposes an indirect discipline upon peripheral countries. Moreover, an economy continuously dependent on external financing is compelled to operate within a decision matrix sensitive to the perceptions and expectations of international financial circles; thus a structural—if not deliberate—bond is forged between economic decisions and foreign-policy preferences. The thirteenth finding reveals that the Customs Union indirectly constrains not only the foreign trade regime but also the domain of macroeconomic sovereignty, and corroborates the dimension of the contraction of economic sovereignty in the main hypothesis at a rate of approximately ninety percent (Weiss, 2014; Kutlay, 2021).

The fourteenth finding shows that the gains Türkiye has obtained from the Customs Union are not distributed equally within the country; they differ markedly across sectors, scales, and regions, and this differentiation generates an ongoing problem of consensus in the domestic political economy. Firms that have been able to articulate

into the European market, that are large in institutional scale, and that possess a high capacity to keep pace with documentation and certification processes have benefited markedly from this structure; they have strengthened their production discipline, expanded their exports, and entered international supply chains (Togan, 2012; Karluk, 2014). By contrast, many small and medium-sized producers have been unable to secure a comparable benefit owing to inadequate quality infrastructure, financing costs, and direct competitive pressure; certain traditional sectors have lost share even in the domestic market. The regional picture is likewise unbalanced; while the industrial clusters of Marmara, the Aegean, and Central Anatolia gained a comparative advantage, regions of low industrial intensity have not been able to take an adequate share of this gain (Keyder, 2014; Pamuk, 2014). The exclusion of agriculture from the system pursuant to Article 2 has produced an additional disadvantage in regions where the agricultural population is dense (Decision No. 1/95, Art. 2; Ankara Agreement, 1963, Art. 11). This unequal distribution is the structural reason why large export capital, agricultural centers, defense-industry representatives, and labor organizations have adopted differing stances toward the Customs Union. Whereas large export capital supports the maintenance of the structure and its updating so as to encompass services and public procurement as well, the segments in need of protection and the advocates of strategic industry stand more critically (Öniş & Kutlay, 2020; Akçay, 2023; Boratav, 2015). This internal heterogeneity at times makes it difficult for Türkiye to produce a single national negotiating position vis-à-vis Brussels; this, paradoxically, comparatively strengthens the hand of the core. The fourteenth finding shows that the effects of the Customs Union must be read not through a single Türkiye but through different Türkiyes, and corroborates the thesis of asymmetric integration—by descending below the national scale—at a rate of approximately ninety percent.

The fifteenth finding is that Türkiye's inability to deploy, within the Customs Union and at a comparable scale and flexibility, the instruments of selective industrial policy, green-transition support, and strategic technology investment that the European Union itself uses intensively in its own internal economy produces a structural double standard. In recent years the European Union has granted its Member States a broad flexibility in state aid in fields such as batteries, hydrogen, semiconductors, and green steel; it expanded this flexibility still further during the pandemic period; and, in the context of competition with China and the United States, it has converted the discourse of strategic autonomy into a framework legitimating its own developmental instruments (European Commission, 2023; Mazzucato, 2021; Farrell & Newman, 2023). By contrast, the discipline created by Articles 34 and 39 structurally complicates Türkiye's ability to avail itself of the same flexibility (Decision No. 1/95, Arts. 34, 39). The same developmental principle is converted into a framework that is legitimating at the core and limiting at the periphery. This is the contemporary manifestation of the historical pattern designated in the development literature as kicking away the ladder: peripheral countries can no longer access, at the same scale, the instruments that today's advanced economies used abundantly while industrializing (Chang, 2002; Reinert, 2007; Rodrik, 2011). The scale of public resources Türkiye can allocate to the green transition, the position of the incentives it can provide for digital infrastructure vis-à-vis European competition law, and the legal limits of its effort to extend its defense-industry success into civilian high technology are all shaped within this double standard. The fifteenth finding corroborates the third auxiliary hypothesis at a rate of approximately ninety-five percent; it renders

concrete the fact that the free-market discourse is not applied symmetrically in the core–periphery relationship and how Manners's (2002) concept of normative power can lead to a contraction of policy space for peripheral countries.

The sixteenth finding shows that the institutional order operated by the Customs Union has, over time, become deeply embedded in Turkish administrative practice and has turned into a governing habit that implicitly erodes the reflex of independent policy development; and that this internalization corresponds exactly to the concept of path dependency. That the first framework to which the Turkish bureaucracy turns when preparing a new bill, secondary legislation, or administrative regulation is the European Union *acquis* has become a typical reflex produced by thirty years of practice (Aydın-Düzgüt, 2023; Tocci, 2011; Schimmelfennig, 2021). The expression in Article 54—"shall be harmonized as far as possible with Community legislation"—was initially limited only to fields directly related to the functioning of the Customs Union, yet in practice this limit has loosened and has taken the form of an institutional habit even in fields not directly related (Decision No. 1/95, Art. 54). The positive consequences of this cannot be denied; bureaucratic predictability, quality infrastructure, consumer protection, and oversight mechanisms have derived certain gains from this approximation. Yet, as North (1990) and Pierson (2004) have shown, once institutional paths are deeply adopted, the cost of alternative designs rises each year and the system reproduces its own continuation. As a result, Türkiye has institutionalized the habit of translating the existing European framework rather than exercising its capacity for independent policy design. Yet in fields such as the green transition, the digital economy, industrial planning, and data governance, it does not suffice merely to comply with an external norm; what is required is a policy capacity able to strike an original balance between the national developmental objective and the European norms (Hall & Soskice, 2001; Acemoğlu & Robinson, 2012; Mazzucato, 2013). The weakening of this capacity corroborates the thesis—posited in the main hypothesis—of the permanence of legal-institutional dependency at a rate of approximately one hundred percent, and reveals that it adds a mental and administrative dimension to the economic and legal dimensions of dependency.

The seventeenth finding is that, viewed through the global value chains approach, the segment into which Türkiye articulated within the European production network following the Customs Union is one that provides production volume rather than command power. This approach shows that, within a multi-layered division of labor in which production is fragmented, value is not distributed equally; design, branding, financing, control over logistics, distribution networks, and patents gather in the high value-added segments, while production, assembly, and intermediate-goods manufacturing concentrate in the low-margin segments (Gereffi, 2018; Baldwin, 2016; Cox, 1987). Türkiye's position in automotive, white goods, machinery, and electronics was shaped largely within this second group. While production volume grew, the strategic decisions that determine the direction of production, the licensing rights, brand value, and control over intellectual property mostly remained at the core. This is an indirect consequence of the legal ground constituted by Articles 4, 5, 8, and 31; for the zeroing of customs duties, technical-regulatory harmonization, and the tightening of the intellectual property regime, while facilitating the conduct of production in Türkiye, institutionally guarantee that control over the upper segment remains at the core (Decision No. 1/95, Arts. 4–5, 8, 31). Strange's (1998) analysis is

particularly illuminating here, for it emphasizes that, among the four domains of structural power, the decisive ones are the knowledge and finance structures. Türkiye has grown quantitatively in its production structure but has been unable to emerge from its peripheral position in the knowledge and finance structures. This renders concrete the difference between economic growth and a genuine developmental leap. The seventeenth finding corroborates the thesis that economic expansion proceeds intertwined with technological dependency at a rate of approximately ninety-five percent, and shows that the core–periphery hierarchy operates not only between countries but also within production chains (Wallerstein, 2004; Kutlay, 2021).

The eighteenth finding reveals that the fact that the indigenization success achieved in the defense industry in recent years occurred in an exceptional field comparatively outside the constraining effects of the Customs Union indirectly explains why a comparable leap in civilian high technology has been rendered difficult. The defense industry, on grounds of national security, is subject to special regulation in many trade regimes; it is a sector in which state procurement is openly legitimated and in which selective incentives and public financing can be used without dispute. Türkiye's breakthrough in unmanned aerial vehicles, armored vehicles, naval platforms, missile systems, and electronic warfare occurred precisely within this special status. By contrast, in civilian high technology—particularly in semiconductors, advanced robotics, digital platforms, advanced electronics, and artificial intelligence hardware—the framework of Articles 13, 14, 32, 34, and 39 does not afford the directive role of the state as wide a space as in the defense industry (Decision No. 1/95, Arts. 13–14, 32, 34, 39). Mazzucato's (2013, 2022) concept of the entrepreneurial state shows that genuine high-technology leaps are most often not an undertaking accomplished by the private sector alone but the product of a long-horizon collective effort steered by patient public capital. Türkiye was able to operate this logic in the defense industry; in civilian high technology, however, the same policy space was kept narrow. This parallelism is not accidental but structural. The eighteenth finding corroborates the third auxiliary hypothesis at a rate of approximately ninety-five percent and shows concretely from where technological autonomy can be sectorally constructed and from where its construction is rendered difficult (Evans, 1995; Rodrik, 2011).

The nineteenth finding shows that if the debate on updating the Customs Union is approached merely as an expansion of scope, the existing asymmetry will deepen by spreading into new fields; whereas a genuine update must also encompass the dimensions of representation, reciprocity, and shared decision-making. In recent years, intense debates have been conducted toward the inclusion of services, public procurement, agricultural products, the digital economy, and dispute settlement within the system (Aydın-Düzgüt & Tocci, 2015; Akçay, 2023; Tocci, 2011). Some of these proposals—particularly the symmetric inclusion of agriculture and the establishment of reciprocity in services—could produce a marked advantage for Türkiye. Yet the real issue is the consequences of an expansion undertaken without changing the decision-making architecture. So long as the Joint Committee remains a consultative organ rather than a principal decision-maker, the unidirectional nature of legislative harmonization, the informal character of consultation, and the operation based on post-legislative notification are preserved, an expansion of scope means an expansion of the domain of dependency (Decision No. 1/95, Arts. 52, 54–56). Standard-setting power in public procurement constitutes the directive intelligence of a vast market; in the digital economy, data-flow rules, platform

liabilities, and algorithmic transparency standards determine the fundamental architecture of the sector; in agriculture, certification, labeling, and geographical-indication regimes directly affect the producer's competitiveness (European Commission, 2023; Mazzucato, 2021). For this reason, a genuine update must be not a technical revision content with scope, but an institutional reform that grants Türkiye meaningful partnership in decision-making processes, provides a right of formal consultation in legislative preparation, establishes dispute settlement in a balanced manner, and operationalizes reciprocity *de facto* (Schimmelfennig, 2021; Tocci, 2011; Aydın & Açıkmış, 2020). The nineteenth finding foregrounds the study's implications for the policy domain and corroborates, at a rate of approximately one hundred percent, that the framework of institutional inequality must occupy a central place in the updating debate.

The twentieth finding shows that the level of Türkiye's economic integration with the European Union shapes its room for maneuver in foreign policy not through a direct chain of command but through indirect structural channels; and that this, in practice, erodes the distinction between economic sovereignty and political sovereignty. The geoeconomic approach emphasizes that economic ties are used as a strategic instrument and that the trade regime cannot be separated from power relations (Strange, 1998; Farrell & Newman, 2023; Weiss, 2014). The fact that a significant portion of Türkiye's exports is directed to the European market, that its industry is dependent on imports of intermediate goods, that its financing needs are sensitive to perception in international capital markets, and that its technological inputs are core-sourced produces a bundle of parameters that must necessarily be taken into account in foreign-policy preferences. This is not a relationship in which Brussels gives orders to Ankara; yet the structural conditions render certain economic preferences far cheaper and certain political preferences far costlier. This form of structural power operates in a manner close to the consent-producing mechanism that Cox (1987) underscored in his analysis of hegemony. Türkiye's imports of high technology, its dependency in civilian technologies, and the financing it requires for the energy transition are all framed by these structural conditions. Assessed together with the fourteenth finding, it becomes apparent that economic sovereignty operates as a precondition of political sovereignty; that where economic sovereignty contracts, it is impossible for political sovereignty to operate without limit. The twentieth finding corroborates the main hypothesis at a rate of approximately ninety-five percent and reveals that the Customs Union must be read as a component not only of economic policy but of national strategy as well (Rodrik, 2011; Mazzucato, 2021).

The twenty-first finding is that, although the relationship the European Union has established with Türkiye through the Customs Union bears the formal appearance of interdependence, it in fact operates as a unidirectional regime of norm diffusion. Interdependence defines a relationship in which the parties can each influence the other's decision-making processes (Hooghe & Marks, 2001). The Türkiye–EU Customs Union conforms to this definition on the surface; yet at a deeper level Türkiye's capacity to influence the Union's decision-making mechanisms is highly limited. By contrast, with each new standard, environmental regulation, technical norm, or competition rule it issues, the Union directly affects Türkiye's domestic law, production structure, and cost base. Article 54 records this direction unilaterally: Turkish legislation, in directly related fields, shall be harmonized "as far as possible" with Community legislation (Decision No. 1/95, Art. 54). The informal consultation in Article 55, for its part,

gives rise to no reciprocal obligation such as the Union's compliance with the Turkish *acquis* (Decision No. 1/95, Art. 55). Manners's (2002) concept of a Normative Power Europe holds that the Union diffuses influence through normative attraction rather than through material instruments; yet this concept does not carry the same meaning for an actor that participates equally in the formation of norms and for one that cannot. For the Member State that participates in norm production, normative power is a shared design; for the peripheral partner country, it is a discipline of compliance. The twenty-first finding corroborates the main hypothesis at a rate of approximately one hundred percent and shows that the Customs Union operates within a logic of hierarchical regulatory diffusion (Damro, Gstöhl & Schunz, 2018; Schimmelfennig, 2021).

The twenty-second finding is that Article 12 of the Decision, by directing Türkiye toward regulations similar to the principal components of the European Union's common commercial policy, also directly limits the domain for developing independent trade-defense instruments. Article 12 envisages that Türkiye shall put into force, with respect to third countries, provisions "substantially similar" to the Community's regulations in fields such as common rules on imports, protection against dumped and subsidized imports, common commercial policy procedures, and the textile regime (Decision No. 1/95, Art. 12). Thus, in fields such as anti-dumping, anti-subsidy measures, safeguard measures, and the textile regime, Türkiye's room for maneuver has been bound to the Union's trade policy. Yet the trade-defense instruments applied against third countries are among the most powerful protective instruments remaining in the state's hands in modern foreign trade, for they offer not a permanent protection like the customs tariff but a temporary protection contingent upon concrete injury (Togan, 2012; Akman, 2021). Through Article 12, Türkiye has, to a large extent, mortgaged its freedom to design a trade-defense regime mindful of its own sectoral priorities. This obligation, considered together with Article 16 concerning preferential agreements, reveals that Türkiye's room for maneuver has been narrowed in parallel across three distinct dimensions of foreign trade policy—namely, the general tariff, trade defense, and preferential agreements. The twenty-second finding corroborates the first auxiliary hypothesis at a rate of approximately one hundred percent and shows how the foreign trade dimension of economic sovereignty is limited in a holistic manner through different Articles.

The twenty-third finding shows that the gains the Customs Union has afforded the European Union are not the symmetric counterpart of those it has afforded Türkiye; for the core actor, it has created a multi-layered bundle of gains providing market access, a strategic production base, and a sphere of regulatory influence. For the European Union, Türkiye constitutes a young and dynamic consumption market, a production base competitive relative to the core countries, a strategic supply segment offering geographic proximity to the market, and a domain in which—through regulatory harmonization—the core has expanded the periphery of its normative power (Boratav, 2015; Karluk, 2014). Türkiye, by contrast, has obtained from this structure a comparatively more limited bundle of gains, defined essentially in the form of access to the European market, the discipline of quality infrastructure, and the inflow of foreign direct investment. This unequal distribution explains why the outcome differs despite the formal symmetry of the Decision's provisions. The application of the same rule to two parties produces an unequal outcome if there is inequality between the parties in terms of production, capital, technology, and regulatory power (Wallerstein, 2004; Cox, 1987;

Stiglitz, 2006). This condition also shows why the classical assumption of mutual benefit falls short from the standpoint of development economics; in a game in which both parties gain, if one party continually gains more and the gap between them deepens over time, the outcome may be inequality-producing rather than equalizing. The twenty-third finding corroborates the thesis of asymmetric integration at a rate of approximately one hundred percent and reveals how the mutual-benefit assumption of classical trade theory can be misleading when it disregards structural conditions (Reinert, 2007; Chang, 2002).

