

EU-Turkey-Monitor

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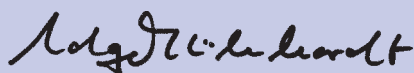
November 2007

Editorial

The European Commission has recommended not to begin further negotiations with Turkey on matters of justice and basic rights. As long as Turkish criminal law (Article 301) is not reformed on the sensitive matter of how to deal with issues criticizing “Turkish-ness”, the EU will remain tough on this point. The message from Brussels should be understood as support for the reformers in Turkey, no matter how sensitive and difficult their stance currently may be. Without freedom of expression, there can be no common future in Europe.

The message from Brussels includes the recommendation to open further negotiations in the spheres of health and of transportation. This is the right way to proceed with the approximation of Turkey to the European Union. It signals a certain depoliticization. It also signals the preference for technical progress in vital areas of modern life. The modernization of Turkey will definitely benefit from EU-standards in the areas of health and of transportation. A solid implementation of EU standards in both fields will help Turkish modernizers and the European friends of Turkey.

The perspective of a common future depends on practical, solid and sustainable progress in the Europeanization of Turkey. This goes far beyond the big controversies – which will have to be resolved at some point – and it is not irrelevant at all to mainly focus now on what is essential for key sectors of human life and social progress. The road ahead may be bumpy, yet it is gradually (and somehow through detours and in spite of cul-de-sacs) becoming a road. That is the message of the latest EU progress report on its candidate country Turkey.



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The Minister of Foreign Affairs of Turkey, Ali Babacan, meets EU High Representative Javier Solana in November 2007 in Brussels. © The Council of the European Union

NATIONAL DEBATES ON TURKEY'S ACCESSION A Franco-German Perspective

Claire Demesmay and Simone Weske

“Turkey is part of Europe”¹, declared the first president of the European Commission Walter Hallstein at the signing of the association agreement with Turkey in 1963. Some decades later, this statement is deeply contested. Whether Turkey is “European” and whether it should become a member state of the EU is at the origins of countless debates amongst politicians, researchers and journalists. Moreover, the debates on Turkey have now transcended the elitist circles and spread out to the wider public. Very often, however, the discussion remains nationally bounded.

This text provides a brief analysis of the public debates in France and Germany, two countries in which the population is strongly opposing a Turkish EU membership. In 2005, when the accession negotiations were opened, 70% of the French and even

74% of the German people were against the accession of Turkey.² Since then, polls regularly show that this position has been rather reinforced. Although the opposition to Turkey's accession in both countries is one of the strongest in the whole EU, the arguments presented are often quite different. Therefore, comparing the national debates in France and Germany allows us to corroborate the hypothesis that the Turkey-debate is fragmented along national lines and reveals different expectations for the future of Europe.

A high level of scepticism vis-à-vis Turkey's accession to the EU

In France, the debate was largely initiated by an interview with the former French president Valéry Giscard d'Estaing in the daily journal “Le monde” in November 2002. Giscard d'Estaing directly objects Walter Hallstein's declaration in saying that Turkey “is not a European country” and

▶ that Turkey's accession would mean the end of the European Union.³

Since then, many politicians, researchers and journalists joined in by publicly expressing their opposition to Turkey's EU membership. When the then French president Jacques Chirac supported the opening of EU accession negotiations with Turkey in 2004, he acted not only against French public opinion, but also against the official line of his own political party UMP (*Union pour un mouvement populaire*).⁴ In contrast to his predecessor, the newly elected French president Nicolas Sarkozy bluntly rejects a Turkish membership in the EU and looks for alternatives to it. This is the way we have also to understand his proposal to establish a Mediterranean Union in which Turkey would play a central role and work together with EU-countries like Spain, Italy or France.

François Bayrou, current leader of the centrist and pro-European party MoDem (*Mouvement démocrate*), is also against Turkish EU membership. The socialist party PS (*Parti Socialiste*) is rather divided on this issue. François Hollande, secretary general of the PS, expressed conditional support to Turkey's accession to the EU. Other prominent members of the PS, such as the former foreign minister Hubert Védrine, have argued in favour of alternatives to full membership. The positions of the extremist parties are much clearer: Whereas the rightist extremist parties are without exception against Turkey's accession to the EU, the Communist, the Trotskyist and the Green Party are in favour of it.

Like Chirac, then German chancellor Gerhard Schröder actively supported the opening of EU accession negotiations with Turkey. And like Chirac, Schröder acted not in line with German public opinion. However, the German chancellor could count on a greater support within his government than his French counterpart. The governing coalition between the social-democratic SPD (*Sozialdemokratische Partei Deutschlands*) and the Green Party were in favour of Turkish EU membership. The conservative CDU/CSU (*Christlich Demokratische Union/Christlich Soziale Union*), by contrast, was promoting the concept of a "privileged partnership" instead of full membership. Given the current coalition between SPD and CDU/CSU, German policy concerning the accession of Turkey is today rather vague: the government does not pledge to stop the negotiations between the EU and Turkey, but underlines the openness of the accession process. The position of the leftist party PDS/Die Linke is likewise ambivalent: on the one hand, the party expresses conditional support for Turkey's EU membership; on the other hand, party leader Oskar Lafontaine resolutely rejects it. The liberal-democratic party FDP (*Freie Demokratische Partei*) rests ambiguous

on the issue as well and insists on the fact that the negotiations with Turkey are open-ended.

