The EU’s Response to Turkey’s Membership Application: Not Just a Weighing of Costs and Benefits

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The EU’s Response to Turkey’s Membership Application: Not Just a Weighing of Costs and Benefits

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ABSTRACT In October 2005 the European Union opened accession negotiations with Turkey even though the governments of several member states harboured doubts about the wisdom of so doing. This article examines why the EU agreed to the opening of the negotiations, given the existence of reservations and the fact that the decision needed the approval of the governments of all twenty-five member states. It is argued that whilst a rationalist approach goes a long way in explaining the decision, political pressures and rhetorical actions provide important additional dimensions of explanation.

KEY WORDS: Turkey, European Union enlargement, rationalism

Introduction

Turkey’s application to join the European Union — which was lodged as far back as 1987 — has generated considerable controversy in recent years. It has done so because, since the late 1990s, the EU has considerably advanced Turkey’s membership prospects, even though the application has been viewed widely within the EU as being highly problematical. It has been viewed in this way partly because it has been thought Turkish membership will create a number of particular policy difficulties for the EU and partly because Turkey as a country is looked on by many in the EU as being so ‘different’ from the European ‘mainstream’ as to endanger the very nature of the Union.

The extent of the controversy that the Turkish application has generated may be illustrated by referring to just a few of the public statements and
manoeuvrings of leading EU figures in the period leading up to the key December 2004 European Council meeting, which was scheduled to give Turkey a decision on whether accession negotiations would be opened. The President of the Constitutional Convention — the body that largely drafted the EU’s Constitutional Treaty — Valéry Giscard D’Estaing, warned that Turkish accession would be “the end of Europe” (The Times, 23 September 2004, 34) and “would change the nature of the European project” (EUObserver, 26 November 2004). In even more dramatic language, the (outgoing) European Commissioner for the Internal Market, the Dutchman Frits Bolkestein, warned of the “Islamisation of Europe” and pronounced that should Turkey become an EU member “The relief of Vienna in 1683 [by a Catholic army from an Ottoman siege] will have been in vain” (The Guardian, 22 September 2004, 17). And President Chirac of France attempted to canvass support for a privileged partnership between the EU and Turkey rather than full Turkish membership — an idea that was also floated by several other prominent EU practitioners (European Voice, 16–22 September 2004; EUObserver, 26 November 2004).

In the event, most of the participants at the December 2004 summit were not dissuaded by such warnings and suggestions for an alternative course of action. On the basis of advice from the European Commission and following very difficult and tense exchanges amongst EU heads of government and also between some of them and the Turkish prime minister (who was invited to be present on the margins of the summit), all twenty-five heads accepted that negotiations should be opened in October 2005, subject to conditions.\(^1\) The conditions were that Turkey must continue with its ongoing reform programme and must also give implicit recognition to the Republic of Cyprus by signing an updated customs union agreement with the EU.

Notwithstanding, however, the December 2004 decision, debate continued in 2005 over the merits of opening accession negotiations with Turkey. Indeed, new developments resulted in the debate even growing. One of these developments was the manifestation of public concern in several member states about the prospects of Turkish membership — most notably in the form of the issue contributing to the ‘No’ votes in the French and Dutch referenda in May and June 2005 on the EU’s Constitutional Treaty.\(^2\) A second development was an increased willingness of some ‘first rank’ politicians — including the then German opposition leader (and now Chancellor) Angela Merkel and French Interior Minister (and now French President) Nicolas Sarkozy — to voice openly their opposition to Turkish membership and to support Chirac’s preference for a ‘privileged partnership’.\(^3\) And a third development was an insistence by the Turkish government that its signature of the customs agreement (on 29 July 2005) did not amount to official recognition of the Republic of Cyprus. This insistence led to the Cypriot President, Tassos Papadopoulos, indicating that he might veto the opening of the accession negotiations and also gave rise to expressions of considerable concern in several other EU capitals, with, for example, the French Prime Minister, Dominique de Villepin, declaring “It seems to me inconceivable that such a negotiation process can begin with a country which does not

\(^1\) This decision was subject to a condition that Turkey had to continue with its ongoing reform programme, as well as a condition that Turkey must give implicit recognition to the Republic of Cyprus by signing an updated customs union agreement with the EU.

\(^2\) Public concern in several member states about the prospects of Turkish membership contributed to the ‘No’ votes in the French and Dutch referenda in May and June 2005 on the EU’s Constitutional Treaty.

\(^3\) The insistence by the Turkish government that its signature of the customs agreement (on 29 July 2005) did not amount to official recognition of the Republic of Cyprus led to the Cypriot President, Tassos Papadopoulos, indicating that he might veto the opening of the accession negotiations.
recognise every one of the members of the European Union …” (EUobserver, 3 August 2005).

Accession negotiations were none the less opened with Turkey in October 2005, but only after protracted deliberations by the EU’s foreign ministers, which were not concluded until late on the very day the negotiations were scheduled to start. In the deliberations, the reservations of the governments of several EU member states, in particular those of Austria and Cyprus, were made clear. These reservations were reflected in the imposition on Turkey of unprecedentedly tough accession negotiating terms.

This article seeks to explain why the EU is proceeding with the Turkish application when the governments of some member states have doubted the wisdom of so doing. It is argued that notwithstanding the existence of governmental reservations, a rationalist approach serves to provide much of the explanation. But, such an approach does not provide the whole explanation. It needs to be complemented by additional dimensions of explanation — especially in respect of the positions taken by the governments of those member states with most reservations about proceeding with the Turkish application. The merits of two additional dimensions of explanation are explored in the article: political pressures and rhetorical commitments.

The analysis in the article of the decision to open accession negotiations with Turkey leads to certain conclusions about the likely implications for the EU of Turkish membership. It is suggested that whilst Turkey unquestionably poses major challenges for the EU both in terms of managing the accession process and then membership itself, there are reasons for supposing that both can be handled successfully. The most important of these reasons are changes that can be expected to occur in both Turkey and the EU in the years before accession takes place and the way in which the accession process will be handled.