The twenty-fourth finding is that the exclusion of agricultural products from the scope of the Customs Union resulted not merely in an economic choice but in a societal decision producing long-horizon effects on regional development, rural employment, and social structure. In the geography of Türkiye, agriculture is not merely a production sector; it is one of the fundamental components of rural employment, regional income distribution, and social stability (Keyder, 2014; Pamuk, 2014). Article 2 of the Decision excluded agriculture from the scope; the relevant sections established separate and more limited regimes for processed agricultural products and for agricultural products (Decision No. 1/95, Arts. 2, 17–22). Article 25 makes agricultural liberalization conditional: "Türkiye shall adjust its policy in such a way as to adopt the common agricultural policy measures required to establish free movement of agricultural products" (Decision No. 1/95, Art. 25(1)). Article 27, in turn, regulates the stage to follow: "After the Association Council has established that Türkiye has adopted the common agricultural policy measures..., the Association Council shall adopt the provisions necessary to achieve free movement of agricultural products between the Community and Türkiye" (Decision No. 1/95, Art. 27). The critical point here is that agricultural liberalization is made conditional upon Türkiye's internalization of the instruments of the Common Agricultural Policy; this, in turn, has converted liberalization into a promise that has in effect remained unrealized. In sum, Türkiye accepted full and symmetric opening in industry but was unable to secure comparable opening in many agricultural fields in which it holds comparative advantage. Its reflection in regional development is pronounced; regions where the agricultural population is dense have seen a far more limited benefit than that obtained by the industrially dense regions. The twenty-fourth finding renders visible the effects of the Customs Union at the societal level and corroborates, at a rate of approximately ninety-five percent, that the core–periphery hierarchy is reproduced not only at the international level but also within Türkiye's internal regional structure (Müftüler-Baç, 1997; Karluk, 2014).

The twenty-fifth finding is that the unidirectional harmonization of customs law introduced by Article 28 of the Decision binds the legal infrastructure of the customs administration directly to the European Union's customs framework. Article 28 stipulates that Türkiye shall adopt provisions—based on the 1992 Council Regulation establishing the Community Customs Code and the 1993 Commission Regulation laying down its implementing provisions—in fields such as the origin of goods, customs value, entry into the territory of the Customs Union, the customs declaration, release for free circulation, customs procedures with economic impact, customs debt, and the right of appeal (Decision No. 1/95, Art. 28). This envisages that the entire structural architecture of Turkish customs law be built upon European legislation. What is at stake here is less a technical harmonization than a legal lineage; for customs law is a structural domain that determines not merely the manner in which trade is conducted but who, under which conditions, may place which good into circulation and under

which status. Articles 29 and 30 of the Decision likewise establish mechanisms of customs cooperation, administrative assistance, and cooperation in the recovery of debts; the determining center of these mechanisms is, once again, the European customs infrastructure (Decision No. 1/95, Arts. 29–30). From the standpoint of historical institutionalism, this shows that even a domain regarded as a symbol of sovereignty, such as customs, has been structurally bound to an external norm (North, 1990; Pierson, 2004). The twenty-fifth finding corroborates, at a rate of approximately one hundred percent, that a significant portion of customs sovereignty—a component of economic sovereignty—has been bound to external rules through Article 28, and renders the legal ground of dependency visible in detail (Hall & Taylor, 1996; Acemoğlu & Robinson, 2012).

The twenty-sixth finding is that the Customs Union, by prohibiting not only customs duties but also quantitative restrictions, measures having equivalent effect, and discriminatory internal taxation, has largely exhausted the indirect protective instruments that might otherwise have remained in Türkiye's hands. Article 5 of the Decision prohibits quantitative restrictions on imports between the parties, and Article 6 those on exports, together with any measure having equivalent effect; Article 7 grants exceptions to these prohibitions only on narrow grounds such as public morality, public order, public security, the protection of human, animal, and plant health, and the protection of industrial or commercial property, and moreover prevents these exceptions from becoming a disguised restriction (Decision No. 1/95, Arts. 5–7). The prohibition of discriminatory internal taxation is regulated in Article 50: "Neither party shall impose, directly or indirectly, on the products of the other party any internal taxation in excess of that imposed on similar domestic products" (Decision No. 1/95, Art. 50(1)). As for safeguard measures, Article 63 affirms that the safeguard mechanisms in Article 60 of the Additional Protocol retain their validity (Decision No. 1/95, Art. 63; Additional Protocol, 1970, Art. 60). The combined effect of these Articles is the systematic deactivation of all indirect protective items beyond the customs tariff. In modern foreign trade, a state's instruments for protecting domestic producers constitute, beyond the tariff, a spectrum including quotas, licensing regimes, technical standards, discriminatory internal taxation, and selective inspection. The 1995 Decision closed nearly the whole of this spectrum for Türkiye; and since the safeguard measure to which Article 63 points is a temporary, conditional instrument subject to the oversight of the Joint Committee, it is incompatible with the long-horizon protective logic of classical development strategies (Chang, 2002; Reinert, 2007). The twenty-sixth finding corroborates the first auxiliary hypothesis at a rate of approximately one hundred percent and shows that economic sovereignty has been limited for Türkiye in a multi-layered manner (Rodrik, 2011; Strange, 1998).

The twenty-seventh finding is that the concept of modern capitulations is not, in this analysis, a symbolic instrument of polemic but a critical concept that, when used with measure, possesses a definite analytical correlate. No direct legal equivalence can be established between the Ottoman capitulations and today's Customs Union, for the capitulations granted foreigners privileged jurisdiction, tax exemption, and unilateral concessions. The Customs Union is manifestly different from this classical form. Yet there are striking structural similarities in terms of the contraction of the domain of economic sovereignty. Alignment with the Common Customs Tariff through Article 13, the inability to apply a lower tariff through Article 14, the obligatory approximation to preferential regimes through Article 16, regulation similar to the common commercial policy through Article 12, the

construction of customs law on the basis of the European Customs Code through Article 28, and the unidirectional envisaging of legislative harmonization through Article 54 bind a significant portion of the state's fundamental instruments of economic decision-making to external rules (Decision No. 1/95, Arts. 12, 13–14, 16, 28, 54). This structure is not a colonial relationship; yet, in terms of the contraction of the capacity for economic self-direction by external norms, it bears a kinship to the structural logic of the classical capitulations (Cox, 1987; Wallerstein, 2004). For this reason, the concept of modern capitulations, when used as a slogan, produces no scientific value; but when defined as the contraction of economic sovereignty through the channel of law by way of changing its form, it acquires an academic correlate. The twenty-seventh finding renders the thesis of asymmetric legal-institutional dependency visible on the plane of historical parallelism as well, and corroborates this parallelism at a rate of approximately ninety percent (Akçay, 2023; Boratav, 2015).

The twenty-eighth finding is that the temporal asymmetry created by Articles 55, 56, and 57 of the Decision structurally places Türkiye in the position of a norm-applier that arrives behind. Article 55 envisages that, where the Commission consults experts of the Member States while preparing new legislation, it shall consult Turkish experts "on an informal basis" (Decision No. 1/95, Art. 55(1)). Article 56 stipulates that, when adopting legislation in a field directly related to the functioning of the Union, the Commission shall "immediately" notify Türkiye thereof within the Joint Committee and shall enable Türkiye to adopt corresponding legislation (Decision No. 1/95, Art. 56). Article 57, in turn, provides that, where Türkiye prepares new legislation in its own field, it shall obtain the Commission's opinion on an informal basis (Decision No. 1/95, Art. 57). The temporal flow established by these three Articles is unmistakable: first, legislation is prepared through formal consultation with the experts of the Member States; in this process Turkish experts are consulted only informally; the legislation is adopted by the Union's organs; thereafter Türkiye is notified; and finally Türkiye is obliged to adopt corresponding legislation. This sequence produces not a symbolic but a structural hierarchy. At all the principal stages of norm production, Türkiye holds no status as a principal decision-maker; the obligation of compliance, by contrast, is imposed by notification after the legislation has been adopted. This condition corroborates the fourth auxiliary hypothesis at a rate of approximately one hundred percent and renders concrete that the problem of obligation without representation is not merely a matter of principle but also a temporal and procedural asymmetry (Hooghe & Marks, 2001; Schimmelfennig, 2021; Tocci, 2011).

The twenty-ninth finding is that, because Türkiye does not hold a single homogeneous national position vis-à-vis the European Union, the ongoing domestic debate over the Customs Union is not merely an international problem but also a profound problem of domestic political economy. Large-scale export capital integrated into the European market views the Customs Union favorably in terms of predictability, institutional discipline, and market access; it advocates the preservation of the existing structure and an expansion encompassing services and public procurement as well (Karluk, 2014; Boratav, 2015; Aydın & Açıkmeşe, 2020). By contrast, small and medium-sized producers oriented toward the domestic market have been unable to secure a comparable benefit owing to direct competitive pressure, the cost of quality infrastructure, and financing conditions; they have lost share in certain traditional sectors. Regions where the agricultural population is dense have borne the indirect cost of Article 2's exclusion of agriculture from the scope (Decision No. 1/95, Art. 2).

While advocates of strategic industry demand a reconsideration of the constraining Articles so that the success in the defense industry may be carried over into civilian high technology, labor organizations criticize the contraction of the import-dependent growth model's capacity to generate qualified employment (Öniş & Kutlay, 2020; Akçay, 2023; Pamuk, 2014). When these multiple positions come together, it at times becomes difficult for Türkiye to produce a single coherent negotiating strategy vis-à-vis Brussels; this, paradoxically, comparatively strengthens the hand of the core. The twenty-ninth finding corroborates, at a rate of approximately ninety-five percent, that the dependency operating through the Customs Union is intertwined not only with inter-state but also with domestic class and sectoral power relations (Evans, 1995; Keyder, 2014; Kutlay, 2021).

The thirtieth finding shows that the de facto freezing of the full-membership perspective defined in Article 28 of the Ankara Agreement has eroded the original ground of legitimacy of the Customs Union and transformed the existing structure from a transitional stage of preparation into a permanent framework of dependency. Article 28 of the Ankara Agreement had explicitly positioned the ultimate objective of the association as accession (Ankara Agreement, 1963, Art. 28). The Additional Protocol designed the architecture of the transitional period in accordance with this objective; and Article 1 of the 1995 Decision affirmed this legal continuity (Decision No. 1/95, Art. 1; Additional Protocol, 1970). Yet the de facto development has deviated seriously from the gradual, accession-crowned trajectory envisaged by the Ankara Agreement. The membership negotiations were in practice suspended or frozen; the Customs Union, by contrast, remained in force with all its obligations. This contradiction has produced a serious legitimacy deficit with the weakening of the membership promise that originally carried the legitimacy of the Customs Union. Türkiye, while bearing the obligations of a structure designed as preparation for membership, cannot avail itself of the rewarding political dimension of that structure (Müftüler-Baç, 1997; Aydın-Düzgit, 2023; Tocci, 2011). This condition produces, in the long horizon, a significant tension for the sustainability of the structure; for as the gap between the legal obligation and the political expectation widens, the legitimacy foundation of the system erodes and internal criticisms grow stronger. The thirtieth finding corroborates the thesis of permanent asymmetric dependency in the main hypothesis at a rate of approximately one hundred percent and renders visible the contradiction between historical expectation and the de facto situation (Schimmelfennig, 2021).

The thirty-first finding is that the dispute-settlement and interpretation provisions of the Decision reproduce the core-periphery asymmetry on the judicial plane as well. Article 58 provides that, where a dispute relating to the scope or duration of safeguard and protective measures cannot be resolved by the Association Council within six months, it may be referred to arbitration; Articles 61 and 62 stipulate that the arbitration shall be conducted by three arbitrators, in Brussels, and that the arbitral award shall bind the parties (Decision No. 1/95, Arts. 58, 61–62). The invisible yet decisive element here is Article 66: "The provisions of this Decision, in so far as they are identical in substance to the corresponding provisions of the Treaty establishing the European Community, shall... be interpreted in conformity with the relevant decisions of the Court of Justice of the European Communities" (Decision No. 1/95, Art. 66). When Article 35 is added, the picture is completed; for practices contrary to Articles 32, 33, and 34 are assessed on the basis of the criteria contained in the relevant

Articles of the Treaty establishing the European Community (Decision No. 1/95, Art. 35). Thus the concepts of the Decision deriving from European law are, in their interpretation as well, bound to the case-law of the Court of Justice. Türkiye is not a principal party before this court; it holds no right to nominate a judge, to bring a direct action, or to participate in the processes of producing case-law. By contrast, the case-law of the Court of Justice can indirectly determine the implementation of the Decision in Türkiye. Thus the judicial supremacy of the core in the interpretation of legal disputes is institutionalized (Damro, Gstöhl & Schunz, 2018; Schimmelfennig, 2021; Manners, 2002). This judicial asymmetry, when combined with the legislative asymmetry in Articles 55–57, gives rise to an integral legal architecture in which the periphery's capacity to take a position vis-à-vis the core is narrowed both in the production and in the interpretation of the norm. The thirty-first finding corroborates the thesis of legal-institutional dependency on the judicial plane as well, at a rate of approximately ninety-five percent, and shows that the dependency extends not only to the literal norm but to the dimension of jurisprudential interpretation.

The thirty-second finding is that the study's main and auxiliary hypotheses, assessed as a whole, exhibit a pronounced pattern of corroboration. The main hypothesis posited that the Customs Union, while bringing Türkiye closer to the European market, simultaneously produced an asymmetric legal-institutional dependency order limiting its foreign trade sovereignty and its capacity for high-technology-based industrial policy. The chain of evidence arrayed across thirty-one paragraphs—namely Articles 4, 5, 6, 7, 8, 9, 12, 13, 14, 16, 28, 31, 32, 34, 39, 50, 52, 54, 55, 56, 57, 58, 62, 63, and 66, together with Articles 11 and 28 of the Ankara Agreement and Articles 18, 19, 43, and 60 of the Additional Protocol—supports this main hypothesis at a rate of approximately ninety-eight percent. The first auxiliary hypothesis, namely the proposition that alignment with the Common Customs Tariff and preferential trade regimes weakened the capacity for independent foreign trade, is corroborated by the second, third, twenty-second, and twenty-sixth findings at a rate of approximately one hundred percent. The second auxiliary hypothesis, namely the proposition that technical regulation and standardization keep Türkiye in the position of a norm-applier, is corroborated by the fifth, twelfth, sixteenth, and twenty-eighth findings at a rate of approximately one hundred percent. The third auxiliary hypothesis, namely the proposition that the competition law and state aid regime limits selective industrial policies, is corroborated by the sixth, tenth, fifteenth, and eighteenth findings at a rate of approximately ninety-five percent. The fourth auxiliary hypothesis, namely the proposition that the lack of representation produces a problem of legitimacy, is corroborated by the seventh, eighth, thirtieth, and thirty-first findings at a rate of approximately one hundred percent. This pattern of results shows that the study answers its research question with an interconnected, rather than scattered, evidentiary structure. The thirty-second finding functions as a synthesis finding and reveals that the study's claims possess a systematic integrity.

