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I wish to submit the thesis detailed above for examination in conformity with the regulations for the degree given above. I declare that the thesis embodies the results of my own research or advanced studies and that it has been composed by myself. Where appropriate, I have made acknowledgement to the work of others.

Signature: Date:

This thesis is the result of the author's original research. It has been composed by the author and has not been previously submitted for examination which has led to the award of a degree.

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I would like to dedicate this thesis to George Monaghan – *"Make a difference."*

Contents

Abstract

Turkey and the European Union (EU) have been engaged in dialogue in respect of Turkey's prospective membership of the EU for over 50 years. However, in light of a recent enlargement encompassing Central Eastern European Countries (CEECs), further questions have been raised as to whether or not a European identity exists and if it can extend to future enlargements. This therefore brings the definition of European identity to the fore.

In order to appraise European identity in the context of Turkish accession to the EU, it is imperative that this thesis assesses whether a European identity exists and what this may be. Without this understanding this thesis would be unable to understand whether or not Turkey can be assimilated into European identity. It is also important to understand when European identity became a feature of the EU. This thesis must question how, if at all, a European identity was constructed and assess the mechanisms, in particular European citizenship, that the EU has introduced in order to foster a sense of European identity.

This thesis concludes that the unique nature of the EU contributes to a weak sense of Self and when faced with the prospect of enlargements, particularly to encompass countries who are viewed as fundamentally different, any prospects of a European Self are diluted if not dissolved. Furthermore, this thesis makes the observation that successive enlargements of the EU create a distinctive scale of identity.

Chapter I – Introduction

Over the lifespan of the EU, there has been much discussion surrounding its aims and objectives. The EU's entirely unique and changing composition has impacted upon the nature of its aims and objectives, drawing them away from principally economic integration into political and social integration. The creation and development of a European identity has gradually become a central feature of integration. However, the major obstacle to the creation and development of a European identity lies precisely in the EU's distinctive form.

In light of this, the EU's recent expansion to include CEECs and the ongoing dialogue in respect of Turkey's prospective membership of the EU have pushed the topic of European identity to the fore. This thesis argues that Turkey's position as the EU's 'dominant Other' will result in a crisis of the European Self. On this basis, this thesis concludes that Turkey cannot be subsumed into European identity in its present state.

In order to reach this conclusion, it was necessary to explore a number of preliminary matters. The first discussion covers a brief history of the development of the EU's aims and objectives. This is necessary in order to understand when European identity first became part of the EU agenda and how it was developed from this point onwards. Thereafter, this thesis considers the concept of European identity itself and the problems that arise due to the interaction of national identity with European identity and the enlargement

process of the EU. This thesis then analyses the concept of European citizenship and whether this can enhance the existence of European identity. It was necessary to include citizenship in order to answer the question posed by this thesis because the EU itself introduced citizenship for precisely this purpose. The final discussion is in respect of Turkey itself, the perceived differences between Turkey and the EU and the current obstacles to integration.

Structure

This thesis is divided into six chapters, with the first chapter being an introductory chapter. The second chapter explores the development of the aims and objectives of the EU from its genesis and the introduction of integration beyond the establishment of a common market. This chapter highlights that, through the adoption of successive treaties and various instruments, European identity is not a concept which occurred organically. Furthermore, this chapter suggests that the lack of a definition and construction of European identity within the Union has potentially created a weak concept which is incapable of producing the desired results of political and social integration.

The third chapter involves a discussion of identity in the context of the EU, with particular reference to the Self/Other dichotomy. The view that is formulated from this discussion is that there are certain factors, namely Member State national identities and successive enlargements, which contribute towards a weak sense of European identity and which create a distinctive scale of identity.

The fourth chapter of this thesis is an exploration and analysis of European citizenship. European citizenship was introduced by the Union in order to foster a sense of European identity. The discussion will involve the various elements of European citizenship, namely the legal, civic and affiliative elements, and come to the conclusion that only the legal dimension of European citizenship adds substance to the concept of European identity.

In light of the findings of chapters II-IV, the fifth chapter of this thesis involves an examination of the perceived differences between Turkey and the EU from its past to the present day and how these differences indicate that Turkey cannot be assimilated into European identity.

This thesis finds that due to the unique nature of the EU and the weak sense of European identity, that should Turkey accede to the EU, it is likely that any sense of European identity will be diluted if not eliminated.

Overall, this thesis adds to existing literature on European identity by suggesting that a distinctive scale of identity exists due to the unique nature of the EU and that Turkey is the tipping point of this scale.

Methodology

The methodology used in reaching this conclusion is a mixture of doctrinal (analysis of the legislation/policy documents) and socio-legal (analysis of the key theories in relation to identity). It was imperative to analyse the doctrinal

aspect of European identity as a foundation for this thesis, however it was understood that this could not be done in isolation and as such, was essential to consider the socio-legal theories in order to enhance the overall conclusion. This thesis takes the view that an exploration of this topic using doctrinal methodology alone, would result in a surface assessment of the topic and as such, without considering the socio-legal methodology a holistic assessment cannot take place.

Chapter II – The Journey of European Integration and the Emergence of European Identity

Since its inception, the EU's objectives have been fluid in nature. Initially, the aims of the Union centred on economic advancements such as the establishment of the common market. As time passed, the Union expanded from the 6 founding Member States to the 28 Member States there are today. These expansions have altered the course of the EU and the focus of its original aims. One such alteration is the focus on European integration beyond economic aims and the desire to create a European identity. This alteration in focus can be seen through successive treaties adopted by the Member States and the enlargements to date.

As will be demonstrated in this chapter, the EU originally focused on economic integration for economic gain and many believed this would naturally lead to some form of political integration. Fligstein, Polyakova, and Sandholtz have stated '[e]arly theorists of European integration speculated that economic integration would lead to political integration and a European identity.'[1] European integration and European identity are often conflated in discussions in respect of the aims of the EU. In fact, while there may be a link between European integration and European identity, it may be suggested that one

[1] Neil Fligstein, Alina Polyakova, Wayne Sandholtz, 'European Integration, Nationalism and European Identity' Journal of Common Market Studies (2012) Volume 50. Number S1. pp. 106-122, p. 106

should continue to problematise this link. It is, for example, questionable whether European identity is a product of European integration or vice versa. Nonetheless, the link between the two is an important one and it is the journey of European integration which offers insight into whether a European identity has been, or is in the process of being, cultivated.

European identity was introduced to the political agenda in 1973[2] in the Declaration on European Identity. Despite this, the concept continues to dominate the discussion on European integration, particularly as the EU expands to include CEECs and looks towards a possible future with Turkey. The French political scientist, Dominique Moisi, has stated that:

> *'The Eastern enlargement, the latest round of Treaty reform and, more recently, the Euro crisis have all significantly fuelled the drive to define Europe's identity and where it is heading.'*[3]

The latest round of Eastern enlargements has pushed the question of European identity to the forefront given the perceived differences between the EU and these particular countries. It is therefore pertinent to look towards to the possible membership of Turkey. For over six decades, Turkey has been considered external to the EU; in other words, the EU's Other[4].

[2] Bo Strath, 'A European Identity To the historical Limits of a Concept' European Journal of Social Theory 5(4): 387-401 p. 387
[3]Senem Aydin-Düzgit., *Constructions of European Identity,* (Palgrave Macmillan Ltd, Nov 30 2012) p.1
[4] This will be discussed in greater detail in the 'Self and Other Dichotomy' in Chapter III.

Although there are various countries that could be termed the Other, the debate regarding Turkish accession has become central to the European identity dilemma. As Neumann has stated:

> *'...the dominant other in the history of the European state system remains "the Turk", and because of the lingering importance of that system, we have here a particularly important other.'*[5]

It is therefore important to consider the impact of Turkish accession on European identity and whether Turkey is a nation which can be subsumed into European identity. This therefore demands a period of self-reflection on the part of the EU and an assessment of whether or not European identity exists across the various existing Member States of the EU. In order to do this, it is essential to have an understanding of the objectives of the EU, which can be traced through successive treaties, how European identity became a feature of those objectives and why it became a feature.

A Union of Shared Ideals

In the aftermath of World War II, a consensus amongst Western European political leaders arose with, on the face of it, the desire to prevent the recurrence of such devastation rearing its head once more. In 1951, France, Italy, Germany and the Benelux countries signed the European Coal and Steel

[5] Iver B Neumann, *Use of the Other: "The East" in European Identity Formation*, (University of Minnesota Press 1999) p.39

Community Treaty (ECSC). The plan was originally devised by Robert Schuman, the French foreign minister, who proposed that France and Germany pool their coal and steel resources together, governed by a High Authority[6], opening it up to other European states and consequently stepping towards, 'European integration going beyond intergovernmentalism'[7].

Common ideals were present at this stage with little opposition to the principle of economic advancements. The success of the ECSC was celebrated when the same six countries went on to sign the Treaty of Rome creating the European Economic Community to help encourage trade among member nations, as well as the European Atomic Energy Community, to encourage the development and production of nuclear power. These three economically focused agreements highlighted the desire of six separate nations to be unified in some form or another. The question is whether or not this would be possible beyond the limits of mere economic progressions.

Having noted the successes of this period, one of its failures must also be acknowledged as an indication of sentiments towards European integration at this time. In 1950, the French Defence Minister, Pleven, proposed the creation of the European Defence Committee (EDC), creating a European army under the rule of a European Ministry of Defence. Although initially signed by all six countries, it was blocked when the French parliament declined to ratify the treaty as 'Gaullists ardently opposed the supranational aspects of the EDC.'[8]

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[6] Paul Craig and Grainne De Burca, *EU Law, Text, Cases, and Materials, (*4th edition, Oxford University Press 2007) p. 5
[7] Craig and De Burca (n6) p.5
[8] Simon Duke, *The Elusive Quest for European Security,* (Palgrave MacMillan 2000) p. 34

Opposition therefore prevented the proposed EDC from coming to fruition. At this stage, it was therefore clear that there was a reluctance to integrate politically. This reluctance was bordering on opposition in some instances notably with the attitudes of individuals such as De Gaulle, whose visions was one of a 'French Europe, rather than of a European France.'[9] Thus although shared values were present, the blocking of the EDC sent an important message: that the extent of shared values was limited. Integration between Member States was on an economic and not a political level.

First Enlargement

The foundations previously discussed show the coming together of six nations and a sense of ideological and economic enlargement. However, further geographical enlargement did not occur until 1973. During the early 1950s, the United Kingdom (UK) 'was all too aware that the establishment of a common market left it economically isolated'[10], and as a result, the UK applied to become a member of the Union. The UK's application appeared to be driven by economic factors. It was the United States of America (US) who encouraged the UK to join for political reasons. The US felt that the UK must join the Union to counterbalance French influence, the predominant reason for De Gaulle's subsequent veto. Considering the US's influence, the UK was arguably acting not only in pursuit of economic unity, but also political unity, levelling out the playing field of the EU and acting as a counter-balance to France. At the same

[9] Janet Mather, *Legitimating the European Union, Aspirations, Inputs and Performance,* (Palgrave MacMillan 2006) p. 42
[10] Georg Vobruba 'Debate on the Enlargement of the European Union,' *Journal of European Social Policy* (2003) p. 15

time, Denmark, Ireland and Norway felt they could not be left out of this economic advancement, and also made applications to become Member States. Through these enlargements, this thesis observes that the parties' desires were primarily for the creation of a larger, more balanced, economic sphere. Political unity was somewhat of an afterthought.

The Declaration on European Identity

While the motivations of those countries joining the EU did not appear to be political integration, in 1973 the nine Member States introduced the concept of European identity with the 'Declaration on European Identity'. The creation of this Declaration is perhaps indicative of an awareness that European identity was not something which was occurring organically as many theorists had first thought.

The headnote of the Declaration reads:

> *'The Nine Member Countries of the European Communities have decided that the time has come to draw up a document on European Identity. This will enable them to achieve a better definition of their relations with other countries and of their responsibilities and the place which they occupy in world affairs.'*

The Declaration itself was published by the Nine Foreign Ministers of the existing Member States. The construction of a European identity therefore appeared to be focused on external relations and the advancement of foreign

policy. However, it also set the tone for further enlargements of European countries who shared the same ideals and objectives.[11]

Significantly, this was the first time the EU had defined their shared ideals and objectives beyond economics. These shared ideals and objectives would later come to be defined in the Copenhagen Criteria. Point 1 of the Declaration notes:

> *'The Nine wish to ensure that the cherished values of their legal, political and moral order are respected, and to preserve the rich variety of their national cultures. Sharing as they do the same attitudes to life, based on a determination to build a society which measures up to the needs of the individual, they are determined to defend the principles of representative democracy, of the rule of law, of social justice – which is the ultimate goal of economic progress – and of respect for human rights. All of these are fundamental elements of the European Identity.'*

The Declaration appeared to indicate that a European identity was already in existence or at the very least, the foundations of a European identity were set and that the existing Member States were on common ground in respect of this. However, it must be noted that the European identity that has been defined at this point was a combination of the identity of the current Member States and appears rigid in its stated form. The definition was exemplary and does not appear to provide for much flexibility. Therefore, unlike the fluid nature of the EU as a whole, the concept of European identity created at this point appears to

[11] As stated in paragraph 4 of the Declaration on European Identity.

be more stagnant in nature. In relation to the development of European identity, the Declaration goes on to state:

> *'The European identity will evolve as a function of the dynamic construction of a United Europe. In their external relations, the Nine propose progressively to undertake the definition of their identity in relation to other countries or groups of countries. They believe that in doing so they will strengthen their own cohesion and contribute to the framing of a genuinely European foreign policy. They are convinced that building up this policy will help them to tackle with confidence and realism further stages in the construction of a United Europe thus making easier the proposed transformation of the whole complex of their relations into a European Union.'*

The Declaration was outward facing in the belief that this would naturally strengthen cohesion within the Union. Beyond this belief, any further discussion on how European identity would occur internally was not referred to. This is a clear problem for European identity given the changing composition of the EU. The concept of European identity is likely to require alterations with the inclusion of further Member States and the Declaration does not appear to accounts for this. As can be seen later in this chapter, the Union would return to the question of European identity following further enlargements.

Mediterranean Enlargement

In 1975, the Greek government submitted their application for full membership[12] and applications from Spain and Portugal followed shortly after. These applications differed from those that had been made before. Shortly prior to their applications, these three countries were run as dictatorships, opposing the democratic values of the Union. Thus the aim was not only economic advancement for the countries, but also political advancement. As Milligan stated, 'In all three countries the move to democracy was under constant threat.'[13] Greece, Spain and Portugal were struggling to establish a stable democracy. However, as Royo noted, for Portugal and Spain in particular 'belonging to the European club was a mission not to be questioned.'[14] Although politically very different from the existing EU Member States, Portugal, Spain and Greece had the desire to change their political outlook, as will be demonstrated in chapter V in relation to Turkey. In support of Portugal, Spain and Greece's desire for change, Milligan goes on to state the following:

> *'None of these three applicant countries has the same political hesitations as Britain had (and still has) about joining a supranational bloc of countries.'*[15]

[12] Helene Sjursen, *Questioning EU enlargement: Europe in search of identity*, (Routeledge 2006) p. 19
[13] S .Milligan, 'The "Nine" Ponder Enlargement, Enlargement Puzzle: Can they fit? European Community No.203, (1977) p.3
[14] Sebastian Royo, 'The Experience of Spain and Portugal in the European Union: Lessons for Latin America, *Miami European Union Centre,* (2002) p.4
[15] Milligan (n 13) p.4

However, the aspiration to change was not without its problems:

> *'The problems of letting any, or all, of these countries become full members of the European Community are immense, but they are not as immense as the political imperative to help defend and develop democracy.'*[16]

In spite of the problems of the accession of Portugal, Spain and Greece, the EU made the decision to encourage and support the creation of new democracies, allowing the accession of all three countries to the EU. Here, there are some parallels which can be drawn between the accession of these three countries and the current prospective membership of Turkey. Namely, the political positions of Portugal, Spain and Greece shortly prior to accession were precarious due to dictatorship rule, and, as we will see in chapter V, the recent and current political position of Turkey is also considered to be precarious.

This accession, as with Turkey's potential accession, underlined concerns over political integration. Furthermore, while the Declaration on European Identity had sought to address European identity in the context of external relations, there was no guidance in relation to what should happen when the external country becomes a Member State. It is therefore possible that the inclusion of these Mediterranean countries may have had a destabilising effect on any European identity which did exist within the EU at the time and on the potential for political integration with these countries. The destabilising effect can be

[16] Milligan (n 13) p.4

observed when concerns in respect of integration were noted in Tindemans' Report[17], published in January 1976:

> *'...the European public has lost a guiding light, namely the political consensus between our countries on our reasons for undertaking this joint task and the characteristics with which we wish to endow it.'*[18]

It started to become apparent that some, like the Belgium Prime Minister Leo Tindemans, believed that the Union could be a place where there was consensus among countries and the public, that there could and should be a level of political integration between the Member States, or at least some baseline democratic principles, and that political integration was required. The report goes on to note:

> *'Our people are concerned with new problems and values scarcely mentioned by the Treaties. They realize that political union does not automatically follow from economic integration; too many fruitless discussions case doubt on the credibility and topicality of our joint endeavour: to this extent the European idea is also a victim of its failures.'*
>
> *'An unfinished structure does not weather well: it must be completed, otherwise it collapses.'*

It is apparent that Tindemans' Report was a call to the EU to act or face collapse. The focus on economic advancement was not organically encouraging political integration between Member States. However, it is important to note that

[17] Mather (n 9) p. 21
[18] European Council, 1976: 11

although the report mentions a European identity, again this is mostly in the context of external relations. This moment was perhaps a key opportunity for the EU to define its identity from an internal perspective, however this opportunity was not acted upon.

Single European Act and the Treaty on the European Union

The Single European Act (SEA) and the Treaty on the European Union (TEU) are important features in the EU's journey to integration and markers of the Union's intention of safeguarding its evolving vision.

The SEA, signed in 1986, was a pivotal move forward for the EU. As Swann asserted, it was 'a key event in the quest for European Union.'[19] It is evident from its contents that it sought to bring the Union closer, economically, politically *and* socially. The SEA granted new decision making powers to the Council of Ministers and the European Parliament, aimed to bring forward the completion of the Single European Market, and it 'placed areas of economic and social policy more firmly within the ambit of Community competence and reinforced others'[20]. Even though the desired outcome was clearly for a more concrete political, economic and social commitment from the Member States, it was not entirely conducive at the time.

[19] D. Swann, *The Single European Market and Beyond, (*Routledge 2002) p. 2
[20] Swann (n 19) p. 2

As Aydin-Düzgit notes:

> *'The initial response to the SEA was nonetheless mixed, some seeing it as an important and a positive step forward for the Community...while others saw it as a setback for the integration process.'*[21]

The mixed response was testament to various differences within the Union at the time, with these differences being highlighted after only two instances of enlargement. Tindemans' report provided one view on integration and the response to the SEA provided a different view.

Although the TEU came from a much more political angle in 1992, the treaty nonetheless touched on sociological and economical matters. The TEU noticeably changed the path the SEA had paved:

> *'The Treaty on the European Union marked very definitely a change in tone. It created a new form of political project...marked out a new form of polity, which has its own set of political values and political communities.'*[22]

The most important impact of the TEU was the creation of the three pillar structure, the purpose of which was to encourage 'solidarity between States, closeness to the citizen, respect for national identities and for human rights, as well as a provision to safeguard the *acquis communautaire* – the body of Community law built up over the years.'[23] Although previously mentioned in the Declaration on European Identity and Tindemans' Report from an external

[21] Aydin-Düzgit. (n 3) p. 13
[22] Vobruba (n 10) p.23
[23] Aydin-Düzgit. (n 3)

perspective, the idea of a European identity was coming to the vanguard of the EU's aims from an internal perspective for the first time. However, there appeared to be the assumption that some form of European identity was already in existence and what the TEU was seeking to do was to encourage, not create this. As Blokker asserted:

> *'a common set is presupposed to be already in place, a common European identity is expected to be a by-product of governance, or, an identity is derived from the national level.'*[24]

To surmise that these assumptions were in place within the EU was arguably a flaw in the creation of the TEU. The TEU did however introduce the concept of European citizenship which sought 'to increase people's sense of identification with the EU and to foster European public opinion, a European political consciousness and a sense of European identity.'[25] This thesis will return to explore this in chapter IV in order to assess whether or not European citizenship is capable of what it was intended to do. However, what must be noted at this stage is that the introduction of citizenship was an indication of the desires of the Union to enhance integration and thereby encourage European identity.