In Germany as well as in France, public opinion appears to be "crystallized"⁵ on the question of Turkey. While the first Eurobarometer polls revealed a high level of "don't know" answers, today most of the interviewees position themselves on the "pro" or "contra" side. It is however clearly the "contra" side which benefits most from this change. Furthermore, the approval or rejection of Turkey's accession to the EU is "multidimensional". Several factors come into consideration for each position, so that the groups of adversaries as well as of proponents are far from being homogenous.

A nationally fragmented debate

The argument that Turkey is geographically not "European" can be found on both sides of the Rhine. During the 2007 election campaign, for example, this was the main argument used by Nicolas Sarkozy in order to justify his rejection of the accession of Turkey to the EU. Furthermore, the human rights situation in Turkey is an often-cited argument: in both countries, the lack of respect for human rights is the main reason for popular rejection. But whereas the geographic argument is by definition unalterable, the human rights argument leaves the door principally open for Turkey's EU membership in case of improvement. However, geopolitical arguments are also used by proponents of the accession of Turkey to the EU: according to many of them, in France as well as in Germany, the integration of Turkey would not only strengthen the EU's role in the Mediterranean and in the Caucasus region, but also contribute to forge a veritable European security policy.

Behind this apparent consensus, there are numerous differences between the French and the German debates – even if the positions appear sometimes to be the same. For example, in both countries, opponents to Turkish EU membership argue that the country is still far behind the European level of economic – as well as political and cultural – development. They share indeed the view that the integration of Turkey would thus lead to a financial overload for the EU, but in different ways. In Germany, the largest contributor to the European budget, many people are afraid of the financial cost of an enlargement to a big and comparatively poor country like Turkey. On the contrary, French people are rather alarmed by the social consequences of Turkey's accession, especially by the relocation of the production and an increase of unemployment.

Another apprehension is about the future of the European project. In France, critics of Turkish membership argue that the country's accession would dilute the French vision of a "Europe puissance"⁶ (Europe

power). In their opinion, Turkey's accession would hinder the political integration process and degrade the EU to a mere free trade area. As the French are traditionally sceptical of the American superpower, it does not help much that the United States strongly advocates Turkey's EU membership. This is perceived as a strategy by the United States to weaken the EU on the world scene. Furthermore, it is argued that the sheer size of Turkey would disturb the EU's institutional structure and its internal power balances. These arguments are most notably used by members of the established political parties, like PS, UDF and UMP: in most cases, they are *against* the accession of Turkey because they are *for* a strong and politically integrated Europe.

In Germany, it is mainly the CDU/CSU that justifies its opposition to Turkey's accession by its pro-European attitude. The idea that the United States would advocate the Turkish accession in order to weaken the EU, by contrast, is in Germany far less common than in France. This is mainly to be explained by the traditional US-friendly attitude of a wide range of policy makers in Germany.

Moreover, cultural arguments in France and Germany can have different forms, too. French rightist extremist parties, which see the European integration as a danger to the French nation and are traditionally against it, justify their opposition to Turkey's accession to the EU with cultural arguments. In this context, Turkey is considered as an Islamic "Trojan horse" which is about to enter and endanger the European Union.⁷ The fact that France is the country with the biggest Islamic community within the EU and that the French tend to feel threatened by this situation contribute certainly to such an attitude.⁸ By contrast, the idea of Europe as a "Christian Club" is not common in France. In Germany, it is mainly the CDU's Bavarian sister party CSU that uses cultural arguments. They, however, stress explicitly the Christian heritage of the EU and consider it incompatible with an accession of Turkey with its mainly Muslim population.

As the principle of "laïcité", which dictates a strict separation of politics and religion, plays an important role in French political culture, neither an Islamic nor an explicit Christian Europe is wanted. Whereas ten European countries advocated the inclusion of God and Christianity in the European Constitution, France was strongly against this suggestion. In this regard, many French people consider the Turkish "laïcité" as a reassuring principle. In particular leftist parties – in France and occasionally in Germany – evoke it in order to justify their support for Turkish EU membership. In addition, proponents of the accession of Turkey to the EU fear that a rejection of Turkey could boost Islamic forces within ▶ Turkey and hinder the modernisation

▶ process of the country.

The biggest difference between the two countries is doubtlessly constituted by the importance of the "Armenian question". In France, even proponents of Turkey's accession think that Turkey should recognise the 1915 "Armenian genocide" before entering the EU. This concern is to be explained by the historical background of Franco-Armenian relations, but also by the pragmatic interest of winning the votes of the large Armenian diaspora in France. Almost 500,000 Armenians live in France,⁹ more than in any other European country. Community leaders have even pledged to pressure French President Jacques Chirac on the "Armenian genocide" issue during Turkish accession negotiations.

In Germany, where immigration structures are different, the Armenian issue has only been "discovered" quite recently and does not play an important role in the public debate. By contrast, the large number of German citizens with Turkish origins partly explains the advocacy of the Turkish EU-

membership by the former SPD/Green Party government. Here again, electoral motivations were working. The weight of the German-Turkish community explains also that the Berliner district "Kreuzberg" with its high numbers of Turkish immigrants has become a point of reference for many Germans in framing their image of Turkey and impact the actual German scepticism vis-à-vis Turkey.¹⁰

Concluding remarks

As demonstrated, the debate on Turkey's accession to the EU is fragmented along national lines. And it is fragmented even further: In many EU countries, there is a deep gap between the rhetoric and action of the political elite on the one hand and the opinion of the mass public on the other. It is not only European governments that will have to be convinced to make Turkish accession possible. Turkey will not be able to join the EU without the consent of the people. This is evident in France: a 2005 amendment to the French constitution links any further EU enlargement to a popular referendum. But

also in Germany, politicians cannot simply ignore the voice of the people as they will be held responsible for their actions at election time. This does not simply imply, however, that politicians should blindly follow public opinion. It rather means that they should carefully listen and explain their points of view without stoking fears or animosity. About such a passionate issue like Turkey's accession to the EU, the challenge is to establish a balanced dialogue: not only at a vertical level between the citizens and the political elite, but also at a horizontal level between Europeans.