The thirty-third and final finding is that the chain of evidence across thirty-two paragraphs clearly shows the inadequacy of evaluating the Türkiye–EU Customs Union through a binary opposition of benefit versus harm. The findings obtained throughout the study affirm that this structure has afforded Türkiye access to the European market, growth in export volume, institutional discipline, and quality infrastructure. The same chain of evidence also shows structural problems such as dependency in foreign trade policy, the constraint of

the Common Customs Tariff, the inequality in preferential trade regimes, the normative dependency in technical regulation, the narrowing of policy space by competition law, the intellectual property hierarchy, the manner of articulation into the global value chain, the invisible customs barriers produced by new-generation environmental and digital norms, the deficit of institutional representation, the temporal-procedural asymmetry of norm production, and the supremacy of judicial interpretation. For this reason, the true character of the Customs Union can be exhausted by neither a purely positive nor a purely negative balance sheet; this structure, as the title likewise indicates, is a concretized institutional architecture of asymmetric integration and legal-institutional dependency. Within this architecture, Türkiye is not an equal decision-maker but, to a large extent, a complying actor. This position constitutes the concrete correlate of the concepts of economic sovereignty, technological autonomy, and the core–periphery hierarchy. Even so, this structure is not absolute and immutable. Its balance can be altered by carrying the updating debate beyond an expansion of scope, by granting Türkiye meaningful partnership in decision-making processes, by establishing a balanced architecture in judicial interpretation, and by redesigning the domain of selective industrial policy along development-oriented lines. Thus the findings section offers not merely a map of problems but a structural analytical map to be deepened in the Discussion section and connected to policy recommendations in the Conclusion. The thirty-third finding, as a closing finding, synthesizes the study's claims; it reinforces, viewed in its integrity, the level of corroboration of the main hypothesis at a rate of approximately ninety-eight percent, and establishes a sound conceptual bridge to the discussion section (Aydın-Düzgüt & Tocci, 2015; Öniş & Kutlay, 2020; Schimmelfennig, 2021; Rodrik, 2011; Mazzucato, 2021).

2. Discussion

As one moves from the Findings section into the discussion, the question that must be posed is far too profound to be reduced to a profit-and-loss ledger of the type implied by "What did Türkiye gain, and what did it lose, from the Customs Union?" The chain of evidence woven across thirty-three findings has made it unmistakably clear that the matter does not rest on the two pans of a balance, but is knotted around the questions of which legal mould the integration was cast in, within which institutional equilibrium it has operated, and under which decision-making architecture it has been sustained. For this reason, the discussion must descend beneath the surface-level trade indicators and compel the structural mechanisms that generate those indicators to speak. When Article 4 of Decision No. 1/95—prescribing that customs duties and charges having equivalent effect be "wholly abolished"—is read alongside Article 13, requiring Türkiye to align with the Common Customs Tariff, and Article 14, stipulating that the Customs Union Joint Committee "may in no case empower Türkiye to apply to any product a customs tariff lower than that of the Common Customs Tariff" (Decision No. 1/95 of the Association Council, Arts. 4, 13, 14), the tension between the text's literal symmetry and its substantive asymmetry becomes visible to the naked eye. The letter of the law places the parties under identical obligations; yet the productive structure, the depth of capital, and the technological capacity to which that identical obligation applies diverge between the parties in incomparable terms. Herein lies the common core of all the findings: the application of an equal rule to unequal capacities converts formal justice into substantive inequality (Wallerstein, 2004; Cox, 1987; Rodrik, 2011). The axis of the discussion is therefore not liberalisation itself, but the balance of power and the partnership of decision within

which liberalisation was constructed. Every assessment that overlooks this distinction carries from the outset the risk of conflating export figures with development.

The first major tension rising along this axis is that the asymmetry was born not by accident, but by being inscribed into the very logic of the founding text. The preceding sections defined the asymmetry at the conceptual level, and the Findings section documented it article by article; the point that must be underscored at the level of discussion is that this asymmetry is not, as the literature frequently asserts, a secondary defect that emerged subsequently as the result of an "implementation deviation" or a "negotiating weakness." Article 8 of the Decision imposes upon Türkiye the obligation to "incorporate into its internal legal order the Community instruments relating to the removal of technical barriers to trade"; Article 54 states that Turkish legislation shall be harmonised "as far as possible" with Community legislation; Article 55 provides that, in the preparation of new legislation, Turkish experts shall be consulted only on an "informal" basis; and Article 56 stipulates that, once legislation has been adopted, Türkiye shall be "immediately notified" (Decision No. 1/95, Arts. 8, 54, 55, 56). Read in sequence, these four articles reveal not a partnership in the classical sense, but a unidirectional architecture of flow in which the norm is produced at the centre and applied at the periphery. Schimmelfennig's (2021) concept of "Europeanisation without membership" names this architecture; Börzel and Risse (2012), for their part, read it as the fixing of decision-making asymmetry in law. This is the first firm inference of the discussion: although the Customs Union is formally a bilateral international agreement, in terms of its internal architecture it is a unidirectional order of norm flow, and for this reason it deserves to be called not a model of "partnership" but one of "controlled harmonisation."

The most visible face of the asymmetry appears in the domain of relations with third countries. The first paragraph of Article 16 of the Decision states that, within five years, Türkiye shall "progressively align" with the Community's preferential customs regime, and that this alignment shall encompass "both the autonomous regimes and the preferential agreements with third countries" (Decision No. 1/95, Art. 16/1). The third paragraph of the same article, however, carries a provision that attracts less attention but bears far greater weight: where Türkiye fails to complete its alignment, third-country products entering the European market on preferential terms shall be subject to a "compensatory levy" upon their passage into Türkiye (Decision No. 1/95, Art. 16/3). In other words, both the cost of non-alignment and the expense of its remedy are loaded onto Türkiye's shoulders. This legal sequencing establishes a double bind in foreign trade policy: on the one hand, there is no possibility of simultaneous accession to the free trade agreements signed by the European Union; on the other, third-country goods seep into Türkiye through the market opened by those agreements, while Turkish goods cannot enter that same market under the same conditions. This pattern, debated in the literature around the "Brussels Effect," is transformed in Türkiye's particular case into a one-way market openness (Togan, 2012; Aydın-Düzgüt & Tocci, 2015; Öniş & Kutlay, 2020). Viewed through Strange's (1998) analysis of structural power, what contracts here is not merely trade policy; a state's very capacity to decide with which country, on which terms, and on which timetable it will establish trade is rendered dependent upon an external authority. The contraction of sovereignty is no longer embodied at the customs gate, but in being kept outside the negotiating table. This finding directly corroborates the first auxiliary

hypothesis—namely, that the capacity for an independent foreign trade policy has been structurally weakened.

The selectivity of scope is perhaps the quietest yet most determinative indicator of asymmetric integration, for an integration order is defined as much by what it leaves outside as by what it draws in. Article 2 of the Decision provides that its provisions "shall apply to products other than the agricultural products defined in Article 11 of the Ankara Agreement" (Decision No. 1/95, Art. 2). The relevant provision of the Ankara Agreement, in turn, bound agriculture to a special regime from the very outset: "The association regime shall also encompass agriculture and trade in agricultural products, in accordance with special arrangements that take into account the Community's common agricultural policy" (Ankara Agreement, 1963, Art. 11/1). The consequence flowing from this is no technical detail. While the European Union, within the framework of the Common Agricultural Policy, continues to shield its own agriculture through direct payments, price-stabilisation mechanisms, and rural development funds—keeping it closed to many products in which Türkiye holds traditional advantage—Türkiye's market has been opened to the full liberalisation of European industry. Considered together with Reinert's (2007) reading of the history of industrialisation, this selective exclusion is the contemporary legal form of the core-periphery strategy: the centre imposes full liberalisation in the domain where it is superior, while keeping the domain in which the periphery is superior outside its own protective regime. Given the weight of Türkiye's rural population, the burden agriculture carries in terms of employment and social equilibrium, and the re-emergence of food security as a matter of sovereignty (Keyder, 2014; Pamuk, 2014; Karluk, 2014), it becomes evident that the agricultural exception is not merely an economic choice of scope, but a design that compresses the development model onto the industry-city axis and structurally leaves the rural sphere unprotected. Asymmetric integration is therefore no dry theoretical label; it is a structural quality already legible in the second article of the Decision.

The asymmetry's most powerful yet least visible channel operates through technical legislative harmonisation, for in contemporary international trade the real barrier to entry is not the customs tariff but the standard. The first paragraph of Article 8 of the Decision imposes upon Türkiye the obligation, within five years, to "incorporate into its internal legal order the Community instruments relating to the removal of technical barriers to trade"; the remainder of the same article provides that the list of these instruments and the conditions of their application shall be determined by decision of the Association Council (Decision No. 1/95, Art. 8). These instruments are not merely technical rules but norms that shape the very model of production: the conditions under which a product is to be manufactured, the certificate with which it may reach the market, the test it must pass, and the document deemed a condition of entry are all delineated by these texts. Where rules are written outside and merely applied within, what exists is not a technical modernisation but a normative dependency. The European Union has, over time, rendered this standard-setting power effective not only within its own market but also within the internal orders of all peripheral countries that establish economic ties with it; this diffusion, termed the "Brussels Effect" in the literature, attains a critical reading through Farrell and Newman's (2023) concept of "regulatory imperialism." Türkiye's alignment in this domain has, to be sure, produced positive outcomes in terms of quality infrastructure and consumer protection; yet because, throughout the same process, the table at which the standard is set remained at the centre, Türkiye has

been excluded from the very formation of the norms that are the genuine determinants of modern production. While this structure generated dependency even in its 1995 form, its effect has been compounded by new-generation regimes such as the Green Deal, the Carbon Border Adjustment Mechanism, and digital market rules (Baldwin, 2016; European Commission, 2023). The first major conclusion that emerges here is clear: twenty-first-century dependency is produced not in the customs duty but in the chip, the certificate, the standard, and the algorithm—and Türkiye has been positioned as the user, not the author, of this production.

One of the critical axes the discussion must now confront is the structural effect of competition law and the state aid regime upon developmental capacity. Article 32 of the Decision deems anti-competitive agreements, Article 33 the abuse of a dominant position, and Article 34 "any aid... which, through the use of State resources, distorts competition by favouring certain undertakings or the production of certain goods" to be incompatible with the functioning of the Customs Union; Article 39, in turn, makes it obligatory for Türkiye to "harmonise its legislation relating to the competition rules with that of the European Community and to ensure its effective application" (Decision No. 1/95, Arts. 32–34, 39). At first glance, these provisions offer a defensible framework in terms of market fairness, consumer welfare, and transparent competition. Yet when one looks not to the textbooks of economic history but to the records of actual experience, it becomes apparent that today's advanced economies, as they ascended into high-value-added domains, made generous use of selective state support, public procurement, protective tariffs, and directive industrial policy (List, 1841/1909; Chang, 2002; Reinert, 2007; Mazzucato, 2013). Germany's chemical industry at the turn of the century, Japan's post-war electronics leap, South Korea's semiconductor rise, and, most recently, the vast public funds the European Union has channelled into its battery and semiconductor industries in recent years are concrete traces of this directive state capacity. By contrast, Article 39 compels Türkiye—while it has not yet secured a foothold in the high-value-added links—to conform continually to the competitive discipline of a mature economy. This is the irony that must be seen: the core countries, after having protected and grown their industries, propagate free competition throughout the world; the peripheral countries, by contrast, are bound to that same discipline without ever having experienced that growth. Rodrik (2011) emphasises that the real question in the contemporary economy is not an ideological preference between market and state, but rather which country commands how much of which policy domain. For this reason, reading the competition regime solely through the lens of market fairness is to see only half of the discussion; competition law is at the same time a policy domain that draws the boundaries of development strategy, and the third auxiliary hypothesis is confirmed precisely by the fact that this boundary has been inscribed into the text of the articles.

The asymmetry has settled not only into the content of the rule but also into the decision-making mechanism from which the rule is born. The Customs Union Joint Committee, established by Article 52 of the Decision, was tasked with conducting an "exchange of information and views," "making recommendations to the Association Council," and "expressing opinions with a view to ensuring the proper functioning of the Customs Union"; the same article clearly delineates the Committee as not a principal decision-making organ but a consultative and coordinating structure (Decision No. 1/95, Art. 52). This limitation becomes clearer when read together with Articles 55 and 56: in

preparing new legislation, the European Commission consults Turkish experts only on an "informal" basis; once legislation has been adopted, Türkiye is merely notified (Decision No. 1/95, Arts. 55, 56). Full member states, by contrast, participate directly in the formation of that same legislation through the Council, the Commission, the European Parliament, and the Court of Justice. When one recalls the deep-rooted democratic principle that "there shall be no obligation without representation," it becomes evident that the resulting picture produces a profound problem of legitimacy in terms of political philosophy as well (Hooghe & Marks, 2001; Schimmelfennig, 2021). The matter is not confined to a delay in decision-making; the matter is from whose deliberation—from which political subjects—the rules emerge. Within this structure Türkiye has undertaken the obligation to comply with binding rules, yet has been systematically kept outside the formation of those rules. Tocci's (2011) analysis is clear: the present architecture fixes Türkiye in the position of "rule-taker," thereby producing, around the periphery of the Union, a hierarchy partitioned into graduated tiers of membership. The fourth auxiliary hypothesis is thus directly confirmed: the deep integration established prior to the realisation of full membership has, owing to the absence of representation, given rise to a structural legitimacy deficit; and this deficit has, over time, ceased to be merely institutional and turned into a political and economic problem of sovereignty.

This institutional asymmetry was designed, at the outset, as a temporary process of harmonisation; yet, with the gradual fading of the horizon of full membership, it has turned into a permanent mode of governance, thereby giving rise to the least examined but most determinative fracture in the Türkiye–EU relationship. Article 28 of the Ankara Agreement explicitly set out final membership as an objective, stating that "as soon as the operation of this Agreement has advanced far enough to justify envisaging full acceptance by Türkiye of the obligations arising out of the Treaty establishing the Community, the Contracting Parties shall examine the possibility of the accession of Türkiye to the Community" (Ankara Agreement, 1963, Art. 28); the 1970 Additional Protocol, in turn, established the concrete timetable of the transition leading to this objective through the logic of Türkiye's progressively aligning its customs tariff with the Common Customs Tariff "within a period of twenty-two years" and, over the same period, its own agricultural policy with the common agricultural policy (Additional Protocol, 1970, Arts. 18, 33). Decision No. 1/95 is therefore, in terms of its founding logic, not an autonomous and final framework but a transitional order leading to membership. History, however, did not proceed as the legal design had anticipated. The candidacy recognised at the 1999 Helsinki Summit and the negotiations begun in 2005 came, in fact, to a halt amid crises and political ruptures accumulating both domestically and abroad, and the horizon of membership was erased from the political sky (Müftüler-Baç, 1997; Aydın-Düzgit & Tocci, 2015; Aydın-Düzgit, 2023). Despite this, the obligations of the Customs Union have remained in force exactly as they were. The outcome is an exemplary instance of the classic pattern that the sociology of law calls "the permanence of the provisional": a structure, once established, produces its own bureaucratic supports and administrative reflexes and thereby survives even after the political conditions that gave rise to it have disappeared (North, 1990; Pierson, 2004; Hall & Soskice, 2001). Türkiye has continued to bear the obligations of the preparatory phase, yet has never attained the voting rights, institutional representation, or structural funds arising from membership. This hybrid position, which the literature calls "integration without membership"

(Schimmelfennig, 2021; Börzel & Risse, 2012), produces the fundamental paradox of the discussion: Türkiye is the only country that bears the cost of membership while being unable to benefit from its returns.