The EU’s Decision to Open Accession Negotiations: A Rationalist Approach to Providing an Explanation

Rationalist explanations of political decisions rest on the assumption that decisions are taken so as to maximize utility. That is to say, it is assumed that decisions are based on a calculation of expected costs and benefits, with benefits needing to at least outweigh costs for decisions in favour of particular courses of action to be taken.

Utility can come in various forms, with differing variants of rationality emphasizing differing considerations. However, economic utility is normally seen — not least by the main rationalist approach in EU studies, liberal intergovernmentalism (Moravcsik 1993, 1998) — as being especially important.

How does the decision to open accession negotiations with Turkey weigh in rationalist terms? In the following account a deliberately broad view, going well beyond economic utility, is taken of the costs and benefits that weighed in the decision to open accession negotiations with Turkey. Such a
broad view is necessary if the wide range of issues that were considered by member state governments is to be covered.

The exploration that now follows of the usefulness of a rationalist explanation begins with a section that logs the perceived benefits and costs for the EU as a whole of Turkish accession.\textsuperscript{5} There is then a section outlining the uneven distribution between the member states of the benefits and costs. The next two sections consider how two sets of factors will enhance the benefits and reduce the costs by the time Turkish accession becomes realizable: the first of these factors is changes that will occur in both Turkey and the EU over the next decade or so and the second is provisions that have been laid down for the conduct of the accession process. This exploration of the rationalist approach ends with a section that observes that although a rationalist approach is useful in explaining the decision to open accession negotiations with Turkey, it is not quite enough and needs to be supplemented with additional explanations.

**Perceived Benefits and Costs for the EU as a Whole**

**Benefits.** The perceived benefits for the EU as a whole of Turkish accession are based mostly on five key Turkish characteristics. The first of these is the size of Turkey’s market. Turkey has a population of seventy-two million, which is rapidly increasing and is projected to reach one hundred million by about 2020. Currently, it is the EU’s sixth largest trading partner. The EU–Turkey customs union means that there already exists reasonably open trade between the two in goods, but, as Turkey advances towards membership, remaining barriers and obstacles will have to be removed and new opportunities will be provided for businesses in existing EU states. Amongst the current barriers and obstacles are a largely closed financial services sector and a distinctive and essentially protectionist framework of corporate law and structures.

The second characteristic is the nature of Turkey’s labour market. Turkey has a much younger workforce than the EU — 60 per cent of its population is under thirty-five — and a much faster growing workforce, given its high birth rates. According to European Commission projections, the EU-25’s (that is, pre-January 2007) total population will increase by just 2 per cent (458 million to 469 million) between 2005 and 2025, with its working age population falling by 21 million. Between 2005 and 2030, the number of people over sixty-five will rise by 52.3 per cent while the 15–64 age group will decrease by 6.8 per cent, resulting in the ratio of dependent young and old people to people of working age increasing from 49 per cent in 2005 to 66 per cent in 2030 (Commission 2005a, 2 and 4.) Movement of labour from Turkey to other EU states could thus be vital both to provide working personnel and to help maintain welfare systems that are likely to be under severe pressures.

The third characteristic is that Turkey is overwhelmingly an Islamic country, albeit one with an almost aggressive secular state structure. Whilst Turkey’s Islamism is viewed by many in negative terms, it can be viewed in
The third characteristic is that of Turkey’s potential to contribute to the EU’s ‘soft’ influence among Islamic countries. Turkey is an Islamic country; a Muslim nation; a nation that is looking westwards. Might not, many proponents of Turkish membership ask, an Islamic country inside the EU serve to encourage moderate Islamism, to help extend the EU’s ‘soft’ influence in other Islamic countries with which it wishes to have better relations, and to demonstrate that Islam, democracy and western capitalism can mix?

The fourth characteristic is Turkey’s key strategic geo-political position. Turkey is located physically close to, and has considerable influence in, the Balkans, the Middle East, the Caucasus and Central Asia. Indeed, Turkey shares borders with several states that are located on Europe’s edges in the southern Caucasus (Armenia, Georgia and Azerbaijan) and in the Middle East (Iran, Iraq and Syria). Turkish membership would make it more difficult for the EU to avoid being drawn into the problems of these regions, but it would also provide the EU with increased leverage in them. A stable Turkey within the EU could be an important bridge between the EU and its near neighbourhood and, more broadly, between the West and countries currently on the margins of Western influence. Advantages of this would include greater security influence in troubled geographical areas that are of importance to the EU and the prospect of enhanced stability of energy supplies — the latter because Turkey borders on energy-rich regions and is rapidly becoming a major gas and oil transit country.

The fifth characteristic is linked to the fourth in that partly because of its key strategic position Turkey has a considerable military capacity that could make a valuable contribution to the EU’s fledgling European Security and Defence Policy (ESDP). At 7.2 per cent of the national budget, Turkey’s defence expenditure is proportionately much larger than that of most existing EU member states, whilst its almost 800,000 military personnel constitute 27 per cent of the forces of NATO’s European members (figures taken from Commission 2004c and 2005c).

Costs. The perceived costs of Turkish accession are seen as arising mainly from two areas of concern. On the one hand, doubts are expressed about whether Turkey can adapt sufficiently to meet the EU’s membership conditions. These doubts tend to be framed within the three sets of general criteria set down for EU applicants by the 1993 Copenhagen summit (European Council 1993, 12). The first set of criteria, commonly known as the political criteria, essentially require that EU members have stable and democratic systems in which there is full respect for human rights. Concerns voiced about Turkey in relation to these criteria cover particularly the status and treatment of women, of the Turkish Kurds and of perceived political dissidents. Torture is still a problem, with the European Commission stating in its 2005 enlargement strategy paper that whilst the incidence is declining, “reports of torture and ill-treatment remain frequent and those perpetrating such crimes still often enjoy immunity” (Commission 2005b, 29). The second, economic, set of criteria requires the existence of a market economy that is capable of being competitive within the Union. That Turkey has an economy that is based largely on market principles is accepted by ‘Turkey
sceptics’, but that the economy will in the foreseeable future be anywhere near sufficiently modern or robust to be competitive and effective in the EU’s market place is questioned. It was, after all, only in 2001 that a major economic crisis in Turkey saw plunging growth, rampant inflation and the need for a US$16 billion loan from the International Monetary Fund. The third set of criteria requires that applicants should be able to adopt and apply Union laws and policies — the so-called acquis. In respect of this, the European Commission has identified many policy areas — ranging from state aids to agriculture and fishing — where alignment progress is deemed to be unsatisfactory. The Commission has also emphasized that it sees major problems with Turkey’s administrative and judicial systems (Commission 2005c, 68–70).