1. Cited in Redmond, John (1993): *The Next Mediterranean Enlargement of the European Community. Turkey, Cyprus, and Malta?* Aldershot: Dartmouth, p. 23.
2. Standard Eurobarometer 63.
3. Le Monde, 9 November 2002.
4. Press Conference of the then UMP leader Alain Juppé, 7 April 2004.
5. Bruno Cautrès, conference at Ifri about the German, French and Turkish debate on Turkey's accession to the EU, 26 March 2007.
6. See Georges-Henri Soutou: *La France du général de Gaulle, la Turquie et l'Europe*. In: *Commentaire*, n°104, 2003-2004.
7. Alexandre del Valle (2004): *La Turquie en Europe. Un Cheval de Troie islamiste?* Paris: Editions des Syrtes.
8. See Claire Demesmay, Eddy Fougier (2005): *Die französische Malaise im Spiegel der Türkei-Debatte*. In Angelos Giannakopoulos, Konstadinos Maras (eds.), *Die Türkei-Debatte in Europa. Ein Vergleich*. Wiesbaden: VS Verlag für Sozialwissenschaften, p. 49-62.
9. Estimation of the French foreign ministry: < http://www.diplomatie.gouv.fr/fr/pays-zones-geo_833/armenie_456/france-armenie_1020/relations-politiques_4410/index.html > [13 November 2007].
10. Rainer Hermann, conference at Ifri about the German, French and Turkish debate on Turkey's accession to the EU, 26 March 2007.

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CURRENT NEGOTIATING STATUS

No.	Title of Chapter	Status
1	Free movement of goods	●
2	Freedom of movement for workers	●
3	Right of establishment and freedom to provide services	●
4	Free movement of capital	●
5	Public procurement	●
6	Company law	●
7	Intellectual property law	●
8	Competition policy	●
9	Financial services	●
10	Information society and media	●
11	Agriculture and rural development	●
12	Food safety, veterinary and phytosanitary policy	●
13	Fisheries	●
14	Transport policy	●
15	Energy	●
16	Taxation	●
17	Economic and monetary policy	●
18	Statistics	●
19	Social policy and employment	●
20	Enterprise and industrial policy	●
21	Trans-European networks	●
22	Regional policy and coordination of structural instruments	●
23	Judiciary and fundamental rights	●
24	Justice, freedom and security	●
25	Science and research	●
26	Education and culture	●
27	Environment	●
28	Consumer and health protection	●
29	Customs union	●
30	External relations	●
31	Foreign, security and defence policy	●
32	Financial control	●
33	Financial and budgetary provisions	●
34	Institutions	●
35	Other issues	●

Legend: ● not yet opened ● suspended
 ● opened
 ● provisionally closed

Data as of November 2007

LATEST DOCUMENTS

The European Commission's Progress Report on Turkey, published on 6 November, is available from the Commission website at: http://ec.europa.eu/enlargement/key_documents/reports_nov_2007_en.htm. The site also offers the central enlargement document "Enlargement Strategy and Main Challenges 2007-2008".

The Council of the European Union offers documents on the Intergovernmental Conference 2007, including the latest updates on the Reform Treaty to be signed in December: http://www.consilium.europa.eu/cms3_fo/showPage.asp?id=1297&lang=en&mode=g.

EURO-TURKS' PERSPECTIVES ON THE EUROPEAN UNION

German-Turks and French-Turks

Ayhan Kaya

The aim of this article is to portray the perspectives of the so-called "Euro-Turks" on the EU and on Europeanness. The data referred to was gathered in a qualitative and quantitative research gathered in Germany and France.¹ The premise of the article is that Euro-Turks' perspectives foster the progressive ideal of a political Europe embracing diversity. Displaying identity formations of Euro-Turks, this work shall also reveal their perspectives on Turkey's orientation towards the EU.

Asking about the general meaning of the EU, Euro-Turks strongly underline economic aspects: Around 48% of German-Turks and 64% of French-Turks regard the EU as an economic integration project. This view is in line with the general perceptions of Germans and French: In the Eurobarometer 2003 that was conducted in parallel with the data presented here, Germans and French also indicated economic and financial aspects as the main factor giving meaning to the EU. However, there are also considerable numbers of Euro-Turks that focus less on these economic aspects but rather on cultural aspects. Accordingly, 21% of German-Turks and 11% of French-Turks also regard the EU as a Christian club.

Euro-Turks are positive about the European Union. Approximately 32% of German-Turks and 54% of French-Turks are in favour of the EU. Around 28 % of German-Turks and 17% of French-Turks are against it, while 29% of German-Turks and 23% of French-Turks have mixed feelings about it. Those German-Turks who are negative about the EU are likely to think that the EU has gained a lot from Germany's prosperity, in other words from their prosperity. On the other hand, those French-Turks who are positive about the EU are likely to think that the EU has given them more prosperity. This observation is also confirmed by the fact that only 6% of German-Turks are supportive of the Euro, while 25% of French-Turks support it. Here, the results of the Eurobarometer 2003 also comply with our results on the Euro-Turks. Both communities have a rather positive image of the European Union. However, French-Turks (17%) are less negative about the EU than the French (21%), and German-Turks (28%) are more negative than the Germans (16%).

