

05/12/2004

**On December 17, we shall celebrate!**

*Letter to my Turkish friends*

By Kalypso Nicolaidis<sup>1</sup>

My friends,

I write this letter to you with some trepidation, since, as everyone knows, there is nothing harder to predict than the future, especially a political future concocted by tired heads of state in the corridors of late night European summits. A few days ago I came to speak at Koc University about the EU's December 17 decision on the start of accession negotiations with Turkey. Where I expected cautious optimism, I found dire predictions. I am moved to write before the decision takes place out of frustration and out of hope. Frustration at your frustration, my Turkish friends. Hope that in the years to come, we can bridge the "communication gap" between EU peoples and the Turkish people and invent together vows for this marriage that will inspire us all.

**YES – BUT.**

Allow me to make three predictions. First, ways will be found to persuade Cyprus not to exercise its veto and Turkey will get a date, determined by the date of the French referendum on the new European Constitution and the need to leave a "reasonable delay" (eg a few months) between the two events. Second, the decision will not state that the alternative to membership could be a "privileged relationship" between the EU and Turkey (this is what Turkey already has!) but it will include some wording reminding everyone that the negotiations do not guarantee accession. And thirdly, there will be a number of other caveats qualifying the long awaited "Yes" with elements of "Buts" along the lines of the Commission report published last October.

On December 18, 2004, the Turkish press will be full of analysis of the fine print of the Council decision. In the end, however, the verdict will boil down to a simply question: Shall we like it or not? Here is my opinion and my plea: if it is what I predict, yes of course you should like it. Please do not get hung up on the various "buts." Take them with a grain of salt, with your characteristic wisdom, patience and some indulgence for these Europeans who are often less imaginative than you are about the future of our shared continent. Let me substantiate this plea to you with the following propositions:

1. **The pro-Turkey conspiracy.** You tell me that Turks are as fond as Greeks of conspiracy theories. Well you are right! There is a conspiracy in Brussels. But it is not that which you think –diplomats and politicians in Brussels conspiring to find

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polite words to leave you out in the cold. If, in their great majority, they are conspiring indeed, it is against their political opposition and part of their own publics at home, in order to start these negotiations while minimizing negative reactions. In fact, it is clear to everyone in Brussels that Turkey certainly does not fully fulfil the famous political Copenhagen criteria. But everyone also knows that the packages of reforms initiated in the late 1990s and accelerated by Tayyip Erdogan since 2002 could hardly have been set in place faster and that your government is committed to what could equally be called the “Ankara criteria”. Everyone knows that implementation and changes in social behaviour take time. So the Commission fudges by stating that “Turkey sufficiently fulfils...” But it wants to be sure that the momentum for reform will continue and that it will drive the negotiation process, not the other way around.

2. **Democracy for better or worse.** You say that through its numerous decisions, especially at the 1999 Helsinki summit, the EU has given its word to Turkey, and that therefore accession should no longer be a matter of whether but only a matter of when. How unfair, you exclaim, to concoct additional hurdles at the end of the road in the form of referenda in France and possibly elsewhere. Well, it is true that the EU is a norm-based institution; in fact, without a budget, an army or an administration, the force of law is all it has. But the bad news is that the EU is only the EU and national politicians are national politicians – that is survivors for whom political imperatives always trump legal commitments: witness the way Chirac and Schroeder threw the Stability and Growth Pact out the window when it came to compete with their domestic plans. Most importantly, perhaps through sheer bad luck and coincidence, we are entering a new era in the EU where politicians can no longer be seen to take decisions without consulting their publics. This is why many leaders were led to promise referenda on the Constitution, something they would have preferred to avoid. A yes on the Constitution is Chirac’s number 1 concern right now. Even his commitment to Turkey (which I believe is real) cannot stay in the way. And he is worried when he sees that many may vote “no” as a proxy to voting no to Turkey –or simply to express anger at not being consulted. The attempt to “de-link” the two is not a “pretext” as commentators in Turkey sometimes write but a political imperative. When you read the final decision, remember: deals are always Janus-faced (to be sold differently on different sides) and Chirac needs hooks in there to be able to say back home: “We are in control until the end, you will have your chance on this other question later”.
3. **Turkey is different, damn it!** “Very well” you say, “but why us? why are we always discriminated against? Why accept it one more time on December 17?” There are of course a range of responses to this leitmotiv. First, many conditions are indeed not discriminatory, there is usually a precedent for about everything in the EU. Let’s remember that in 1973, the UK’s entry had to be approved in France and Norway chose to say NO! Second, some of the new elements introduced for Turkey in the accession process by the Commission (benchmarking, pre-screening) are genuinely the result of lessons from experience meant to make the upcoming process of negotiations smoother. Most importantly, with Turkey tomorrow as with Poland