On the other hand, the argument has been voiced that even if Turkey proves to be capable of meeting the accession terms its membership would still be too problematical for the EU. In this context a fourth, frequently forgotten, Copenhagen requirement is sometimes cited. It is a requirement that applies not to applicants but to the EU itself: “The Union’s capacity to absorb new members, while maintaining the momentum of European integration, is also an important consideration in the general interest of both the Union and the candidate countries” (European Council 1993). For many existing EU states, especially EU-15 states (the states that were members before the May 2004 enlargement), Turkey does pose such an absorption problem. Accordingly, the importance of the fourth Copenhagen criteria is signalled in the Negotiating Framework for Turkey that was agreed in October 2005: “The Commission shall monitor [the Union’s capacity to absorb Turkey] during the negotiations … in order to inform an assessment by the Council as to whether this condition of membership has been met” (Commission 2005d, 11). The fact is that the Turkish application is seen by some policy practitioners as not just posing a challenge for the EU, but a threat to it. The nature of the threat is seen as taking different forms.

One form is that Turkish accession will impact on EU institutions and decision-making processes in ways that will both weaken the positions of existing member states and undermine EU efficiency. Regarding the former, as a large member state — probably the largest member state by the time of its admission — Turkish membership will result in existing large and medium-sized member states losing significant physical presence in the European Parliament and proportionate voting strengths in the Council of Ministers (small states are partly ‘protected’). Regarding efficiency, this is seen as being potentially undermined by Turkey’s bargaining strength as a large member state causing major decision-making problems because of its anticipated distinctive positions on many issues — ranging from geographical neighbourhood to civil liberties matters.

Another form of the perceived threat is seen as arising from the combined effect of Turkey’s size and economic underdevelopment. Despite its current population accounting for 15 per cent of the EU population, its GDP is equivalent to just 2 per cent of the EU-25 GDP. Its GDP per capita is just under 30 per cent of the EU GDP. A consequence of this income disparity
could be that many Turks are tempted to move to richer EU states in search of higher paid employment. The evidence from the 2004 enlargement certainly suggests that this is a strong possibility, with the UK, the largest EU-15 state not to impose restrictions on free movement of workers from May 2004, attracting perhaps as many as 500,000 workers from Central and Eastern European counties (CEECs) by early 2007. As was noted above, inward movement of labour from Turkey could bring economic benefits to existing EU states, but it could also bring problems: problems ranging from resentment on the part of resident workers about downward pressures on wages to strains being placed on social welfare supports.

Turkey’s size and economic underdevelopment also makes it potentially a major beneficiary of EU funding programmes on accession, which could create major budgetary problems. Naturally, so far in advance of Turkey’s possible entry, estimates of the budgetary implications are extremely hazy. Much depends on the extent to which existing EU ‘spending policies’ remain in their present form, the levels of economic growth in Turkey and the time periods over which Turkey becomes a beneficiary of the spending policies — there is a ten-year phase-in period to the Common Agricultural Policy (CAP) for the ten states that became EU members in May 2004. Certainly, however, if major changes from the present state of affairs do not occur and if extended phase-in periods are not agreed, the budgetary implications could be very considerable. To take the two major areas of EU funding, the CAP and cohesion policy: agriculture currently accounts for just over one third of Turkey’s labour force, while agricultural output generates 12.2 per cent of its GDP (the corresponding figures for the EU are 5 per cent and 2.2 per cent); the whole of Turkey would currently qualify for Objective 1 Structural Fund support (that is, throughout the country the GDP per capita is below 75 per cent of the EU average). As an indication of the scale of the budgetary issues that have to be addressed in respect of Turkey, the Commission has estimated that, on the basis of the existing acquis and assuming there is a ten-year phasing-in of direct payments, Turkish membership could cost about €30 billion per annum at 2004 prices (European Commission 2005b, 46–47). This is equivalent to about one quarter of the current EU budget!

A third form of the perceived threat stems from a range of non-material and non-calculable factors which, though they will play little direct role in the formal accession processes, have featured prominently in the deliberations on the Turkish application of some member state governments. The considerations have mostly concerned the fact that Turkey is widely seen as being not quite European. In consequence, it has been suggested that it will not fully ‘fit in’. In this context, Turkey’s geographical position is sometimes held up as a reason for concern, with most of Turkey being located in Asia. Turkey’s Islamism is another problem for some, with Turkish membership increasing the EU’s Islamic population from its current 3 per cent to around 20 per cent. Would this, it is asked, not end any possibility of the EU being based on a common identity of at least some sort, and would this in turn not preclude any possibility of the eventual emergence of a European demos and an associated tighter EU political system?
From the perspective of the EU as whole, there are thus both positive and negative implications of Turkish membership. Not all of these implications are of a material and ‘calculable’ nature, but the overall impression is of a balance sheet that is on the positive side, if not overwhelmingly so.

But calculations about the overall impact on the EU of Turkish membership provide only part of the picture of the decision to open accession negotiations. For the fact is that of the major actors directly involved in pre-negotiations enlargement processes, only the Commission is charged to look to and act on behalf of the EU-wide interest. And whilst it has been an important agenda-setter and driver of the Turkish accession process, it does not have final decision-making powers on major enlargement decisions. That responsibility falls to the governments of the member states, operating within the framework of the European Council and acting by unanimity. Since rationalist explanations suggest that the governments of the member states do not take decisions in the EU-wide interest but rather in the interests of their states, it may be assumed that each government would have followed the Commission’s recommendation to open accession negotiations with Turkey only if it perceived it to be in its state’s interest — which it could perceive as being different from the EU-wide interest.

In fact, for most member states, self-interest-based calculations of the likely benefits and costs appear to have been generally along the lines of those just outlined for the EU as whole. However, the potential benefits and costs have not been seen as being distributed completely evenly. Using a rationalist perspective, it thus follows that some variations in the attitudes of member state governments towards the opening and subsequent conduct of the negotiations would be expected.