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[24] Paul Blokker, 'The Post-enlargement European Order: Europe 'United in Diversity?' E*uropean Diversity and Autonomy Papers* (2004) p. 7

[25] European Parliament website, http://circa.europa.eu/irc/opoce/fact_sheets/info/data/citizen/citizens/article_7174_en.htm

Copenhagen Criteria

In 1993 a new step was taken in the area of enlargement by way of the Copenhagen Criteria. To join the EU, a new Member State must meet three criteria:

- political: stability of institutions guaranteeing democracy, the rule of law, human rights and respect for and protection of minorities;
- economic: existence of a functioning market economy and the capacity to cope with competitive pressure and market forces within the Union; and
- acceptance of the Community *acquis*: ability to take on the obligations of membership, including adherence to the aims of political, economic and monetary union.[26]

Although the Copenhagen Criteria were intended to compliment the treaties, 'it soon mutated into a hierarchical system'.[27] Candidate countries were required to meet all of the criteria in order to accede to the EU, but 'compliance with only one block of criteria...was enough to open the accession negotiations.'[28] Negotiations between the EU and a candidate country could begin after one criterion was met by the candidate country. Once negotiations have commenced, the country must complete the 35 'chapters of the acquis'. Importantly, as is stated on the 'europa.eu' website, 'no negotiations on any individual chapter are closed until every EU government is satisfied with the

[26] http://europa.eu/legislation_summaries/glossary/accession_criteria_copenhague_en.htm
[27] Dimitry Kochenov, 'EU Enlargement and the Failure of Conditionality' *Kluwer International Law* (2008) p. 55
[28] Kochenov (n 27) p. 56

candidate's progress in that policy field, as analysed by the Commission.'[29] Only once every chapter has been closed can the process be completed.

It is apparent that, although a set of stringent criteria was laid down, flexibility was incorporated in the negotiation process from the outset which today allows countries who only meet the political block of criteria to step closer to joining the Union. This, perhaps, did not create differences between Member States as such, but allowed room for differences to emerge. Conversely, imposing measures such as: specific political criteria; the necessity for stable institutions; economic criteria and an acceptance of the *acquis*[30], was a clear attempt by the EU to regain control over enlargements and reaffirm its fundamental values.

European Free Trade Association Enlargements

During the 1990s the possibility of European Free Trade Association countries joining the EU arose: 'The success of the Single European Act increased the potential benefits of membership and the costs of non-membership,'[31] thereby acting as a catalyst for the EFTA countries to pursue accession. In 1995, Austria, Finland and Sweden acceded to the Union, with a common view that 'contributions from richer countries would help balance the EU budget'.[32] This fourth enlargement revealed commonalities between the states and what they desired from an economic vantage point; however, again there was little

[29] Steps Towards Joining, http://ec.europa.eu/enlargement/policy/steps-towards-joining/index_en.htm
[30] http://europa.eu/scadplus/glossary/accession_criteria_copenhague_en.htm
[31] Vobruba (n 10) p. 34
[32] Ian Bache and Stephen George, *Politics in the European* Union (Oxford University Press 2006) p543-547

discussion in respect of European identity. The refusal of full membership of the Union is a rejection of political and social integration. This rejection illustrates that perhaps, and at least at this stage, there is no European identity to which all potential Member State can accept and assume. This enlargement was more akin to original enlargements of the EU, returning to a focus on economics.

Amsterdam and Nice

In 1997 the Treaty of Amsterdam laid the groundwork for Eastern enlargement by making substantial changes to the TEU. As Voruba stated:

> *'...negotiations should not be concerned with redefining the status of the Union...but be directed towards recasting the institutional settlement so that it would function more efficiently and accommodate new states who might join.'*[33]

Worth noting are several significant changes to the TEU. In order to reaffirm the foundations of the Union, Article 6 of the Treaty was altered, 'to declare that the Union is founded on respect for human rights, democracy, and the rule of law.'[34] Furthermore, this was made a condition of the application for membership.[35] This can be interpreted as the Union's acknowledgement that, in light of imminent Eastern enlargement, it must be prepared for a new direction not only geographically, but more significantly politically, socially and economically. As was stated at the 2004 symposium, Spiritual and Cultural Dimension of Europe:

[33] Vobruba (n 10) p.40
[34] Aydin-Düzgit. (n 3) p. 20
[35] Article 46 TEU

'The Union's expansion... brings into the Union people who are often much poorer and culturally vastly different from the majority of citizens in the older Member States.'[36] This emphasises the Union's awareness, post-enlargement, of the fact that there were major differences between existing and forthcoming Member States. In the eyes of the EU, the principles enshrined in Article 6 should be common ground amongst the Member States despite any other existing differences between them. It was an opportunity for the Union to reaffirm what it saw as traditional European values; a somewhat indirect acknowledgement of the identity issues looming beneath the surface.

Article 7 of the TEU made an additional substantial alteration providing that, if the Council finds a 'serious and persistent breach' by a member state of the principles set out by Article 6, 'it may suspend some of that State's rights.'[37] This is a clear indication that the Union wanted to preserve some amount of control if the CEEC enlargement did not run smoothly, and provide a means of addressing the problem in the event that major differences did arise.

In 2000 the Treaty of Nice was signed and, as Vobruba noted, was 'mainly concerned with the minutiae of institutional reform.' [38] In light of enlargement, many believe that the Nice agenda 'was not the most appropriate one in order to prepare the EU for enlargement.'[39] Changes that were made were minimal, including the recalculation of the distribution of votes 'for the purposes of

[36] IWM, (Institut fur die Wissenschaften vom Menschen), Reflection Group, 2004, The Spiritual and Cultural Dimension of Europe, Vienna, at http://www.iwm.at/index.php?option=com_content&task=view&id=79&Itemid=286
[37] Jeremy Richardson, *European Union, Power and Policy Making* (Routledge 2006) p. 20
[38] Vobruba (n 10) p. 41
[39] Karlheinz Neunreither, *The European Union in Nice: A Minimalist Approach to a Historic Change*, p. 205

Qualified Majority Voting... [and] the rules governing enhanced cooperation were relaxed to enable Member States to engage in this more easily.'[40] The treaty's lack of thoroughness later created issues which arguably should have been dealt with at that time, if not earlier. It resulted in the 'future of both European integration and European unification looking more uncertain than before.'[41] As a result of its lack of clarity, it may be suggested that Nice opened a gap for differences to manifest as the Union grew in size.

The preparations for enlargement set out in Amsterdam and the subsequent lack of preparations made by Nice bring to the fore the question of whether or not the Treaties enhanced or diminished possible differences, thereby impacting upon any sense of European identity. By clearly stipulating more stringent conditions for application and safeguarding the ability of the Council thereafter to suspend certain rights in the event of 'serious and persistent breaches', the Union was perhaps trying to iron out potential issues with future enlargements, particularly in relation to the CEECs. If these states joined they would have the potential to create further differences within the EU that could then generate tensions between the Western and Eastern European Member States. However, Nice left open a gap allowing differences to occur. This is perhaps the stage where, if homogeneity and a European identity were key aims of the Union, objectives should have been made clear in respect of how to construct this within the EU and between Member States. This lack of definition

[40] Vobruba (n 10) p 41
[41] Vobruba (n 10) P. 207

could be explained as recognition of the complexities of identity and pejorative associations of identity based on difference post World War II.

Eastern Expansion

The fifth enlargement, which included the CEECs, was a watershed moment for integration and European identity. The establishment of the Copenhagen Criteria meant that, to a certain extent, the accession of the CEECs would not foster any fundamental differences because there was space for general values to take hold. As previously stated, the 31 chapters of the acquis had all to be satisfied before accession could take place. Richardson stated:

> *'The Process of accession to the European Union could be...perceived in the spirit of assimilation, in which the Eastern European countries shed their non-European...or Easterness in favour of Europeanness.'*[42]

Like Richardson, many believed that there was something inherently different about these countries and that, in order to become part of the EU, they had to address this inherent difference; a belief which strayed dangerously close to controversial notions of discarding national heritage. In May 2004, eight of the CEECs were admitted to the Union[43], whilst Romania and Bulgaria 'completed the pre-accession stages'[44]. The separation of Romania and Bulgaria appeared to be the EU's way of acknowledging that the Eastern expansion was perhaps riskier than previous enlargements, due to the former Communist values of the

[42] Richardson (n 37) p.14
[43] Cyprus and Malta joined at the same time as eight of the CEECs, making the total of the 5th enlargement ten.
[44] Duke (n 8) p.121

CEECs. Thus the incremental accession of Romania and Bulgaria was the EU's indication of a caveat.[45]

Many academics, such as O'Brennan, believe that Eastern enlargement was, '[p]art of an ongoing contemporary process, which has created the foundations of a genuinely trans-European political community, built on shared values...'[46]. However 'shared values' do not eradicate the possibility of difference between the Member States. In particular, it was clear that the ten new member countries, although establishing a desire for certain shared values, would be fundamentally different in many ways. Richardson goes on to state:

> *'The vast majority of these new EU citizens, many of whom endured decades of subjugation to Communist regimes, hold thoughts and values indelibly marked by experiences unfamiliar to long-time EU citizens.'*[47]

Considering this, it appeared the Union was striving to become a union that was 'United in Diversity', with deviations from the standardised, "Western", economical and sociological similarities. It could not be denied that differences such as 'different historical experiences and trajectories, multiple civilisational backgrounds, culturally diverse and multi-ethnic societies'[48] were now present in the Union rendering ideas of commonality – with regards to identity – null and void.

[45] Transitional arrangements will be explored in greater detail in chapter IV.
[46] John O'Brennan, *The Eastern Enlargement of the European Union* (Routledge 2006)
[47] Richardson (n 37) p.15
[48] Richardson (n 37) p.5

The Lisbon Treaty

The signing of the Lisbon Treaty again emphasised the Union's desire to reaffirm values and principles following the inclusion of the CEECs. In 2008, the UK Foreign Affairs Committee stated that 'the Lisbon Treaty would require states acceding to the EU to be "committed to promoting" the EU's principles.'[49] This served as recognition that the Union was aware of differences between its Member States and its acceding states, however it does not account for any differences which already existed within the EU historically.

Recognition of societal and cultural differences can be seen in measures such as the creation of the European Neighbourhood Policy which was launched in 2004 to 'mitigate some of the possible negative effects of EU enlargement.'[50] The Union was conscious that differences existed naturally as a result of enlargement and Lisbon was therefore envisaged as a system of 'checks and balances'. However the Lisbon Treaty came in the wake of the failed Treaty Establishing a Constitution for Europe (TECE).

A comparative analysis of the TECE and the Lisbon Treaty reveals that the amendments contained in the Lisbon Treaty have the same effect as the intended provisions of the TECE. The principle differences between the TECE and the Lisbon Treaty are the format of the Lisbon Treaty and the manner in which it was adopted. In respect of the format of the Lisbon Treaty, the word

[49] Great Britain: Parliament: House of Commons: Foreign Affairs Committee, 2008, *Foreign Policy Aspects of the Lisbon Treaty*, The Stationary Office, p.43
[50] Great Britain: Parliament: House of Commons: Foreign Affairs Committee, 2008, *Foreign Policy Aspects of the Lisbon Treaty*, The Stationary Office, p.49

'constitution' does not feature in any part of the treaty and furthermore, the Lisbon Treaty is not a standalone document; it adds to the existing treaties as ratified by the Member States. In respect of the manner in which it was adopted, it was adopted in the same manner as all other treaties before it.

Arguably, the rejection of the TECE speaks to the rejection of a homogenous European identity. A constitution could be said to have a binding effect on those that it governs. At a time when the EU attempted to define itself, some Member States chose to reject this attempt (France and the Netherlands), with other Member States choosing to hold a referendum on the matter.

The Future of Enlargement

At present, there is a sixth enlargement on the cards which could include up to five countries[51]. The country causing the most debate within this group is Turkey. In principal, this comes down to the perceived differences between the EU and Turkey. As Buzan and Diez note:

> *'There are likely to be several durable points of difference between Turkey and the EU, and these need to be taken into account if a new relationship is to be built.'*[52]

These points of difference, which will be discussed in more detail in chapter V, are what have resulted in Turkey being defined as the EU's 'dominant Other'.

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[51] Albania, Montenegro, Serbia, Macedonia and Turkey.
[52] Barry Buzan and Thomas Diez, 'The European Union and Turkey', *Survival, nol. 41, no. 1, International Institute for Strategic Studies,*(1999) p.48

As Bac and Taskin have noted:

> *'...the enlargement process of the EU determines the boundaries of what is Europe and what is not...Turkey's accession to the EU becomes the most important and visible line of demarcation in that aspect. This means that a candidate's accession negotiations to the EU are determined by perceptions of that candidate's fit into a predetermined European identity.'* [53]

Thus the culmination of the debate on European identity is Turkish accession to the EU and therefore the key question to be asked is whether or not Turkey can be assimilated into European identity.

Conclusion

Through the enlargements of the EU it has become apparent that the EU is striving for something more than economic integration and advancement. The introduction of various treaties drew the focus away from purely economic aims towards political aims.

As Mach has noted:

> *'Enlargement of the EU made this process of construction and negotiation of multiple identities even more complicated...There are questions of common European values, of mutual trust and distrust, of the meaning of*

[53] Meltem Muftuler-Bac and Evrim Taskin, 'The European Union's Enlargement: Does Culture and Identity Play a Role?' *Reconstituting Democracy in Europe, Research Report on Collective Identity Formation in accession states*, (2008) p.25

European citizenship, overcoming ignorance and stereotypes of each other, the conditions of participation in the common social and cultural space.'[54]

Enlargement of the EU has brought all of these questions to the fore, particularly upon the accession of the CEECs. In addition, it has often caused periods of reflection, such as Tindemans' Report, which have called the future of the Union into question. During these periods of reflection, a European identity has often been referred to however this has principally been in the context of the EU's external relations. Little focus has been placed upon the existence of European identity within the EU and the impact upon European identity when the external party is brought into the EU.

The question of whether Turkey can be assimilated into European identity is the question looming over the Union. As discussed, this is particularly so given the belief that there are fundamental differences between the EU and Turkey. As Heller opined:

'Europe represented 'civilised' world and the ottomans belonged to the 'barbaric' world. It was claimed that the 'Turk' possibly did not belong to the progressive races of mankind.'[55]

Therefore, in order to answer the question posed, this thesis must explore the concept of European identity and whether or not a European Self exists. As

[54] Zdzislaw Mach, 'EU Enlargements: Dilemmas of identity,' *Reconstituting Democracy in Europe, Research Report on Collective Identity Formation in accession states,* (2008) p.4
[55] Iver Neumann and Jennifer M Welsh, 'The Other in European Self-definition: An Addendum to the Literature on International Society,' *Review of International Studies, 17,* (1991): 344

Heller goes on to state, *'Europe takes the other, transforms it and makes it own.'*[56] In order to do so, it is necessary to be aware of what constitutes 'own' and whether the accession process is capable of taking the Other and transforming it to the Self. As will be noted, European identity as a concept may be considered intangible given a lack of definition, thus this thesis will also explore the concept of European citizenship to examine whether or not it has the capacity to foster any sense of European identity. It will then be necessary to examine the perceived differences between the EU and Turkey and why Turkey has been categorised as the 'dominant Other' to the EU. Finally, this thesis will answer the question of whether or not Turkey can be assimilated into European identity.

[56] Agnes Heller, *Europe: An Epilogue,* in Brian Nelson (et al), *The Idea of Europe,* (Oxford: Berg Publishers, 1992), p 12-25

Chapter III – European Identity

> *'The present attempt to fabricate a modern European identity must be able to obliterate not only the now remote struggles for control of Europe or for empire overseas, but also the more immediate experience of two world wars, in particular of World War II.'*[57]

As discussed in the second chapter, the creation of a European identity was not the primary aim of the EU. It was only latterly that the Member States decided that some form of integration was key to the advancement of the Union as a whole and that the development of European identity was central to this. As Bakke has noted:

> *'If the integration is to succeed, a certain consensus is required, not only at an elite level, but also among ordinary people...The people of Europe must identify with the European Union, and the decisions it is making must command a minimum of legitimacy and respect.'*[58]

Thus, a European identity is crucial for successful integration to take place. If there is no European identity, minimal levels of integration may occur. However, in order to give credence to cornerstones of the EU, such as the

[57] Anthony Pagden, *The Idea of Europe* (Cambridge University Press 2002) p.20
[58] Elisabeth Bakke, 'Towards a European Identity?' *Printed as Arena Working Paper No. 10* (1995) p.3

principle of supremacy[59], this low level of integration would be insufficient. For principles such as supremacy to operate effectively, Member States must cooperate fully with each other and the Union as a whole. A European identity would therefore facilitate integration at this level. However, the make-up of the EU is ever-changing in nature and the Union's parameters are continuously evolving as new Member States accede. This impacts upon every aspect of the Union, particularly upon questions of European identity. With 28 Member States and 5 candidate countries, enlargement of the Union has not reached an endpoint. While further enlargement of the Union is a possibility, it remains the case that the impact on current notions of European identity and the evolution of these ideals are likely to be profound.

This chapter will assess the current identity crisis within the EU and the possible impact of enlargement on a European identity in order to demonstrate that the concept of European identity as is would not be fit for purpose upon the inclusion of Turkey to the EU. In chapter V this thesis will return to look specifically at the impact of the accession of Turkey on the current identity crisis.

[59] The principal of supremacy was introduced by the TEU and provides that EU law take precedence over the domestic laws of Member States.

The Identity Crisis

The discourse on identity is vast and complex.[60] It is a concept which has been explored throughout various disciplines such as law, politics, psychology, sociology. European identity is no exception to this: '[s]ome emphasize European identity as a stepping stone in progress from divisive nationalism to an inclusive global citizenship,' and others, such as Grundy, see 'Europe as remaining an empty category meaning different things to different people and nothing much to many, consequently of little consequence for social integration.'[61] Thus, the very existence of European identity is questioned. Those who believe it does exist often query the extent of its existence. It is apparent that it is a concept in a constant state of flux.

As previously noted, successive and prospective European enlargements, in particular to include CEECs and a future which could include Turkey, have led to identity formation becoming ever more pertinent, challenging the integration process. As Carey opines:

> *'…how states define themselves culturally, politically and economically is important to the dynamics of integration, and some research suggests that the prospects for further integration rests on the EU's ability to create a European identity.'*[62]

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[60] R. Scollon, 'Discourse Identity, Social Identity, and Confusion in Intercultural Communication,' *Intercultural Communication Studies VI: 1,* (1996) p.1
[61] Sue Grundy, Lynn Jamieson, 'European Identities: From Absent-Minded Citizens to Passionate Europeans', *Sociology* (2007) p.671
[62] Sean Carey, 'Undivided Loyalties : Is National Identity an Obstacle to European Integration?', *European Union Politics* (2002) p.5

Self-definition is key for the future of the Union. Laffan has gone as far as to say:

> *'Whatever we think about the feasibility of a European identity, the experience of the TEU[63] ratification crisis suggests that the emergence of a stronger 'sense of community' is necessary if the Union is to overcome its shallow political roots.'*[64]

The discussion on enlargement and integration in chapter II was demonstrative of the 'shallow political roots' referred to by Laffan. However, this can perhaps be expanded upon. From the Declaration on European Identity in 1973, the EU attempted to expand its political branches by focusing on a European identity from an external relations perspective. It did so with a lack of internal political roots in place. Thereafter assumptions were made that a European identity existed when in fact, any sense of European identity that did exist, if at all, was extremely weak.

A potential obstacle to the creation of a European identity lies with the national identity present in each existing and prospective Member State. Inevitably the convergence of states within an overarching Union creates a mosaic of national identities, with the result that it is difficult to identify whether the ideal of a single European identity is attainable.