Asked about Turkey's membership prospects, Euro-Turks are in favour of Turkey entering into the Union. However, this tendency is more evident in France (57%) than in Germany (31%). Crosstabulations indicate that their reluctance in this regard originates from socio-economic problems

prevailing over the two countries. On the other hand, the Union's impact on Turkey is generally considered less problematic by Euro-Turks than in Turkey. Confronted with the assumption that full membership of Turkey may divide Turkey, 54% of Euro-Turks clearly disagree, while only 28% of Turks do likewise.

If it comes to Euro-Turks own impact on their respective "hostland", a great proportion of Euro-Turks believe that they primarily provide a substantial labour force, followed by contributions to cultural richness, the creation of job opportunities, and familial and moral values. What is remarkably different between German-Turks and French-Turks is that German-Turks place more emphasis on symbolic contributions like culture (53%) and moral (32%), whereas French-Turks give priority to material contributions like labour force (73%) and job opportunities (42%). With 4-5% the percentage of those who believe that Turks make no positive contribution is relatively low.

In sum, Euro-Turks believe their positive influence is greater than their negative influence. Approximately 32% of French-Turks and 25% of German-Turks believe that Turks have no negative impact on the host societies at all. However, 36% of German-Turks share the conviction that Turks do not obey rules, and 25 % believe that Turks misuse the social security system. In addition, 24% of German-Turks view Turks as being inclined to be lazy. On the other hand, the lack of ability to adapt to local values (33%) and the tendency to construct ethnic enclaves (33%) are the issues raised most by French-Turks in highlighting negative impacts of Turks. The ways in which different issues have been phrased by both German-Turks and French-Turks are also subject to the separate incorporation regi-

mes applied by Germany and France vis-à-vis the migrants. The issue of constructing ethnic enclaves and communities raised by the French-Turks seems to be strongly linked to the Republican state tradition's sensitivity on homogeneity and difference-blindness. However, in contemporary Germany, the liberal democratic regime's recognition of differences means that ethnic and cultural enclaves are not problematized to the extent they are in France.

Answers to questions with a comparative EU-Turkey perspective reveal that Euro-Turks have developed a unique democratic political culture, emphasising human rights, democracy, participation, rule of law, equality and trust. The difference to the picture in Turkey is that they have generated a rights-specific rather than a duty-specific political culture. In general terms this also implies that Germany and France are considered more democratic than Turkey. Whereas Euro-Turks positively identify deep-rooted democratic institutions and a high level of democracy in Germany and France, Turkey mainly comes to the fore positively when interviewees were asked questions about mutual tolerance, and moral values. In this as well as the above mentioned respects, Euro-Turks can evidently serve as a bridge because they incorporate important traits of the EU and of Turkey.

1. The field research was conducted by Ayhan Kaya and Ferhat Kentel between September 2003 and March 2004. A comprehensive analysis of the results is provided in A. Kaya and F. Kentel (2005) *Euro-Turks: A Bridge, or a Breach, between Turkey and the EU*. Brussels: CEPS. A similar research has recently been conducted with the Belgian-Turks; and the outcomes of this research will soon be published by the King Baudouin Foundation in Brussels.

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Figure 1: What does the European Union mean to you?

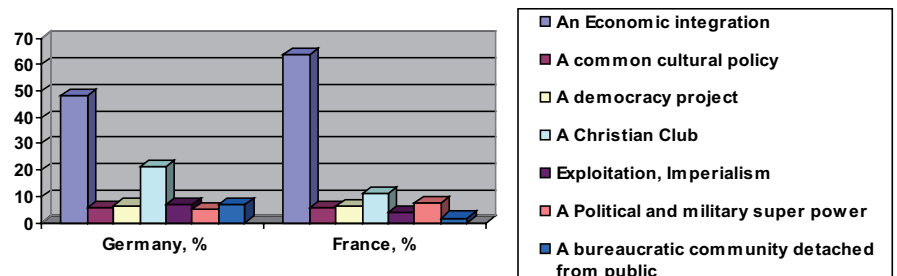
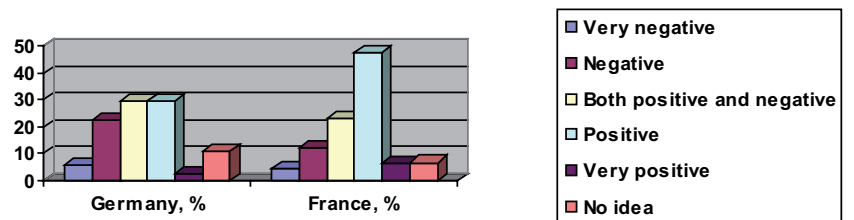


Figure 2: To what extent are you either positive or negative about the EU?



NEW WAYS OF PARTICIPATORY POLICY IN GERMANY

Kenan Kolat

Over 15 million people living in Germany have a migration background. For all actual or fabricated difficulties, people with different origins are living peacefully together. As a leading industrial nation, the Federal Republic of Germany should strengthen its intercultural competences and benefit from the potentials and resources which are emerging from a society of immigration. This demands a new orientation. It is time to change from a "policy on foreigners" to a "policy on equality".