Such was, and still is, the case. Those governments that have been most willing to proceed with negotiations — including the governments of Italy, Spain and Sweden — have based their positions mainly on a belief that, on balance, the cost/benefit case as regards the implications for their own state is just about made in political/economic terms. For Turkey’s strongest advocate — the UK government — there has been the additional benefit that the membership of a state that is ‘different’ is likely to be helpful to the UK in engineering its long-held preference for an EU that consists of not much more than an integrated internal market with various forms of intergovernmental cooperation ‘tacked-on’.

As regards the nature and the extent of the concerns of EU governments, these have varied according to national circumstances and political choices. Of course, such variations existed in respect of the 2004–2007 enlargement round — with, for example, Italy being apprehensive that attention would switch away from Mediterranean policy and Structural Fund recipients (notably Greece and Spain) being uneasy that they would lose budgetary income — but, for the most part, the variations were focused on materialist issues and, therefore, generally were manageable. But in the case of Turkey there have been both a greater number of specific national issues and,
perhaps more importantly, more non-material issues — which, by their very nature, are not so easy to resolve as issues that are subject to ‘technical adjustments’ and/or such well-worn EU ‘stand bys’ as side-payments, compensations and transitional delays in policy application.

Taking the German government to illustrate reasons for particular national reservations about Turkish membership, its concerns have included: persisting high levels of domestic unemployment allied with fears that Germany will be the main intended country of domicile for Turks wishing to take advantage of free movement of labour (a fear based largely on the fact that around 2 million of the 3.8 million Turkish migrants who are thought to be currently resident in the EU are in Germany); apprehensions that Turkish membership will impose further pressures on the EU’s budget (Germany remains by far the largest net contributor to the EU budget); and a concern, not least in Chancellor Merkel’s CDU/CSU, that allowing Turkey to join will further undermine Europe’s predominantly Christian inheritance and identity.

Amongst EU governments generally, concerns have been articulated mainly by centre-right governments (especially those in the Christian Democratic tradition), and firmly pro-integration governments. For Christian Democrats the main concern has been as described above with the CDU/CSU. For pro-integrationists (who overlap with the Christian Democrats), it has been the perceived potential harmful implications for the smooth functioning of EU decision-making processes, for the further development of the EU policy agenda and for the nature of European consciousness and identity.

The concerns of some governments have been held even more strongly at public level, which has placed pressures on national leaders to at least be hesitant about Turkish accession. Across the EU as whole, public opinion polls have shown an average of about 35 per cent of people being in favour of Turkish membership, about 50 per cent being against, and about 15 per cent being unsure of all existing and foreseeable EU applicant states, Turkey has the least popular support. In a few member states there are actually large majorities against: by as much as 2:1 in Austria, France and Germany.

But important though these various national concerns have been and still are, they were not so significant as to result in anything other than a minority of member state governments — with Austria, France and Cyprus ‘in the lead’ — to contemplate stopping the opening of accession negotiations by exercising a veto. And even when there was such contemplation, it was not acted upon. ‘Non-rational’ reasons for this are explored later in the article, but ‘rational’ reasons applied too. One of these rational reasons was cost-benefit calculations: would France have wished to risk its extensive trade with Turkey and would Cyprus have wished to risk the permanent division of the island of Cyprus that a Cypriot veto of the Turkish application could have produced? A second rational reason is, as the following two sections of this article will show, that EU governments were, and are, well aware that the nature of the cost–benefit balance sheet is likely to be very different by the time accession negotiations are concluded.
Although the Turkish application is seen by most EU policy practitioners as being unprecedentedly difficult and, by some, as being potentially damaging, there is a recognition amongst decision makers that by the time Turkey is eligible for actual membership — which cannot be earlier than 2015 and is likely to be at least two or three years later (see below) — the nature of both Turkey and the EU will have changed considerably. They will have done so in ways that are likely to make the challenge for the EU of incorporating Turkey not as daunting as it currently appears. From the EU’s perspective, in rationalist terms the costs — and especially the economic costs — are likely to be less and the benefits are likely to be greater than they currently appear to be.

To take just one very obvious instance of how circumstances may well change: Turkey is now economically poor when compared with other EU states, especially EU-15 states, but the comparative wealth gap may well have narrowed significantly by the time EU membership is attained. Of course this cannot be assumed, and signs of rising inflation and a growing government deficit in 2006 counsel caution in anticipating Turkey’s economic prospects, but the 2003–2006 growth rate of around 7 per cent (as compared with an average EU growth rate of around 2 per cent) gives grounds for believing that significant economic progress is possible during the accession process.

This point about the importance of projecting forward to how Turkey and the EU may be in ten or so years’ time may be further illustrated by taking two key features of the integration process: Europeanization and increased flexibility. They demonstrate how the first of these is already bringing about a significantly different Turkey and, the second, a significantly different EU.

Europeanization. This word is used in various ways, but is most commonly understood as the process by which the influence of the EU is increasingly penetrating into domestic affairs. Europeanization normally refers specifically to the ways in which the political, administrative and legal systems of the EU’s member states and the behaviour and actions of the policy practitioners of the states are shaped and conditioned by the EU. As such, Europeanization, as a number of observers have suggested, might be better termed EU-ization (see, for example, Bulmer & Lequesne 2005, 11). Europeanization does not necessarily imply an emerging uniformity of national political structures and actions, but it does indicate a growing intertwining between the EU and its member states and a significant degree of convergence in important areas of activity.10

But although Europeanization most obviously and most extensively applies to EU member states, it is not restricted to them. Crucially in relation to Turkey’s application, states that aspire to EU membership also are required to Europeanize. Even before accession processes formally begin applicants must show themselves to be capable of meeting the Copenhagen criteria. Once accession processes are launched, ‘negotiations’ are focused in large part around applicants being informed of what they must do to meet...
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the EU’s conditions of membership, and then working with the EU — and in particular the Commission — to satisfy the requirements. Accession processes are not about finding common ground between equal partners but rather are mainly about applicant states accepting and incorporating EU laws and standards.