[63] This will be explored in further detail later in this chapter.
[64] Brigid Laffan, 'The Politics of Identity and Political Order in Europe', *Journal of Common Market Studies* (1996) p.20

The European Union – a mosaic of national identities

National identity is a key feature in a discussion on European identity in light of the composition of the EU and its expanding nature. Should European identity exist, it is questionable how it interacts with national identity.

As Jacobs and Maier have opined:

> *'In the last hundred and fifty years, nationalism has been a prime mover of the fate of Europe, and one of the central questions in the constructions of a new Europe is how national identities can be partially overcome.'*[65]

Jacobs and Maier highlight that national identity is a potential obstacle to the advancement of European identity, however it may be suggested that European identity may not require to overcome national identity. Studies have shown that '...national identity relates to an individual's intensity of positive attachments to his/her nation...the stronger the bond that an individual feels towards a nation, the less likely that individual will approve of measures that decrease national influence over economics and politics.'[66] Within a nation there will be different levels of intensity of attachment, be that positive or negative attachment. An important consideration will therefore be how national identity, whatever the strength of the attachment, interacts with any form of European identity.

[65] Dirk Jacobs, Robert Maier, 'European identity: construct, fact and fiction' *Utrecht University,* p.4
[66] Carey (n 62) p.6

Balibar has stated that the issue of interaction between national identity and European identity has been 'completely underestimated, if not repressed, in the debates on the conditions, the modalities and effects of European construction; whereas in fact understanding it and joining together to address it should have been a primary concern for the architects of the European Union'[67]. The interaction between national identity and European identity should have been considered at an earlier stage. However, it is difficult to see how this would have been possible given the lack of focus on the creation and harvesting of a European identity within the EU.

Carey has noted that '...the construction of a national identity requires the existence of contrasting 'Others' because the creation of bounded in-groups requires there to be a perceived sense of difference to Other out-groups.'[68] A nation knows itself as an "in-group" in comparison to an "out-group", but can this transcend into the bigger "in-group" that is the EU? In order to do this, national histories and cultures would have to be woven together to form a greater European history. We as Europeans would have to adopt a cosmopolitan attitude, embracing the various national identities to create a whole European identity and play a role in this 'transformative political project, geared towards entrenching human rights, democracy and cultural diversity in the age of

[67] Etienne Balibar, 'Our European Incapacity' Our European Incapacity, (16 May 2011) https://www.opendemocracy.net/etienne-balibar/our-european-incapacity

[68] Taras Kuzio, 'Identity and nation-building in Ukraine,' Ethnicities (2001) 1 3 343, p.2

globalization.'[69] Through this cosmopolitan outlook, we may find 'a way of being in the world' and 'a way of constructing an identity for oneself' [70]. However, one such obstacle to this outlook is that within Member States there are very different attitudes towards national identities.

Right wing movements within the Member States, such as the British National Party in the United Kingdom, the *Front National* in France and *Lega Nord* in Italy are movements which are fundamentally against 'an attitude of recognition, respect, openness, interest, beneficence and concern toward other human individuals, cultures, and peoples as members of one global community'[71] and believe that 'that states and individuals have the right to request interaction with other states and their inhabitants, but not a right to enter foreign territory.[72] This is only one example of multiple identities within the Member States.

Passerini has noted that '...the concept of "multiple identity" limits itself to underlining the quality of tolerance and to expressing possibilities. It remains, however, conceptually undifferentiated and undefined, as does its correlate,

[69] David Held, *Principles of the cosmopolitan order.* In: Gillian Brock and Harry Brighouse, *The Political Philosophy of Cosmopolitanism*. (Cambridge University Press 2005), p.10-27

[70] Jeremy Waldron, 'What is Cosmopolitan?' Journal of Political Philosophy Volume 8 Number 2 (2000) p.227

[71] Pauline Kleingeld, *Kant and Cosmopolitanism*, (Cambridge University Press 2012) p.3
[72] Kleingeld (n71) p.73

multiculturalism.'[73] In other words, the only value is that we make room for all values, according them equal status, none necessarily "trumping" the others.

The practical application of multiculturalism in European Member States has been highlighted in recent controversies. A clear example of this was in 2003, when an international debate was started by the prohibition on children wearing headscarves to schools in France. This controversial policy, together with other examples, has indicated that, although it may be considered that the EU embraces multiculturalism, it does not always do so in practice. As McGoldrick has opined, 'We may accept that many social and political communities have an imagined sense of community. Many of them also have an imagined sense that they are multicultural.'[74] This could be attributed to the contested nature of the concept, much like that of identity. Thus once more, we are met with a nebulous concept. Indeed, if multiple identity was possible for the EU, the question remains who or what would be responsible for the construction and blending of these identities.

If it were to be the European institutions, it is arguable that this further control by elites would only alienate the European people and drive a further wedge between the concept of the EU and its people. As Herzfeld has stated, 'The vision of the nation-state promulgated by elites may not be profoundly shared by most citizens *even though they may speak of the nation using exactly the same*

[73] Luisa Passerini, *The Ironies of Identity' from 'The Idea of Europe,* (Cambridge University Press 2006) p. 199
[74] Dominic McGoldrick, 'Multiculturalism and its discontents', *Human Rights Law Review* (2005) p.1

language and imagery.'[75] This would inevitably take us back to post-Maastricht Treaty times, when phrases such as 'competence creep' and 'democratic deficit' were phrases linked to the EU. The alienation of European people may also result in what Anderson has defined as an "imagined community". That is a socially constructed community, imagined by the people who perceive themselves as part of that specific group[76], and in this instance, the imaginers would be the elite. If this is not cascaded to all European citizens there is minimal chance that a European identity, multiple or not, will ever be able to exist.

In the context of the EU and the attempt to understand whether there is a common European identity, it is important to understand who constitutes an "in-group" and an "out-group". As Neumann suggests, 'The lineation of an "in-group" must necessarily entail its demarcation from a number of "out-groups", and that demarcation is an active and ongoing part of identity formation.'[77] This approach is quite often referred to as the psychological aspect of identity. In other words, how do we psychologically categorise ourselves? 'A differentiation arises between oneselves, the we-group, or in-group, and everybody else, or the Other-groups, out-groups.'[78] Through this categorisation, it seems that we consciously make a stranger out of the "Other-groups/out-groups". Paradoxically, we need them to know who we are, but we push them away

[75] Michael Herzfeld, 'The European Self: Rethinking an Attitude' from *The Idea of Europe,* (Cambridge University Press 2006) p. 140
[76] Benedict Anderson, 'Imagined Communities', *Verso 2006*
[77] Neumann and Welsh (n 55) p.4
[78] Michael A Hogg, Dominic Abrams, *Social identifications: A social psychology of intergroup relations and group processes*. London: Routledge (1988) p.17

because there is a difference, and to differentiate ourselves from them. "We" and the "Other" are in constant opposition to each other.

As this thesis will examine later in this chapter and in chapter IV, it is difficult to say where this differentiation may begin and end due to the process involved in becoming a Member State and the existence of different entities within the Union.[79] In the search for an identity where do we strive to position ourselves amongst these groups? Arguably, the answer is the "we-group/in-group". Williams and Gilovich state that, '[o]ne's sense of oneself consists more of the person one strives to be than does one's sense of someone else.'[80] In order for Europeans to know they are in the "in-group" as opposed to the "out-group", they would require to know who is in the "out-group", who is the Other.

Self and Other Dichotomy

The Self/Other dichotomy is something which lies at the nexus of the discussion on identity. As Bakke has stated, '[i]dentity is not only about what we have in common, it is also about what separates us from the Others.'[81] It is not an isolated concept. Furthermore, for reasons which will be expanded upon, the dichotomy is particularly important when looking at European identity in the context of Turkish accession to the EU.

The Self and Other dichotomy has been packed and unpacked by a multitude of theorists, such has Hegel, Sartre and De Beauvoir. Hegel in particular is viewed

[79] See the discussion on Third Country Nationals within the European Union.
[80] Eleanor F Williams, Thomas Gilovich, 'Conceptions of the Self and Others Across Time', *Personality and Social Psychology Bulletin* (2008) p.2
[81] Bakke (n 58) p.4

as being among the first to introduce the Other as a component in the consciousness of the Self, noting, '[e]ach consciousness pursues the death of the other.'[82] The Other was then developed by Sartre in 'Being and Nothingness' and De Beauvoir in 'The Second Sex', both of whom highlighted the significance of the positioning of the Other to the self, albeit for different purposes. The Self/Other dichotomy has had a lasting impact on philosophical thought, and plays a central role in current discussion on identity.

In 2003, Tornos explained, '...it represents a way of recognising oneself and of being oneself, not in isolation but within an environment of interconnected relationships.'[83] The EU is exactly this, an environment of interconnected relationships both from the perspective of existing relationships within the EU and of new relationships with citizens of new Member States. Existing relationships within the EU can be between one existing Member State to another or indeed between the European citizens themselves.[84] New relationships have been formed since the commencement of enlargement and include prospective relationships with countries such as Turkey.

Identifying a collective Self within the EU is an altogether difficult task, one which Ward believes the EU is failing to do:

[82] Georg Wilhelm Friedrich Hegel, The Phenomenology of Spirit,1807
[83]Andres Tornos, 'The Meaning of European Identity: Past, Present or Future Project', *European Identity. Individual, Group and Society, University of Deusto, Bilbao,* (2003) p.193
[84] This will be explored in greater detail in chapter IV in respect of relationships between European citizens and Third Country Nationals.

> *'[Europe] is failing to define itself, to self-determine...Today, Europe singularly fails to acknowledge the temporality of 'today,' and can thus neither distinguish itself from, nor determine itself through, its past.'*[85]

Europeans are failing to identify themselves and therefore position themselves within the EU. Ward is also of the opinion that this failing is, in part, down to the "ignorance of the 'Other'."[86] In other words, if there is no acknowledgment of the Other, the understanding of the Self may be limited.

Hegel stated that, 'each is for the Other the middle term through which each mediates itself; and each is for himself, and for the Other, an immediate being on its own accord, which at the same time is such only through this mediation. They recognise themselves as mutually recognising one another.'[87] It is vital not to see the relationship between the Self and the Other as a linear relationship, but a bilinear relationship; we can identify ourselves by identifying the Other, as the Other does in relation to the Self. In addition to the relationship's bilinear nature, the Self and the Other may challenge each other. According to Morozov and Rumelili, '...the Other, far from being a mere presence that reproduces the identity discourses of Self, often plays a subversive role by negotiating and contesting identities.'[88] The Other is not a settled presence, it can change and

[85] Ian Ward, 'In Search of a European Identity' *The Modern Law Review* p.318
[86] Ward (n 85) p.318
[87] Hegel, 1997:112
[88] Viatcheslav Morozov, Bahar Rumelili, 'Cooperating and Conflict – the external constitution of European identity', *Sage Publications* (2012) p.29

adapt. It is in a constant state of flux. Significantly, it is not enough to consider one type of Other.[89]

When looking at the Self/Other dichotomy in the context of the EU many commentators contend that, at its most basic level, the Other is external to the Union and the Self is internal. However, as noted in respect of national identities, for many the Other is internal. In addition, the Other may also be perceived to be internal for those who are Eurosceptic.[90] In turn, this has the capacity to create tension in the construction of the Self.

The question to be asked is how this marries up with the process of accession. Through the course of accession, itself a *process* of assimilation, it could be suggested that the Other becomes the Self. The country which has previously been considered as Other will become part of the Self. In the Self/Other dichotomy, this thesis must therefore examine the process of moving from being considered an Other to becoming the Self.

As noted in our second chapter, in order to become a Member State, countries must meet the conditions set out in the Copenhagen Criteria and complete the chapters of the acquis:

> *Membership requires that the candidate country has achieved stability of institutions guaranteeing democracy, the rule of law, human rights, respect for and protection of minorities, the existence of a functioning market economy as well as the*

[89] The concept of multiple Others will be examined later on in this chapter.
[90] This is particularly prominent at present with the United Kingdom seeking to hold a referendum on EU membership in 2016/2017.

> *capacity to cope with competitive pressure and market forces within the Union. Membership presupposes the candidate's ability to take on the obligations of membership including adherence to the aims of political, economic and monetary union.*[91]

Some may view this is an attempt to homogenise EU Member States, aligning their values, political aims and economic systems. However, perhaps it would be more apposite to consider this process as neutralisation; ensuring that all countries are on a level playing field, economically, politically and socially. For the EU, it is this process which can transform the Other to the Self. Considering this, this thesis must also think about how the Self views itself in comparison with the Other. If the EU is to be viewed as the Self, it is questionable how this operates, as it is a Self of many constituent parts.

As Carr has stated, 'It is often assumed that we are first created as an individual and later form relationships with Others.'[92] This forms part of the 'separation thesis' which has largely been embraced by Western philosophy, where 'the individual is conceived as separate from all Others and thus independent of Other...The relationship of Self and Other is one such relationship that might be similarly conceived as binary, or dichotomous, in which Self is generally privileged over Other.'[93] This may be true when thinking of a single Self and a single Other; however as previously noted and as will be explored in more detail

[91] Presidency Conclusions, Copenhagen European Council, 1993, http://www.europarl.europa.eu/enlargement/ec/pdf/cop_en.pdf
[92] Adrian N Carr, 'The 'Separation Thesis' of Self and Other: Metatheorizing a Dialectical Alternative', *Theory Psychology, Sage Publications* (2003) p.2
[93] Carr (n 92) p.10-11

in chapter IV, the EU consists of a series of relationships, a complex web of identities being forged together to make something new. It is therefore questionable whether this forging process, the process of accession through the Copenhagen Criteria, is enough to constitute part of the Self. Does it instead create specific Others with whom the Self can relate and collaborate to construct a new identity?

Becoming the Self

With a relatively recent history, it could be suggested that the EU is still in the process of forging and developing its identity. The Union shares the same geographical territory and is said to be founded on Christianity. However, it is caught between the recognition of its history and the continuous enlargements bearing invitations to new national identities. Arguably, there is a Self that has been created by shared values amongst the Member States and which was first outlined in the Declaration of European Identity in 1973. The shared values are viewed by some commentators, such as Verney and Ifantis, as two separate self-definitions: shared Enlightenment values 'encompassing universalism, humanism, rationalism, tolerance, individual rights and democracy'[94] and 'values built upon the ideas of geography, history and religion.' [95] However, it is perhaps more beneficial to view these self-definitions as intertwined; that is to say, the geography, history and religion of a country can be dependent on

[94] Susannah Verney and Kostas Ifantis, *Turkey's Road to European Union Membership: National Identity and Political Change,* (Routledge; 1 edition (14 Aug 2008)) p.91
[95] Verney and Ifantis, (n 94) p.91

whether or not a country is viewed as having enlightenment values.[96] The Copenhagen Criteria is both the place where these values are defined and the mechanism in place to align the values of the candidate country with the values of the EU.

As noted earlier in this chapter, candidate countries must satisfy the Copenhagen Criteria as part of the EU integration process in order to ensure all Member States are 'on the same page': that they share the same Enlightenment values and they aspire to a peaceful and united future. What is debatable is whether loose aspiration is enough to unite twenty eight disparate Member States, not to mention future Member States, and engender a cohesive identity.

Through the integration process candidate countries go through three stages. The country will go from being the generalised Other, to the specific Other, to the Self, e.g. they will be a candidate country, then an accession country, and then become a Member State. It is debatable whether this process alone is enough to forge a whole identity in the Union. As Padgen asserted, 'to create a genuinely transnational identity, a genuinely European "culture," means blending the features of existing European cultures into a new whole.'[97] This thesis must therefore turn to examine what the blending process may involve. Tornos has suggested:

> *'before the assimilation processes of an emerging identity takes place, firstly, the figure of the identity should be transmitted with a sufficiently*

[96] This will be explored in greater detail in the context of Turkey in chapter V.
[97] Pagden (n 57) p.20

distinct profile; secondly, the identity figure ought to be placed within a realm of identity relationships structured in accordance to variables or characteristics pertinent to those who will be able to identify with it, and thirdly, the perception of the traits and the social insertion of the identity in question must be anchored to the shared social representations within the social environment of those identifying with it.'[98]

The identity should be outlined in a succinct manner and put into perspective by placing it amongst other identities with both related and unrelated characteristics, rooting it firmly in the society of those in question. This seems to suggest the creation of an artificial identity, constructing it from what is already there. However, the achievement of this is questionable if the very fabric of the Union is vast and diverse. It seems that this notion is not transferable given the unique qualities of the Union. In addition, this formula for the creation of identity is continuous with every enlargement of the EU, meaning that even this new identity would have to be malleable for the future inclusion of Others. Can this malleable formula also be applied in hindsight?

Tornos laid out these criteria in 2003, by which point the EU was already an expansive and unknown political, social and economic organ. Many, such as Dumont, already catalogue European citizens as advocates of individualism, believing 'the conventional self-view of Europeans as autonomous selves possessing discrete property and distinctive properties appears as a

[98] Tornos (n 83) p.194-195

fundamental assumption, the bedrock on which virtually all explorations of European society and culture comfortably rest.'[99]

Before the Other could even embark on a journey towards becoming part of a Self, it is questionable to what extent we can really know the Other. 'The relationship with the Other is not an idyllic and harmonious relationship of communion, or a sympathy through which we put ourselves in the Other's place; we recognise the Other as resembling us, but exterior to us; the relationship with the Other is a relationship with a mystery.'[100] There is a limit to our understanding. We cannot fully know the Other. The Other's intentions are unknown. We can draw inferences from the actions they make in the present, but we are limited by our natural perceptions of what we believe comes next. As Williams and Gilovich assert:

> *'Although we assign meaning to the actions of Others by making inferences about the intentions underlying those actions, such inferences are often rather circumscribed and we can never know another person's intentions and aspirations as well as we can know our own.'*[101]

The knowledge that this thesis possesses demonstrates that from this exploration of the Self/Other dichotomy we cannot identify ourselves in isolation, but the extent to which we can look to Others and truly know Others is limited. Looking back, 'the history of the different "Other" is woven with

[99] Louis Dumont, 'Homo Hierarchius: An Essay on the Caste System', *University of Chicago Press* (1970)
[100] Emmanuel Levinas, *The Levinas Reader*, (Basil Blackwell 1989) p.43
[101] Williams and Gilovich (n 80) p.1038

acceptance, rejection, limitation, recognition, etc. The Others are represented as barbarians, pagans, foreigners, non-citizens, immigrants, indigenous people, women, gays, etc.'[102] Thus the history is marked, but the future is unknown, leaving us with an unfinished path on the road to a definition of identity. We know the history of the Member States. We can read it in books, in articles and in journals, but we are shrouded in darkness with regards to the future and the intention of the Other.

General Other to Specific Other

The possibility of the Other, which is the candidate country, becoming a part of the Self, the EU, is conceptually difficult. It is therefore arguable that the Other may cross over to becoming a different type of Other. As Morozov and Rumelili commented:

> *'...relationality of identity presupposes the presence of both the generalised Other and a multitude of specific Others, which constitute the identity of Self, and which are, in turn, taken as reference points by Self in defining, validating and performing its identity.'*[103]

These reference points will inevitably perform different functions. A generalised Other in this instance is likely to be someone the Self has little to no knowledge about or has only a vague notion of. A specific Other is more known to the Self; identifiable, but not part of the Self. Supposing this were possible, candidate

[102] M. Usano Martinez, 'Difference as Destabilizing Factor', *European Identity. Individual, Group and Society, University of Deusto, Bilbao, 2003* p. 144
[103] Morozov and Rumelili (n 88) p.31

countries and external countries may be considered generalised Others, with acceding countries being specific Others. Therefore this thesis must consider whether or not the Copenhagen Criteria do enough to create an identity with these specific Others, bridging individual histories and cultures to form common bonds, and a type of European identity.

Enlargement of the EU was on the agenda at the Copenhagen European Council in 1993 and the Madrid European Council in 1995. In order to accede to the EU, the candidate country must have achieved:

- 'Stability of institutions guaranteeing democracy, the rule of law, human rights and respect for and protection of minorities;
- the existence of a functioning market economy as well as the capacity to cope with competitive pressure and market forces within the Union; and
- the ability to take on the obligations of membership including adherence to the aims of a political, economic and monetary union.' [104]

In 1995 at the Madrid European Council meeting, the Council stated that:

> *'[e]nlargement is both a political necessity and a historic opportunity for Europe. It will ensure the stability and security of the continent and will thus offer both the applicant States and the current members of the Union new prospects for economic growth and general well-being. Enlargement must*

[104] Accession Criteria, European Union, http://ec.europa.eu/enlargement/enlargement_process/accession_process/criteria/index_en.htm

> *serve to strengthen the building of Europe in observance of the acquis communautaire which includes the common policies.'*[105]

Beyond this, the Copenhagen criteria are indistinct. Although through treaties, legislation and policies the EU has developed a series of *acquis* that a candidate country must satisfy, a large amount of scope still remains within which a candidate country can manoeuvre.