Integration is the duty of the entire society to which there is no responsible alternative. Integration I personally understand as the coexistence of people with different national, cultural and religious origins in the spirit of mutual acceptance, respect and tolerance and on the basis of our constitution. Equality before the law and equal opportunities in political and societal decision-making processes as well as in education and labour are basic requirements to achieve this: in short, Integration means "participation".

The Federal Republic of Germany is often perceived as an ethnically homogenous state. This perception does not only disregard the historical processes on German terrain but also largely ignores substantial immigration after 1945. In addition, in terms of a national culture such a perception is forcing heterogeneous groups living on the national territory to become ethnic minorities.

Before elaborating some points in more detail, I turn to a definition which is approaching the reality in Germany and the processes inside and outside of Europe: the Federal Republic of Germany is *de facto* an ethnic-pluralistic (polyethnic) civil society. It

is a polyethnic state that has integrated the protection of minorities into its constitutional system in way that this does no longer appear as protection of minorities.

A policy of equality in Germany should be established on the following principles:

1. It has to perceive members of minorities (ethnic or cultural) as chance and potential, not as a threat
2. It has to be humane
3. It has to be transparent for everyone
4. It should not conceal problems but openly address them
5. It has to be linked to reality

This policy has to be implemented on the basis of transculturality. Transculturality is a deliberate policy and the antithesis of assimilation.

The goals of transcultural policy can be:

1. Everyone in Germany shall have the sense of common ownership and shall share the responsibility to foster our societal interests
2. Everyone in Germany shall enjoy the basic right to be judged on the basis of ethnic origin, religion or culture
3. Everyone in Germany shall have equal living chances and fair access to the resources administered by the state on behalf of the community
4. Everyone in Germany shall have the opportunity to participate in all decision-making processes by which they are affected
5. Everyone in Germany shall be able to develop and apply their potential for Germany's economic and social progress
6. Everyone in Germany shall have the opportunity to acquire and deepen good language skills in German as well as in other languages and to develop a cultural understanding

7. Everyone in Germany shall be able to develop their cultural heritage and to share it with others
8. Everyone in Germany shall accept the cultural diversity of the German society, reflect it and internalise it

Part of such a transcultural policy is the approach called "*Migration Mainstreaming*". The goal of this approach is to incorporate the perspectives of migrants into all decision-making processes. Migration Mainstreaming is directed toward a tolerant, social, fair and innovative society that perceives immigration as challenge and enrichment, as potential for social development.

The German Integration Summit which took place on 14 July 2006 raised hope because for the first time migrants and the federal government came together on an equal basis and started to talk to each other, not about each other.

I understand this summit as a historical day for Germany after its reunification, not just because the meeting took place but because the federal government unmistakably, even though not directly, distanced itself from the illusion that Germany is not a country of immigration.

However four Turkish organisations did not participate in the succeeding summits in order to protest against the adoption of a more restricted immigration law. Hence, an important chance was lost to continue the newly started cooperation trustfully. It remains to be seen if the Federal Republic will and can be able to regain trust of migrants.

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CHRONOLOGY

compiled by Volkan Altintas

2007 1 July: Portugal takes over the Presidency of the Council of the European Union. In its presidency programme, Portugal stresses the importance of fulfilling existing commitments on enlargement and its commitment towards the Mediterranean.

2007 22 July: At early parliamentary elections, the governing AK Party of Prime Minister Recep Tayyip Erdogan wins 47% of votes and a sound majority of seats in the Grand National Assembly of Turkey?

2007 23 July: The Intergovernmental Conference to negotiate an EU Reform Treaty is opened in Brussels. It is supposed to replace the failed European Constitution.

2007 28 August: Turkish Foreign Minister Abdullah Gül is elected to be the 11th president of the Turkish Republic. In the third round of voting her received 339 votes in parliament.

2007 29 August: Turkish President Abdullah Gül approves Prime Minister Erdogan's new cabinet.

2007 3 October: Turkish President Abdullah Gül addresses the Council of Europe Parliamentary Assembly (PACE).

2007 12 October: With PKK actions in the South East of Turkey rising to a new level, the EU Presidency condemns the violent actions carried out by the PKK.

2007 18-19 October: During an informal meeting of the European Council the heads of state and government of the EU approve the final text of the Reform Treaty drawn up by the Inter-

governmental Conference.

2007 21 October: A referendum on several constitutional amendments is held in Turkey. The package passed foresees that general elections are to be held every four years, that the president is elected by popular vote for a reduced five year term but that the president can be re-elected for a second term.

2007 6 November: The EU releases a new Progress Report on Turkey. The report acknowledges the latest political developments in Turkey but also calls for more and faster reforms in Turkey – just like in 2006.

Sources: consilium.europa.eu, www.abhaber.com, www.todayszaman.com, www.worldbulletin.net, www.guardian.co.uk, <http://www.euractiv.com>

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THE COMMUNITY OF TURKISH ORIGIN IN GERMANY

Kerim Arpad

As a result of the decrease in population and declining number of migrants from the east after the construction of the Berlin Wall, post-war Germany was in urgent need of workers for its booming industry. As there were more open jobs than unemployed people, the German government reacted by calling workers from the south of Europe beginning in 1955. After the first group of workers had come from Italy, Spain and Greece, in 1961, Germany concluded an agreement with Turkey. The Turkish government promoted the export of surplus labour with the hope that sending workers abroad from less developed parts of the country would bring remittances and returning workers with skills needed for modernization. At that point in time, neither the Germans nor the Turkish workers ever thought that the “guest workers” would stay longer than two years, as it was stated in the recruitment agreements. This partially explains why at that time no steps were taken to integrate the immigrants. Reasons why so many Turkish people stayed in Germany were on the one hand that the German industry did not want to lose skilled workers and employ new ones who would have to be trained. On the other hand, the families of Turkish workers who either came to Germany in the course of family unification or children who were born in Germany started to go to school and parents did not want to interrupt their education.