That the process involves many more actions by applicants than by the EU was clearly demonstrated in the accession processes leading to the May 2004 enlargement. As Heather Grabbe has shown (2001, 2004, 2005), the EU used a number of mechanisms to compel the CEECs to Europeanize. Foremost amongst these mechanisms, and one that the EU has already made quite clear will be used in the Turkish accession process (see below), is gatekeeping: taken in this context to mean making progression to further stages in the accession process being subject to conditions being met at earlier stages.

In Turkey, Europeanization is already well under way. This is seen most obviously in the numerous constitutional and legislative changes that have been made since 2001 to align Turkish law with EU values, norms and practices. The most noticeable of these changes have been in the highly-charged spheres of democratic and civil rights where, in many instances as part of new penal and civil codes, reforms have included a liberalization of the judicial system, stronger protections and rights for minorities, a greater emphasis on the importance of individual liberties and the abolition of the death penalty. Issues concerning democratic and civil rights do, however, as was noted above, remain difficult and sensitive, with the ‘EU side’ firmly of the view that extensive further Turkish liberalization is necessary.

Assuming the accession process progresses, then so will Europeanization increasingly be ‘imposed’ on Turkey as the terms of the thirty-five ‘negotiating chapters’ have to be met, as the 80,000 or so pages of EU law have to be incorporated into Turkish law, and as Turkey increasingly participates in EU programmes. Accession negotiations are, after all, from the EU’s perspective, in no small measure about the ‘export’ of EU values and standards and the ‘repression’ of differences in applicant states. The ‘repression’ takes a number of forms, but essentially involves applicants replacing existing national policies, laws and working practices that are deemed by EU negotiators to be incompatible with EU membership with ones that are judged to be acceptable.

Many of the changes required by the EU in membership negotiations may be thought by applicants to be both unnecessary and undesirable, but since the applicants normally want to join more than the EU wants them, they have little option but to comply with the demands that are made of them as members. As in most negotiations, those with the stronger stake in a positive outcome have a weaker hand — because they can accept failure less easily. And the EU can accept failure more easily than Turkey because — borrowing the EU ‘club’ perspective outlined by Ahrens et al (2005) — the marginal utility to it of increasing the size of the club decreases as the club grows in size and, more particularly, becomes ever more heterogeneous. The increasing heterogeneity, which is posed in a very stark manner with Turkey, is a...
problem because of the scale of the adjustment costs involved (both political and economic) and the implications for the future nature and operation of the EU.

*Increased flexibility.* The growing heterogeneity of the EU is apparent both in the objective socio-economic situations of the member states and in their political preferences on matters ranging from the general nature of the integration process to detailed policy issues. This heterogeneity has raised the possibility of the EU becoming increasingly immobilized in terms of its ability to continue to move the integration process forward. To ensure that such immobilization has not occurred, two broad strategies have been pursued since the mid-1980s. On the one hand, the revisions of the treaties that have been undertaken every five years or so have included provisions that have made it progressively more difficult for a minority of states to veto actions that have majority support. On the other hand, there has been an increased willingness to accept that it is not necessary for all member states to swim abreast on all policy matters. That is to say, a more flexible approach has been taken to policy participation.

Flexibility is important for enlargement policy because it makes it potentially easier for ‘problematic’ states to become EU members without causing unacceptable dislocations to EU policies and processes. In recent years, two forms of flexibility have become of particular importance in the EU: ‘soft’ policy approaches, of which the open method of coordination (OMC) is the most prominent; and differentiated, or enhanced, cooperation.

OMC involves the member states agreeing on general policy goals and instruments, but doing so within essentially cooperative and voluntaristic frameworks rather than through the passing of EU laws. Decisions on policy implementation are left mainly to national determination, with EU follow-up based on such mechanisms as peer review, ‘shaming’ through league tables produced by the Commission and encouragement of best practice. Policy areas in which the OMC is currently being utilized include employment policy, several Lisbon Process policies and — especially for non-Eurozone states — aspects of EMU.13

Differentiation is where policy initiatives and actions proceed without all EU member states being fully involved, or indeed being involved at all. The most notable examples to date of differentiated integration are Schengen, EMU and the fledgling European Security and Defence Policy (ESDP). It seems probable that this list will expand in the future. One reason for so expecting is that differentiation is most likely in policy areas that display certain characteristics, and these characteristics are becoming increasingly present as the EU’s policy portfolio grows. The policy areas most prone to differentiation include those that are not directly related to the internal market, those that are strategically important for some states, those that are of concern only to some states, and those where member states favour different regulatory styles.14 Another reason for anticipating more differentiation is that following the creation of a treaty base for differentiation in the 1997 Amsterdam Treaty, the 2001 Nice Treaty made it easier — though not easy
(see Ahrens et al. 2005, 430–435) — to operationalize. Whereas under the Amsterdam provisions “at least a majority” of member states had to be involved for enhanced cooperation to be able to proceed, under the Nice provisions only a “minimum of eight” is required. No use has yet been made of this treaty provision, but the increasing heterogeneity of the EU, allied with the disappointment of some member state governments with the perceived slow pace of the integration process in recent years — a disappointment that has been compounded by the difficulties in ratifying the Constitutional Treaty — makes it likely that it soon will be so.

Flexibility is thus becoming an increasing feature of the EU. As such, it is making the dreams of federal idealists ever more unrealizable and is raising a number of difficult questions about the coherence of the EU and about which parts of the EU’s policy portfolio could be subject to flexibility and which are an inviolable part of the acquis. But, from another integrationist perspective, flexibility is providing a very useful mechanism for accommodating and managing the increasing diversity of needs, preferences, ideas, identities and capacities within the EU. As such, it can also be helpful in easing the passage into the EU of applicants that are faced with making major transitions and adjustments if they are to meet the membership requirements. Certainly it can assist Turkey’s eventual entry. The more, for example, that the OMC is developed and used, the more will Turkey be able to ‘slide’ into policy areas that could cause difficulties for both it and the EU if a tight and legalistic approach was to be taken. And the more differentiation is developed, the greater is the potential for Turkey to become an EU member without necessarily being party to, or at least fully party to, policies that the governments of member states believe may create problems for themselves.