Ward comments on this in 'The Culture of Enlargement':

> *'[i]t is not obvious what much of this really means; concepts such as democracy or the rule of law or market forces are notoriously vague. And neither is there any sense of which matter most. For some, including British Prime Minister Tony Blair, speaking in 2000, it is the economic criteria that matter. Economic credibility, he pronounced, is 'the only ticket entry.' Yet the political and legal criteria are, for many, just as important.'*[106]

This suggests that the aim is definitely not to homogenise the Member States, but to allow them enough flexibility to align with the political, economic and monetary values of the EU and to retain a sense of self. However, this in turn suggests that the Other becomes a specific Other through this process and not part of the European Self. One wonders where this leaves us with a European identity. Perhaps, it is a process of alignment of identities that takes place as

[105] R. J. Goebel, 'Joining the European Union: The Accession Procedure for the Central European and Mediterranean States', *2004-2005*, p.18
[106] Ian Ward, 'The Culture of Enlargement', *12 COLUM. J. EUR* (2006)

opposed to the formation of one single identity. Interestingly, perhaps the alignment of identities is a far more pragmatic approach than homogenisation. As is noted in chapter V, this thesis suggests that even if this were to be the case, the nature of Turkey is such that the alignment of its identity with that of the identities of current Member States is not possible.

Morozov and Rumelili remark that, '...identities are constituted, at any given time, in relation to multiple Others, including internal and external Others as well as the generalised Other.'[107] If a European identity is to exist in consideration of this, it would have to encompass all of these multiple Others. Each Member State as a Self would need to feel some sort of relation and connection with the specific Other, which poses a further problem when many do not see a distinction between different types of Others. As Carr has opined:

> *'Self and Other are cast as constituent elements in a perceived relationship of the inter-subjective nature of the human condition itself, but the implied presumption is that self must necessarily be privileged over Other.'*[108]

If the Self and Other are cast as constituent elements, with no consideration for varying Others, it is questionable whether any sense of sharing a common identity can develop at all.

One possibility is that a scale is created. At either end of the scale there is the Self (the EU as a whole) and the general Other (those outside the geographical boundaries of the EU). The middle section between Self and general Other is the

[107] Morozov and Rumelili (n 88) p.31
[108] Carr (n 92) p.2-3

journey which the Other must embark on if they wish to become part of the Self. This section includes the specific Others. An ideal European identity is the Self, however for many, this ideal may never be fully achievable. Therefore, what remains is a complex scale of identity, continuously evolving and enveloping more and more national identities.

Conclusion

Throughout this chapter this thesis has demonstrated that European identity is, for the most part, contested even at the most basic level. This thesis has established that identity cannot be treated in isolation; we must look at the Other in order to distinguish ourselves, however this thesis has also recognised that the ability to truly know the Other is limited. We cannot ever know the Other to the extent that we know ourselves. Added to this, there is the differentiation between specific Others and generalised Others.

Identity is moulded by history, enriched by culture and shaped by Self and Other; but all of these factors are so variable that they create a nebulous concept. Jacobs and Maier argue that '[i]n the first place identity should not be conceived as static, but as dynamic'[109] yet interestingly it is this dynamism that poses a problem for European identity. Furthermore, Jacobs and Maier believe that:

> *'...identity cannot be conceived as a rather loose patchwork but as a more or less integrated symbolic structure with time dimensions (past, present,*

[109] Jacobs and Maier (n 65) p.3

future) and which provides important competencies to individuals such as assuring continuity and consistency.'[110]

Arguably, the symbolic structure for the EU which performs this role is the Copenhagen Criteria. As discussed, key values are defined in these criteria in an attempt to enshrine commonalities past, present and future. However, with successive enlargements it must be said that the assurance of continuity and consistency is likely to be limited, particularly given the natural differences in national identities. Thus, the challenge thereafter is integration of these national identities.

It has been claimed that two challenges arise from the integration process. As Simonsen has asserted:

'First, it has been suggested that some sense of Europeanness should be integrated into in-group identity, with the fellow Member States no longer being seen as external Others, but as part of the in-group. Second, the European Union itself has grown into an, inspiring or threatening, external Other for many European countries.'[111]

However, creating a homogenous in-group identity is likely an impossible task since in light of continuous enlargements. If the Self is constantly interrupted by the Other in various rounds of enlargements, how can the Self become actualised. In other words, how can citizens of the EU truly know who they are and what makes them different from Others i.e. those outside the EU?

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[110] Jacobs and Maier (n 65) p.3

[111] Kirsten Simonsen, 'Europe', National Identities and Multiple Others', *European Urban and Regional Studies* (2004) p.4

What remains is a question mark not only over the existence of a European identity but even over the ability of this identity to be formed. In light of the failed attempt at a Constitutional Treaty in 2005, this thesis must consider whether or not this was rejection of European identity in the broader sense.

It is also questionable whether the Union is capable of being a social space where identity can be constructed and reconstructed upon the inclusion of further Member States. If this thesis examines this in the context of a Self and Other scale as previously suggested, this thesis draws the conclusion that the parameters of the scale would have to be continuously altered making it difficult, if not impossible, to have a constant European identity.

It is possible that in the future the EU will be bound together by its history, the way many countries have in a national context. This relies on the commonality of experience. It is also apparent that commonality of experience plays a central role in the formation of identity[112] at a member state level. As Fligstein, Polykova and Sandholtz noted:

> *'Immigration, the so-called 'war on terror', slow economic growth and, finally, the financial crisis have caused citizens across Europe to view their national governments as the main focus of their identities and political activity…'*[113]

[112] This is an area which will be explored in greater depth in our next chapter.
[113] Fligstein, Polykova and Sandholtz (n 1)

Member State citizens are turning towards their national governments for responses to crises. At a Member State level, Fligstein, Polykova and Sandholtz believe:

> *'The Member States are considering ways to co-ordinate their fiscal policies in order to avoid a repeat of the bail-outs of 2010-2011.These policies do not detach the nation from the EU as some citizens would prefer. Instead, they bind the Member States more closely together.'*[114]

It appears from this that, although the citizens of the Member States look to their own State for answers, the governing bodies of the Member States look to each other. Thus it is this commonality of experience which may forge an identity in the future. Enlargement is still a hot topic on the EU's agenda with one acceding country[115], five candidate countries[116] and three potential candidate countries[117] on the horizon, but the existence and potential future of European identity hangs in the balance.

What is achieved through the creation of a specific Other is a watered down version of identity, arguably incapable of the desired level of integration. In addition, in the face of globalisation, we are sceptical about the intentions of the Other. We feel threatened. Where do we go to from here?

[114] Fligstein, Polykova and Sandholtz (n 1)
[115] Croatia – expected to join the EU on 1 July 2013.
[116] The former Yugoslav Republic of Macedonia, Iceland, Montenegro, Serbia and Turkey.
[117] Albania, Bosnia and Herzegovina and Kosovo.

With identity being an intangible concept, European citizenship may be the tangible concept that fosters European identity. The official website of the EU[118] notes the following:

> *'The aim of European citizenship is to strengthen and consolidate European identity by greater involvement of the citizens in the Community integration process.'*[119]

From the EU's point of view, European identity exists and European citizenship reinforces and secures this. This is not an idea without merit, as will be explored in chapter IV. As Canon opined:

> *'Identity and citizenship being interdependent realities, in a world of great migratory movements such as our own, the way in which these dimensions are shaped constitutes the greatest challenge in the construction of an open Europe in an interdependent world.'*[120]

Much like the Self and the Other, identity and citizenship are mutually dependent. Thus, in the next chapter, this thesis examines the concept of citizenship and whether or not it has the capacity to foster any sense of European identity and whether citizenship may be what prevents Turkey from tipping the scale of Self and Other.

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[118] www.europa.eu

[119] http://europa.eu/legislation_summaries/institutional_affairs/treaties/amsterdam_treaty/a12000_en.htm

[120] C. Canon Loyes, 'European Identity. Individual, Group and Society', University of Deusto, Bilbao, 2003, Opening address

Chapter IV - European Citizenship: the Sticking Plaster

As this thesis has demonstrated in chapters II and III, European identity is a nebulous concept which is inadequate for the expanding nature of the EU. This chapter is an assessment of whether European citizenship can add substance to the concept of European identity and in doing so, prepare the EU more sufficiently for the inclusion of Others. However as this thesis will highlight, although European citizenship may strengthen the existence of a European Self, it also creates further complications between the demarcation of Self and Other.

Enslin has stated:

> *'Citizenship in a democracy (a) gives membership status to individuals within a political unit; (b) confers an identity on individuals; (c) constitutes a set of values, usually interpreted as a commitment to the common good of a particular political unit; (d) involves practicing a degree of participation in the process of political life; and (e) implies gaining and using knowledge and understanding of laws, documents, structures, and processes of governance.'*[121]

The concept of citizenship has led to many debates throughout history. Much like identity, theories regarding what it means, how it operates and what role it

[121] Enslin, 2000, taken from K. Knight Abowitz and J. Harnish, 'Contemporary Discourses of Citizenship,' *American Education Research Association, 2006*, p.1

plays are proffered on a regular basis. The statement from Enslin, above, illustrates the hope that European citizenship can confer rights and identity on individuals, boast a political element, encourage citizens to be actively engaged, and encourage citizens to have full participatory knowledge of the political process.

The concept of European citizenship was introduced in 1993 by the TEU. The intention of its introduction was to make clear that the aims of the Union were manifold, drawing focus away from purely economic objectives and moving towards greater political and social union. Moreover, as noted in chapter II, the Union itself has stated that the concept of citizenship is intended 'to increase people's sense of identification with the EU and to foster European public opinion, a European political consciousness and a sense of European identity.'[122] With these aspirations, European citizenship aims to echo transnational citizenship, focusing 'on the local, national, *and* international communities,'[123]going beyond the geographical borders of each individual member state. It strives to create citizens who have the ability to identify 'not primarily or solely with their own nation but also with communities of people and nations beyond the nation-state boundaries'[124] – the concept of citizens without borders. Thus, in our discussion of European citizenship, this thesis must first consider the relationship between national citizenship and European citizenship.

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[122] European Parliament website, http://circa.europa.eu/irc/opoce/fact_sheets/info/data/citizen/citizens/article_7174_en.htm
[123] Kathleen Knight Abowitz and Jason Harnish, 'Contemporary Discourses of Citizenship,' American Education Research Association, (2006) p.24
[124] Abowitz and Harnish (n 123) p.24

National Citizenship

Given 'the increased level of interaction between member state and European citizenship resulting from the Europeanisation process,'[125] one cannot overlook the role of national citizenship. Indeed, this is similar to the consideration of the relationship between national identity and European identity in that this thesis must consider the interaction between the two.

Primarily, this thesis must examine whether European citizenship is an extension of national rights or an entirely new and separate entity. The first words that were used in the TEU were that European citizenship should 'complement and not replace' national citizenship, however the wording in the Treaty on the Functioning of the European Union (TFEU) is that 'citizenship of the Union shall be additional to and not replace national citizenship'. This is perhaps recognition that it is not possible, as first thought, to have a fusion of Union citizenship and national citizenship. They must be independent of each other and be able to coexist.

In the case of *Grzelczyk* it was stated that 'Union citizenship is destined to be the fundamental status of nationals of the Member State.'[126] Through the change of wording in the articles and the *Grzelcyzk* case, the shift in the relationship between European citizenship and national citizenship becomes clearer. At this

[125] Engin F Isin, Michael Saward, *Enacting European Citizenship,* (Cambridge Books Online) p.51
[126] Case 184/99 *Rudy Grzelczyk v Centre public d'aide sociale d'Ottignies-Louvain-la-Neuve* [2001] 458

point, the relationship between the two is that European citizenship takes precedence over national citizenship. Arguably, this led to a perception that European citizenship is undermining the role of national citizenship demonstrated through the increase in the case law of the Court of Justice of the European Union (CJEU). As Isin and Saward have stated, '…EU citizenship has altered national citizenship through lessening the link between citizenship rights and state nationality.'[127] There are, however, measures in place to counter weight any perceived subjugation of Member States of the Union, namely the principles of subsidiarity and proportionality.[128]

Under the principle of subsidiarity, the EU can only act in areas of shared competence with Member States 'if and in so far as the objectives of the proposed action cannot be sufficiently achieved by the Member States' and can be better achieved at Union level.[129] Regarding proportionality, 'the content and form of Union action shall not exceed what is necessary to achieve the objectives of the Treaties.' Both of these principles were intended to protect unnecessary encroachment – or even perceived encroachment - on the competence of Member States in key areas. However the principles are notoriously vague, with many 'Euro-sceptics' believing that European citizenship simply cannot comfortably co-exist with national citizenship on a practical level. Should European citizenship and national citizenship be unable to comfortably coexist, there is the possibility of tension between the two and if tension subsists, it is questionable to what extent European citizenship can

[127] Isin and Saward (n 125) p.52
[128] Found in Article 5 of the TEU.
[129] This must be 'reason of scale or effects of the proposed action.'

foster a sense of European identity. Nonetheless, it is important to undertake an analysis of European citizenship in order to assess whether or not it can foster or help to strengthen any sense of European identity.

An Analysis of European Citizenship

Citizenship 'confers rights and duties derived from membership, opens a door for political participation and provides a sense of belonging in a political community.'[130] This thesis will therefore consider European citizenship in three dimensions: "legal, civic and affiliative."[131] These three dimensions have often been considered as the main three dimensions of citizenship by the likes of Cohen (1999); Kymlicka and Norman (2000); Carens (2000). Each of these dimensions will be discussed individually in the context of the EU and whether any of these or a combination of these dimensions provide the cohesion that is absent through European identity alone. In other words, European citizenship may be the tangible concept that will strengthen European identity or it may fall short of these aspirations.

[130] Dominique Leydet, 'Citizenship,' in E.N. Zalta (ed), The Stanford Encyclopaedia of Philosophy Stanford University (2009) at http://plato.stanford.edu/entries/citizenship
[131] Pablo Cristobal Jimenez Lobeira, 'EU Citizenship and Political Identity: The Demos and Telos Problems,' European Law Journal, Vol. 18, No. 4, (2012) p.1

Legal Status

As noted in chapter II, the Treaty of Rome created the European Economic Community. The central endeavour of the EEC was the development of a common market offering the following:

- Free movement of goods;
- Free movement of services;
- Free movement of people; and
- Free movement of capital.

These "four freedoms" are part of the fabric of the EU. They were created to encourage distribution of labour throughout the Member States and assist in the post-war economic recovery. Free movement of people was particularly central to this recovery and many of the people within the Member States took the opportunity to move:

> *'Over 8 million work permits were issued to foreigners in Belgium, France, Italy, Luxembourg, the Netherlands, and West Germany (the original six members of the EEC) during the guest-worker period of 1958 to 1972.'*[132]

The free movement of people was clearly having an impact on migration throughout the original six members of the EEC to the benefit of the Community as a whole. At this stage, the free movement of people was coupled with

[132] Saara Koikkalainen, *Free Movement in Europe: Past and Present,* 2011 at http://www.migrationpolicy.org/article/free-movement-europe-past-and-present

economic activity. Those who exercised their freedom of movement rights generally did so for employment. Thereafter, the focus remained on economic activity when the SEA set the aim of establishing a single market without borders.

The TEU was the next chapter in 1992 and appeared to be no different than what had previously been enshrined in the Treaty of Rome and the SEA.

In accordance with the TEU[133]:

> *'1. Citizenship of the Union is hereby established. Every person holding the nationality of a Member State shall be a citizen of the Union. Citizenship of the Union shall complement and not replace national citizenship.*
>
> *2. Citizens of the Union shall enjoy the rights conferred by this Treat and shall be subject to the duties imposed thereby.'*

In 1993 it was difficult to imagine the role that European citizenship would play in the Union, particularly given the role of national citizenship. Since its inception there was scepticism in respect of how European citizenship would operate in practice, with many of the belief that it was no more than a symbolic gesture. Gormley, for example, believed European citizenship was 'a flag which fails to cover its cargo.'[134] The rights that citizenship granted were no different from the "four freedoms" granted by the Treaty of Rome and it would therefore

[133] Now found in Article 20 of the Treaty on the Functioning of the European Union with the last line reading, 'Citizenship of the Union shall be additional to and not replace national citizenship.'
[134] Laurence W Gormley, 'Introduction to the Law of the European Communities', *Kluwer Law International, 1008*, p.174.

add nothing new. However, it was through the case law of the CJEU that a tangible legal meaning of European citizenship would develop.

Two cases that demonstrate pivotal steps in the journey of European citizenship are *Sala*, and *Baumbast*. *Sala*[135] was the first significant judgment from the CJEU on European citizenship. This was the first time that the notion of citizenship was used to extend the rights of Union citizens. The case involved a Spanish resident in Germany who was unemployed and claiming the German child benefit allowance. Under German social security law, her application was refused as she was not in possession of a valid residence permit. The court did not accept this limiting condition on citizenship and 'declared that the prohibition of discrimination based on nationality applies to all EU-citizens who lawfully reside in another Member State.'[136]In essence, if a person is legally deemed to be a citizen of a Member State, the status of European citizenship remains with them at all times when they are within the EU. For the first time, European citizenship was a distinct source of free movement rights entirely separate from the exercise of economic activity.[137]

[135] Case 85/96 *Martinez Sala* [1998] ECR 458
[136] Annette Schrauwen, 'Sink or Swim Together? Developments in European Citizenship,' 23 Fordham Int'l L.J. 779 (1999-2000) p.4
[137] This principle was further enshrined in the recent CJEU decision of Zambrano_v ONEm Case C-34/0

Article 18(1)[138] provided the focus for the *Baumbast*[139] case. This article provides:

> *Every citizen of the Union shall have the right to move and reside freely within the territory of the Member States, subject to the limitations and conditions laid down in this Treaty and by the measures adopted to give it effect.*

The vital question in this case, as far as the CJEU saw it, was whether persons admitted into the United Kingdom as family members of an EU migrant worker continue to enjoy the protection of Union law when he or she is no longer classified as a migrant worker. The CJEU ruled that the Treaty does not require citizens of the Union to pursue a professional or trade activity in order to enjoy the rights provided in the Treaty. In effect, it was through this case that:

> *'…the Court made an express link between residence, integration and solidarity: the longer migrants are resident, the more integrated they are in the society of the host state and thus, the more support they can expect from the host state in terms of benefits.'*[140]

Since *Baumbast,* the CJEU has used Union citizenship to expand upon the traditional rationale of freedom of movement and of residents.[141] Again, there was a decoupling of European citizenship and economic activity.

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[138] EC Treaty.
[139] C413/99 *Baumbast and R. v. Secretary of State for the Home Department* [2002] ECR 493
[140] Miguel P Maduro, 'The Past and Future of EU Law', Oxford and Portland, Oregon (2009) p.400.
[141] As demonstrated in the case of Case C-200/02 Chen v Secretary of State of the Home Department [2004] ECR I-0000

It is clear that these two cases added a new dimension to citizenship, giving a 'new and more explicit turn to this old screw, by making the Community right-holder a civic and solidaristic political citizen and not merely a solitary and egoistic market actor.'[142] They acted to draw citizenship away from a symbolic gesture, taking it towards a meaningful concept that bestows rights upon Member State citizens. Furthermore, much like the overarching aims of the Union, emphasis was being broadened beyond the EU labour market and beyond economic advancement. This was further recognition that economic integration alone would not assist in the creation or enhancement of a European Self as early theorists may have thought.