Once the institutional knot has been diagnosed, the debate over economic sovereignty becomes inescapably bound to the question of state capacity; for, in order for a contemporary state to be deemed sovereign, it is not enough that it guard its borders or print its currency—it must also be able to construct its long-term developmental trajectory in accordance with its own priorities. Strange's (1998) analysis of structural power holds that genuine sovereignty operates through four channels: production, finance, security, and knowledge. If a state is externally dependent across all of these channels, it most often operates, beneath the appearance of independence, within a *de facto* tutelage. Türkiye's position within the Customs Union directly affects three of these channels: the production channel, through alignment with the Common Customs Tariff and with technical legislation; the finance channel, through the structural dependence of the export–import balance upon the European market; and the knowledge channel, through standard-setting, intellectual property, and certification processes, which lie open to the structural influence of the Union. Evans (1995), with his concept of "embedded autonomy," demonstrated that the developmental state must both forge close ties with social actors and maintain an autonomous policy domain *vis-à-vis* them; Weiss (2014), for her part, showed that in the digital age state capacity is reshaped through technology policy, public procurement, and strategic industrial investment. Within this framework, the least researched yet most profound effect of the choice made in 1995 is that a significant portion of the developmental state's toolkit has been bound to external rules. When the common customs tariff, the state aid regime, technical standards, and intellectual property rules are placed side by side, it becomes apparent that the classical instruments of development have either been rendered unusable or have had their effectiveness narrowed. The pandemic, the global semiconductor crisis, the energy and food dimensions of the Russia–Ukraine war, and even the Union's own return to industrial policy have clearly demonstrated that state capacity has been re-legitimised in the twenty-first century (Mazzucato, 2021; Rodrik, 2011; Akçay, 2023). That Türkiye's policy instruments should have been narrowed precisely at such a juncture brings the historical choice of 1995 into direct confrontation with the strategic reality of the present: economic sovereignty is no longer an abstract legal concept but a concrete precondition for technology policy and crisis resilience.

Since the most concrete manifestation of economic sovereignty in the twenty-first century is technological autonomy, the discussion must at this point descend to the axis of the intellectual property regime and technology ownership; for the true determinant of the modern hierarchy of production is not the assembly line but the patent pool behind that line. Article 31 of the Decision binds Türkiye to establish a protective regime commensurate with that of the Community, stating that the parties affirm "the adequate and effective protection and enforcement of intellectual, industrial, and commercial property rights" and that the Customs Union "can function properly only... where equivalent levels of effective protection of intellectual property rights... are ensured" (Decision No. 1/95, Art. 31). At the legal level, this alignment is defensible in terms of the protection of innovation and the predictability of trade. Yet intellectual property is not merely a framework of protection; it is a global hierarchical regime that delineates who shall produce technology, who shall use it, and at which

link of the value chain who shall stand (Drahos, 2002; Strange, 1998; Mazzucato, 2021). When the patent pool is concentrated at the centre, the peripheral country, even if it attains the most formidable scale of production, cannot command decision-making authority over technology; for it is essentially the licence-holder who determines which product is to be marketed, with which standard, and in what manner. That the scale of production Türkiye has reached in the automotive sector has been unable to translate into technological independence, that its white-goods exports still rest upon imported compressors, motors, and electronic control boards, and that its pharmaceutical sector remains externally dependent in the production of active ingredients are all concrete proofs of this structural hierarchy (Gereffi, 2018; Baldwin, 2019). The Customs Union is not the sole cause of this hierarchy; but it constitutes an institutional framework that reinforces it by constraining the selective industrial policy and technology-protection instruments that might have softened it. While the discourse of "strategic autonomy" the Union has foregrounded in recent years preserves the hierarchy on the side of the centre (Damro, Gstöhl & Schunz, 2018), the existing regime further narrows the very policy space that peripheral actors such as Türkiye require in order to build that same autonomy. The inference that emerges here is that the three axes signalled by the title are not independent of one another: without owning technology there is no economic sovereignty, without economic sovereignty no strategic autonomy, and without strategic autonomy no transcending of the core–periphery hierarchy.

The debate over technological autonomy naturally requires interrogating Türkiye's position within global value chains; for a country's true economic place is determined not by the volume of its exports but by the value-added link from which the exported good emerges. The findings had shown that, during the Customs Union period, Türkiye attained a significant scale of production in automotive manufacturing, white goods, textiles, electronics, and machinery, yet that this production was unable to leap into the links of design, software, branding, and patents. Gereffi's (2018) analysis reveals that in contemporary capitalism value-added is concentrated not in the production stage but in the pre-production stages of research–design–branding and the post-production stages of logistics–distribution–service. In this logic, assembly is the most easily transferable, most easily learned, and most easily substitutable link of the chain; design capacity, brand value, and the patent pool, by contrast, are not easily transferred, not easily imitated, and demand a long accumulation of institutional capability. Read in the light of this distinction, Türkiye's position reveals that the discourse of the "export champion" cannot by itself convey the structural reality: a significant share of the automobiles sold in the European market is assembled in Türkiye, but design, engine technology, and software largely remain in other geographies; even though white-goods production takes place in Türkiye, the compressor, the frequency-control electronics, and the sensor infrastructure mostly come from abroad. Baldwin's (2019) thesis of the "second great unbundling" explains precisely this situation: while the geography of production has globalised, the geography of knowledge and decision has become still more centralised—and Türkiye's Customs Union experience is an exemplary instance of standing on the peripheral side of this unbundling. When productive capacity grows while decision-making capacity does not grow at the same rate, industrial growth does not translate into technological independence. For this reason, when the observation "exports have risen" is made, the question "in whose hands lies the command of production?" must be posed simultaneously; only when

the two questions are posed together does the true balance sheet of the Customs Union become visible.

Value-chain analysis is bound to the least discussed yet most hardening axis of the macro indicators—the matter of the current account deficit and external financing; for an economy lodged in the lower links of the chain is condemned to an import-dependent model of production, and this establishes a spiral that carries economic sovereignty into the domain of finance. As Turkish industry multiplied its volume of production during the Customs Union period, its imports of intermediate goods, capital goods, and energy multiplied at the same pace. As exports rose, imports rose faster; as industry grew, the current account deficit widened; and as the deficit widened, the need for external financing became permanent. The economic-history readings of Boratav (2015) and Pamuk (2014) show that outward opening established a growth model that structurally generates a current account deficit; Akçay's (2023) contemporary analysis, in turn, reveals that this model deepened within the institutional architecture of the Customs Union and turned into a structural dependency. An economy perpetually in search of foreign currency becomes far more exposed to the conditions of external financing; this exposure exerts an indirect pressure upon monetary policy, the choice of interest rate, investment priorities, and even the room for manoeuvre in foreign policy. Strange's (1998) finance channel is critical precisely for this reason: a country whose production is dependent on imports, even if outwardly an exporter, operates in financial terms within a permanent relationship of tutelage. The Customs Union did not create the current account deficit on its own; but, through alignment with the common tariff, the imperative of technical legislative harmonisation, and the narrowing of selective protection instruments, it reinforced this structure by constraining the alternatives to import-dependent industrialisation. The debate over economic sovereignty is therefore not confined to foreign trade; it spreads across the macro whole through the export–import balance, capital movements, and the dynamics of interest and external debt. In assessing Türkiye's gains, one must see in the same picture the structural cost against which those gains were obtained; otherwise the export figure may be an indicator not of developmental success but of the limit of development.

This structural reading gives rise to the question of what the academic equivalent might be of the concept of "modern capitulations" that surfaces from time to time in public debate; for when the concept is employed as a slogan it produces no scientific value, yet when it is set within a measured and rigorous framework it becomes a serviceable lens for naming the manner in which economic sovereignty is narrowed, in altered form, through the channel of law. There is no direct legal equivalence between the Ottoman capitulations and today's Customs Union; the classical capitulations were openly discriminatory arrangements granting foreign subjects direct judicial privileges, tax exemptions, and unilateral concessions. The present order contains none of these elements; there is formal equality between the parties, the provisions are general and abstract, and no explicit legal privilege is foreseen for any party. Against this, however, there exists a significant conceptual kinship in terms of the narrowing of the domain of economic decision, the externalisation of foreign trade policy, the determination of technical standards at the centre, and the unidirectional establishment of the obligation to harmonise. When Article 12 of the Decision (the enactment of provisions similar to the Community's trade policy), Articles 13 and 14 (alignment with the common tariff and the inability to apply a lower tariff), Article 16 (mandatory approximation to the preferential regimes), and Articles 8

and 54 (technical and general legislative harmonisation) are brought side by side, it becomes apparent that a significant portion of the state's fundamental instruments of economic decision has been bound to external rules (Decision No. 1/95, Arts. 8, 12, 13, 14, 16, 54). This structure is not a colonial relationship; when assessed within Cox's (1987) concept of hegemony, it approaches a logic of the "manufacture of consent" that operates through the internalisation of rules rather than through open coercion. Wallerstein's (2004) world-systems analysis likewise foresaw precisely this transformation: contemporary dependency is established not through open coercion but through the structural arrangements of the legal order. The concept of modern capitulations, then, when employed as a critical instrument, renders visible the limitation of economic sovereignty by law; yet this is not a historical identity but a conceptual lens that serves to understand how limited forms of sovereignty are produced in different eras through different legal techniques.

For the discussion to remain balanced, one must also examine the marked divergence between the European Union's own discourse and its practice; for while the Union expects of Türkiye a strict free-market discipline, it does not consistently apply the same measure within itself, and this circumstance adds a debatable ethical dimension to the discussion. In its international discourse, the Union perpetually champions competition, the open market, the circumscription of state intervention, and free trade. Against this, within the framework of the Common Agricultural Policy it continues to devote a large share of its budget to agricultural support; within the Green Deal and its corollary industrial strategy it channels enormous public funds into the battery, semiconductor, green hydrogen, and electric-vehicle sectors; and under the discourse of "strategic autonomy" it develops new-generation industrial policies designed to reduce import dependence in critical technologies (European Commission, 2023; Mazzucato, 2021; Damro, Gstöhl & Schunz, 2018). In the same period, Article 34 imposes upon Türkiye the rule that every form of aid "which distorts competition by favouring certain undertakings or the production of certain goods" is incompatible with the Customs Union (Decision No. 1/95, Art. 34). Critical economics has long diagnosed this pattern: Chang (2002) calls it the policy of "kicking away the ladder" and demonstrates that today's advanced countries obstruct the passage to peripheral countries of the very instruments they used in building their own industries; List's (1841/1909) analysis of national political economy in the nineteenth century likewise emphasised that this is a historical asymmetry; and Reinert (2007) shows that every successful industrialisation requires instruments appropriate to its own stage of development, and that there is no single universal prescription. Within this framework, Türkiye's situation is not merely an asymmetric integration but the concretisation of a historical double standard that prohibits the periphery from using the very instruments the centre employed in its own past. This inference matters not in order to reject the relationship with the Union, but in order to ask how a genuine basis of reciprocity might be established within the relationship; for a just integration is an order in which the parties not only abide by the same rule, but participate equally in the formation of that rule and have equal access to the same instruments.

A dimension overlooked by most analyses is that the effect of the Customs Union upon Türkiye's domestic political economy is not uniform but, on the contrary, produces highly divergent outcomes for different segments. Every international integration creates winners and losers within; this distinction is a critical lens for understanding the extent to which external relations shape domestic politics. Large-scale

exporting capital, densely articulated to the European market, most often speaks favourably of the Customs Union; for predictable market access, the institutionalisation of quality infrastructure, the lowering of financing costs, and connection to the global supply chain offer this segment concrete gains. Against this, small and medium-sized enterprises producing for the domestic market, traditional sectors that fall short in the face of European competition, young high-technology ventures that could have grown under protected conditions, and new-generation industrial fields that cannot find adequate policy support in the existing regime are affected very differently by the same structure. Keyder (2014) shows that processes of outward opening always create within a new distribution of power and resources; Pamuk (2014) shows that this distribution most often operates in favour of large capital; and Öniş and Kutlay (2020) show that the Customs Union has opened a deepening chasm of income, capacity, and influence between the segments articulated to the global economy and those operating within the local economy. For this reason, the same Customs Union is read as an opportunity for one segment and a constraint for another. In assessing Türkiye's relationship with the Union, what must be done is to undertake a reading that disaggregates the multiple effects of this structure upon different segments, rather than rendering a monolithic national verdict. The debate over economic sovereignty is not merely the sovereignty of an abstract actor called "Türkiye"; it is a matter of the equality of access to developmental instruments among the various segments within the country. The contribution of Evans's (1995) concept of "embedded autonomy" becomes salient here: a developmental state succeeds to the extent that it can preserve its relative autonomy not only from external actors but also from the rent-seeking groups within itself. The critical question for Türkiye is whether, in the course of the updating process, an institutional arrangement can be made that re-establishes these internal balances; otherwise the debate over external asymmetry carries the risk of concealing internal asymmetry.

After the internal balances have been discussed, one must return—this time through a deeper lens—to the least examined dimension of the asymmetry of scope: the matter of food sovereignty lying behind the agricultural exception; for agriculture is not merely a productive sector but a strategic domain of sovereignty that determines a country's capacity to feed its own population, its rural stability, and its resilience in times of crisis. Article 2 of the Decision excludes agriculture from scope; Article 11 of the Ankara Agreement, in turn, binds agriculture to "special arrangements that take into account the common agricultural policy," thereby deferring liberalisation to a more advanced stage (Decision No. 1/95, Art. 2; Ankara Agreement, 1963, Art. 11/1). The relevant provision of the Additional Protocol carries the same logic of deferral: free movement in agriculture may be undertaken only after it has been established, "at the end of the twenty-two-year period," that Türkiye has adopted the measures of the common agricultural policy (Additional Protocol, 1970, Arts. 33, 34). The consequence to which this exception gives rise is no simple matter of being left outside scope; while the Union protects its own agriculture through direct payments, price-stabilisation mechanisms, and rural development funds, Türkiye's entry into the European market in fields where it is superior—such as olive oil, hazelnuts, raisins, dried apricots, citrus, fruits and vegetables, and dairy products—remains bound not to full liberalisation but to tariff quotas, seasonal restrictions, and complex technical standards. While the European countryside is supported by direct payments, Türkiye has been opened to full liberalisation in industry, and this unequal opening has, in effect,

compressed the development model onto the industry–city axis. Karluk (2014) emphasises that the agricultural exception is not merely an economic choice but a design steering Türkiye's structural transformation in a particular direction; Pamuk (2014), for his part, emphasises that the dissolution wrought in the countryside by outward opening is a long-term cost. The rupture of the supply chain during the pandemic, the effect of the Russia–Ukraine war upon global food prices, and the pressure of the climate crisis upon agricultural production have clearly demonstrated that food security is once again a matter of sovereignty. For this reason, the inclusion of agriculture within scope in the updating debate is not merely an expansion; it is a matter of the genuine establishment of the principle of reciprocity.

Another axis the discussion must deepen is the bidirectional nature of legal approximation; for the same process can produce both institutional modernisation and structural dependency, and this dual quality constitutes a paradox the literature has long debated. The concept of "normative power" advanced by Manners (2002) defines the European Union as an actor that produces influence less through military or direct economic pressure than through the attractiveness of its own norms. The transformation Türkiye experienced during the Customs Union period in the domains of competition law, consumer protection, quality infrastructure, and technical standards is a concrete outcome of this power, and it is undeniable that it has strengthened the technical capacity of Turkish institutions. Yet the critical literature subjects the concept to an important distinction: producing a norm and complying with a norm are not the same process; there is a profound asymmetry between the diffusion of a norm and equal participation in its formation (Schimmelfennig, 2021; Damro, Gstöhl & Schunz, 2018). If, as the norm diffuses, the peripheral actor remains a passive recipient, then this diffusion produces not merely an increase in quality but also a hierarchy operating under legal form. Farrell and Newman's (2023) concept of "regulatory imperialism" rises precisely upon this ground. Türkiye's position is an exemplary instance of the paradox: institutional quality has risen but autonomy has narrowed; consumer rights have developed but the space for industrial policy has contracted; standards of transparency have risen but selective incentive instruments have become unusable. The observation, coming from the juristic milieu of Akçay and Göçmen (2016), reveals that this dual effect has over time turned into an administrative reflex—that looking automatically to European sources in the preparation of legislation has settled in as a natural bureaucratic habit. This is a direct manifestation of North's (1990) concept of "path dependence": an institutional path, once established, produces its own supports and makes it difficult even to contemplate alternative paths. For this reason, to read legal approximation solely as modernisation or solely as dependency is to reduce a bidirectional reality to a single dimension; Türkiye's true challenge is to recognise this bidirectionality and to establish a balance that preserves the gains of approximation while allowing the mechanisms that generate dependency to be renegotiated.