The Conduct of the Accession Process

As was noted above, the requirements of the accession process are such as to make extensive Europeanization of Turkey unavoidable and therefore Turkish membership less problematical from the EU’s viewpoint. But in addition to the facilitating impact of Europeanization in easing the impact on the EU of Turkish membership, there are also other aspects of the accession process that should reduce the negativities of the Turkish application as seen from the perspective of existing EU states.

The most obvious aspect is that the accession process clearly will be extremely protracted. There will, therefore, be considerable time for both Turkey and the EU to make what are deemed to be the necessary adjustments. (Of course, some opponents of the decision to open accession negotiations attach importance to matters where extensive adjustments will not be possible, or arguably even desirable, except perhaps over the long term: identity questions, for example, and cultural attitudes.)

Indeed, the accession process will be by far the longest such process in the history of EU enlargement. In terms of the period from the submission of a membership application to accession, Turkey, at twenty years in June 2007, is already well ‘in the lead’: the next longest periods are the thirteen years and
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ten months for Cyprus and Malta, followed by the ten years and one month for Hungary and Poland. The existing longest periods from the formal opening of accession negotiations to accession are the seven years and three months for Portugal, six years and eleven months for Spain, and the six years and two months for the ‘first wave’ CEECs and Cyprus. With the negotiating stage with Turkey having formally opened in October 2005, a minimum of nine years of negotiations is guaranteed, for the Commission has made it clear that it will not be possible for the negotiations to be completed until the EU has agreed on its financial perspective for the period from 2014 (see, for example, Commission 2004a). To these nine (or more) years must be added the gap between the closing of the negotiations and final ratification, which could be extensive and by no means assured of success given the controversial nature of the matter and the probability of referenda in some existing member states. (The French government is constitutionally obliged to hold a referendum and the Austrian government has promised to hold one.)

Another aspect of the accession process that is likely to ease possible problems for the EU is that it is clear the EU will not only ensure the process is slow but also will, if necessary, take unprecedented steps to protect itself. This is evident from the October 2004 Commission recommendation on the Turkish application (Commission 2004a), the December 2004 European Council Conclusions on the application (European Council 2004) and the October 2005 Negotiating Framework for Turkey (Commission 2005d) — the last two of which were based on the Commission’s recommendation. All three documents are studded — in a fashion and to a degree that has not been seen with other applications — with warnings about how dependent progress is on Turkey continuing on its reformist path. Indeed, a clear exit option for the EU is built into the Negotiating Framework, with an explicit statement that negotiations may be broken off if there is any major reversal in Turkey’s programme of political reforms:

In the case of a serious and persistent breach in Turkey of the principles of liberty, democracy, respect for human rights and fundamental freedoms and the rule of law on which the Union is founded, the Commission will, on its own initiative or on the request of one third of the member states, recommend the suspension of negotiations and propose the conditions for eventual resumption. The Council will decide by qualified majority on such a recommendation, after having heard Turkey, whether to suspend the negotiations and on the conditions for their resumption (Commission 2005d, 3).

The Negotiating Framework also states — again for the first time in respect of any candidate country — that the negotiations “are an open-ended process, the outcome of which cannot be guaranteed beforehand” (Commission 2005d, 1; emphasis added).

And, in yet another breach with precedent, the Negotiating Framework not only anticipates the possibility of long transitional periods and derogations in some areas, which are common enough, but also states that
“permanent safeguard clauses, i.e. clauses which are permanently available as a basis for safeguard measures, may be considered. The Commission will include these, as appropriate, in its proposals for each framework, for areas such as freedom of movement of persons, structural policies or agriculture” (Commission 2005d, 7). In other words, some of the main possible costs for the EU of permitting Turkey to accede may be removed by not permitting Turkey to participate fully, or possibly not to participate at all, in ‘costly’ policy areas. Clearly, such a development would add to the already developing blurring — occasioned by existing flexibility on the one hand and close contractual arrangements with non-member states on the other — of just what it means to be an EU member state!

To put much of this in simple rationalist terms: if it becomes evident either during or at the end of the accession negotiations that aspects of the ‘accession price’ are judged by (some of) the governments of EU member states to be too high, then the EU has given itself the formal right to require a reduction of the price. If a reduction proves not to be possible, the EU has the option of exiting from the accession process altogether.

Is a Rationalist Explanation Wholly Satisfactory?

On a strict and narrow cost–benefit basis, in which calculations of interest by governments are made on essentially material and measurable grounds, it is just about possible to explain the EU’s decision to open accession negotiations with Turkey in rationalist terms. Even those governments with significant reservations have recognized that utility calculations make sense only in the medium to long term, when the situation is likely to be more to the advantage of EU member states. And should it be the case at the end of the accession process that Turkish membership will impose significant material costs for existing EU member states, the possibility of the use of permanent ‘protections’ has been provided for.

But, an explanation based wholly on material and measurable costs and benefits is not satisfactory. It is not so because many of the costs and benefits that have been outlined above are neither material nor measurable in character. Rather, some are of a more judgemental kind and, as such, are perhaps not very usefully thought of in cost–benefit terms at all. This is, for example the case where — as with the governments of France, Germany and the Netherlands in particular — a cost of admitting Turkey is perceived as being the posing of a possible threat to national and European culture and identity. It is similarly the case with the governments of Austria and Hungary, the attitudes of which towards Turkish accession have been at least partly shaped by an anti-Turkishness that has deep-seated national roots and that stems in large measure from a legacy of long-standing memories of Turkish occupation.

When such non-measurable considerations are added to the ‘narrow’ cost–benefit balance sheet, it becomes somewhat surprising that the decision to open accession negotiations was taken. Knowing that not one set of accession negotiations with an applicant state has failed in the past, why did
not at least one of the twenty-five member state governments insist that the opening of accession negotiations with Turkey was a step too far?

Yet no government did act in that manner, despite the well-known reservations of some. Although the 2005 opening of negotiations needed the unanimous approval of the governments of all twenty-five member states, no veto was exercised when the European Council took a conditional decision on the matter in December 2004 nor when the Council of (Foreign) Ministers confirmed the decision in October 2005.

So, whilst a rationalist interpretation of the EU’s decision to open accession negotiations with Turkey is certainly useful, it does not in itself appear to be wholly satisfactory. Further dimensions of explanation are necessary.