Indeed, there were also Turkish people who went back to Turkey during economic weak times. For instance, due to the recession in 1966, those who had lost their jobs went back to Turkey, but in many cases they came back to Germany when the economic situation had improved. In 1973, Germany stopped the recruitment of foreign workers. During the economic slump of 1974/75 and 1981-1984, Turkish workers preferred to stay in Germany, due to fear of not being allowed to come back to Germany. From 1974 on, Turkish workers made increasing use of family unification as a right to continue their stay in Germany according to the European Convention on Human Rights.

Today, people of Turkish origin present the largest foreign population in Germany and they live mainly in areas with high industrialization (e.g. Berlin, Cologne, Duisburg, Munich and Stuttgart) because this is where the first generation found their jobs. Only 25% of them came to Germany as workers, while 53% immigrated as family members and 17% of the adult Turks were born in Germany. 2.4 million people of Turkish origin currently live in Germany, approximately 1.9 million of which have

Turkish citizenship. About 500,000 people received German citizenship in order to attain legal security and to participate in the political decision-making processes. Since dual citizenship is still forbidden for adults according to German law, the quota of applications remains very low.

All in all, the socio-economic situation of the Turkish community is quite ambivalent. There is high unemployment among today's Turks (about 25%) because many of their jobs, mainly in heavy industry, were abolished. But there are also a rising number of mainly young Turks that are self-employed. One of the biggest problems of the Turkish population in Germany is the language problem, in particular of school children. They often only learn Turkish at home, because their parents could not speak German fluently themselves, and only rarely attend kindergarten. As a consequence, average education remains on a low level. Unfortunately, many parents prefer their children to finish school as early as possible in order to pursue unskilled work rather than learn a profession or study. However, an increasing number of parents want higher education for their children. If we consider that the first generation of Turkish immigrants mainly came from a working class background and that this background has a strong influence on education, the number of children who go to university is quite substantial: Currently, more than 30,000 Turkish students are attending German universities. The majority select subjects like economics, engineering, law and social studies.

In addition, integration is also taking place in German politics. Currently, there are four second generation “German-Turks” in the German Bundestag as well as several “German-Turks” holding seats in local Parliaments. Just like TV stars, film producers, football players or authors, these people

play a very important role in the integration process because they are the living examples of positive progress among the second generation and help to change the stereotypical view many Germans have of Turks as well as of migrants in general (i.e. appearance, overvaluation of religion, patriarchal role patterns in families).

There are many Turkish political, religious, cultural, sport and other organizations. Their role in German integration policy and for the German-Turkish relationship increased in the last years. Mostly founded by the “guest workers” generation to satisfy their own needs, they are nowadays demanded for by politicians and local administrations to create a target-based integration policy. On the local level migrant organizations take part in school projects for family education, vocational trainings, cultural events and in intercultural training i.e. for police officers. In July 2006, Chancellor Angela Merkel even called together various migrant organizations for the first integration summit.

However, even 46 years after the emigration of the first Turkish guest workers to Germany, there are still big challenges concerning the integration of the Turkish community: Education possibilities still need to be enhanced, integration into the labour market to be improved, and stereotypes to be overcome. Briefly said, the integration process has just begun and there is still a long way to go.

Kerim Arpad is President of the European Assembly of Turkish Academics Baden-Württemberg.

ZEI ACTIVITIES

The Cologne-based Griechisch-Türkische Freundschaft e.V. held its 8th symposium in September. ZEI Research Fellow Andreas Marchetti participated as discussant together with Lale Akgün (Member of the Bundestag) and Jorgo Chatzimakis (MEP).

In November, ZEI Research Fellow Andreas Marchetti commented on the Commission's progress report in the live telecast Bakis Acisi at Kanal Avrupa.

On invitation of ZEI and the Deutsch-Türkische Gesellschaft Bonn, Dr. Heinz Kramer, Stiftung Wissenschaft und Politik (Berlin), visited ZEI on 22 November. Based on his research on Turkey's latest domestic developments, Dr. Kramer lectured on “Ohne Atatürk nach Europa? Die Türkei auf dem Weg in die nach-kemalistische Republik”.

ZEI PUBLICATIONS

Andreas Marchetti/Martin Zimmek (eds.): *Annäherungen an Europa. Beiträge zur deutschen EU-Ratspräsidentschaft 2007*, ZEI Discussion Paper, C 175/2007.

Ariane Kössler/Martin Zimmek (eds.): *Global Voices on Regional Integration*, ZEI Discussion Paper, C 176/2007.

Dominic Heinz: *A Review of EU-Russian Relations. Added Value or Structurally Deficient?*, ZEI Discussion Paper, C 177/2007

Peter Hughes: *NATO and the EU: Managing the Frozen Conflict. Test Case Afghanistan*, ZEI Discussion Paper, C 178/2007.