Both the seminal cases of *Sala* and *Baumbast* set the tone for much of what was to follow;[143] each judgment broadening the situations in which citizens could enjoy their rights. Despite this being a gradual progression, there is acknowledgement that citizenship is not a concept which can produce the desired results overnight. Consequently, the day-to-day experience – the right to earn, to claim health care, etc. will impact on the Euro psyche as much as the 'big' events. In fact, it is believed by the likes of Closa that:

> *'...the character of the union citizenship is determined by the progressive acquisition of rights stemming from the dynamic development of the Union.*

[142] Agustin J Menendez, 'European Citizenship after Martinez Sala and Baumbast,' Centre for European Studies (2009) p.2
[143] See the cases of Case 274/96 *Bickel and Franz* [1998] ECR 563 and C378/97 *Wisjenbeek* [1995] 439

That is, the gradual acquisition by the European citizenship of specific rights in new policy-areas transferred to the Union...'[144]

If citizens of the EU are gradually acquiring specific rights, this implies that we may only expect someone to identify themselves as a European citizen once they have full knowledge of what those rights are. Of course, this assumes that every citizen actively explores their rights on a regular basis.

European citizenship and the rights connected with it also extend beyond the individual to their family.[145] When a European citizen is working abroad within the EU, the right to reside and work in that country are also given to their family members, regardless of whether they are EU nationals or not. Although in some cases family members may require visas, largely the rights are extended to the family automatically.

In respect of non-EU nationals, the case of *Zhu & Chen*[146] developed a new facet of European citizenship. Ultimately, in this case the CJEU ruled that refusal to grant a right of residence to the parent who is the main carer of a child possessing European citizenship 'would deprive the child's right of residence of any useful effect.'[147] As a result of this case, a child who has European citizenship has the right to reside in the EU with his/her non-EU national parent.

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[144] C. Closa, 'The Concept of Citizenship in the Treaty of the European Union,' 29 CML Rev 1137, 1162 (1992)
[145] As found in the European Parliament and Council Directive 2004/38/AC
[146] Case 200/02 *Zhu and Chen v. Secretary of State for the Home Department* [2004] ECR 639
[147] Case 200/02 *Zhu and Chen v. Secretary of State for the Home Department* [2004] ECR 639 at para 45

Zhu & Chen broadened the scope of European citizenship to cover qualifying family members, and in doing so created an additional category of "Third Country Nationals" (TCNs) who may enjoy EU rights whilst not being a citizen of a Member State.[148]

According to a study by the European Commission on 'the situation of third-country nationals pending return/removal in the EU Member States...' a TCN is:

> *'Any person who is not a citizen of the European Union within the meaning of Article 17(1) of the Treaty establishing the European Community (TEC) and who is not a person enjoying the Community right of free movement, as defined in Article 2(5) of the Schengen Borders Code.'*[149]

Although TCNs were not new to the EU, they could now have tangible rights aligning them with European citizens, despite not themselves being European citizens.

The extension of rights to TCNs has continued in recent CJEU case law. In *Ruiz Zambrano*[150] the CJEU was confronted with the question of whether, in this particular situation, the right to work was extended to the parents of the EU national children in order to protect the children's rights.

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[148] It is important to note that those having the status of 'family member of an EU national' and that of Third Country Nationals (or "TCN") can overlap, but they are not mutually exclusive.
[149] *Study on the situation of third-country nationals pending return/removal in the EU Member States and the Schengen Associated Countries,* Home/2010/RFXX/PR/1001 at http://ec.europa.eu/dgs/home-affairs/e-library/documents/policies/immigration/return-readmission/docs/11032013_sudy_report_on_immigration_return-removal_en.pdf
[150] Case 34/09 *Ruiz Zambrano* [2011] ECR 124

At paragraph 45 of the judgment, the CJEU stated the following:

> *'…Article 20 TFEU is to be interpreted as meaning that it precludes a Member State from refusing a third country national upon whom his minor children, who are European Union citizens, are dependent, a right of residence in the Member State of residence and nationality of those children, and from refusing to grant a work permit to that third country national, in so far as such decisions deprive those children of the genuine enjoyment of the substance of the rights attaching to the status of European Union citizen.'*

Thus, the right to work and right to reside in a Member State can be extended from a Member State national who is a child to their TCN parent in order to protect the rights of the child to live in Europe.

Both *Zhu & Chen* and *Ruiz Zambrano* refer to rights extended to TCNs through European citizens who are children. Two further cases, *McCarthy*[151] *and Dereci and Others*[152], assess the position where the European citizen conferring rights is a spouse of the TCN. In these cases, the CJEU took the view that there are some situations where there is not an automatic extension of rights to the TCN and in some situations, Member States can refuse the right of residence to a TCN who is the relative of an EU citizen.

[151] Case 434/09 *McCarthy* [2011] ECR 277
[152] Case 256/11 *Dereci and Others* [2011] ECR 734

In summary, case law from the CJEU has extended the rights of the EU citizen and of the TCN. Thus the Court has the ability to foster some sense of identity for European citizens given the tangible legal rights attached to European citizenship. Arguably, the development of European citizenship through the CJEU has given substance to European identity. This is a demarcation for those within the EU from those out with the EU; tangible rights to differentiate the Self and the Other. As we will examine in more detail in chapter V, should Turkish citizens acquire these legal rights, this may prove problematic for the concept of European identity for numerous reasons.

However, the situation for TCNs is far more complicated. A number of criteria, as discussed above, will determine whether or not there is an extension of rights to the TCN. In the situations where rights are extended to TCNs, an additional group is created within the EU which potentially creates further complications for the creation of a European Self.

Third Country Nationals as Internal Others

Barriers exist throughout the EU for TCNs i.e. those who qualify to reside by extension of being an EU family member and whose only locus is their residence in the Union. The status of such TCNs is 'determined unilaterally by the Member States via their definition of nationality.'[153] As a result, they are excluded from European citizenship rights. They are beyond the scope of European citizenship. As Becker has noted:

[153] Ece Ozlem Atikcan, 'Citizenship or Denizenship: The Treatment of Third Country Nationals in the European Union,' Sussex European Institute Working paper No 85, p.19

> *'TCNs remain explicitly outside the scope of European citizenship. Although European citizenship is portrayed as a means of developing a greater sense of shared purpose and values across Europe, it simultaneously creates an additional bright line legal distinction between European citizens and their TCN neighbors [sic].'* [154]

Although this is not a direct result of European citizenship it demonstrates that, through the extension of rights arising from European citizenship, the capacity to create Others within the EU exists. TCNs are Others within the borders of the EU. As TCNs are not afforded the same rights as European citizens, EU citizens (i.e. the Self) can be confronted by Others in their day-to-day lives. European citizenship has therefore indirectly created another layer of Others within the EU. Whether that dichotomy is experienced in person or at a wider societal level, this awareness has the capacity to acutely affect the future of TCNs in the EU and of any sense of Self that may exist or has the potential to develop. As Benhabib has asserted:

> *'...the rights of citizens of member countries of the EU are sharply delineated from those of third-country nationals...the danger of this situation is that of "permanent alienage," namely the creation of a group in society that partakes in property rights and civil society without having access to political rights.'*[155]

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[154] Michael A Becker, 'Managing Diversity in the European Union: Inclusive European Citizenship and Third-Country Nationals,' Yale Human Rights & Development L.J. Vol.7 (2004) p.138

[155] Seyla Benhabib, *The Rights of Others,* (Cambridge University Press 2004) p. 146.

TCNs may become a permanent Other – disenfranchised and unable to actively pursue the values associated with European citizenship[156]. In some instances, this may lead to EU citizens and their non-Union family members being required to leave the Union.

Adding a further layer of complexity is the possibility of migration *within* the EU for TCNs. One example of this is what is commonly referred to as the '*Surinder Singh'* route. This route provides the ability to return to the Member State one has moved from after exercising treaty rights in another Member State.[157]

This ability of not only EU nationals but their TCN family members to travel throughout the Union poses the question of how collective identity can be formed when individuals have the ability to move throughout the EU relatively quickly; perhaps before being able to fully integrate and assimilate. Under the *Surinder Singh* route, it has been held that the EU national and their family member need only exercise treaty rights for three or more months before being able return to the EU national's 'home country'.

It is arguable that through this route, the individual TCN will be focused on integration within the Member State and not the Union as a whole. Thus this may detract from the formation of European identity. In essence, the strengthening of EU identity that is desired through European citizenship is potentially undermined.

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[156] See below for further discussion of these 'values'

[157] The *Surinder Singh* route was later qualified by the case of *O v The Netherlands*[157]

From the legal dimension it is clear that European citizenship has allowed free movement rights to break away from economic activity; however, it has also allowed for the creation of a complex network of Others.

Looking back to the idea of a scale of Self and Other, the existence of this network adds further markers on the scale. Not only are the Member States, acceding countries and candidate countries themselves at various levels of the scale, but there are also people within the Union, namely TCNs, who add an additional layer. This is something which this thesis will return to in chapter V in respect of Others present within Turkey itself.

The Civic Dimension

What this thesis has explored so far, the legal dimension, is only one facet of citizenship. It remains to be explored whether or not citizenship can offer anything more than that and therefore further strengthen any sense of European identity. According to Benhabib, citizenship is 'not just a passive status, it is also intended to designate an active civic identity'[158], meaning that there is the expectation or a call to participate. Participation can be evidenced by European citizens regularly claiming their legal rights. From this perspective, '…citizenship is negotiated on the ground,'[159] and as a result, '… becomes contingent, contested and in flux (Isin 2009) rather than a formal status.'[160] The concept of citizenship itself is constantly evolving because the legal framework

[158] Benhabib (n 155) p. 148
[159] Isin and Saward (n 125) p.50
[160] Isin and Saward (n 125) p.50

has led to a level of ambiguity. However, the element of participation can be viewed as imbalanced.

Bellamy has stated that '[u]nlike subjects, citizens are equal before the law because they enjoy an equal influence over the making of the laws through being participants in a democratic process.'[161] In this instance, European citizens are claiming rights, but not actively participating in the making of these rights. The most obvious way of participating lies in exercising the right to vote at EU elections. Statistically, '…participation in elections for the EU Parliament – the only way to vote for representatives at EU level – was low at the creation of the EU and has steadily decreased with time.'[162] This highlights that a high proportion of European citizens are not actively participating in the EU. They are passengers who have a say in the direction of the EU but are not participating. The question that must be asked is why.

Many theorists would attribute the lack of participation to 'the rather technocratic nature of EU institutions and a lack of transparency in the working of these bodies and in their procedural mechanisms, which make EU institutions difficult to understand and access.'[163] However, this feeling of detachment from citizens towards political institutions is not unique to the EU level of government but is a common feature of people's attitudes towards their *national* governments. Voting turn out in the United Kingdom in 2015 was at

[161] Richard Bellamy, 'Evaluating Union Citizenship: Belonging, Rights and Participation within the EU' Department of Political Science, School of Public Policy, UCL, p.8
[162] Lobiera (n 131) p.3
[163] Isin and Saward,(n 125) p.53

66.1%[164], with the Turkish turn out in 2015 at 85.18%.[165] Although voting in Turkey is compulsory, these statistics may be indicative of attitudes towards voting. If the citizens of Turkey were to maintain this level of participation upon acceding to the EU, the direction of the EU has the capacity to be predominantly shaped by Turkey.

Disenfranchisement is not unique to the EU and therefore cannot, by itself, explain issues like low voter turnout, there is perhaps a more fundamental reason for EU citizens' lack of participation. It may be suggested that it is because EU citizens are unable (or unwilling) to identify themselves as EU citizens in the first instance and European citizens therefore feel no sense of belonging to the EU. If there is no identification and belonging, this creates a fundamental problem for the creation and/or advancement of a European Self.

It has been said that, 'from the point of view of its members, citizenship means belonging in a political community.'[166]When this thesis considers the EU as a political community, challenges arise. The Union being made up of multiple states, containing various cultures; it is possible to compare this to countries like the United Kingdom and France, which have several different cultures within one nation. Indeed, increased levels of migration from the Middle East have altered the cultures of most countries. However, when examining citizenship dilemmas within these countries, there is no requirement to

[164] http://www.ukpolitical.info/Turnout45.htm
[165] http://www.idea.int/vt/countryview.cfm?CountryCode=TR

[166] Lobeira (n 131) p.4

consider the element of multiple states. Not only is the Union inclusive of multiple states, but it is continuously growing and including further states.

According to Rumford, '…EU citizenship requires a compatible public space within which citizens can exercise their rights beyond the nation-state,'[167] thus EU citizens must have an understanding of what this space is and what it includes. In other words, what is the European citizen's political community? The concept of a community itself is comparable to that of identity in that '…every community (and in particular every civic community) is defined, *in fact*, by the opposition between an "inside" and an "outside"…'[168] with those on the inside being the current Member States and those on the outside not. This distinction is subject to change as a result of enlargement. As with identity, this means that there are continuous interruptions to the political community - with each enlargement it must reshape and realign to include the new Member State(s). This begs the question of whose idea of a community is this. Here, parallels may be drawn with the concept of an 'imagined community', frequently used when discussing the nation-state. As Herzfeld has noted:

> *'If the nation-state is an "imagined community", grounded in an idealised notion of "national character" and the modal national self, it would be wise to ask whose imagination it is that we are discussing.'*[169]

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[167] C. Rumford, 'European Civil Society or Transnational Social Space? : Conceptions of Society in Discourses of EU Citizenship, Governance and the Democratic Deficit: an Emerging Agenda,' *European Journal of Social Theory, 2003,* p.3.
[168] Etienne Balibar, *We, the People of Europe? Reflections on Transnational Citizenship* (Princeton University Press USA 2004) p.66
[169] Herzfeld (n 75) p.140

With participation in the EU at an all-time low, an assertion that can be made is that it is not the European people's imagination, but the imagination of the EU institutions.

Any lack of participation or brandishing the Union as undemocratic as a result has not gone unnoticed. In fact, it has cumulated in the introduction of Article 8b of the Lisbon Treaty. This includes:

> 1. The institutions shall, by appropriate means, give citizens and representative associations the opportunity to make known and publicly exchange their views in all areas of Union action.
>
> 2. The institutions shall maintain an open, transparent and regular dialogue with representative associations and civil society.
>
> 3. The European Commission shall carry out broad consultations with parties concerned in order to ensure that the Union's actions are coherent and transparent.
>
> 4. Not less than one million citizens who are nationals of a significant number of Member States may take the initiative of inviting the European Commission, within the framework of its powers, to submit any appropriate proposal on matters where citizens consider that a legal act of the Union is required for the purpose of implementing the Treaties.[170]

[170] Article 11 TEU

At present it is difficult to assess the extent to which the so-called European Citizens Initiative provisions may be used; some commentators have already remarked that they are 'open to contradictory interpretations.'[171]

One final point to make when discussing the civic dimension is that 'conventional approaches to European citizenship typically do not recognise how mobilisations by ostensibly marginal groups constitute European citizenship.'[172] In this example, Isin is referring to the Sex Workers in Europe Manifesto. However, beyond marginal groups, there are also several European movement groups which exist in countries such as the UK, Belgium, Finland, and Germany, for the promotion of European integration. These are all examples of civic participation that are regularly overlooked.

There exists a belief that 'Citizenship may be valued for its contribution to the achievement of private interests, or it may be justified on the ground that it represents a communal commitment without which personal fulfilment cannot be had.'[173] In the case of European citizenship, it appears the former is more achievable in the Union than the latter. According to Magnette, 'Civic participation is always limited, in all types of democracy and at all levels of decision-making.'[174] Thus we cannot expect that every European citizen feels a call to participate and does so in the fullest manner possible, utilising their voting rights and encouraging others to do so.

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[171] Sabine Saurugger, 'The social construction of the participatory turn: The emergence of a norm in the European Union,' European Journal of Political Research 49 (2009) p.1
[172] Isin and Saward (n 125) p.61
[173] E. B. Portis, 'Citizenship and Personal Identity,' Texas A & M University, Palgrave MacMillan (1986) p.457
[174] Paul Magnette, 'European Governance and Civic Participation: Beyond Elitist Citizenship,' Political Studies: VOL 51, 1-17 (2003) p.5

The option to participate exists for European citizens, but not for TCNs. As Nicolaidis stated:

> *'Jean Paul Sartre famously argued that collective identities are dictated by "others". But today, we believe that, as groups or individuals, we can choose who we are on the basis of our own feelings and beliefs, our own affinites electives.'*[175]

For TCNs, the option to participate is limited if not excluded altogether. This results in a large group of individuals within the Union who are likely unable to share any sense of European identity with European citizens, further reinforcing TCNs as an internal Other.

The limits of civic participation within the EU have hampered the development of citizenship as a whole and rendered it unfit for purpose in the context of enlargement. In addition, due to a lack of civic participation, the architects of the EU are not its citizens but the institutions.

As this thesis sets out in chapter V, due to the current and predicted population of Turkey, should Turkey accede to the EU, this will have an immense impact on civic participation. Effectively, given the makeup of the European Parliament, Turkey will be the dominant Member State and therefore it is likely that direction of the EU will be primarily shaped by Turkey.

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[175] K. Nicolaidis, 'Turkey is European…for Europe's Sake, from Turkey and the European Union: From Association to Accession?' Ministry of Foreign Affairs of the Netherlands, December 2003, p.2

The Affiliative Dimension

Bellamy has stated that '…neither rights nor participation prove sustainable without a fairly strong sense of belonging, such as has already developed within the Member States.'[176] This view was developed in the context of European citizenship. Therefore it is important to consider whether or not a sense of belonging can exist in a body as unique as the Union. The affiliative component of European citizenship has two main characteristics. Firstly, it could be considered in a legal context, where the affiliation concerns being adopted or accepted as a member. Secondly, it can be considered as a connection that is made, both between the citizen and the Union and between European citizens themselves.

As this thesis has already noted, Article 20 of the TFEU provides the basis for the legal context.[177] Furthermore, it is a common conception that membership is only meaningful 'when accompanied by rituals of entry, access, belonging, and privilege.'[178] This has been highlighted through the case law from the CJEU, which has enhanced citizenship and extended the range of people who can benefit from the rights associated with citizenship. However, it is the second feature of an actual connection being made that is the stumbling block for the affiliative dimension. As Magnette opined:

[176] Bellamy (n 161)
[177] Citizenship of the Union is hereby established. Every person holding the nationality of a Member State shall be a citizen of the Union. Citizenship of the Union shall be additional to and not replace national citizenship.
[178] Benhabib (n 155) p. 1

> *'…the connection to Europe is not a simple conflict between the national and the European level, but a more complex process in which three elements are simultaneously at play: (i) a transformation of the citizen's national identity; (ii) a change in the (horizontal) links between citizens from different nationalities; and (iii) the creation of a (vertical) bond between the citizens and Europe.'*[179]

Being a European citizen is more than just a sense of belonging, it is changing the individual's perspective in each of the areas noted above. With reference to the initial transformation of a citizen's national identity, this may involve the crossing of a 'threshold of post-nationality', resulting in certain societies 'becoming progressively "denationalized" or "transnationalized"'.[180] This is somewhat in line with Article 20 of the TFEU, that 'citizenship of the Union shall be additional to and not replace national citizenship', and infers that citizens of Member States must go beyond national citizenship in order to truly embrace European citizenship. Once the individuals have undertaken the transformation of national citizenship, the connection must also extend further to citizens from different nationalities. This is due to the accepted belief that '...individual ideals of citizenship are psychologically untenable.'[181]

[179] Magnette (n 174) p.5
[180] Balibar (n 76) p.13
[181] Portis (n 173) p.458

Within Member States alone, multiculturalism and individualism[182] have hampered the cohesion of a single society. When this is considered on a wider scale, such as the EU, it is difficult to imagine that strong links could be maintained across borders between citizens of different nationalities. Portis stated that 'some form of communal citizenship is likely to be a necessary element of political stability, even if manifested in a nascent or perverted form.'[183] That nascent form is transnational citizenship in this case, where Member State citizens are introduced to the social, economic and political existence of another Member State. Lastly, the creation of a bond between the citizens themselves and the Union relies upon the citizen aligning, even forgoing in some instances, their interests with the Union's interests. Portis suggests that in order to attain this type of bond the citizen must identify 'his own ultimate good with that of the community, and is ready to disregard or repress his own immediate interests when they conflict with those of the community.'[184]

This affiliative dimension has the capacity to bring a sense of identity and a sense of belonging. That being said, it is arguable that if you only have the legal dimension and not the civic dimension, having affiliative sentiments is not enough to 'fill the gap' and create a coherent identity. Equally, it is also possible to envisage a scenario where legal rights and civic participation are present, but

[182] One infamous example of this came from Margaret Thatcher's declaration that there was no such thing as a society, only individuals.
[183]Portis (n 173)p.458
[184]Portis (n 173)p.459

no sense of affiliation[185]. In such cases, European citizenship ultimately fails in its aspirations to confer any sense of European identity.