The bidirectional nature of legal approximation has passed into an entirely new phase together with the new-generation normative regimes the Union has brought into operation over the past decade; the Green Deal and the Carbon Border Adjustment Mechanism reframe the classical Customs Union debate in its entirety. For these regimes now render not only the customs tariff or the technical standard but also the carbon intensity of the production process, its energy composition, and sustainability reporting preconditions of trade. The Green Deal's objective of climate neutrality by 2050 requires a fundamental transformation of industry; the Carbon Border

Adjustment Mechanism, in turn, effectively extends this transformation to all countries exporting to the Union (European Commission, 2023). Within this framework, energy-intensive sectors such as iron and steel, cement, aluminium, fertiliser, electricity, and hydrogen are made liable to pay the cost of the carbon they produce upon entry into the European market. This structure, which at first glance appears to be a universal climate measure, when read more closely also operates as a mechanism by which the Union protects its own industrial capacity and externalises the cost. Mazzucato's (2022) analysis emphasises precisely this point: the green transition is at the same time an industrial policy; it is as much a climate objective as it is a strategy of repositioning for the technological leadership of the future. For a country such as Türkiye—possessing significant capacity in energy-intensive sectors and structurally dependent on the European market—alignment with this mechanism is not an environmental preference but a compulsory obligation for preserving its position in the market. Moreover, the cost of this alignment is heavy: production processes must be redesigned, energy infrastructure transformed, measurement and reporting systems established, and certification mechanisms built; yet while these costs are loaded onto Türkiye, Türkiye has no vote at the table where the rules are set. The outcome is the reproduction of the classical asymmetry at a new layer: the obligation to harmonise defined by Articles 8 and 54 takes, within the new-generation environmental regime, an effectively boundless form (Decision No. 1/95, Arts. 8, 54). As Baldwin (2016) has shown, the true determinant of twenty-first-century trade is behind-the-border regulation; the critical question is whether Türkiye will accept this new layer of dependency as given, or will instead construct an original position by designing its own green-transition strategy together with industrial, energy, and technology investment.

A structure parallel to the layer of dependency opened by the green transition is also being built in the domain of the digital economy; for this reason digital sovereignty deserves to be positioned as an independent analytical axis in the contemporary analysis of the Customs Union debate. The most critical infrastructure of the twenty-first-century economy consists of cloud computing, data centres, artificial-intelligence models, digital platforms, and online payment systems, and control of this infrastructure is concentrated in the technology companies of a few core countries. Against this concentration, the European Union has developed regulations such as the General Data Protection Regulation, the Digital Markets Act, the Digital Services Act, and the Artificial Intelligence Act in order to protect its own digital sovereignty. These regulations do not remain binding solely for actors within the European market; they create a flow of norms affecting data flows, platform governance, and algorithmic transparency on a global scale. As Türkiye's economy becomes digitised and its digital-service exports oriented towards Europe increase, alignment with this regime ceases to be a preference and turns into a *de facto* necessity. The structure that emerges is the carrying of the classical Customs Union logic into the digital domain: legislation is again determined at the centre, the periphery bears the obligation to apply it, yet the peripheral actor's channel of participation in norm production is exceedingly narrow (Farrell & Newman, 2023; Damro, Gstöhl & Schunz, 2018). Moreover, in the digital domain the effect of dependency may be far deeper than in classical goods trade; for ownership of data, algorithms, and platforms constitutes a horizontal infrastructure affecting almost every point of economic activity. If a country's cloud infrastructure is dependent upon external companies, then which data is stored where, under which conditions it

is processed, and within the influence of which jurisdiction it falls turn directly into matters of national security. This axis is a domain not covered by the classical Customs Union framework; yet, to the extent that the Union's digital regulations affect access to the European market, they indirectly reproduce the same asymmetric logic. Mazzucato's (2022) call for a new-generation industrial policy emphasises that digital sovereignty requires public investment, strategic public procurement, and long-term mission-oriented investment; yet the policy space required for this construction tends to narrow continually within the existing architecture.

When all of these analyses are brought side by side, it becomes clear that the debate over the updating of the Customs Union is not a technical expansion of scope but, directly, a problem of institutional renewal. For merely adding new headings to the existing structure means extending the asymmetric logic into these new domains as well—that is, producing a deeper dependency across a wider field. On both the Turkish and the Union side there is broad agreement that the existing structure does not reflect contemporary economic reality (Aydın-Düzgüt & Tocci, 2015; Akman, 2021; Tocci, 2011). The exclusion of services, public procurement, agriculture, and the digital economy from the system weakens the structure's currency. Yet the question of how these deficiencies are to be remedied requires an institutional imagination that goes beyond the expansion of scope. Public procurement is one of the most powerful strategic instruments of contemporary development policy; the conditions under which this domain is to be integrated with Europe therefore directly affect Türkiye's capacity to support domestic producers and to pursue a directive industrial policy (Mazzucato, 2013; Rodrik, 2011). In services, the real matter is not merely liberalisation but where regulatory authority is to reside; for trade in services, unlike trade in goods, directly affects the host country's internal regulatory regime. In agriculture, an expansion undertaken without the genuine establishment of the principle of reciprocity will yield no outcome other than shifting the existing asymmetry from sector to sector. The digital economy, in turn, unless treated as an independent axis of technological sovereignty, may make its inclusion within scope not a gain but a vulnerability. When all dimensions are considered together, modernisation must be not a technical exercise in harmonisation but a multi-layered package of institutional reform that includes the strengthening of representation in decision-making processes, simultaneous participation in third-country trade, the preservation of policy space in strategic sectors, and support for technological production capacity. Otherwise the update becomes merely a moulting of the asymmetry; whereas the concepts of "asymmetric integration" and "legal-institutional dependency" signalled by the title constitute the conceptual compass for the strategic decisions Türkiye will take in the years ahead.

Once the institutional meaning of modernisation has been set out, the discussion must move beyond economic policy and confront the fundamental choice concerning Türkiye's long-term developmental orientation; for the future of the Customs Union will be determined less by the technical arrangements of this structure than by Türkiye's political-economic choice as to what kind of country it wishes to be. If the objective is merely a higher volume of exports, broader market access, and the gradual expansion of the existing production model, then the present structure, with certain arrangements, may offer a sustainable framework. But if the objective is high-value-added production, technological autonomy, developmental state capacity, and global competitive advantage in strategic sectors, then the present

structure binds a significant portion of the instruments that would lead to this objective to external rules. Rodrik's (2011) analysis shows that in nearly all examples of successful industrialisation the state has assumed a directive role, and that the free market is most often not the initial condition of development but the result of its advanced stage. Mazzucato's (2022) mission-oriented investment approach, in turn, holds that in the twenty-first century the state must be not merely a regulator but an actor that bears risk, provides direction, and finances long-term technological breakthroughs. The real choice before Türkiye is not the matter of integration with Europe; it is which state capacity, which industrial-policy toolkit, and which technology-investment strategy it can build at home. Until this choice is made, every debate concerning the Customs Union will revolve around the minor adjustments of the institutional order. The real matter is the balance in which this order is to be established with Türkiye's long-term developmental vision; for this reason the assessment of the Customs Union is not merely a debate over foreign trade but a political choice concerning Türkiye's own developmental identity.

A striking field of comparison that gives concrete form to this problem of choice is the success Türkiye has achieved in recent years in the defence industry; this experience demonstrates what becomes possible once institutional limits are transcended, but at the same time stands out as an exception that cannot easily be generalised to other domains within the existing structure. Whereas at the beginning of the 2000s Türkiye was a country highly dependent on imports in defence, within two decades it has developed a remarkable domestic production capacity across a broad field extending from unmanned aerial vehicles to military electronics, from naval platforms to rocket technology. This success is not merely a matter of national pride but points, analytically, to three important lessons. First, the construction of national technological capacity is possible; when correct institutional arrangement, long-term public investment, strategic public procurement, and sustained R&D support come together, the transition from the position of a peripheral country to that of a technology developer can be realised. Second, the structure of the defence industry differs from that of civilian high technology; for the defence domain, on grounds of national security, is subject to the exceptions of many international regimes and competition rules. For this reason the strategic protection, selective state procurement, and direct public investment that can be applied in defence cannot be used with the same ease in the fields of civilian high technology, particularly within the Customs Union regime. Third, the generalisation of the success in defence to civilian strategic sectors such as semiconductors, batteries, biotechnology, artificial-intelligence infrastructure, and advanced machinery encounters serious limitations within the existing architecture (Mazzucato, 2013; Evans, 1995; Akçay, 2023). When these three lessons are considered together, it becomes apparent that Türkiye's capacity for technological autonomy can be built in piecemeal fashion, but that, in order for it to be turned into a systematic whole, the limits on state aid, public procurement, and selective industrial policy within the Customs Union regime must be reassessed. Otherwise the defence success remains a brilliant exception; it cannot produce a structural transformation diffused across the system as a whole. This inference confirms once again that modernisation means, beyond a technical expansion of scope, the reconstruction of the domain of industrial policy.

To understand the permanence of the existing structure, one must examine how institutional arrangements are reproduced not only through external pressure but also through internally generated

bureaucratic habit; for the deepest form of legal dependency is the moment when it passes beyond written rules and becomes an administrative reflex. Over the past thirty-odd years in Türkiye, many public institutions have begun, as a first step in preparing legislation, to look to European sources; in preparing technical regulation, competition rules, consumer protection, and standards, Union documents have served as the point of departure. This circumstance has in certain domains provided predictability, institutional quality, and international harmonisation; but it has at the same time given rise to a habit that makes it difficult to contemplate alternative policy models. North's (1990) pioneering analysis shows that institutions, once established, produce their own continuation, and that the path initially chosen turns over time into a trajectory increasingly difficult to abandon; Pierson (2004) emphasises that arrangements seen as provisional are rendered permanent through continually reproduced bureaucratic supports; and Hall and Soskice (2001) hold that the institutions of one domain become integrated with those of others, establishing a structure increasingly difficult to alter. Türkiye's experience offers an exemplary instance at the intersection of these three approaches: alignment with European norms was initially deemed a technical requirement of full membership, and over time became a natural part of the processes of legislative drafting, oversight, and decision-making. The observation of Akçay and Göçmen (2016) is clear: today, in preparing many technical regulations, Union sources are resorted to not as a conscious choice but as an automatic reflex. Legal dependency, then, is consolidated not only through external compulsion but also through internally generated habit. Türkiye's real institutional struggle is, beyond renegotiating external texts, to reconstruct its own reflex of policy production in the light of its own developmental needs; unless this reflex is transformed, even the most comprehensive revision undertaken at the legal level will, in practice, perpetuate the old pattern.

Another dimension the discussion must openly confront is the fine bond between economic dependency and political room for manoeuvre; for in the contemporary international system trade, technology, and security have ceased to be separate domains and have been united under the single roof of geo-economics. If a country's external dependency in energy, advanced technology, financing, and critical raw materials is high, then establishing full freedom of manoeuvre in foreign policy decisions becomes structurally more difficult. The Customs Union is not a mechanism that directly determines foreign policy choices; but it produces indirect political consequences by narrowing the economic room for manoeuvre. Türkiye's structural dependence on the European market, its industrial model resting on imports of semiconductors and advanced machinery, and its perpetual need for access to external financing require that foreign policy decisions be taken within a balance in which multiple calculations are observed. Strange's (1998) analysis clearly shows that when the economic foundation of political sovereignty weakens, formal independence is over time hollowed out from beneath. Farrell and Newman's (2023) contemporary work, in turn, reveals that global interdependence has turned into a weapon—that supply chains, financial systems, and digital infrastructures can be used by one state as an instrument of pressure upon others. For Türkiye the meaning of this analysis is multi-layered: on the one hand, dependence on the European market produces a cost that limits foreign-policy moves; on the other, the alternative markets and technology partnerships that might reduce this dependence give rise, in the short term, to serious transition costs. Within this equation the assessment of the Customs

Union cannot be a purely commercial calculation; it is a matter of strategic choice concerning the kind of position Türkiye wishes to construct in the international system. Schimmelfennig's (2021) approach of differentiated integration holds that peripheral countries can develop flexible forms of integration suited to their own conditions; but this flexibility acquires genuine meaning only with a strong national negotiating capacity. The real question before Türkiye is how it will strengthen this capacity and how it will widen its political room for manoeuvre while preserving economic institutionalisation.

A profound dimension overlooked by most analyses is the flow of norms operating through the judicial interpretation of the Court of Justice of the European Union; for a legal order functions not only through its written texts but also through the manner in which those texts are expanded by judicial interpretation—and Türkiye lies wholly outside this interpretive process. The Court of Justice is the final authority in the interpretation of Union law; the meaning, scope, and mode of application of legislation are, over time, significantly shaped by the Court's rulings. Within the framework of Decision No. 1/95, Türkiye has been bound to align with Union legislation; yet it possesses no institutional channel of influence over how the judicial interpretation of that legislation is to be shaped. While the member states are a direct part of the interpretive process by appointing judges to the Court, Türkiye stands in the position of an external actor that is obliged to comply with the obligations arising from this interpretation but cannot participate in the interpretation's formation. This is the reflection, at the judicial level, of the classical asymmetry of norm production, and it constitutes a layer of dependency that the discussion frequently neglects. Aydın-Düzgit's (2023) current analysis shows that, in Türkiye–EU relations, the obligations that judicial interpretation has gradually expanded produce a depth in the written text that is not directly visible. Manners's (2002) concept of normative power points indirectly to the role of the Union's judicial institutions in this process; for normative power operates through the determination not only of the rules but also of the direction in which the rules are to be interpreted. Türkiye thus remains bound to both the written rule and the judicial interpretation of that rule; yet in neither process does it possess institutional representation. This deep asymmetry shows that the debate over modernisation must include not merely the addition of new domains but also the question of what kind of position Türkiye might gain in the interpretive process; otherwise, as scope expands, the dependency operating through judicial interpretation will likewise expand of its own accord.

The natural consequence of the analytical map drawn throughout the discussion is the recognition that two paths fundamentally lie before Türkiye; yet the choice between these two paths is not, as is often claimed, a simple dilemma in the form of "Europhilia versus Europhobia." The first path is the acceptance of the existing structure largely as it stands, with change confined to a technical expansion of scope. This approach may offer, in the short term, stability, predictability, and frictionless operation; but it carries the risk of rendering permanent the deficit of representation, the asymmetry in third-country trade, the contraction of industrial policy, and the dependency on judicial interpretation. The second path is to renegotiate the institutional balance while preserving the deep economic bond with Europe—in particular, to establish a new architecture that supports equal participation in decision-making processes, simultaneous presence in preferential trade regimes, the widening of policy space in strategic sectors, and the building of technological production capacity. This second path is politically more

difficult and, in terms of negotiation, longer, but structurally more sustainable; the aim here is not a rupture with Europe but the establishment of an integration closer to equality (Aydın-Düzgit & Tocci, 2015; Tocci, 2011; Akman, 2021). In the contemporary system, full economic isolation is neither possible nor rational; equally, the perpetuation of the existing asymmetry without interrogation is, in the long term, unsustainable in terms of developmental capacity, democratic legitimacy, and strategic autonomy. The fundamental conclusion emerging from the discussion as a whole is this: the problem is not the existence of integration, but the rules of integration and its decision-making architecture. The matter is not to integrate or not to integrate; it is under which conditions, within which balance of decision, with which institutional representation, and under which protection of policy space one is to integrate.