FROM TREATY REFORM TO REFORM TREATY

The Lisbon Treaty as Tardy Innovation of the European Union

Andreas Marchetti and Martin Zimmek

The European Union is often depicted as being too sedate and static. However, despite all shortcomings, the Union is nonetheless constantly developing and re-defining its own structures. This evolutionary process is permanently reflected in its policies and most apparent in the subsequent reforms of its founding treaties as legal basis for its setup and actions alike. However, from an integrationist point of view, the last reforms that had led to the Treaties of Amsterdam and Nice had not lived up to expectations. To the contrary, they had left the EU with some *leftovers* of very central nature, because member states had failed to readjust the voting-powers in the Council and to agree on the scope of qualified majority voting (QMV) and on a workable size of the Commission. Hence, already in 2001, the Laeken European Council had decided to open the way for another round of treaty reform. It tasked a Convention with the preparation of a new treaty. The Convention soon became a genuine constitutional endeavour that represented one of the most open and transparent processes ever to elaborate a central EU document. Chaired by Valéry Giscard d'Estaing, the Convention worked out a draft Constitution for Europe that was presented in July 2003. Up to this point, the process had been hailed as being efficient and transparent, which cannot be said of the compulsory Intergovernmental Conference (IGC) that followed, succeeding only in a second attempt to agree on a final text. Anyone who had thought that all obstacles were now out of the way was proven wrong with the negative outcomes of two referenda in France and in the Netherlands in spring 2005. The “non” and “nee” gave the ratification process such a blow that the reform was put to a halt for almost two years. It was only under the German Presidency in the first half of 2007

that the process could be put back on track. The German Presidency had finally managed to cool down the climate, to conciliate rather opposing views on the way forward and to commit EU member states to the central points of a new treaty. The IGC 2007, beginning its new endeavour on 23 July under Portuguese Presidency, concluded its work in a few months' time, allowing the heads of state and government to already agree on a new treaty document during an informal European Council meeting on 18 October 2007.

The Reform Treaty – or Lisbon Treaty as it will most likely be called after signature in the Portuguese capital in December – preserves most of the compromises and provisions of the failed constitution. The term “constitution” – rather problematic in certain member states – has been dropped altogether. The EU will indeed be granted legal personality while at the same time the non-constitutional character of the new treaty will be underlined. This is accompanied by a series of deletions in comparison to the constitution: Flag, motto or anthem are not explicitly named in the new text. Nonetheless, they will continue to be used according to present practices. The omissions are therefore less of substantial but rather of symbolic nature in order to “appease” the critics of a constitutionalisation that might eventually lead to the abolition of member states' sovereign cores.

At the centre of the Lisbon Treaty are finally solutions to the ten year old *leftovers*, albeit including considerable transition periods: QMV will become the general rule for voting within the Council. However, the simplified procedure of *double majority* will not enter into force in 2009 but only in November 2014. In addition, member states will retain the opportunity to insist on the Nice provisions for QMV until March 2017 – a compromise mainly owed to Polish reservations. The number of Commis-

sioners will be reduced to two thirds of the number of member states. In order to guarantee more consistency in the Union's actions and outward representation, the European Council will elect its President for a two and a half year term. A rotation system will ensure that all member states will be equally represented over time. If it comes to the foreign policy of the Union, the post of High Representative for the CFSP, currently held by Javier Solana, will be transformed into the office of a “High Representative of the Union for Foreign Affairs and Security Policy”. Although not labelled “European Union Foreign Minister” as in the constitution, the post still merges the positions of the Commissioner for foreign relations, currently Benita Ferrero-Waldner, and the High Representative.

The simplification of the terminology for Union legislation as provided for in the constitution will not be put into practice. The Union will retain the rather opaque labels “regulation”, “directive”, “recommendation” and “opinion” (Art. 249). The Charter of Fundamental Rights will also not be incorporated into the text of the treaty. However, a reference within Art. 6 will ensure that it becomes legally binding – with a Polish and British opt-out.

Although the Lisbon Treaty constitutes a step behind the Constitution, the reform package now agreed on represents a considerable step forward compared to current legislation. However, the agreement among member states' governments can only constitute a first step in exiting the current crisis of the European Union. Experience with the constitution teaches us that the current reform process can only be regarded as succeeded after the last member state will have ratified the Lisbon Treaty.

Andreas Marchetti and Martin Zimmek are Research Fellows at ZEI.

EMPOWERMENT OF WOMEN IN TURKEY

Diba Nigar Göksel

In enshrining gender equality into the laws, the period since the turn of the century can be termed a revolution for Turkey. The women's movement, which fueled this process, is impressive in the sophistication of its campaigning as well as its courage. It is counterintuitive, according to many observers, that significant strides were taken to improve women's position in society under the leadership of the conservative AKP. The role of the EU must not be dismissed in these long due reforms.


However, empowering women takes more. Especially in areas of Turkey where traditional values grossly limit the choices and opportunities of women, primarily in the east, a more effective state is needed. As long as the

individual – man or woman – is so dependent on his or her extended family or feudal kinship entity, the values these social structures impose can not be challenged and women will remain the most trapped of all. Jobs, welfare services, well-staffed and coordinated public institutions, better infrastructure and policies more geared to the reality of these regions are needed.