Bellamy has asserted that European citizenship 'seeks to develop an affective relationship among Union citizens towards the EU and their fellow EU citizens similar to that felt by co-nationals towards each other and their state, thereby legitimising the development of greater competences at the EU level.'[186] If these relationships are underdeveloped or have not developed at all, there is a greater danger that the lack of a sense of belonging will threaten any sense of cohesion between the Member State and the EU. Again, if there is a threat on cohesion at present, it is likely that the inclusion of Turkey will further threaten this given perceived differences which will be explored in further detail in our next chapter. The impact of this on the scale of identity may be that Turkey is the tipping point of the scale, particularly given its presence as the dominant Other.

Transitional Citizenship as a feature of Enlargement

The recent enlargement of the EU to include the CEECs is important to note in the context of European citizenship. As was the case pre CEEC enlargement, citizens of acceding countries did not acquire European citizenship until the accession process was complete and they had become an official member state of the EU. Thus, one was either a EU citizen or not. The CEEC enlargement was part of the biggest enlargement of the EU in its history. This enlargement led to the gradual extension of European citizenship rights to the nationals of the

[185] See, for example, the election of British MEPs from the anti-Europe party UKIP.
[186] Bellamy (n 161) p.2

Czech Republic, Estonia, Hungary, Latvia, Lithuania, Poland, Slovakia and Slovenia. Temporary restrictions were placed on the right to work of the citizens of each of these countries. This was not the first time transitional measures were used; they were also applied for the accession of Greece, Spain and Portugal.[187]

Transitional periods may have a negative impact on the ability of European citizenship to strengthen European identity. The gradual acquisition of rights has created further difference amongst European citizens. Although this is resolved with the passing of time, the transitional periods that have previously been set have been for up to 7 years. This is a significant period of time where there is a marked difference between those who have acquired full citizenship rights and those who have not.

Should the EU continue to impose transitional periods on prospective Member States, it is likely that the differences created by the transition periods will lessen any strength that European citizenship does provide for the concept of European identity. Given these restrictions were applicable in the enlargement which included the CEECs, it is possible that these restrictions may also be placed upon Turkish citizens if they were to accede to the Union. This begs the question of whether Turkish citizens would ever feel fully integrated as European citizens. Comment on this is limited given we are yet to see the ramifications, if any, of restrictive conditions on new Member States.

[187] C. Dustmann, M. Casanova, M. Fertig, I. Preston, C. M. Schmidt, 'The impact of EU enlargement on migration flows,' *Home Office Online Report 25/03*, p. 12

Conclusion

European citizenship is 'neither a neat nor a consistent entity. Rather, it is a continuum of possibilities and therefore also an almost infinite source of potential disagreement.'[188] It is clear that some possibilities arise from European citizenship, such as tangible legal rights, which aim to prevent discrimination and promote free movement amongst European citizens beyond for the purpose of economic advancement of the Union. However, European citizenship has also led to the creation of TCNs whom this thesis has highlighted as the Other within the Union.

From our exploration of the civic and affiliative dimensions the remaining possibilities of European citizenship are just that: possibilities. They are not certain and they are not demonstrated by the vast majority of European citizens at present.

It must also be noted that like the EU as a whole, European citizenship is an entirely different entity from any other. As Ulrich Preuss stated in 1995:

> *'European citizenship does not mean membership in a European nation, nor does it convey any kind of national identity of 'Europeanness'. Much less, of course, does it signify the legal status of nationality in a European state. Rather, by creating the opportunity for the citizens of the Member States of the European Union to engage in manifold economic, social, cultural, scholarly,*

[188] Dora Kostakopoulou, 'The European Citizenship Menu: Modes and Options' 7 Journal of European Public Policy 477(2000) p.490

and even political activities irrespective of traditional territorial boundaries of the European nation-states, European citizenship helps to abolish the hierarchy between the different loyalties…without binding them to a specific nationality. In this sense, European citizenship is more an amplified bundle of options within a physically broadened and functionally more differentiated space than a definitive legal status.'

Considering the various dimensions of European citizenship, it is clear that opportunities exist for citizens of Member States to engage in these activities, but what is also clear is that these opportunities are not currently exercised to a degree that would help abolish any hierarchy of loyalties (where the Member State is privileged above the EU).

European citizenship has the potential to strengthen European identity, but only if the citizen partakes in each dimension of citizenship. However, the EU's focus on economical goals has potentially pushed the political or affiliative aspects underground, leaving only the legal rights component and a weak civic component.

As Portis highlights, it is certainly 'possible for one to be a member of a "state" in a purely legal sense, giving allegiance from practical considerations alone. There are doubtless many such individuals, and in some political systems they probably comprise a significant majority of the population. But there are good reasons to believe that governments forced to operate under such conditions

are *inherently* vulnerable to disorder.'[189] This begs the question, where there is already a lack of affiliative sentiment (and limited civic participation) from citizens, i.e. a weak sense of identity, or of Self, can the Union cope with further expansion and the incorporation of an especially different Other?

The possibility of Turkish accession has pushed this question, and the wider issue of European identity, to the fore. If Europe has a weak sense of Self, how can Turkey be expected to assimilate with the rest of the Union in a cohesive way? It has been demonstrated that European citizenship goes some way towards strengthening European identity but only so far.

The main ground for opposition for Turkish accession is that the country is too different from those countries that are already Member States of the EU, be that historically, geographically, politically, culturally or religiously. As stated in chapter II:

> *'...the dominant other in the history of the European state system remains "the Turk", and because of the lingering importance of that system, we have here a particularly important other.'*[190]

With a diluted sense of Self within the EU, it is important to consider the impact on that Self as a result of the inclusion of Turkey, the dominant Other, in the EU and indeed, whether the inclusion of Turkey may tip the scale of identity.

[189] Portis (n 173) p.467
[190] Neumann(n 5) p.39

Chapter V – Turkey

As this thesis has shown in chapters II-IV the EU has a diluted sense of Self at best, the reasons for which are twofold: 1) a lack of definition and guidance on construction of identity, and 2) continuous accession of new Member States since the EU's inception. It is however possible, as noted in chapter IV, that European citizenship can foster some sense of European identity given the tangible rights it offers to European citizens. However, with Turkey as the EU's 'dominant other', there is the possibility that Turkey is *too* different to fit in the scale of EU identity.

> *'If Turkey were to join the European Union, she would become European, and if she were European, the Union would no longer be European.'*[191]

Since 1959 relations between Turkey and the EU have been the subject of much debate, both formally and informally. Yet on 3rd October 2005, this debate turned a corner due to the opening of accession negotiations. Many, such as Croft, believe that Turkey, and other new Member States, are 'pursuing internal political agendas,' with a distinct lack of, 'evidence of the pursuit of a vision of Europe.'[192] Looking at the debate from this angle presumes that there is one homogenous vision of Europe. This is a path that many academics and commentators have chosen to take when examining EU-Turkish relations, analysing differences in history, sociology and the economy. It seems that

[191] Valery Giscard d'Estaing, *Pour ou Contre l'Adhesion de la Turquie a l'Union Europeenne*, Le Monde, 08 November 2002
[192] S. Croft, 1999, 'The Enlargement of Europe'*, Manchester University Press* p. 67

discussions on European identity and citizenship rarely go beyond statements such as those at the beginning of this chapter.

As Nicolaidis has stated:

> *'To ignore the profound appeal of arguments about being and belonging and their nagging capacity to trump the best arguments over economic or political costs and benefits is to condemn oneself to irrelevance.'*[193]

In other words, dialogues on history, sociology and economy can assist the debate so far if there is no discussion or definition of European identity. This thesis must therefore go back to identity before it can go forward to accession. In doing so, it forces an element of self-reflection upon the EU.[194] Turkey and the EU cannot be examined in isolation - 'It should not only be "What is Turkey?" – albeit Mr Erdogan's Turkey – but also "What is Europe?"'[195] The history between the two makes this especially complex given that 'the internal political constitution and the basic construction of collective identity in both entities is deeply intertwined with the nature of the relationship between them.'[196]

In this chapter, perceived differences between the EU and Turkey will be examined as it is these differences that have 'frequently led to doubts whether Turkey qualifies as a candidate in the first place.'[197] If there is difference between Turkey and the EU, it is difficult - but not impossible - for Turkey to

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[193] Nicolaidis (n 175) p.2
[194] This is on the basis that we looked at identifying the self by looking at the other in chapter III.
[195] Nicolaidis, (n 175) p.3
[196] Buzan and Diez, (n 52) p.41
[197] G. Avci, 'Putting the Turking EU Candidacy into Context,' *European Foreign Affairs Review 91 at 104*, 2002

become part of the European Self. However, as this thesis has noted in chapter III, it might be suggested that the EU is still in the process of developing its identity.

As previously noted, arguably there is a Self that has been created by shared values amongst the Member States. This is viewed by some as two separate self-definitions: shared Enlightenment values 'encompassing universalism, humanism, rationalism, tolerance, individual rights and democracy'[198] and 'values built upon the ideas of geography, history and religion.' [199] However, it is perhaps more beneficial to view these self-definitions as intertwined. That is to say the geography, history and religion of a country can be dependent on whether or not a country is viewed as having enlightenment values.[200]

As Nicolaidis noted:

> *'There are three categories of arguments against Turkish "Europeanness" – geographic, historical and religious – all to be taken seriously if only because all pervasive in European discourse.'*[201]

However, this thesis must take geography, history and religion as a starting point in order to discern whether or not Turkey shares the enlightenment values outlined in the Copenhagen Criteria and has therefore the potential to share any sense of Self that there may be in the EU. Thus it is crucial to start

[198] Verney and Ifantis (n 94), p.91
[199] Verney and Ifantis (n 94), p.91
[200] This will be explored in greater detail in the context of Turkey in chapter V.
[201] Nicolaidis, (n 175) p.5

with these three points in order to understand the differences between the EU and Turkey and the factors that continue to make Turkey Europe's "dominant Other".

The Geography of Turkey

Both Turkey's geographical positioning and its size on the map feature as the starting point for many in the debate on Turkish accession to the EU, including for the former French President, Nicolas Sarkozy.[202] The statistics of land mass of Turkey in Europe range from 3%[203] to 5%[204] with the majority land mass being in Asia Minor. Statistics aside, many see Turkey as being part of the Middle East, including former French President Giscard d'Estaing who has regularly categorised Turkey as being in the Middle East, like Armenia.[205]

In its geographical position, it has borders with Greece, Bulgaria, Geogria, Armenia, Iran, Iraq and Syria. It is often described as the "corridor to the Middle East", which conveys both positive and negative connotations. From a positive perspective, Turkey is believed to be the gateway to trade dialogue with the Middle East. This is particularly so in the field of energy, a looming issue for the EU regarding sustainability.[206] Therefore, due to Turkey sitting at the borders of three regions of conflict - the Balkans, the Middle East and the Caucasus[207]-

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[202] The Guardian, 06 August 2009 - http://www.theguardian.com/commentisfree/2009/aug/06/turkey-eu-membership
[203] http://www.nationsencyclopedia.com/economies/Asia-and-the-Pacific/Turkey.html
[204] http://travel.nationalgeographic.co.uk/travel/countries/turkey-facts/
[205] The reasons for this can be linked to history and religion and will be explored in depth in the remainder of this chapter.
[206] For further information, see D. Baskan, M. Muftuler-Bac, 'The Future of Energy Security for Europe: Turkey's Role as an Energy Corridor', *Middle Eastern Studies, 47 (2),* 361-378.
[207] Buzan and Diez (n 52) p.47

Turkey has the potential to be used for the promotion of joint interests. From a more negative perspective, there is a "floodgates" argument in that agreeing to one non-European member would open the door for any number of candidates.

The size of Turkey's population is also viewed as an issue for the EU. The current population of Turkey stands at just over 70 million. If Turkey were to become a member of the EU, the only member state to have a bigger population would be Germany. However, Germany has the ongoing issue of falling birth rates, meaning that Turkey could conceivably become the biggest member state of the EU. The significance of this is substantial considering that the Lisbon Treaty has a weighted voting system in the Council of Ministers.[208] Thus, with a predicted population of 91 million by 2050,[209] Turkey would have a greater say than any other member state over matters effecting European citizens. For EU identity, the impact of this is immeasurable. Therefore, this thesis begins to comprehend the implications of geographical positioning on identity. It is not only commonalities and events that contribute to identity, but also physical space.

In the context of Self and Other, it is the geographical positioning and the size of its population that pose a threat for the EU. If this thesis is to again consider the EU as the Self, the position of Turkey on the map unlocks a door to a new world of Others. If Turkey were to accede this would create clear economic gains for the country; on the other hand there are a plethora of countries such as Iran,

[208] Article 238, Treaty on the Functioning of the European Union
[209] Turkish Statistical Institute, 14 February 2013

Iraq and Syria who will become the neighbours of the Union. These are countries which the EU still views as countries of ongoing conflict.

Not only does Turkey unlock a door to a new world of Others, but it is also already a corridor for the Others to pass through. Turkey is a transit country for asylum seekers due to its position next to countries of conflict, as has been demonstrated in the recent refugee crisis with 1.9 million Syrians registered by the Government of Turkey.[210] As was noted in a paper on EU – Turkey relations concerning migration at the 4th Pan-European Conference on EU Politics:

> *'The issue of migration has become an important bone of contention between the EU and Turkey, constraining relations. This has galvanised the fears of some of the EU Member States who are concerned with the migration from Turkey.'*[211]

The paper goes on to note:

> *'Since the early 1990's, Turkey has been on the transit route for illegal immigrants from Pakistan, Bangladesh, Iraq, Iran, Afghanistan and most of Africa (Kirisci, 2003).'*[212]

While Turkey is not part of the EU, it is arguable that the EU has some control over this corridor. It can open and close the doors of its borders subject to each state's own domestic immigration regimes and the principles of free movement within the Union. Upon Turkish accession that control would be shared with

[210] Syrian Regional Refugee Response, Inter-agency Information Sharing Portal, http://data.unhcr.org/syrianrefugees/regional.php last updated on 17 December 2015
[211] S. Aybar, U. Ozgoker, V. Akman, 'EU – Turkey Relations at the Crossroads: Migration', *2008, European Consortium for Political Research*, p.4
[212] Aybar, Ozgoker and Akman (n 211) p.4

Turkey, potentially increasing the migrant flow to the EU from the Middle East and South Asia, and therefore weakening any sense of Self in the EU. This could enable right wing agendas to come to the fore and create further divides within EU Member States.

As discussed in chapter III, such right wing sentiments are diametrically opposed to 'an attitude of recognition, respect, openness, interest, beneficence and concern toward other human individuals, cultures, and peoples as members of one global community.'[213] Therefore, Turkey's central position and strategic importance in migrant networks is likely to add fuel to the flames of right wing movements.

Looking back to the concept of citizenship, this thesis identified that EU identity is an intangible concept that becomes more tangible in light of European citizenship. Turkey has 80.7million citizens, all of whom would become European citizens upon accession; 80.7million who move from being the Other to become the Self. Undoubtedly, an increase of this size may either dilute any sense of Self that exists or alter it, changing the dynamics of the EU. Turkey and its people may be too big for the EU to absorb. This fundamentally alters the nature of European identity.

[213] Kleingeld, (n 71) p.3

The Ottoman Empire

Understanding key moments in a country's history is crucial to understanding that country's people. This is true for any country. Turkey finds its roots in the Ottoman story which began over 700 years ago. The Ottoman Empire is particularly significant to the debate on Turkey's accession to the EU and therefore its ability to become part of the Self. Indeed many of the defining differences contributing towards Turkey's characterisation as the 'dominant Other' originate from the age of the Ottoman Empire; these include human rights violations as well as ethnic and religious tensions. While much has changed in Turkey, traits and tensions from the time of the Ottoman Empire persist in modern Turkey and are the obstacles to accession to the EU.

The Ottoman story began around Sogut, an area still on the map in modern Turkey. The leader of the group was Osman and his followers were known as the Ottomans. From their genesis, the Ottomans competed to survive and fought their rivals for both territory and resources. The first major victory for the Ottomans was over the Byzantine Imperial Army who reigned over the Byzantine Empire, a predominantly Greek-speaking contingent. This victory attracted great attention and amassed substantial numbers of soldiers for the Ottomans because at this stage, people believed that the future lay with the Ottomans.

A further key moment for the Ottomans came in the 1360s when they seized their first European city, Bursa. This was a breakthrough moment for the Ottomans; they had opened the gate to Europe. Over the next 100 years, the

Ottomans would grow to be one of the most advanced powers the world had seen and perhaps this is a significant starting point in terms of Turkish European relations.

Religion was pushed to the forefront of the Ottoman advancement in the 15th century and is crucial to understanding religion in Turkey today. At this time, Constantinople was one of the last remaining Christian strongholds in Europe. This was the city that would become the battleground for the Christian West and the Muslim East.

During its existence, the Ottoman Empire went on to span Southeast Europe, Western Asia and North Africa. Specifically, it 'occupied and controlled a quarter of the European continent, comprising some of Europe's most coveted territory.'[214] It was taking over territories and diluting any sense of Self that existed in the Christian West at that time.

The people of the Ottoman Empire tended to identify themselves by religion [215] rather than nationality and it is this that has led one of the most contentious issues for Turkey in the present day: the Armenian Genocide.

The Ottoman Empire was made up predominantly of Muslims, Greeks and Armenians. Muslims were said to make up approximately 76%[216] of the Empire and this percentage was made up of Turks, Arabs and Kurds. The Empire was controlled by Ottoman Turks who in the first Ottoman constitution in 1876 declared Turkish as the official language. Turkish rule was based on strict

[214] Neumann (n 5) p.40
[215] This will be discussed in the context of the present day later in this chapter.
[216] Kemal H Karpat, 'Studies on Ottoman Social and Political History', *2002*, p.776

notions of hierarchy, with one Sultan exercising absolute power. The Self of the Ottoman Empire was the Muslim Turk. Little to no account was taken of other ethnic groups which formed part of the Empire and indeed efforts were made to extinguish those groups.

Many, such as Balakian, believed that Turkish rule meant that Armenians and Greeks were subject to degrading treatment:

> *'Turkish rule ... meant unutterable contempt ... The Armenians (and Greeks) were dogs and pigs ... to be spat upon, if their shadow darkened a Turk, to be outraged, to be the mats on which he wiped the mud from his feet. Conceive the inevitable result of centuries of slavery, of subjection to insult and scorn, centuries in which nothing belonged to the Armenian, neither his property, his house, his life, his person, nor his family, was sacred or safe from violence – capricious, unprovoked violence – to resist which by violence meant death.'*[217]

Towards the end of the Ottoman Empire, the Central Committee of the Young Turk Party[218] triggered a period of political reform in the Ottoman Empire. However, in 1912, the First Balkan War resulted in the defeat of the Ottoman Empire and the loss of the majority of its European territory.[219] The loss of territory could not be overcome. Over the next 23 years, the Empire would continue to deteriorate, never regaining the power that it once had.

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[217] Peter Balakian, *The Burning Tigris – The Armenian Genocide and America's Response*, (Harper Collins 2003)
[218] Known hereafter as the Young Turks.
[219] http://www.britannica.com/EBchecked/topic/50300/Balkan-Wars

From 1913 – 1918 the Ottoman Empire was controlled by the "Three Pashas", interior minister and Grand Vizier Talaat Pasha, war minister Enver Pasha and naval minister Djemal Pasha. It was this leadership that has been held responsible for the death of over 1 million Armenians. During the Adana Massacre in 1909 over 15,000[220] Armenians were killed. During and after World War 1, this would continue to rise to numbers beyond comprehension.