For this discussion to be completed through a reading that observes balance, one must not forget that the European Union, too, is not a static actor but has, on the contrary, undergone a profound institutional transformation over the past decade. For while the Union expects of Türkiye a strict free-market discipline, it has itself, under the discourse of "strategic autonomy," moved significantly away from the classical conception of the free market. The great-power rivalry between China and the United States, the exposure of the fragility of supply chains during the pandemic, the shaking of energy dependence by the Russia–Ukraine war, and the rendering of technology supply a strategic matter by the semiconductor shortage have compelled the Union to rethink its own industrial policy fundamentally. As a result, through regulations such as the European Chips Act, the Critical Raw Materials Act, and the Net-Zero Industry Act, the Union has returned to the very instruments of selective industrial policy it had in the past prohibited to peripheral countries such as Türkiye (European Commission, 2023; Mazzucato, 2021; Damro, Gstöhl & Schunz, 2018). This historical irony is a contemporary confirmation of Chang's (2002) analysis of the "kicking away the ladder" policy: while the core countries continue to use the instruments appropriate to their own stages of development, they establish institutional orders that prohibit these instruments to peripheral countries. For Türkiye, this circumstance produces both a difficulty and an opportunity. It is a difficulty, because as the centre widens its own policy space, the asymmetry of the rules imposed upon the periphery becomes still more visible. It is an opportunity, because in a period in which the Union's own discourse has changed, the demand to step outside classical, dogmatic liberalisation is no longer as marginal as it once was. Reinert's (2007) analysis shows that development strategies rest not on universal prescriptions but on flexible instruments suited to the era and the situation. Within this framework, the real question before Türkiye is how it might turn the Union's own transformation into a basis of negotiation in Türkiye's favour, and how Türkiye too might assume a role as an active designer in a period in which the existing structure is changing.

While this perspective is maintained, an honest assessment of the study's limitations must also be made; for every scholarly study is assessed as much by what it cannot explain as by what it does explain. Since the principal method of this study is qualitative document analysis and historical-institutional interpretation, the detailed sectoral measurement of quantitative outcomes has remained outside its scope. The sectoral change in Türkiye–EU trade, the trajectory of foreign direct investment flows over time, the numerical measurement of the shift in position within global value chains, and the full accounting of the costs of harmonisation have not been the direct aim of this study. Likewise, Türkiye's economic partnerships beyond the European

Union and its position within multilateral economic orders have not been the central question of the study. Since the focus is the structural dependency produced by the legal architecture of Decision No. 1/95, the comparisons have been conducted primarily by reference to the conceptual similarity of comparable instances of asymmetric integration (the European Economic Area order of Norway, the bilateral-agreements model of Switzerland, the candidacy experience of Eastern Europe). These limitations do not weaken the study's claims; on the contrary, they open a research agenda in which other dimensions of the subject may be taken up in other studies. As Bowen's (2009) approach to document analysis emphasises, qualitative studies are designed for the purpose not of generalisation but of in-depth interpretation, and are open to being complemented by other methods; Creswell's (2014) framework likewise states that, as a requirement of scholarly honesty, the researcher must openly declare the dimensions he cannot explain. The contribution of this study is not to draw up a numerical balance sheet but to render visible the structural logic behind that balance sheet; for the numbers acquire no meaning without this logic, and the logic cannot be constructed without a correct legal-institutional reading.

When the theoretical contribution of the study is assessed in the light of these limitations, it appears at three levels, and this contribution offers a functional analytical architecture not only within the Türkiye–EU literature but also within the broader study of asymmetric integration. The first level is to bring together, within a single framework, two major debates that often proceed along separate channels—namely, the political-economy approach's debate over economic sovereignty and technological autonomy, and the legal discipline's debate over normative harmonisation and institutional architecture. This convergence intersects the close reading of the legal text with political-economic analysis; it adds a reading of developmental outcomes to the dry legal text, and lends concrete legal grounding to the abstract political-economic debate. Slaughter's (2004) call for contemporary international-relations analysis to be conducted across disciplines directly supports this choice. The second level is to render the concept of legal-institutional dependency functional as a middle-range theory, by combining the three load-bearing concepts (asymmetric integration, economic sovereignty, technological autonomy) and the core–periphery hierarchy approach that encompasses them. This architecture offers a general instrument capable of analysing not only the case of Türkiye but also comparable processes of asymmetric integration: Norway's position within the European Economic Area, Switzerland's selective integration established through bilateral agreements, the new architecture the United Kingdom established after withdrawal, and regional integration processes in different regions are examples to which this architecture may be adapted. The third level is to reframe Decision No. 1/95 not as a historical trade text but as a living institutional document read within the Green Deal, the Carbon Border Adjustment Mechanism, digital-market regulations, debates on strategic autonomy, and processes of judicial interpretation. This three-level contribution carries the study beyond a descriptive summary of the literature and elevates it to the level of a proposal for analytical conceptual renewal; for this reason the value of the study lies in its offering a theoretical compass that extends beyond the concrete subject it discusses.

This theoretical architecture does not merely enrich the existing debate; it also constitutes a fertile agenda for future research orientations. The first orientation is the systematic comparison of instances of asymmetric integration; the Türkiye–EU model, the

Norway–EU European Economic Area model, the Switzerland–EU bilateral-agreements model, and the new architecture the United Kingdom established after withdrawal await studies that will comparatively analyse the different historical and geographical manifestations of asymmetry. The second orientation is sectorally in-depth studies; when this architecture is applied separately to the fields of automotive, electronics, pharmaceuticals, defence, textiles, agriculture, services, and the digital economy, the sectoral differences of the asymmetry become visible. The third orientation is the real-time tracking of the modernisation process; once the updating debate passes into the phase of actual negotiation, the process itself will bear the character of a natural experiment, showing which hypotheses are confirmed or refuted. The fourth orientation is original research concerning how the concept of legal-institutional dependency manifests itself in the domain of digital sovereignty and the data economy. The fifth orientation is comparative policy studies concerning the balance between developmental state capacity and international integration; in particular, how successful examples of industrialisation such as South Korea, Singapore, Vietnam, Poland, and the Czech Republic have struck a balance with integration may hold direct lessons for Türkiye. Hall and Taylor's (1996) analysis of the different currents of institutionalism shows that institutional processes can be understood only through the joint use of historical, sociological, and rational institutionalism; the architecture developed by this study offers a ground that nourishes all three approaches. The study thus contributes not only to the present debate but also to the future research agenda.

When the general theoretical synthesis of the analysis conducted throughout the study is set out, it becomes apparent that the three axes signalled in the title (economic sovereignty, technological autonomy, and core–periphery hierarchy) are not three independent problems but manifestations, at different levels, of the same structural dependency. The debate over economic sovereignty begins with the binding of the foreign-trade toolkit to external rules; but it takes its true form in the historical experience that technological autonomy cannot be established without economic sovereignty. The debate over technological autonomy encompasses the intellectual property regime, the power of standard-setting, and control over critical technologies; but it takes its true form in the answer to the question of what position an actor that does not produce technology will hold in the global hierarchy. The debate over the core–periphery hierarchy modernises the classical approach derived from Wallerstein's world-systems analysis; but it takes its true form in the institutional answer to the questions of in which direction legal rules are transmitted, by whom norms are produced, and where in the decision-making architecture each actor stands. The concept of legal-institutional dependency—standing at the intersection of these three axes and constituting the study's original contribution—is the analytical instrument that names this intersection and renders it amenable to examination. The Türkiye–EU Customs Union has been a concrete and living laboratory of this concept: across an experience of more than thirty years it has produced positive outcomes such as economic gain, an increase in institutional quality, the discipline of quality infrastructure, and deepening access to the European market; while at the same time giving rise to structural limits such as dependence in foreign trade, the contraction of the industrial-policy domain, dependence on technical legislation, the intellectual-property hierarchy, lodgement in the lower link of the value chain, the current-account-deficit model, the deficit of representation, and dependence on judicial interpretation. This dual

outcome is a concrete confirmation of Strange's (1998) analysis of structural power, Wallerstein's (2004) world-systems approach, Mazzucato's (2013, 2022) conception of the developmental state, Rodrik's (2011) theses concerning the contradictions of global economic policy, and Cox's (1987) concept of hegemony. This is the deepest conclusion of the discussion: the problem is neither the Union's intention, nor Türkiye's negotiating weakness, nor a historical accident; the problem is that every international economic order established upon formal equality between asymmetric capacities tends, by its very nature, to produce substantive inequality—and this tendency can be balanced only through conscious institutional design, strong national policy capacity, and a continual basis for renegotiation.

Having reached this point, the word that must be said in closing the discussion is clear: to view the Türkiye–EU Customs Union as an agreement belonging to the past—finished and frozen—is an analytical error at least as great as polarised verdicts such as "the Customs Union is a capitulation" or "the Customs Union is a deliverance." This structure is alive today as well; it shapes Türkiye's industrial policy, technology strategy, foreign-policy domain, agricultural capacity, and even its digital future. From semiconductors to the defence industry, from the green transition to data sovereignty, from intellectual property to public procurement, almost every domain of the contemporary economy is, directly or indirectly, in a relationship with this institutional architecture. As the European Union rebuilds its own strategic autonomy, the position Türkiye will hold within this architecture is one of the determinative questions of the coming decades. If Türkiye remains merely a field of production, a geography of assembly, and a peripheral actor that complies with norms, the core–periphery hierarchy will be further entrenched at a new institutional level. If, by contrast, representation mechanisms are strengthened, simultaneous participation in third-country trade is secured, policy space is widened in strategic sectors, technological production capacity is supported, and Türkiye attains a balanced position in processes of judicial interpretation, then a transition from asymmetric integration to an integration model closer to equality may become possible. When the findings and the discussion are assessed together, the opportunities the Customs Union offers cannot be denied, but the structural limits it produces cannot be ignored either. Türkiye's problem is not the existence of integration, but the structural permanence of unequal integration; so long as this inequality is not taken as a given datum, but is continually interrogated and regarded as a renegotiable domain, transformation is always possible (Aydın & Açıkmeşe, 2020; Bozkurt, Özcan & Köktaş, 2018; Akçay, 2023). The final word of the discussion is to acknowledge this dual reality: the structure appears permanent but is not immutable; the limits are deep but their insurmountability has not been demonstrated; the dependency was historically constructed, and can therefore be historically redesigned.

The natural extension of all this analysis renders the transition from discussion to conclusions and recommendations a logical necessity. This section has diagnosed the problem at the structural level: the asymmetry has been inscribed into the letter of the founding text, the sovereignty of foreign trade has narrowed, dependence on technical legislation and intellectual property has deepened, the domain of industrial policy has been constrained, institutional representation has not been secured, and all of this has, over time, turned into a knot that reproduces itself. Yet diagnosis alone is not sufficient; the correct remedy is possible only through a multi-layered, realistic, and applicable policy prescription resting on a correct diagnosis. For this

reason the conclusions and recommendations section will, proceeding from the structural diagnosis the discussion has set out, develop in concrete form the institutional reforms through which Türkiye might renegotiate the Customs Union, the sectoral priorities with which it should act, the manner in which it might unite foreign trade with industrial and technology policy within a single strategic framework, and the long-term developmental vision it might establish. The discussion has rendered the problem visible; the conclusion section will present the avenues of solution in structured form. This transition is the requirement of the principle that academic writing is obliged not merely to explain, but also to contribute to transforming the structure it explains (Tocci, 2011; Mazzucato, 2021; Rodrik, 2011).

3. Conclusion And Recommendations

The picture that emerges at the close of the entire analysis is the following: the Türkiye–European Union Customs Union is far more than an ordinary external-trade arrangement for Türkiye; it is an architecture of dependency that has been operating for thirty years and whose shell hardens a little further with each passing year. The fundamental question this study pursued was which legal and institutional mechanisms constrain Türkiye's economic sovereignty, its technological autonomy, and its capacity for strategic industrial policy. The chain of evidence assembled here answers that question not as a scattered list but as a self-consuming cycle. When the instrument of external trade is forfeited, technological autonomy weakens; as technological autonomy weakens, the peripheral position becomes entrenched; and as the peripheral position becomes entrenched, legal and institutional dependency reproduces itself. This cycle is not a door that closes on its own; on the contrary, unless a deliberate hand touches it from the outside, it swings back to the position from which it opened. The crux of the matter appears precisely here: the task is not to repeat the diagnosis, but to name the concrete fields of intervention that might prise that door open once more. Since the principal hypothesis and the four auxiliary hypotheses have been confirmed at a high level of corroboration, what follows is the passage from diagnosis to prescription. From this point onward, the analysis insists, with deliberate emphasis, that the structure is not immutable.

First, it is necessary to examine the angle between the letter of the legal text and the effect it produces. Article 4 of Decision No. 1/95 of the Association Council states that "customs duties on imports and exports and charges having equivalent effect between the Community and Türkiye shall be wholly abolished on the date of entry into force of this Decision," and the same article likewise stipulates that, after that date, the parties shall refrain from introducing any new such duties (Decision No. 1/95, Art. 4). The letter of the provision imposes an equal obligation upon both parties; yet when an equal obligation is applied to unequal capacities, the result is something other than formal justice. The Türkiye of 1995 was a country still establishing its automotive assembly lines, leaning on the import of intermediate goods in machinery, acquiring its technology licences from abroad in chemicals, and supplying components rather than brands in electronics. At that same date, the European Community stood in an altogether different place, with its patent pool, its global brand value, its depth of capital, and its standard-setting power (Pamuk, 2014; Karluk, 2014). The application of one and the same rule to these two capacities has produced precisely the pattern of formal equality coupled with substantive inequality to which the world-systems literature has long pointed (Wallerstein, 2004; Cox, 1987). Türkiye has been able to enter the European market on a broad scale; yet it has been unable to ascend

to the design, software, and brand rungs of the production chain with the same breadth. This corroborates the study's claim of asymmetric integration not at the level of the letter, but at the structural level.

As to how sovereignty over external trade is constrained, the legal ground is exceedingly clear. Article 13 of the Decision provides that "Türkiye shall, from the entry into force of this Decision, progressively align itself with the Common Customs Tariff of the Community and with the other elements of the Community's commercial policy in respect of non-member countries"; while Article 14 establishes that "the Joint Customs Union Committee may in no circumstances confer upon Türkiye the power to apply a customs tariff lower than the Common Customs Tariff for any product" (Decision No. 1/95, Arts. 13–14). Read side by side, the two articles reveal that the most fundamental instrument of external-trade policy has been taken out of Türkiye's hands and laid upon Brussels' table. More striking still is the bilateral nature of the lock: raising the tariff and lowering it independently are both legally foreclosed. This double lock grows weightier once it is recalled that the common tariff is not an ordinary technical instrument but the very backbone of industrial policy; for which sector is to be protected, which field is to be opened, and which domestic producer is to be supported are most often determined by the tariff (Strange, 1998; Chang, 2002). Moreover, this outcome is not an invention of 1995: the second paragraph of Article 10 of the 1963 Ankara Agreement already foresaw, at that very date, that the Customs Union encompassed "the adoption by Türkiye of the Common Customs Tariff of the Community in its relations with third countries" (Ankara Agreement, 1963, Art. 10(2)). Once the absence of simultaneity in third-country agreements is added, the matter ceases to be a question of the technique of a single article; it turns into a long-range contraction of sovereignty over external trade (Togan, 2012; Aydın-Düzgit & Tocci, 2015).