yesterday, negotiations will in good faith be conducted with the goal of accession. But in neither case do negotiations guaranteed accession - or else they would not be called negotiations! Besides, every accession negotiation is different, Brussels never tires of reminding us. Nevertheless, let's not push this point too far! It is true that Turkey is treated "more" differently: never before has an accession decision been taken so reluctantly; and never before has the fact that negotiation are open-ended needed to be stated explicitly for public consumption. - Let's all admit it and get on with our business: Turkey is indeed VERY different! If, as all good labour lawyer knows, non discrimination consists in treating different people differently, well then why should we be surprised? In fact, my friends you are yourself found on pointing this out –as your friends in the EU do too. Turkish difference cannot both be its strength in its public relations and the plague in a negotiation context. Relentlessly we need to turn around the arguments of your detractors who use your difference against you ("Even bigger than Poland, poorer than Slovakia, more Muslim than Albania") to inspire European enthusiasm for Turkish accession. I believe it: Turkey's numerous, young, educated, population will reinvigorate Europe's ailing welfare states, sluggish labour markets and flawed assimilation agenda, and internationally, only a Europe with Turkey can aspire to become a credible global mediator.

4. **Turkey is European, but in a XXIst century kind of way.** To recognize that the enlargement to Turkey is a different ballgame than any one before it, and that this is both Turkey's burden and its ultimate strength, does not mean, *au contraire*, that Turkey is not European. In the end, you are right, it is the "essentialist" issue of Turkey's European character that mostly drives those among European elites and public opinions opposed to Turkish accession in principle and thus opposed to a Yes in December. And this essentialist discourse cannot be wished away, even with a Yes. It will be with us until the French and other referenda many years from now. We have all written and argued endlessly over the birth of your nation, the Turkish historical choice for Europe, over the fallacy of geographic determinism, over the soul of a truly secular Europe. But if we want to bring with us those among the deniers who are open to persuasion (and there are more than we think, including in France, a country of non conformists), we need to engage more genuinely with the complexity of this issue. Turkey is European, not because the sultans said so or because Istanbul straddles a continental divide, but because it is itself a hybrid, complex, exciting, multifaceted cultural and political entity. It is European if and only if we hold a vision of Europe not only compatible with this complexity but in fact In the end, you must also accept that this whole story is more than ever as much about Europe, its angst, its inferiority complex, its frustrated global ambitions, than about Turkey. Less about some visceral anti-Turkish sentiment in France than about France's own obsessions, with its loss of influence in the EU, with external signs threatening *la laicite*, with the United States as a convenient "Other." You must feel and make your own the political tremors that are shaking Europe at the eve of fierce battles to adopt new Constitution. You must cry for Europe and dream for Europe for our sake, not yours.

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5. **It is up to Turkey to make the BUTs in the YES BUT absolutely irrelevant within a few years.** As a result of the above points, at least three clauses will probably be included in one form or another in December, that will pain you. Can you be persuaded to take these “buts” with equanimity? After all, all three analytically should be understood as safeguards or contingent agreements, that is whose relevance kicks in as a function of an outcome over which parties have (or pretend to have) different probability assessments. Thus the “suspension clause” would only be relevant if there was a serious breach in Turkey such as a military coup, something that I cannot imagine in today’s Turkey. Let’s remember anyway that the concept was not invented for Turkey but to be able to suspend the benefits of actual members after Austria’s infamous electoral deviation in the 1990s. It is in the name of the same principle that negotiations with Slovakia were postponed for 2 years in 1998.

Second, while the declaration will not talk about a privileged partnership it will make clear that starting negotiations does not guarantee the end result. This does not mean that the negotiations themselves will be on two tracks, only that the contingency of referenda on both sides is acknowledged.

Finally, there will be some sort of safeguard clause for the movement of people, if not permanent at least open ended. Here again, the clause is a gimmick for European politicians, in order to gain time until public opinion is mature enough to understand two things. For one, such a clause will not need to be invoked as most Turks living in a more prosperous EU-bound Turkey will want to stay at home as the Portuguese and Greeks before them. Moreover, it will in fact be the Europeans who will beg Turkish labour to come and help deal with their “granny boom”. If you believe your own story (I do!) then the safeguard clause should simply elicit a smile: they will be rendered obsolete by real world developments. In the end, just as Europe needs to deeply understand Turkey’s complex social and political realities, you must also understand the political rationale for the “buts” and move on to the business of the “yes”. Accession will be a long and winding road.

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