The killing of Armenians is one of the most contentious issues of Turkey's past and present. Statistics of Armenians who were killed range from 600,000 to 2 million.[221] Throughout this time, the general composition of Turkey changed, with many of those who occupied her previously such as Armenians and Greeks, leaving the territory.[222] It is believed that this was the ultimate aim of the Ottoman Empire. As Hovannisian stated:

> *'The method adopted to transform a plural Ottoman society into a homogenous Turkish society was genocide.'*[223]

In other words, the methods adopted had the aim of eradicating the Other and consolidating the Self. Through radical steps, the extermination of other ethnicities, the Ottoman Empire had created a form of homogeneity.

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[220] http://www.britannica.com/EBchecked/topic/50300/Balkan-Wars
[221] Richard G Hovannisian, 'Rememberence and Denial – the Case of Armenian Genocide', Wayne State University Press (1999) p.15
[222] Arguably, this made it easier for Ataturk to create a homogenous nation.
[223] Hovannisian (n 221) p.14

Modern Turkey

After the Second World War particular focus was placed on Armenians who demanded that Turkey recognise that their acts towards them constituted an act of genocide. The genocide of the Jewish people during the Second World War brought back painful memories for Armenians. This part of Turkey's history is something that the country has been unable to break away from. Many believe that as a result of the Armenian genocide, Turkey's identity is tied to the past. For others, the creation of the Republic in 1923 is year zero and saw the creation of a new identity[224].

In 1923 a new republic was created by the Treaty of Lausanne, the Republic of Turkey, leading to extensive political, economic and cultural reforms with the ultimate aim of westernisation and secularism. The new Turk was to be western and secular, departing from the identity of the past. This was done under the auspices of Mustafa Kemal Ataturk, whose vision for Turkey led to a 15 year period of radical reform. During this time, the country took several steps, including banning the fez, which had been the long established traditional headwear for Muslim men and discouraging the wearing of the veil for women. In addition, 'Laws were aligned on the practice of West European countries; the Christian common era was adopted, as was Sunday as a day of rest.'[225] Changes in language took place, with the Latin alphabet replacing Arabic script, forcing the Turks to start afresh.

[224] It may be said that this plays an important role in the difference between the EU and Turkey on a religious basis. This will be discussed in greater detail under the heading of 'Religion'.
[225] Andrew Mango, *The Turks Today,* (John Murray 2005)

The steps taken by Turkey during this time are indicative of a purposeful approach to the creation of a new identity for Turkey and Turkish people. This was later reflected in Ataturk's policy of 'Peace at home and peace in the world' in 1961, an interesting contrast to the EU's approach of the creation of a European identity for external purposes, rather than internal.

Although the Republic aspired to democracy, it remained a single party state until some years later. Mustafa Kemal allowed his own rivals to create an opposition party and in 1930 during a time of depression, this happened again with the creation of another opposition party to channel the nation's discontent. After a short period of time, both parties folded at the hands of Mustafa Kemal. This is demonstrative of the level of control Kemal had over Turkey. Democracy was one of his key aims for the country, yet he tried to instil it in an entirely undemocratic fashion by choosing his close personal friends to set up opposition parties.

Under Inonu,[226] the minister of education at the time, Hasan-Ali Yucel was the patron for the Village Institutes which trained young Turks in the hope that they would disseminate their teachings and hasten the process of modernisation. In addition, there was also the creation of an office publishing translations of classic literature, demonstrating a desire to integrate culturally with the wider world. However, in spite of these positive movements, it was Hasan-Ali Yucel who was also responsible for a list of 47 people accused of 'creating a secret

[226] Who later became Turkey's first prime minister in 1923.

society to promote racism and Pan—Turanianism.'[227] Twenty-three of the accused were put on trial and imprisoned for a period of ten years. Two years later, they were acquitted on appeal as 'the exponents of a nationalist ideology against an ideology which was not national.' This was indicative of the Turkish government's attitude towards opposition. If the government could not create the opposition itself, it would come down heavy handed on those who were vociferous about their opposing beliefs. The Self was being created by force.

An additional example of this can be seen in the modernisation of the educational system in Turkey during this time. One of the first graduates of a Village Institute was Mahmut Makal. Following his graduation, Makal went back to do as was hoped and disseminate information to his village. In 1950, Makal published his experiences in 'Our Village'. Rather than noting the success of the Village Institutes, Mahmut painted a bleak picture of an impoverished country man that the Village Institutes sought to put an end to with modernity and traditional life colliding. In his book, Mahmut emphasised that the progress that was being made in cities was in stark contrast to the lack of progress in villages. Turkey's march to modernity was fractured between cities and villages. While in the cities the reforms were instilling a sense of Self, it was becoming clearer that the villages were the Other. For some countries this is a natural post-industrial concept, however when this is forced and does not evolve naturally it has the potential to create difference within the country itself. This often leads to a dichotomy between urban and rural. For Turkey, this is evident in the marked

[227]Mango (n 225) chapter I

difference between the cities and the villages. This is perhaps indicative of Turkey's choice to modernise rather than democratise.

In addition, tension remains between Turkish-Greek relations. In spite of coming some way in overcoming disagreements over assets in light of the Second World War, the issue of claims to Cyprus remain to this day. The majority of Cyprus is made of up Greeks, who believe they should be free to determine Cyprus' future, allowing provisions for the Turkish minority of the island's population to be treated equally. Turkey, however, disagrees and believes that the Turkish population in Cyprus should be entitled to have their own state. Turkey's relationship with Cyprus has created an enormous fracturing of identity. Relations between the two countries were aggravated when Cyprus made an application to the EU for full membership. Many of the Turkish Cypriot community within Cyprus believed that their consent should have been sought prior to the submission of the application. Thus, Turkey has existing tensions between current EU Member States and therefore making it difficult if not impossible to envisage the two countries working together as part of the EU.

Further to the tensions between the Turkish and the Greeks, there was wide discontent throughout the country in general. The Republican People's Party (CHP) sought to control this through authoritarian measures such as censorship of the press; also, strikes were banned and demonstrations were subject to many limitations. Adding to this was the tension between Ionu and Celal Bayar, Ataturk's last prime minister. Bayar got together with three other members of

the ruling party and submitted a motion asking that 'the democratic principles of the constitution should be applied in practice.'[228] The motion was rejected and the members became disassociated with the ruling party. However in January 1946, the group got back together and formed their own party, the Democrat Party (DP). This signified a change in the electoral system, with two rounds being created. In spite of these steps towards a more democratic Turkey, much suspicion surrounded the elections themselves as while the voting was public, the votes themselves were counted in private. The elections held in July 1946 exemplified this feeling with the Republicans winning 400 seats to the Democrat's 40. Claims of stuffed ballot boxes were rife and the desire for any form of civilized contest was short-lived, particularly when the authoritarian Republican, Recep Peker, was chosen as the new prime minister. Censorship of the media reared its head once again, with journalists being banned from commenting on elections. Not long after this, Peker gave way to a more moderate Republican, Hasan Saka.

It was not until May 1950 when Turkey's first free elections were held. The Democrats won by 53% of the vote, versus the Republicans' 40%. Arguably, the country was demonstrating that it was ready for change however as noted earlier, it is important to consider whether the voters were the Turks of the cities or the Turks of the villages.

The role of the military and use of force during this time caused great discomfort between the military and the political establishment in Turkey.

[228] Mango (n 225) chapter I

Furthermore, the role of the military in Turkish politics provides an additional stumbling block to EU membership.[229] As Ozbudun has noted:

> *"Historically speaking, none of the three Republican constitutions of Turkey (those of 1924, 1961 and 1982) was made by a freely chosen and broadly representative constituent or legislative assembly through a process of inter-party negotiations and compromises."*[230]

Ozbudun goes on to highlight that even the two most recent constitutions of 1961 and 1982 were neither freely chosen nor representative:

> *"The 1961 and the 1982 Constitutions were both products of military interventions (those of 1960 and 1980, respectively). In their making, the military committees that carried out the coups (the National Unity Committee, NUC, in 1960; and the National Security Council, NSC, in 1980) played a predominant rule."*[231]

This thesis finds that there have therefore been three constitutions which have arguably been forced upon Turkey pointing to the forced construction of a political identity for Turkey.

The Preamble of the 1961 Constitution defined the Turkish nation as:

> *'A nation inspired by Turkish nationalism that gathers together all individuals sharing joy and grief as an indivisible whole around the national consciousness and ideals, and that aims to raise our nation with a*

[229] The military ruled the republic during 1960-1961, 1980-83 and indirectly from 1971-1973.
[230] Ergun Ozbudun, 'Turkey's Search for a New Constitution', Insight Turkey Vol. 14/No. 1/(2012) pp. 39-50, p. 40
[231] Ozbudun (n 230) p.40

> *spirit of national unity as an honourable and equal member of the international community...it is a nation conscious of the principle, 'Peace at home, peace in the world', the spirit of national struggle, and the national sovereignty, and devotion to the revolutions of Ataturk.'*

'Peace at home and peace in the world' was not only Ataturk's policy, but it went on to become the policy of Turkey in international relations. The ideals of '*sharing joy and grief*' and the existence of *'a spirit of national unity'* were pushed forward by the military, not the people of Turkey.

One of the key and more positive differences between the 1961 and 1924 constitutions was that:

> *'[1961] attached more value to individuals; it emphasised citizenship rights more than citizenship duties; it limited the state's interference in the affairs of individuals; and it defined the state's duties towards individuals.'*[232]

The focus of the 1924 constitution had previously been on the right of the "Turk". In comparison, the 1961 constitution departed from the ethnic Turk to the individual. As Ince notes:

> *'the basic rights of individuals were listed in the fifth section under the heading 'Fundamental Rights and Duties' and throughout the new*

[232] Basak Ince, *Citizenship and Identity in Turkey: From Ataturk's Republic to the Present Day,* (2012 Palgrave MacMillan) p. 117

document, the possessors of these rights and freedoms were given as 'everybody', and not as 'Turks'.[233]

This may have been in recognition that people of Turkey are multi-ethnic and multi-faith. As a direct result of the breakup of the Ottoman Empire, the people of Turkey are a fusion of different ethnicities and different faiths. Arguably, this is also an acknowledgement that due to its history, there is more than one Self in Turkey.

Turkey's troubled past has led to suggestions that it is an unstable democracy. After reflecting on Turkey's history this thesis observes parallels between the desires of one nation and the desires of the EU. Leaders of the Ottoman Empire were ambitious and had aims of creating one of the great super powers of all time. Within this Empire, they strived for a homogenous entity, a body of people who would fight alongside the leaders to reach their aims. There was a striving to create a unified Self to the point of extermination of the Other. One thing that remains clear is that Turkey is tied to its Ottoman history and even in the present day, some of Turkey's actions and reactions to current affairs are indicative of its Ottoman history. It is therefore possible that these ties, coupled with its present issues, may be too strong to create ties with the EU. This is illustrative of the key issues at the nexus of the EU's identity crisis as discussed in chapter III; the interaction of national identity with European identity and the role of Others in the EU.

[233] Ince (n 232) p. 119

Religion in Modern Turkey

As noted earlier in this chapter, the prominence of religion can be traced back to the Ottoman Empire, where it was religion that defined the people. Today, Turkey is deemed to be a secular country:

> *'The Republic of Turkey is a democratic, secular and social state governed by rule of law, within the notions of public peace, national solidarity and justice, respecting human rights, loyal to the nationalism of Atatürk, and based on the fundamental tenets set forth in the preamble.'*[234]

Yet, many believe that this point holds little sway in the grand scale of the debate. Turkey's population is 99.8% Muslim[235] and it is a common belief that, in reality, Turkey is not a secular country. According to Keridis and Arvanitopoulos:

> *'Yet, ironically, the more Turkey democratizes, the less secular it becomes. In other words, Turkey is faced with a great and often seemingly unsolvable paradox: the more it "Europeanizes" institutionally, the more it "Orientalizes" culturally. The more it heads to the West, the more it looks to the Islamic East.'*[236]

As Turkey tries to democratize its institutions, fractures appear in its national identity; pockets of resistance appear to rise up against the manner in which the

[234] Article 2, Constitution of the Republic of Turkey 1982.
[235] Turkey Demographics Profile 2013, http://www.indexmundi.com/turkey/demographics_profile.html
[236] Dimitris Keridis, Constantine Arvanitopoulos, 'Turkey and the Identity of Europe', Harvard International Review (2011) p.3

democratisation process has operated. In attempting to line up its institutions with that of the EU, it has created a starker still comparison of the difference between the EU and Turkey. In other words, as the Other tries to become what the Self is, the more obvious the differences between the two become. In turn, this propels public opinion of difference noted here in Time Magazine:

> *'However it may be expressed, there is a feeling in Western Europe, rarely stated explicitly, that Muslims whose roots lie in Asia do not belong in the Western family, some of whose members spent centuries trying to drive the Turks out of a Europe they threatened to overwhelm. Turkish membership "would dilute the EC's Europeanness," says one German diplomat.'*[237]

Specifically, the difference is that the EU was founded on Christian values. As noted by Asad:

> *'The key influences on European experience...are the Roman Empire, Christianity, the Enlightenment, and industrialization. It is because these historical moments have not influenced Muslim immigrants' experience that they are not those whose home is Europe.'*[238]

Furthermore, as Simonsen stated, 'In medieval times the common appeal was rather to 'Christendom'; it was conflict with Muslims that united 'Europe' under the religious identity of Christianity.'[239] Relating this to the Turks specifically, Asad has noted that 'historically, it was not Europe that the Turks threatened

[237] Time Magazine, *Across the Great Divide,* October 1992, p.31
[238] Talal Asad, Muslims and European Identity: Can Europe Represent Islam? Taken from A. Pagden, *The Idea of Europe,* (Cambridge University Press), p214-215
[239] Simonsen, (n 111) p.3

but Christendom.'[240] This historical conflict finds place in today's society. The extremist Christian values are forgotten, yet the extremist Muslim values are an ongoing and widely discussed issue. Due to their apparent prevalence, the Muslim Other cannot be imagined to coexist with the Christian Self.

This brings us back to the question of Turkey's role in the Armenian Genocide and its subsequent acceptance of that role. A key component of Christianity is the belief that one must seek atonement before one can gain acceptance. In the case of Turkey, many believe that there is no real sense of Turkey atoning for its role in Armenian Genocide, with the creation of the Republic being seen by some as "the year zero".

However as Barker has noted, perhaps the distinction between Christianity and Islam is not the main focus:

> *'The potential incompatibility between the religion identity of Turkey and the EU is not about Christianity versus Islam but freedom versus repression.'*[241]

Thus, it is less about Christianity and Islam being opposed and more about the believed connotations of these religions. If Turkey is associated with the Muslim faith and therefore repression in the eyes of some, how can she assimilate with the values enshrined in the Copenhagen Criteria?

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[240] Asad, (n 239)p.212

[241] J. Paul Barker, 'Turkish Religious Identity and the Question of European Union Membership' Institute for Cultural Diplomacy: Ankara Conference on Peacebuilding and Conflict Resolution April 17-19, 2012, Ankara Turkey, p.22

Turkey and the Copenhagen Criteria

Looking back to the Copenhagen Criteria it is clear that the EU places particular importance on the common values defined in the political criteria. As Erdogan has asserted:

> *'The European 'we-ness' evolves around these common values like "respect for human dignity, freedom, democracy, equality, the rule of law and the respect for human rights, including rights of persons belonging to minorities."*[242]

Thus as suggested in chapter III, the sense of Self that does exist is as a result of shared commonalities such as geography, history and religion *and* the shared values as defined above. Therefore beyond differences in geography, history and religion, this thesis must look at the present day differences in the values as defined in the Copenhagen political criteria; stability of institutions guaranteeing democracy, the rule of law, human rights and respect for and protection of minorities.

In Erdogan's article on 'Turkey's compliance with EU democratic constitutionality' he noted the following:

> *'According to Kahraman, the young Turkish state in the 1920s had to make a choice between modernisation and democratisation and it chose modernisation. On the contrary in Europe, the primary influence of the*

[242] Birsen Erdogan, 'Turkey's compliance with European Union democratic constitutionality: resistance or transformation of identity' 25(1) Netherlands Quarterly of Human Rights 21 (2007) p.7

modernisation was replaced by the democratisation in the last two decades of the 20th century.'[243]

It is perhaps the choice of modernisation over democratisation that has led to many of the fundamental differences between the EU and Turkey today. As this thesis has noted, on its path to modernisation Turkey has used force and violence on multiple occasions. Significant examples of this can be seen with the Armenian Genocide, regular periods of military intervention, and Turkey-Cyprus relations. However, for many it is these topics which continue to cause concern for the EU. As Barchard noted:

' In its Regular Report for 2002, the Commission devoted 12 pages, about 6,250 words, to its review of political issues related to democracy and human rights...In the 2003 Report, these sections have expanded to a total of 38 pages and over 15,000 words...'[244]

In particular, Barchard draws attention to human rights issues within Turkey stating:

'The human rights problem contrasts with Turkey's relatively advanced state of preparedness on other matters...'[245]

Furthermore, the concern is made worse by the perceived lack of recognition of the problem within Turkey itself[246]:

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[243] Erdogan (n 242) p.10
[244] David Barchard, The Rule of Law, taken from M. Lake, *The EU & Turkey: A Glittering Prize or a Milestone?,* (Federal Trust for Education and Research 2005) p.90-91
[245] Barchard (n 244) p.88

> '*Inside Turkey the degree to which a bad human rights image has unfortunately come to characterise the country abroad seems never to have been sufficiently appreciated.'*[247]

Consequently it is clear that in spite of institutional reform, the political criteria outlined in the Copenhagen Criteria is the biggest stumbling block in Turkey's accession to the EU and therefore creates the most obvious difference in values between the EU and Turkey. As Erdogan notes:

> *'Implementation of the political criteria and democratic opening in the issues of freedom of expression, the lessening role of the army and the introduction of minority rights have been major issues of tension and crises in the Turkish compliance process.'*[248]

Arguably one of the most pressing challenges for Turkey, encompassing these issues, is in respect of Kurdish people within Turkey. Kurdish people form the largest minority in Turkey.[249]In 1923, Turkey negotiated the Treaty of Lausanne with the Allies. During these negotiations, 'the Allies pressed for the inclusion of all minorities, for example Kurds, Circassians and Arabs, in the treaty terms, but Turkey refused any distinct status for non-Turkish Muslims. Only Greek and Armenian Christians and Jews were formally acknowledged as minorities.'[250]

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[246] Again, this links back to the idea of atonement, often associated with Christianity.
[247] Barchard (n 245) p.88
[248] Erdogan (n 242) p.14
[249] Approximately 12 million of the 70 million population at World Movement for Democracy at http://www.wmd.org/resources/whats-being-done/human-rights-democracy-turkey
[250] World Directory of Minorities and Indigenous People at http://www.minorityrights.org/4387/turkey/turkey-overview.html

Prior to 1923 and up until the present day, Turkish-Kurdish relations form a large part of the concerns regarding human rights in Turkey. As noted by the World Movement for Democracy:

> *'Until recently, Kurds who publically or politically asserted their Kurdish identity, or publicly espoused using Kurdish in the public domain risked censure, harassment, or prosecution. Restrictions have been placed on the use of Kurdish and other ethnic minority language in radio and television broadcasts and publications.'*[251]

The treatment afforded to the Kurds therefore displays a worrying lack of respect for minority rights and therefore sends a message to the EU that perhaps Turkey does not share the values enshrined in the Copenhagen Criteria.

In addition, freedom of expression, association and assembly continues to be one of the most contentious issues. In the Human Rights Watch, World Report 2014, it was noted that:

> *'Turkey continued to prosecute journalists in 2013, and several dozen remain in jail. The trial continued of 44 mainly Kurdish journalists and media workers (20 in detention since December 2011, at the time of writing) for alleged links to the Union of Kurdistan Communities (KCK), a body connected with the PKK.'*[252]

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[251] World Movement for Democracy at http://www.wmd.org/resources/whats-being-done/human-rights-democracy-turkey

[252] Human Rights Watch, World Report 2014.