The unseen, yet perhaps most powerful, stratum of dependency lies in the field of technical legislation. Article 8 of the Decision sets forth the provision that "within five years from the date of entry into force of this Decision, Türkiye shall incorporate into its internal legal order the Community instruments relating to the removal of technical barriers to trade," while Article 54 carries the obligation that Turkish legislation be "harmonized as far as possible with Community legislation" (Decision No. 1/95, Art. 8 and Art. 54). Article 55 provides that, where the European Commission is preparing new legislation, Turkish experts may be consulted at an informal level, and Article 56 foresees that Türkiye shall be informed once the legislation has been adopted (Decision No. 1/95, Arts. 55–56). When these four articles are read in succession, the question of where the norm is produced and where it is applied answers itself. Fields such as standards, certification, testing, labelling, product safety, and conformity assessment are, in the present-day economy, far more decisive than physical customs walls; if a product does not bear the requisite standard, it does not exist in that market, and if the requisite certificate is obtained from a body abroad, then the very direction of production has, to a large extent, been drawn abroad as well (Farrell & Newman, 2023; Mazzucato, 2021). Türkiye's rapid alignment in technical legislation has raised its quality infrastructure and disciplined its export capacity; yet that same process has bred an institutional habit that internalizes the application of norms rather than their production (Börzel & Risse, 2012). For this reason, technical alignment ought to be read not as a process of modernization, but as a normative relation of power.

The competition-law and state-aid regime likewise bears directly upon the capacity for industrial policy. While Articles 32, 33, and 34 of the Decision take as their basis the European Community's approach to the prevention of competition, the abuse of a dominant position, and state aid, Article 39 explicitly imposes the obligation that Türkiye render its competition-related legislation compatible with Community legislation and apply it effectively (Decision No. 1/95, Arts. 32–34 and Art. 39). At first glance these provisions appear designed to secure a neutral market order. The history of development, however, tells a different story: today's advanced economies, in their transition to high technology, made intensive use of public procurement, selective incentives, temporary protection, and long-range strategic support (List, 1841/1909; Chang, 2002; Mazzucato, 2013). Furthermore, these very same instruments operate today, within the European Union's own green-transition, digital-market, semiconductor, and battery strategies, with broad latitude under the heading of "Important Projects of Common European Interest" (European Commission, 2023; Mazzucato, 2021). A framework in which one and the same policy is deemed legitimate for the core but restrictive for the periphery carries into present-day language the historical pattern the literature terms "kicking away the ladder" (Reinert, 2007; Rodrik, 2011). What becomes clear is that competition law is, for Türkiye, not a neutral technical domain but a developmental problem intimately interwoven with industrial policy, and one that cannot be resolved without the establishment of a constructive architecture of flexibility.

At the institutional level, the most visible fracture is the disjunction between representation and obligation. Türkiye bears, in full, the obligations generated by Articles 4, 5, 8, 13, 14, 16, 32, 34, 39, and 54; yet it has no place in the principal decision-making organs that are the source of those obligations. The Joint Customs Union Committee, established by Article 52, is endowed with the functions of exchanging information, expressing opinions, and making recommendations to the Association Council; it does not produce decisions, it facilitates coordination (Decision No. 1/95, Art. 52). The Member States of the European Union, by contrast, are not merely the implementers of these same rules; through their vote in the Council, their elected representatives in the Parliament, their own Commissioner in the Commission, and their own judge in the Court of Justice, they are the producers of those rules. Türkiye holds no such right to a seat. It is no coincidence that the political-science literature has long termed this condition "obligation without representation" (Hooghe & Marks, 2001; Schimmelfennig, 2021). This deficit was initially mitigated, on a provisional basis, by the promise of full membership contained in Article 28 of the Ankara Agreement; for the article states that "as soon as the operation of this Agreement has advanced far enough to justify envisaging full acceptance by Türkiye of the obligations arising out of the Treaty establishing the Community, the Contracting Parties shall examine the possibility of the accession of Türkiye to the Community" (Ankara Agreement, 1963, Art. 28). Once the prospect of membership effectively froze, the asymmetry deemed provisional became permanent (Müftüler-Baç, 1997; Tocci, 2011). In the end, Türkiye is the sole partner that bears the costs of membership while being unable to enjoy its returns; and this is a problem of political, rather than economic, legitimacy.

The justice of an integration is measured not only by what it takes in, but also by what it leaves out. Article 2 of the Decision expressly stipulates that the provisions of this section "shall apply to products other than the agricultural products defined in Article 11 of the Ankara Agreement" (Decision No. 1/95, Art. 2). Article 11 of the Ankara

Agreement, in turn, binds agriculture to a separate special regime that observes the common agricultural policy (Ankara Agreement, 1963, Art. 11). The practical meaning of this legal architecture is plain: agriculture, one of the fields in which Türkiye has historically been strongest, has been largely left outside full liberalization; whereas in industry, where the European Community generates high value added, full opening has been realized. The official statement of the Ministry of Foreign Affairs likewise confirms that the system covers only industrial products and processed agricultural products, and that traditional agricultural products remain outside it. The fact that, in processed agricultural products, the agricultural component is separated from the industrial component and a duty exemption is granted only to the industrial component is the most concrete indicator of this selectivity. Thus a tableau has emerged of limited liberalization where Türkiye is strong, and full liberalization where it is weak (Keyder, 2014; Pamuk, 2014; Akman, 2021). The scope itself bears an asymmetry that reproduces the productive relation between core and periphery; and the future debate over modernization will likewise be unable to evade this question of scope.

When all these diagnoses are brought together, it becomes apparent that the modernization of the existing structure has ceased to be a merely technical preference. The framework drawn in 1995 was built upon its era's conception of trade grounded in industrial goods; yet today's economy is woven not only from goods, but from services, digital flows, public procurement, carbon obligations, and strategic supply chains. The Carbon Border Adjustment Mechanism brought into force by the European Union within the framework of the Green Deal, its digital-market regulations, and its data-protection regime have created an agenda whose name appears nowhere in Decision No. 1/95 (European Commission, 2023; Aydın-Düzgüt, 2023). Even as Türkiye has begun, in practice, to bear the obligation of alignment in these new fields, it once again stands outside the room in which the rule is born. If modernization is carried out merely in the form of a technical revision that broadens the scope, the thirty-year asymmetric equation will not change; it will only grow larger. For this reason the study's recommendation is plain and emphatic: the axis of modernization should be not scope, but architecture. While the inclusion of services, public procurement, and agriculture into the system is being debated, the headings of meaningful participation in decision-making processes, balance in judicial interpretation, reciprocity in third-country agreements, and legitimate flexibility for developmental instruments must, simultaneously, be placed on the table (Tocci, 2011; Akman, 2021). Otherwise, a modernized Customs Union would become, for Türkiye, a more modern but equally unbalanced bond. What is needed is not a reflex that counts modernization as success, but a statecraft that views this process as a structural renegotiation.

The first concrete heading of the prescription is that the long-standing practice of weaving external-trade policy and industrial policy at separate looms is no longer sustainable. In Türkiye, external trade has most often been discussed in terms of export volume, and industrial policy in terms of investment incentives, each separately; yet the structure established by the Customs Union stands precisely on the axis that binds these two fields to one another. When market opening is not accompanied by the quality of the production structure, an increase in exports can come to mean an increase in technological dependency as well (Rodrik, 2011; Pamuk, 2014). For this reason the path recommended is a new institutional architecture that unites external-trade and industrial policy within a common framework of strategic

planning. Within this architecture, the Ministry of Industry and Technology, the Ministry of Trade, the Ministry of Treasury and Finance, the Presidency's Strategy and Budget Directorate, and bodies such as TÜBİTAK and KOSGEB should work together upon the same strategic map, with a horizon of fifteen to twenty years. The success in coordination achieved in the defence industry, in particular, offers a model transferable to the civilian high-technology fields (Mazzucato, 2013; Evans, 1995). For semiconductors, battery systems, advanced machinery, biotechnology, artificial-intelligence infrastructures, and green-energy technologies, the questions of which capacity is to be developed domestically, which is to be acquired through partnership, and in which strategic procurement is to be retained are ones that must be answered in advance. Unless these questions are answered jointly, the link between an increase in external trade and genuine development cannot be forged; and economic sovereignty can be safeguarded only through such an integrated conception that rebuilds the capacity of the developmental state (Weiss, 2014).

The incongruity in trade relations with third countries is no longer a transient malfunction, but a structural leakage point. Article 16 of the Decision provides for Türkiye's progressive alignment with the Community's preferential customs regime; while Article 12 foresees that Türkiye shall bring into force regulations "essentially similar" to the provisions on anti-dumping measures, the textile regime, and the common commercial policy (Decision No. 1/95, Arts. 12 and 16). By contrast, when the European Union concludes a free-trade agreement with a country, that country can enter the Turkish market by way of the Union, whereas Türkiye, in most cases, cannot obtain simultaneous and equally conditioned access to that same country. The experience of thirty years has shown that voluntarist solutions such as the "Türkiye clause" cannot close this gap (Togan, 2012; Aydın-Düzgüt & Tocci, 2015). The proposed solution is threefold. First, an institutional mechanism must be established that guarantees the European Union's conduct of a binding and simultaneous consultation with Türkiye before embarking upon negotiations for new agreements; this must be not merely a matter of notification, but a framework that sets minimum standards of protection. Second, the protective provisions that prevent the indirect reflection of third-country access onto Türkiye by way of the Union must be placed upon a reciprocal logic. Third, Türkiye must reduce its dependence on a single market by diversifying its trade diplomacy along the Asia-Pacific, Gulf, African, and Latin American axes (Öniş & Kutlay, 2020; Akçay, 2023). Unless this door is closed, structural asymmetry will persist, however much modernization may be undertaken.

The step that must be taken in technical legislation is Türkiye's passage from the position of "good implementer" to that of "contributing producer." The obligation of alignment generated by Article 8 provided, for many years, a useful discipline, raised the quality infrastructure, and prepared the exporter for the markets (Decision No. 1/95, Art. 8). Today, however, the true source of economic power lies in being present at the table where the standard is formed; for whoever writes the standard largely determines the direction of technology and who is to remain in the market (Farrell & Newman, 2023; Mazzucato, 2021). For this reason, the establishment of a National Norm-Production and Standard-Development Network is recommended, among the Turkish Standards Institution, the TÜBİTAK Marmara Research Centre, defence-industry research bodies, university research centres, chambers of industry, and private-sector laboratories. The task of this network is, beyond managing the technical level of alignment with European standards, to prepare technical texts that Türkiye might

propose in fields such as artificial-intelligence safety, digital-identity infrastructure, battery recycling, hydrogen-production safety, carbon measurement in green steel, and cyber-resilience. When these texts attain a quality such that they can be carried both to the technical committees within Europe and to the international standardization bodies, the country takes a step away from being a taker of standards toward being a proposer of standards. Technological autonomy remains on paper unless there is a norm-production capacity that operates continuously within the university–industry–state triangle (Drahos, 2002; Mazzucato, 2013).

The competition and state-aid regime must likewise be reinterpreted in a manner sensitive to developmental needs. While Articles 32, 33, 34, and 39 take the European Community's approach as their basis in this field, the very same rules are applied by the Union, within itself, with an expanded flexibility under the headings of green transition, strategic technology, and energy security (Decision No. 1/95, Arts. 32–34, Art. 39; European Commission, 2023). This dual application carries with it a legitimate demand for flexibility on Türkiye's part as well. What is proposed is not the abandonment of competition rules, but the construction of a development-oriented framework of interpretation. This framework may rest upon four axes. First, it must be ensured that public supports directed at critical technologies—time-limited, tied to measurable targets, and transparently administered—are deemed a developmental exception. Next, public procurement must be protected, in certain sectors, by special regulations aimed at developing the domestic producer; for public procurement is not a buying-and-selling transaction but the most powerful instrument of industrial policy (Mazzucato, 2013; Evans, 1995). Then, the logic of coordination and long-term planning matured in the defence industry must be capable of being legitimately carried over into civilian high technology. Finally, a double standard—whereby supports granted under sustainability and climate objectives are deemed legitimate at the core but restricted at the periphery—must be openly placed on the agenda in the modernization negotiations (Reinert, 2007; Rodrik, 2011). To render visible the developmental asymmetry concealed beneath the discourse of the free market is the first condition of a legitimate architecture of flexibility.

The exclusion of traditional agricultural products from the association regime is, likewise, no longer sustainable. Article 2 placed agriculture outside the scope, while Article 11 of the Ankara Agreement bound agriculture to a separate special regime that observes the common agricultural policy (Decision No. 1/95, Art. 2; Ankara Agreement, 1963, Art. 11). This architecture was long regarded as a technical preference; yet pandemic, energy crisis, climate change, and supply-chain ruptures have carried agriculture to the heading of national resilience. For a country possessing broad agricultural capacity to remain outside, in those agricultural fields where it holds its own comparative advantage, even as it proceeds to full opening in industry, has produced a problem with respect to both economic and social balance (Keyder, 2014; Pamuk, 2014; Akman, 2021). The approach proposed is a holistic framework that treats agriculture not merely as a problem of market opening, but as a problem of food security, rural employment, and climate adaptation. In the modernization negotiations, the gradual and balanced inclusion of agriculture into the system must be debated; and in doing so, a national flexibility in support must be demanded, commensurate with the support that the European common agricultural policy provides to its own producer. In place of the accounting logic that separates the agricultural component from the industrial component in processed products, a new logic must

be established that observes the integrity of the production chain. Water management, seed sovereignty, organic-production certificates, and geographical-indication protections are the complementary parts of this framework. An integration in which agriculture remains outside cannot, by definition, be just.

The resolution of the problem of representation requires a new architecture that transcends the existing Joint Committee framework. The Committee established by Article 52 is a consultative organ that exchanges opinions concerning the operation of the Decision and makes recommendations to the Association Council; it does not produce decisions (Decision No. 1/95, Art. 52). In the same way, Articles 55 and 56 foresee informal consultation of Turkish experts and notification once legislation has been adopted (Decision No. 1/95, Arts. 55–56). The experience of thirty years has shown that this architecture produces not representation, but belated notification. The proposed structure is fourfold. At the first level, a binding right of consultation must be granted that incorporates Türkiye into the technical committees from the very outset whenever the European Commission embarks upon the preparation of legislation that will directly affect the Customs Union. At the second level, the powers of the Joint Committee must be expanded and transformed into a structure capable of developing draft decisions. At the third level, an institutionalized joint commission must be formed between the European Parliament and the Grand National Assembly of Türkiye; the logic of Article 27 of the Ankara Agreement, which points toward parliamentary cooperation, must be updated within this framework (Ankara Agreement, 1963, Art. 27). At the fourth level, a mechanism must be established that grants Turkish jurists the right of observation and expert opinion in the processes from which the Court of Justice of the European Union's interpretations binding upon Türkiye are born (Tocci, 2011; Schimmelfennig, 2021). Every modernization undertaken without the strengthening of representation will reproduce, in a still deeper form, the paradox of "integration without membership."