Additional Dimensions of Explanation

Two additional dimensions of explanation are especially helpful.

Political Pressures

EU governments have long been pressurized from various quarters to accept the Turkish application. The most obvious of these quarters has, of course, been Turkey itself, which despite the clear reservations, doubts and even opposition on the EU side, has refused to give up on its ambitions for membership. As long as the Turkish reaction to rebuffs was confined to disappointment, EU governments did not become overly concerned. This situation changed, however, after the EU decided in 1997 to offer a foreseeable membership perspective to all applicants except Turkey. Turkish leaders reacted to the decision with anger and with statements and comments to the effect that Turkey might have to start looking more seriously to its east and south for allies. This resulted in EU leaders coming to view the 1997 decision as having been over-dismissive and, indeed, potentially dangerous should Turkey start to edge away from the EU. Accordingly, they embarked on a policy of offering Turkey a foreseeable membership perspective by according it the status of being a ‘candidate state’ at the 1999 Helsinki Summit (European Council 1999, 3).

Since Helsinki, Turkish governments have continued to stress consistently that they are not to be side-tracked with promises of a special relationship. Do they not, they note, already have a special relationship in the form of a customs union and participation in many EU programmes. In the words of Prime Minister Erdogan, “The aim of Turkey is full membership in the EU. We are not ready to accept anything else” (EUobserver, 8 June, 2005).

This ‘message’ from the Turkish government is one that has been carried directly to EU political elites, not least by Erdogan himself, who has been highly active in meeting with key EU decision makers in Ankara, in EU capitals and on the margins of European Councils. An outcome of some of these meetings appears to have been the fostering of personal ties that have assisted the Turkish cause.15

The possibility of Turkey ‘edging away’ has also played a part in stiffening the pressures being exerted on ‘wavering’ EU governments from other
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political actors. Turkey has never benefited from having a strong ‘patron’ or ‘sponsor’ of its case amongst existing EU members, unlike some ‘problem’ countries during the lead up to the May 2004 enlargement — as with Poland being strongly supported by Germany and Cyprus being supported by Greece. But Turkey has had some ‘friends’, which have played an important role in supporting its case. Within the EU itself, the most important of these friends have been the UK and, in recent times, Greece. UK support has been important because of the UK’s position as one of the EU’s largest states, whilst Greek support has had considerable symbolic significance because of the traditional enmity between Greece and Turkey. Outside the EU, the USA — which for geo-strategic reasons has long been close to Turkey in western power circles — has acted virtually as a sponsor of the Turkish case. Indeed, on the eve of the crucial December 2002 Copenhagen summit, which was to consider the setting of a possible date for the opening of accession negotiations, President Bush telephoned the summit’s chair, Danish Prime Minister Anders Fogh Rasmussen, to stress the strategic importance of Turkey (European Voice, 12–18 December 2002). After an EU–USA summit in June 2004, Bush told a press conference “As Turkey meets the EU standards of membership, the European Union should begin talks that will lead to full membership for the republic of Turkey” (EUobserver, 27 June 2004). Significantly, ‘transatlantic’ EU states — including Italy, Portugal and Poland, as well as the UK — have been amongst the more pro-Turkey EU member states.

Unfolding Rhetorical Commitment

Frank Schimmelfennig (2005a) has argued that an explanation of the decision to enlarge the EU to CEECs based exclusively on rational grounds is insufficient. It is so because the benefits of admission of CEECs to the EU were foreseen by the governments of the EU-15 states as being distributed differentially, with some likely to gain in cost–benefit terms and some likely to lose. Acting on a wholly rational basis, some governments ‘should’ therefore have voted not to proceed with the enlargement. The fact that no governments did vote in such a way leads to the inescapable conclusion, according to Schimmelfennig, that a full explanation of the enlargement to the CEECs must bring in factors beyond conventional utility calculations. The most important of these factors is seen as being norms and values in the institutional environment that were used in association with and as supplements to self-interests. Governments that favoured enlargement may well have done so for largely self-interested reasons, but they emphasized the collective values and norms of the EU to persuade and press on doubters the case for enlargement. Central amongst these perceived, or claimed, values and norms was a commitment to a united Europe based on liberal and democratic principles. The ‘drivers’ of enlargement made use of these values and norms through the mechanism of ‘rhetorical action’ — that is, “the strategic use of norm-based arguments” (Schimmelfennig 2005a: 142) — to pressurize and shame the ‘brakemen’. The ‘brakemen’ were not induced to necessarily change their self-interested preferences, but rather
just to recognize wider organizational interests. Such recognition resulted in
member states that were unwilling to enlarge becoming swept up in an
unfolding ‘rhetorical commitment’ to the fledgling and neighbouring demo-
cratic states to the east. The progressive nature of these commitments
produced a ‘rhetorical entrapment’.