* * *

The status of women in society has been seen as a litmus test for Turkey's direction since the foundation of the republic in 1923. A penal and civil code introduced in the 1930s, both modeled after European examples, were, judged by European standards of the time, progressive in terms of women's rights. The issue was then deemed resolved and placed on the shelf for the sake of not

distracting from national unity. It was 50 years later that women sociologists discovered that the reforms had not penetrated far into Anatolia where, despite being illegal, girls were often not sent to mandatory primary school, married off younger than 17 and “married” by only religious unions, sometimes into polygamous marriages. The figures were staggering. In the 1960s, urbanization was at around 30 percent and female literacy was only 25 percent. A significant majority was totally left out of the modernization wave.

In the 1980s, awareness groups of intellectual women studied the evolution of women's empowerment in foreign literature and discovered that the laws still blatantly favored men in Turkey. Leveraging CEDAW (Convention on the Elimination of All Forms of Discrimination Against Women) and, when candidacy status was granted, the EU, 

▶ platforms formed by women's NGOs demanded amendments to the laws, drafted acceptable versions and, partnering with sympathetic individuals in the press and political arena, placed these issues high on Turkey's agenda. Their work, which for almost 20 years had fallen onto deaf ears, bore fruit from 2001 onwards.

Two consecutive governments of a very different ideological nature followed through with the demands: the 1999-2002 coalition government and the conservative AKP, in power since 2002. In 2001, the discriminatory elements of the Turkish Civil Code were amended to grant equal rights between men and women in marriage, divorce and property ownership. The new Penal Code, in force since 2004, treats female sexuality for the first time as a matter of individual rights, rather than family honor or social morality. In addition, an amendment to the Constitution obliges the state to ensure gender equality. Family courts were established in 2003 and in the same year new initiatives were launched to combat domestic violence and increase the rate of girls' education. Turkey is now, in terms of its laws, post-patriarchal. Moreover, the style in which a new Penal Code came into being in 2004 seemed to signal a new era of participatory policymaking, perhaps not significantly acknowledged up to now.

However, since 2005 the focus on a roadmap for women's further empowerment seems to have been lost. Anti-AKP fervor among a segment of the society has detracted from monitoring the implementation of reforms and the demand for complementary steps. Instead, criticism and dwelling on symbolic battles such as the headscarf have dominated. On the other hand, AKP's willingness to listen to and be persuaded by those that are not in their camp has faded. All parties involved need to reorient themselves towards recapturing the exemplary collaboration witnessed in 2004 simply because it undeniably worked wonders.

The East, perhaps the Achilles heel of Turkey's quest to empower women, offers a context for which a stronger formula is required. The region is composed of a young population, large families, early marriages – often arranged or forced – and widespread unemployment. Informal structures such as religious sects or kinship based tribes step in to fill the ideological and economic gaps the state is not able to fill. These power structures sustain values of women's subordination

and the distrust of the state in the Kurdish regions only perpetuates these power structures. For easy votes and control in the region, politicians have largely appeased the powerful figures of the region in crony relationships rather than breaking up the power centers to favor ordinary individuals. Shortcuts such as these have high costs, as can be seen in the crisis Turkey faces in this region today.

The lost potential due to women not working in Turkey is significant. Only around 25 percent of working age women work. Almost 70 percent of these are unpaid, largely in rural areas performing low-productivity, semi-



Detail of Anny and Sibel Öztürk's temporary interactive light sculpture "Mehr Licht" in Brussels. © Council of the European Union

subsistence farming. Welfare policies such as childcare and elderly-care are close to absent and there is no serious effort to integrate women into the workforce. The lack of a strong social democrat party is an important detriment in bringing these issues to the forefront.

Despite a municipality law in 2004 requiring that municipalities establish childcare and elderly care facilities, as well as shelters for women subject to domestic violence to turn to for protection, only a few have. Neither the government nor public opinion have penalized this negligence. Tracing the cases of women subject to extreme domestic

violence, sometimes even facing the threat of honor killing, reveals a disjointed public administration with insufficient means to perform effectively. Moreover, without a systematic demand for accountability on these institutions, lethargy seeps in.

Despite the domestic polarization that has replaced the strongly-backed reform agenda, there have been positive developments recently. The increase of women in parliament from 4.4 to 9 percent with the elections this summer is a significant development. Women activists remain highly critical of this still low figure and demand that a quota be introduced.

Turkish politicians can no longer afford to neglect the wide array of demands of the women's movement. AKP has set the bar higher than the previous governments in this sense. However this also puts more responsibility on the shoulders of the women's rights activists. Setting reasonable expectations, giving constructive support when due, and allowing society to celebrate positive steps are necessary considerations for a force with the political power these organizations have obtained in unison.

Though there is still significant ground Turkey needs to cover to close its wide gender gap, the ingredients for doing so are largely on the table. The debate about these issues is a setback.

Nowadays, the debate about women is hostage to the larger ideological divides revolving around Islamism as a rising threat and the Kurdish Southeast as a security challenge. Focusing on issues such as diligent collection of gender-specific data, accessible and unwavering public institutions, and measures to ease women's effort to balance responsibilities at home and at work are prerequisites to consolidating the impressive progress recently made.

Political will is the most critical component in making sure the intent of the new laws are translated into an irreversible reality of widespread empowerment for women in Turkey.

Diba Nigar Göksel, Senior Analyst, European Stability Initiative (ESI), and Editor-in-Chief, Turkish Policy Quarterly (TPQ). This article is largely based on research conducted for ESI's recent report titled "Sex and Power- Islam, Feminism and the Maturing of Turkish Democracy", available at www.esiweb.org.

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