Technological autonomy now stands not under the heading of economic development, but directly alongside national security. Fields such as semiconductors, advanced battery systems, artificial-intelligence infrastructures, cloud-processing capacity, cyber-defence, and quantum security have ceased to be classical industrial production and have become axes of strategic dependency. Along this axis, a country dependent on the outside can lose its independence of decision even in a period when its economic gains are increasing; for crises most often arrive at an unexpected moment, and the party that holds the critical technology in its hands also holds in its hands the power to rewrite the rule (Strange, 1998; Farrell & Newman, 2023). The European Union has, in recent years, embraced this reality through the discourse of "strategic autonomy" and has relegitimized its own developmental instruments in this direction (European Commission, 2023; Mazzucato, 2021). For Türkiye to be able to benefit equally from the same discourse within the Customs Union, what it must do is to carry technology policy to the same institutional table as external-trade policy. The concrete step is the transfer of the strategic-programme-management logic matured in the defence industry to civilian high technology. A Strategic Technologies Programme is required—result-oriented, established with a fifteen-year horizon, and in which the research units of university, industry, state, and military work together. In this programme, the questions "what shall we ourselves produce, what shall we develop jointly, what shall we retain in strategic procurement" must be answered in advance for each technology

heading. Technological autonomy is, above all, a problem of state capacity, and the external-trade regime must be redesigned so as to support it rather than to constrain it.

The intellectual- and industrial-property regime, too, is not merely a field of protection, but the very determinant of the technology hierarchy. Article 31 of the Decision stipulated that the protection of intellectual and industrial property rights is essential to the operation of the Customs Union, and placed Türkiye under the obligation to provide protection in this field at the Community level (Decision No. 1/95, Art. 31). This obligation rests upon a reasonable foundation insofar as it aims to encourage innovation; yet, for a country that continues to remain in a peripheral position, it also harbours the risk of being a perpetual licence-user. If a patent is produced at the core and merely applied at the periphery, then, as production increases, the ownership of technology accumulates still further at the core (Drahoš, 2002; Mazzucato, 2013). The truly transformative step for Türkiye is to draw intellectual property out of being a passive field of alignment and into the heading of active development policy. This approach requires several elements together: university–industry cooperation must be established, beyond the project level, upon the logic of a sectoral patent pool; a significant portion of public research supports must be tied to contracts that stipulate that the patent obtained remain domestic; separate national patent strategies must be designed for strategic fields such as pharmaceuticals, defence electronics, advanced software, and energy storage; and geographical-indication protections must be expanded so as to position Türkiye at the upper links of the agricultural value chain. For a country that does not produce high technology but merely uses it, economic independence acquires a genuine meaning only when the production of intellectual property is placed at the centre of state strategy.

The digital economy and data sovereignty constitute a field never even contemplated within the existing framework of the Customs Union; yet today it stands at the very heart of economic power and, at the same time, of citizen security. The text signed in 1995 was built upon the movement of physical goods; whereas data flows, cloud infrastructures, payment systems, artificial-intelligence models, and digital platforms are now the invisible but decisive parts of trade. Even as the European Union rapidly develops its own rules in this field, Türkiye once again remains outside the process by which these rules—to which it is compelled to conform—come into being (Farrell & Newman, 2023; Aydın-Düzgüt, 2023). This situation calls for precautions to be taken from today, before it turns into a still deeper stratum of dependency. The proposed approach rests upon three axes. The first axis is a Digital Sovereignty Programme, in which the national cloud infrastructure, public data centres, and critical public services are to be operated with domestic software; this programme carries the logic of indigenization in the defence industry into the civilian digital sphere. The second axis is to build the institutional capacity that will secure Türkiye's effective participation in the international norm-production processes under headings such as artificial-intelligence safety, algorithmic transparency, data portability, and cyber-resilience. The third axis is the recognition that a citizen's personal data is not merely a matter of private law, but an element of national security. The economic sovereignty of the future will, to a large extent, mean the same thing as digital sovereignty; if modernization ignores this reality, it will produce a new and deeper form of dependency (Baldwin, 2016; Mazzucato, 2021).

The pressure of the current-account deficit and the dependence on external financing that Türkiye has long borne are the unseen but most hardening part of the debate over economic sovereignty. An increase in exports cannot, by itself, be counted as success; for if the production structure behind the exports rests upon intensive imports of intermediate goods and energy, then, as the economy grows, the deficit too may grow (Pamuk, 2014; Boratav, 2015). This structural fragility leads external-financing conditions to constrict domestic-policy decisions; the options in the fields of interest rates, the exchange rate, investment, and employment become bound to the uncertainty of external flows. The Customs Union did not produce this structure on its own; but, through the logic of import-based integration, it has markedly deepened it. The approach proposed is a holistic economic architecture that thinks the external-trade regime together with a policy of fiscal resilience. Within this architecture, the indigenization of intermediate goods, the diversification of energy, and a capacity for strategic stockpiling of critical raw materials must be defined as priority fields. Export incentives must be tied to projects that raise the proportion of domestic value added rather than merely enlarging volume; foreign direct investment must be directed not only toward establishing a production base, but toward establishing centres of design, research, and brand. The reduction of the current-account deficit is not merely a fiscal objective, but a condition for safeguarding the room for manoeuvre in foreign policy. Economic independence is measured not by export figures, but by the ability to keep the need for external financing under control; and the future of the Customs Union, too, must be assessed with this reality in view (Rodrik, 2011; Strange, 1998).

Türkiye must carry its external economic relations out of a single-centred line of dependency and into a balanced, multidirectional architecture. The European Union continues to be an indispensable partner for Türkiye in terms of economic geography, institutional proximity, and historical bond, and no proposal that disregards this reality is sound. Yet an economy excessively dependent upon a single market remains fragile both to the fluctuations of the global conjuncture and in its bargaining power at the negotiating table. In recent years the global economy has assumed a multipolar aspect, with rising production centres in the Asia-Pacific, developing financial capacity in the Gulf, demographic and natural-resource potential in Africa, and deepening market opportunities in Latin America (Weiss, 2014; Akçay, 2023; Rodrik, 2011). For Türkiye to establish a balanced relationship with this multiple axis is not to draw away from Europe, but to gain a stronger point of equilibrium in its relationship with Europe. The approach proposed is a corridor strategy that unites trade diplomacy with industrial diplomacy. Within this strategy, the logistics of the Middle Corridor, joint investment funds with Gulf capital, development partnerships with African countries, Asia-Pacific supply networks, and Latin American critical minerals must each be mapped separately; and the commercial counsellorships, the defence-industry export infrastructure, and the relevant public bodies must work in a common coordination. The Customs Union must be not Türkiye's sole external-trade horizon, but a complementary part of it; for balanced bargaining is possible only in the presence of multiple options.

Public procurement is one of the most sensitive headings of the modernization debate, and this sensitivity cannot be disregarded with respect to safeguarding developmental capacity. Public procurement does not merely meet the state's need for goods and services; it is, at the same time, a strategic instrument that enables a new sector to attain scale, domestic technology to find its first market, and the small

producer to enter a trajectory of growth (Mazzucato, 2013; Evans, 1995). The industrial history of the developed countries shows that public procurement was decisive in the nascent stage of a great many strategic sectors—from defence electronics to transport infrastructure, from health technologies to energy systems. For this reason, to treat public procurement, in the modernization negotiations, solely through the logic of market access would be a grave loss for Türkiye. What is proposed, in place of full liberalization in public procurement, is an architecture of balance that preserves fields of legitimate exception in development-priority sectors. Within this architecture, regulations in favour of the domestic producer must be secured in defence, health, advanced transport, green energy, digital public infrastructure, and critical machinery and equipment. Simultaneously, transparency, oversight, openness of data, and the prevention of unfair competition must be strengthened; for strategic protection is legitimate only insofar as it is not abused. Public procurement is not a technical line item, but the heart of industrial policy; if modernization is undertaken without protecting this heart, one of the principal veins of developmental capacity will have been severed (Chang, 2002; Mazzucato, 2021).

The relative success achieved in the defence industry must be extended, as an institutional model, to civilian high technology. Over the past twenty years Türkiye has markedly increased the proportion of domestic production in this field, reduced external dependency in critical systems, and developed a significant export capacity. This gain is not merely a military success; it is a laboratory that demonstrates which logic of coordination yields results. Long-term public support, the structuring of prime-contractor–subcontractor relationships, a continuous flow of knowledge within the university–industry–state triangle, uninterrupted research budgets, and performance-based oversight have been the principal instruments that made this ascent possible (Mazzucato, 2021; Rodrik, 2011). The transfer of the same logic to semiconductors, battery technologies, medical devices, biotechnology, advanced machinery, and green-energy equipment offers Türkiye the possibility of a new developmental leap. What is proposed is to develop an adapted form of the programme-management logic of the defence industry for the civilian sectors; to provide these sectors with long-term public support carrying a guarantee of continuity; and to offer export financing, certification infrastructure, and patent protection as an integrated package. When it is recognized that civilian high technology, too, is part of national security, the legitimacy of the strategic support granted to these sectors is strengthened. The gain in the defence industry is not an isolated success, but a transferable institutional model; the carrying of this model into civilian technology must be one of the concrete outputs of modernization.

For all these recommendations to function, the bureaucratic reflex that governs the Customs Union relationship must likewise be transformed. Institutional structures, over time, produce their own habits; a flow once established comes, in time, to be regarded as natural and ceases to be questioned. Since 1995, in a great many legislative preparations in Türkiye, the first reflex has been to look to the European Union norm. This reflex has, in certain fields, provided quality and predictability; but it has, at the same time, weakened the habit of developing policy on the basis of national need (North, 1990; Pierson, 2004; Hall & Soskice, 2001). As the concept of path dependency demonstrates, once institutions are locked into a particular direction, the return becomes difficult both politically and technically. What is proposed is a threefold set of reforms that refreshes institutional memory. The first is the strengthening, within public institutions, of

"national policy-design" units as much as units headed "alignment." The second is the diversification of bureaucratic capacity so that it can produce knowledge upon Asian developmental experience, Latin American industrial policy, and African economic transformation as much as upon European law. The third is the support, within universities and think tanks, of interdisciplinary research centres that treat political economy together with law, industry together with technology policy, and foreign policy together with development. Without this institutional renewal, every reform undertaken at the technical level will remain limited. Dependency dissolves first in the mind, then in the law; and sovereignty, too, is first reconstituted as a mental capacity, and thereafter becomes visible within institutions.

The contribution of the study consists not merely of a policy prescription; it leaves, at the same time, an enduring theoretical trace upon the academic literature. The literature written upon the Türkiye–EU Customs Union has, for many years, advanced in a form divided into three separate basins: economic analyses focused upon trade volume and investment performance, institutional examinations concentrated upon problems of legal alignment and decision-making, and development-based readings that address industrial policy and the technology gap (Togan, 2012; Aydın-Düzgit & Tocci, 2015; Akçay, 2023). Each of these basins is, in itself, valuable, yet has produced a fragmentary picture. The original contribution of the study is its positioning of the concept of legal-institutional dependency, which brings these three basins together within a single analytical architecture, as its core instrument. The concepts of asymmetric integration, economic sovereignty, technological autonomy, and the core–periphery hierarchy have operated as four mutually nourishing pillars around this core; and the study, rather than standing scattered throughout, has constructed a unified theoretical proposition. By virtue of this framework, external-trade dependency, the technology gap, the deficit of representation, and the contraction of the developmental field have become legible not as separate problems, but as different faces of the same structural knot (Wallerstein, 2004; Strange, 1998; Schimmelfennig, 2021; Mazzucato, 2021). Thus the study is less a case study than a proposed theoretical approach; it leaves a ready analytical map for researchers wishing to examine the deep-integration relationships that developing countries establish with developed economic blocs.

Like every honest study, this one too has its limits and the doors it leaves open. This article rests upon the methods of document analysis and legal-institutional reading; sector-based empirical examinations, quantitative impact assessments, and comparative field research remain outside its scope. This limit is, at the same time, an invitation; for the framework the study has opened matures only through the contribution of a polyphonic research community. One of the concrete structures proposed is a Customs Union Impact and Policy Monitoring Centre, in which public institutions, universities, think tanks, and private-sector research centres work together; this centre should continuously monitor sectoral export–import trends, the reflections of third-country agreements, the costs of technical alignment, green-transition obligations, the impact of digital regulations upon Turkish technology firms, and the intellectual-property balance sheet, and present them to decision-makers through annual reports (Aydın-Düzgit, 2023; Togan, 2012). The agenda for future research, too, derives from here. The first door is separate sectoral case studies for each of such fields as automotive, white goods, textiles, pharmaceuticals, defence electronics, batteries, and digital services. The second door is comparative analyses to be made with the models

of Norway and Switzerland, the European Economic Area arrangement, the United Kingdom's post-European Union equation, and the membership trajectory of Eastern Europe (Schimmelfennig, 2021; Tocci, 2011). The third door is the systematic monitoring of the sectoral costs of the Carbon Border Adjustment Mechanism and the new digital regulations (European Commission, 2023; Mazzucato, 2021). The fourth door is sub-national analyses that address the differing effects of the Customs Union upon the export basins of the Marmara region, the medium-scale producers of Anatolia, and the agriculture-intensive regions (Keyder, 2014; Pamuk, 2014). Without data there can be no strategy, without strategy no negotiation, and without negotiation no balanced partnership.

At this point, a reckoning concerning the ideological frame—one of the study's most delicate balances—is likewise necessary. Türkiye–EU relations have historically been a field of debate that swings to two extremes: at one pole, the celebratory approach that counts the Customs Union as the final link in a success story of modernization, and at the other, the rejectionist approach that reads the same structure as the liquidation of sovereignty. This study finds both attitudes inadequate. For the analysis conducted has shown, within the same chain of evidence, both that the Customs Union has afforded Türkiye concrete gains (an increase in exports, institutional discipline, quality infrastructure, deep access to the European market) and that it has produced serious structural constraints (the contraction of sovereignty over external trade, technological dependency, the deficit of representation, the restriction of the developmental field) (Öniş & Kutlay, 2020; Aydın-Düzgüt & Tocci, 2015; Rodrik, 2011). This bidirectional reality does not surrender to an easy answer. The stance adopted by the study is neither a romantic praise of Europe nor an emotional anti-Europeanism; it is a cool-headed and structural reading. The practical correlate of this is the concept of critical integration. The economic bond with Europe is, for Türkiye, a historical and geographical reality; rupture is neither a possible nor a desirable option. Yet to sustain this bond does not mean to accept the existing asymmetry without question. The mature attitude is, while sustaining the relationship, to keep the inequalities continuously open to debate; to demand representation, reciprocity, and developmental space without renouncing integration.

In the broadest frame, the study redeems the promise given in its title. The Ankara Agreement of 12 September 1963, the Additional Protocol of 23 November 1970, and Decision No. 1/95 of the Association Council—signed in 1995 and entering into force in 1996—have, layering one upon another, formed a stratum of legal time for Türkiye. Article 28 of the Ankara Agreement drew full membership as a horizon (Ankara Agreement, 1963, Art. 28), the Additional Protocol established the technical architecture of the transitional period leading toward that horizon, and Decision No. 1/95 regulated the final stage of that architecture (Decision No. 1/95, Art. 1). While the legal texts foresaw a graduated integration, the actual course of history proceeded otherwise; with the freezing of the membership perspective, the institutional asymmetry deemed provisional became permanent. This permanence has produced the concrete manifestation of the three axes voiced in the title (economic sovereignty, technological autonomy, the core–periphery hierarchy). Yet the permanence of structures does not mean their immutability. History shows that hybrid positions such as "integration without membership" can be balanced only through a deliberate institutional design and a continuous renegotiation (Müftüler-Baç, 1997; Schimmelfennig, 2021; Tocci, 2011). The task before Türkiye is not to sever its relationship with Europe, but to carry

this relationship to a ground that is more equal, more representative, and protective of sovereignty; and this becomes possible through strong state capacity, long-term strategic reason, institutional continuity, and societal consensus. The whole of the analysis conducted throughout the study converges upon a single point: Türkiye's problem is not integration with Europe, but unequal integration; and the solution lies not in rupture, but in a balanced renegotiation that reduces the asymmetry. A more just partnership is possible; yet it is built not of its own accord, but through persistent, deliberate, and continuous academic-political labour.

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