A comparable norm-based dynamic was present in EU forums regarding
the Turkish application, with supporters of the Turkish case (including the
Commission) laying particular stress on the importance of bolstering
Turkey’s developing political democratization and liberalization — all the
more so as the promotion of these values and practices increasingly became
a core aim of the EU’s external political relations. However, whatever the
impact the ‘furthering of democracy’ arguments had in bringing it about —
and arguably the political pressures noted above were of at least equal
importance — from the late 1990s there unquestionably was a gradually
increasing rhetorical commitment on the part of the EU towards the open-
ing of accession negotiations with Turkey. The incrementalist ‘upgrading’ of
language can be traced through European Council ‘Presidency Conclusions’.
Prior to the December 1997 summit, the European Council virtually
ignored Turkey’s membership hopes, contenting itself with statements that
emphasized the “priority it attaches to the developing and strengthening of
relations with Turkey” whilst simultaneously usually lamenting Turkish
deficiencies — especially in the human rights sphere (the quote here is taken
from the December European Council 1995 meeting, but similar phrases are
used in the Conclusions of several summits of the mid-1990s). In December
1997, however, at the summit where the schedule for accession negotiations
with the other applicant states was agreed, the leaders of the EU-15
accepted that “The Council confirms Turkey’s eligibility for accession to the
European Union. Turkey will be judged on the basis of the same criteria as
the other applicant States” (European Council 1997, 5). This seemingly
encouraging message for Turkey was, however, accompanied by much
emphasis on how Turkey did not yet satisfy the political and economic
conditions to allow accession negotiations. Two years later, in December
1999, following the above-noted growing concerns in member state capitals
about the negative reaction in Ankara to the EU’s 1997 decision not to set a
target date for the opening of accession negotiations, the European Council
was much more conciliatory and less qualified with its rhetoric, declaring
that “Turkey is a candidate country destined to join the Union on the basis
of the same criteria as applied to other candidate States” (European Council
1999, 3). In December 2001, expectations of accession negotiations were
further heightened when the European Council noted that progress by
Turkey in complying with the political criteria “has brought forward the
prospect of the opening of accession negotiations with Turkey” (European
Council 2001). Going further still, in December 2002, the EU’s governmen-
tal leaders promised “If the European Council in December 2004 ... decides
that Turkey fulfils the political criteria, the European Council will open
accession negotiations with Turkey without delay” (European Council
2002, 5).
These statements can be seen as moving the European Council, and hence the EU, from its preferred policy of being close to Turkey but stopping short of giving it a definite membership perspective to a conditional promise of the opening of accession negotiations. In historical institutionalist language, the European Council pronouncements resulted in a ‘path dependency’ that constrained potential opposition by making it extremely difficult for any government to exercise a veto. Any government that did so would be seen to have put narrow national interests before established EU commitments and credibility. The rhetoric thus produced a near ‘lock-in’ in that any governments that might have been tempted to backtrack risked damaging their and their state’s reputation as responsible ‘club members’. All this at a time, moreover, when the two states that probably were most inclined to veto — Austria and Cyprus — had particular reasons for not wishing to be isolated: Austria because it was about to assume the Council presidency in January 2006 and Cyprus because it did not want to further exacerbate the existing perception that it was a very awkward member state (a perception brought about by its perceived unhelpful and over-belligerent positions on Turkish Cypriot issues).

Conclusions

It is inevitable that the more the EU expands, the more enlargement will become increasingly problematical. Virtually all of the ‘naturals’ for EU membership — the countries that could be absorbed with relative ease — are now members. The further east and south the enlargement road is taken, the more the EU will encounter problems of under-developed economies, fragile democracies, weak administrative and legal systems, and variations in ‘Europeanness’. But unless the EU’s ultimate boundaries are to be defined in some definitive manner, these are problems that will have to be tackled for some considerable time to come.

The problems in respect of Turkish membership are especially challenging. They are so for a number of reasons, some of which are similar to the reasons that made the pre-May 2004 accession processes difficult and long and some of which arise from the distinctive nature of the Turkish case. The similar reasons include the sheer volume of detailed and technical matters that need to be covered and the many adaptations that will have to be made by both the Turkish and EU sides. The distinctive reasons include a range of matters, from the continuing problem of Turkey’s non-recognition of Cyprus — an issue that always threatens to ‘flare up’ — to religious and cultural concerns in EU states about the Turkish application.

Such, indeed, is the extent of the challenge posed by Turkey that the very decision to open accession negotiations appears to be something of a puzzle. Why did the EU governments decide to proceed with negotiations when most of them harboured doubts, and a few had considerable reservations, about the wisdom of so doing and when the European Council’s decision required unanimous approval? The answer provided to this question in this article has been couched largely, but not wholly, in rationalist terms.
Taking a ‘narrow’ rationalist approach, the costs and benefits to the EU of Turkish membership may be said to be balanced in favour of existing member states. This is especially so if the costs and benefits are seen, as EU governments certainly have sought to see them, not as they were in 2004–2005 but rather as they are likely to be in a decade or more — when the prospect of Turkish accession could well be imminent. Viewed in such a perspective, the ‘narrow’ rationalist case for opening negotiating with Turkey was strong at the time the decision was taken. But, to allay at least some of the concerns of the doubters, and just in case the balance sheet does not improve as much as is anticipated over the (deliberately) long negotiating period, strong safeguards were built into the Negotiating Framework to ensure that either costs to the EU are reduced or Turkish accession does not occur.

But, an explanatory approach that relies wholly on ‘narrow’ rationalism and measurable costs and benefits cannot capture the full range and complexity of the factors that were involved in the processes that led to the decision to open accession negotiations with Turkey. For the fact is that some costs and benefits were of a highly judgemental and non-measurable kind. And some of the driving force behind the decision was provided not by costs and benefits at all but rather by political pressures and rhetorical actions.

Notes
2. See, for example, the TNS-Sofres poll conducted for Le Monde (www.tns-sofres.com/etudes/pol/290505_referendum_r.htm).
5. A more detailed analysis of the possible implications written from ‘an official’ viewpoint can be found in Commission (2004b).
6. Figures of the numbers arriving vary since not all arrivals formally register by applying for work permits. Many of the arrivals have stayed for only a short period.
7. Based on interviews in the Commission’s DG Enlargement and the Council Secretariat, September–October 6, 2006.
11. For an account of these reforms, see Müftüler-Bac (2005).
12. On this, see, for example, the September 2006 report by the European Parliament on Turkey’s progress towards accession, much of which is taken up with identifying “persistent shortcomings or insufficient progress” in such areas as freedom of expression, religious and minority rights, and law enforcement on the ground.
13. On OMC in the EU, see, for example, Hodson & Maher (2001), Borras & Jacobson (2004).
14. For a detailed analysis of policy areas and differentiation, see Junge (2000).
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15. President Chirac and Prime Minister Berlusconi are amongst those regarded by EU ‘insiders’ as having developed an almost personal commitment to Prime Minister Erdogan’s campaign for the opening of accession negotiations (interviews in the Commission’s DG Enlargement and the Council Secretariat, September–October 2006).

16. On the importance of this commitment, see also Schimmelfennig (2005b) and Sedelmeier (2005).

17. Based on interviews in the Commission’s DG Enlargement and the Council Secretariat, September–October 2006.

18. All ‘Presidency Conclusions’ are published by the General Secretariat of the Council. ‘Presidency Conclusions’ since 1993 are available not only in hard copy form but also are accessible at www.europa.eu/european_council/conclusions/index_en.htm.

References