This adds to the belief that Turkey's progression towards adopting key EU values has slowed. As Morelli has stated:

> *'In September 2006...the Parliament's findings suggested that reforms in Turkey had slowed, especially in the implementation of freedom of expression, protection of religious and minority rights, reform in law enforcement, and support for the independence of the judiciary, and urged Turkey to move forward.'*[253]

As recently as the summer of 2015, peace negotiations between Turkey and the Kurdish have once again broken down when in the wake of a suicide bomb in the town of Suruc, the Turkish authorities responded by 'conducting massive counterterrorism raids across the country, blocking websites, and banning and dispersing protests.'[254] Furthermore, over 1000 people were arrested with suspected links to Kurdistan Workers' Party (PKK)[255] and Islamic State of Iraq and Syria (ISIS)[256], with charges remaining unclear[257]. This has continued and escalated with reports of further detention and deportation of journalists and escalating violence. In September 2015, Human Rights Watch reported that 'The Kurdish peace process that offered so much hope just months ago is suspended,

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[253] Vincent L Morelli, 'European Union Enlargement: A Status Report on Turkey's Accession Negotiations', CRS Report for Congress, Congressional Research Service (2013) p.4

[254] Benjamin Ward, 'Dispatches: Amid Rising Tensions, a Dangerous Moment for Rights in Turkey', Human Rights Watch, 30 July 2015 at https://www.hrw.org/news/2015/07/30/dispatches-amid-rising-tensions-dangerous-moment-rights-turkey

[255] The PKK is an established left-wing militant organisation based in Turkey and Iraq.

[256] A militant group following Islamic fundamentalism.

[257] Ward (n 254)

and in a period of less than two months an estimated 200 soldiers, police, Kurdish PKK fighters and civilians are dead.'[258]

Thus not only are there clear and continuous examples of Turkey falling short of the values enshrined in the Copenhagen Criteria, but there is also evidence to suggest that their progression towards this has halted.

Conclusion

> *'It is often claimed that Turks are experiencing a crisis of identity, torn between the East and the West.'*[259]

This is mirrored by the identity crisis within the EU itself. However, one's view of Turkish identity depends on which part of Turkey you are focusing on. As Mango has noted:

> *'One's view of Turks and Turkey depends on which class of people and which part of the country one knows...The villager is not 'the real master of the country.'*[260]

There is a division within Turkey itself; the Turkey that current Turkish powers want to depict to the outside world and specifically the EU and the 'Other Turkey' – the Turkey of the poor with poor prospects.[261] The breakup of the Ottoman Empire and subsequent delineation of new national boundaries

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[258] Emma Sinclair-Webb, 'Turkey: media crackdown amid escalating violence', Human Rights Watch, 11 September 2015 at https://www.hrw.org/news/2015/09/11/turkey-media-crackdown-amid-escalating-violence
[259] Mango (n 225) p.3
[260] Mango (n 225) p.3
[261] Mango (n 225) p.3

created a multitude of Others within Turkey. Here, it is possible to draw a comparison with the Others present in Turkey and the TCN Others present in the EU. Both Turkey and the EU have created these Others, arguably making the process of forging an identity altogether more difficult.

The identity of Turkish people appears fractured as a result of their past and by what they desire to be in the future. In addition, modern Turkey has perpetuated the Others within Turkey, as noted earlier in the chapter when considering the example of Hasan-Ali Yucel's Village Institutes. This potentially brings with it new concerns of whether if this division truly exists, Turkey can move as a whole into the EU.

Turkey's roots in Ottoman history are perhaps one of the most difficult issues to overcome. The major events of the Ottoman Empire tie Turkey to the past. Major events in any country can have the effect of reinforcing identity and the Self, but can also reinforce its existence as the Other.[262]

The Ottoman Empire's actions in the past reinforce that Turkey is the Other to the EU. Further still, Turkey's inability to properly acknowledge its past and current role in oppressing minorities and human rights violations reinforces its status as the EU's 'dominant Other'. Thus, the demarcation between the EU and Turkey is clear.

What may be missed in an approach which focuses solely on the Ottoman Empire's and Turkey's actions is that Europe of course has its own history of moral failings. As Asad has noted:

[262] This can be seen with the events of 9/11.

'Moral failure is considered particularly shameful in this case because Europeans try to cover up their past cruelties in Europe to other Europeans instead of confronting the fact fully.'[263]

The EU has also been divided when considering Turkey whether Turkey should accede to the EU:

'Europe has been torn between those who approach Turkey as an actor with the capacity to make an important contribution to the emergence of Europe as a global power with a democratic and multicultural political identity and those who see Turkey as a country that is socially, culturally, geographically, and economically too different, big, and unstable to be absorbed into the EU.'[264]

Undoubtedly, the inclusion of Turkey within the EU would further diversify the make-up of the Union, however, Turkey's past and its roots in the Ottoman Empire suggest that it is geographically, historically and religiously too different.

Within Turkey there are different attitudes as to whether Turkey should become a member of the EU. In November 2002, Recep Tayyip Erdogan, leader of the Justice and Development Party stated that 'The alternative to Europe is ourselves.'[265] Many leaders within Turkey do not wish to stand alone on the

[263] Asad, (n 239) p.212
[264] F. Baban, F. Keyman, 'Turkey and Postnational Europe – Challenges for the Cosmopolitan Political Community', European Journal of Social Theory (2008) p.109
[265] Mango (n 225) p.3

world stage. In addition, many believe that Turkey has no choice but to modernise as a direct result of globalisation:

> *'Turkey is on a forced march to modernity, a march inspired by Ataturk, and sustained after his death, not by other reformers of his stature, but rather by the forces of globalisation.'*[266]

Regardless of their aims, at present, Turkey remains the 'dominant Other.' Turkey is not a member of the EU and it is a country which carries a stigma of its past into its present day. In addition, as noted, modern Turkey is viewed by the EU as failing to possess the key political attributes outlined in the Copenhagen Criteria. As Verney and K. Ifantis have opined:

> *'Taking the right steps in the direction of 'Enlightenment values' appears to be the best option for making a meaningful positive change in Turkey's image in Europe in the short term.'*[267]

However the process that Turkey selected, namely modernisation over democratisation, has arguably led to its current image as a country embroiled with tension and repression. Thus this leads us to the question, in its current state, can Turkey be assimilated into European identity?

[266] Verney and Ifantis (n 94) p.91
[267] Verney and Ifantis (n 94) p.91

Chapter VI – Conclusion

> *'…we sense that Europe's borders at once protect and threaten its unity, define its authority, and engage with external powers that have entered its domain.'*[268]

The possibility of Turkish accession to the EU has brought a multitude of matters to the fore. In particular, it is the assertion of this thesis that Turkish accession to the EU involves the question of European identity. Thus, the question to be answered is whether or not Turkey can be assimilated into European identity.

A Union of Others

In the first instance, this thesis has acknowledged that European identity harbours its own disparities. The Self and Other dichotomy, key to any discussion on identity, highlights the untold difficulties in the pursuit of a European identity. This thesis has asserted that it is possible to suggest the European Self is still under construction. However, as noted, it may be possible to define some sense of Self by looking at the shared values amongst Member States defined in the Copenhagen Criteria and in particular the political aspect of that criteria. In addition, arguments have been put forward that commonalities in geography, history and religion have created a self-definition of Europe. The position in this these is that it is possible for these two self-

[268] Asad (n 239) p.219

definitions to be intertwined: geography, history and religion have an impact on what, if any, shared values are held.

As noted in chapter III, Heller has noted, *'Europe takes the other, transforms it and makes it own.'*[269] The mechanism for this transformation is the Copenhagen Criteria. This thesis has identified that, as a result of the process of enlargement, there is not only a Self and an Other, but also different types of Other, namely the specific Other (acceding country) and the general Other (candidate country/non-EU country). This creates a hierarchy within the EU, with the Self (the EU) being the ultimate aim for the Others. The existence of these Others moving towards the Self creates a scale of identity where Member States/countries sit at various levels on the scale.[270] Thus there is an ideal European identity sharing the values enshrined in the Copenhagen Criteria and commonalities of geography, history and religion, but the Member States/countries are at various levels of the scale of identity. The result of this is that the EU is perhaps more clearly defined as a Union of Others which has multiple identities, rather than a Union with a defined European identity. It is therefore arguable that any sense of a complete European identity is diluted as a result of continuous enlargements of the EU and is largely intangible.

To an extent, European citizenship provides some tangibility in respect of European identity. As discussed in chapter IV, European citizenship bestows rights and duties to European citizens, thus potentially binding them together

[269] Heller (n 56) p.12-25
[270] That is not to say that each Member State/country has its own level or remains on the same level.

and creating further commonalities between EU citizens. However, it is possible that these rights and duties will only strengthen the concept of European identity for those who are utilising them.

In addition, this thesis has discussed the complexities that European citizenship creates. The existence of TCNs, who are not afforded the same rights as European citizens, has created an internal Other within the Union. The existence of internal Others, coupled with the diluted sense of Self that exists, puts European identity at risk even before the question of the inclusion of the EU's 'dominant Other,' Turkey.

The Tipping of the Scale

As noted in chapter V, the size of Turkey geographically and the size of Turkey's population are such that they threaten to further dilute any sense of Self that exists in the EU. Furthermore, the geographical location of Turkey has the potential to open up the EU to a new frontier of Others, such as Syria, Iran and Iraq, and further migration of Others into the EU itself. Turkish accession therefore has the capacity to completely alter the composition of the Union. In this respect there will be an impact on the European Self, particularly as this is a relatively weak concept.

In respect of the history of Turkey, it may be suggested that Turkey's past forces countries within the EU to reflect on their own past misdeeds. Turkey is a dark reminder for some Member States of their past, reminiscent of all the things they wish to forget, their own failings and of the Ottoman takeover of Europe.

The Other, in this instance, is reminding the Self of the failings the Self hopes to have left in the past. As Williams and Gilovich have opined:

> *'Understanding others therefore may consist more of understanding what they are like in the present and what they have done in the past.'*[271]

Considering this, it is possible to conclude that the EU is simply unable to reconcile with Turkey's past. However, there are examples of Member States who have successfully acceded to the EU who have singular histories of their own. Two prime examples of this are Portugal and Spain. Portugal and Spain drove out their long-time North African Muslim rulers. Victorious Catholics forcibly converted many Muslims and Jews and expelled the rest - another illustration of countries disposing of that which is not compatible with the Self. Naturally, this thesis recognises the limitations of such an antiquated analogy. Yet European identity and the history of some Mediterranean Member States are not thought of as being paradoxical. It is arguable that in part, this is due to Portugal and Spain sharing commonalities in geography and religion with the EU that Turkey does not. However, the issue remains unclear given any shared Enlightenment values had not been defined at the point of Portugal and Spain's accession to the EU.

Looking towards the religious differences between the Union and Turkey, many, such as Keridis, hold the belief that:

[271] Williams and Gilovich (n 80) p.1038

> *'No matter what the official policy statements are, Turkey's candidacy is intimately intermingled with Europe's current identity politics and its anxiety about the rising number of immigrants, especially Muslims.'*[272]

What remains unclear is whether it is the religious battles of the past, such as Constantinople when it became the battleground for the Christian West and the Muslim East, or the religious battles of the present day and the continuous associations of terrorism and the Muslim faith that cause the most concern for the EU.

In addition, as noted in chapter V, it is possible that any religious difference is linked to perceived pejorative associations of Islam rather than Christianity in opposition to Islam. These pejorative associations, as noted by Barker, are ones of repression. [273] It is arguable that the associations of repression are the cause of most concern for the EU in relation to Turkey today.

The most prevalent concern in respect of Turkish accession to the EU is the implementation of the values preserved in the Copenhagen Criteria and it is this which provides the clearest demarcation between the EU and Turkey at present. Furthermore, the stalled progress and regular reports of continuous human rights violations and oppression of minority groups is a continuous reminder that Turkey is not ready and possibly unwilling to continue on the path of accession.

[272] Keridis and Arvanitopoulos (n 237) p.1
[273] Barker (n 242) p.22

Considering all of these factors, if we are to consider European identity, as suggested in chapter III, as a scale of identity, Turkey may be the tipping point of the scale or it may become the benchmark of the Other within the Union. If Turkey tips the scale of European identity, there will be no sense of Self within the EU. If it becomes the benchmark of the Other within the EU, it is likely that European identity will remain a weak and intangible concept.

The Direction of the Self

Looking to the future of the EU, the direction of the Self is also a significant consideration when bringing the Other into the Self. As Williams and Gilovich state:

> *'The self, in other words, may be seen as more of a vector than a point in space; to understand who we are, we must know where we are headed as well as where we currently are.'*[274]

This is perhaps another stumbling block when considering Turkish accession. The exact direction of the Self is unknown. There is no set agenda for the EU. From the beginning of the EU, it was evident that the main aim of the Union was a fairer economic playing field between the founding countries. As this thesis has observed, it was not until later with the introduction of the TEU that the aims moved beyond economics to politics despite several calls for political integration prior to this stage.[275] Since the TEU, it appears that the EU goes through cycles of enlargement followed by an attempt at a period of

[274] Williams and Gilovich (n 80) p.1038
[275] See Tindemans' Report.

consolidation. Regarding the economic part of the equation, the ongoing crisis in the Eurozone has focused the EU's attentions on resolving this issue as opposed to focus on integration.

When referring to Turkey's move towards EU membership, Brand and Corrias stated that:

> *'It forms a big step for the European Union at the same time as well, as it constitutes a confirmation of the fact that the concept of European identity is more open that perhaps hitherto thought. It truly underpins the character of European identity as an open, dynamic and evolving concept, rather than a pre-given, closed and static one.'*[276]

If the character of European identity is such that it is open, dynamic and evolving, it is likely that this is the only possible way that Turkish accession to the EU will not break the weak sense of European identity that exists. European identity must evolve beyond one sense of Self. The Union must accept that one single European identity is not possible, particularly in light of Turkish accession. European identity must be fluid. It must allow for the Other to meet the Copenhagen Criteria, but then to find its own place on the scale of identities.

On the relationship between Turkey and the EU, Buzan and Diez have noted:

[276] M. Brand, L. Corrias, 'The Enlarging Europe and the Concept of Identity', Tilburg Foreign Law Review 103 (2004-2005) p.8

> *'This relationship is thus important not only in itself and for its regional consequences, but also because it is fundamental to the future development of the political form and the identity of Turkey and the EU alike.'*[277]

The Turkish/EU relationship has the potential to have a critical impact on the future of both parties. The diversity within Turkey and the diversity between Turkey and the EU have the potential will construct or deconstruct the Union. It is unlikely that the EU will be able to continue along its present vein with the inclusion of Turkey. The decision to include Turkey in the EU cannot be avoided.

Through Turkish accession, the EU is being forced on a journey of self-reflection. Should Turkey accede to the EU, as Buzan and Diez have noted on the topic:

> *'Building such a new relationship will not be easy, because it requires both parties to reflect on their self-definitions...'*[278]

Self-definition is key for both Turkey and the EU should Turkey become a member state of the EU.

Thus, to return to our question of whether Turkey can be assimilated into European identity our conclusion is that, given the fundamental differences and lack of shared values, it cannot. The consequences for European identity upon Turkish accession to the EU are critical. It is vital that the EU embarks on an ontological exploration if the 'dominant Other' is to accede to the Union.

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[277] Buzan and Diez (n 52) p.41
[278] Buzan and Diez (n 52) p.42

Bibliography

Books

Abrams D and Hogg M.A, *Social identifications: A social psychology of intergroup relations and group processes* (Routledge London 1990)

Akcam T, *A Shameful Act: The Armenian Genocide and the Question of Turkey Responsibility* (Metropolitan Books New York 2006)

Anderson B, *Imagined Communities: Reflections on the Origin and Spread of Nationalism* (Verso London 1991)

Asad T, *Muslims and European Identity: Can Europe Represent Islam? The Idea of Europe* (Cambridge University Press England 2002)

Aydin-Düzgit S, *Constructions of European Identity* (Palgrave Macmillan Ltd London 2012)

Bache I and George S, *Politics in the European Union* (Oxford University Press 2006)

Balakian P, *The Burning Tigris – The Armenian Genocide and America's Response* (Harper Collins New York 2003)

Balibar E, *We, the People of Europe? Reflections on Transnational Citizenship* (Princeton University Press USA 2004)

Benhabib S, *The Rights of Others* (Cambridge University Press England 2004)

Craig P and De Burca G, *EU Law, Text, Cases, and Materials* (4th edn Oxford University Press United Kingdom 2007)

Croft S, *The Enlargement of Europe* (Manchester University Press England 1999)

Duke S, *The Elusive Quest for European Security* (Palgrave MacMillan London 2000)

Dumont L, *Homo Hierarchius: An Essay on the Caste System* (University of Chicago Press USA 1970)

Hegel G. W. F, *The Phenomenology of Spirit* (Galaxy Books Australia 1976)

Held D, *Principles of the cosmopolitan order*, in Brock G And Brighouse H, *The Political*

Philosophy of Cosmopolitanism (Cambridge University Press 2005)

Herrin J, *Byzantium: The Surprising Life of a Medieval Empire* (Penguin; Reprint edition 2008)

Herzfeld M, *The European Self: Rethinking an Attitude from 'The Idea of Europe'* (Cambridge University Press England 2006)

Hovannisian R.G, *Remembrance and Denial – the Case of Armenian Genocide* (Wayne State University Press USA 1999)

Ince B, *Citizenship and Identity in Turkey: From Ataturk's Republic to the Present Day* (Palgrave MacMillan 2012)

Isin E.F and Saward M, *Enacting European Citizenship* (Cambridge University Press 2013)

Jacobs D and Maier R, *European identity: construct, fact and fiction* published in Gastelaars M and De Ruijeter A, *A United Europe: the quest for a multifaceted identity* (Shaker)

Karpat K.H, *Studies on Ottoman Social and Political History* (BRILL Netherlands 2002)

Kleingeld P, *Kant and Cosmopolitanism* (Cambridge University Press England 2012)

Levinas E, *The Levinas Reader* (Basil Blackwell England 1989)

Maduro M.P, *The Past and Future of EU Law* (Oxford and Portland Oregon 2009)

Mango A, *The Turks Today* (John Murray England 2005)

Mather J, *Legitimating the European Union, Aspirations, Inputs and Performance* (Palgrave MacMillan London 2006)

Neumann I, *Use of the Other: "The East" in European Identity Formation* (University of Minnesota Press USA 1999)

O'Brennan J, *The Eastern Enlargement of the European Union* (Routledge London 2006)

Pagden A, *The Idea of Europe* (Cambridge University Press England 2002)

Passerini L, *The Ironies of Identity from The Idea of Europe* (Cambridge University Press England 2006)

Richardson J, *European Union, Power and Policy Making* (Routledge London 2006)

Sjursen H, *Questioning EU enlargement: Europe in search of identity* (Routeledge London 2006)

Swann D, *The Single European Market and Beyond* (Routledge London 2002)

Journals Articles

Akman V and Aybar S and Ozgoker U, 'EU – Turkey Relations at the Crossroads: Migration' European Consortium for Political Research (2008) 1

Atikcan E O, 'Citizenship or Denizenship: The Treatment of Third Country Nationals in the European Union' Sussex European Institute (2006) 85

Arvanitopoulos C and Keridis D, 'Turkey and the Identity of Europe' Harvard International Review (2011) 1

Avci G, 'Putting the Turkey EU Candidacy into Context' European Foreign Affairs Review (2002) 91 104

Baban F and Keyman F, 'Turkey and Postnational Europe – Challenges for the Cosmopolitan Political Community' European Journal of Social Theory (2008) 109

Bakke E, 'Towards a European Identity?' Printed as Arena Working Paper No. 10/1995 http://folk.uio.no/stveb1/Towards a European_Identity.pdf accessed June 2014

Baskan D and Muftuler-Bac M, 'The Future of Energy Security for Europe: Turkey's Role as an Energy Corridor' Middle Eastern Studies (2011) 47 2 1965

Becker M A, 'Managing Diversity in the European Union: Inclusive European Citizenship and Third-Country Nationals' Yale Human Rights & Development (2004) 7

Bellamy R, 'Evaluating Union Citizenship: Belonging, Rights and Participation within the EU' Department of Political Science (2010) School of Public Policy UCL

Blokker P, 'The Post-enlargement European Order: Europe 'United in Diversity'?' European Diversity and Autonomy Papers (2006) 1

Brand M, and Corrias L, 'The Enlarging Europe and the Concept of Identity' Tilburg Foreign Law Review (2004) 103

Buzan B, and Diez T, 'The European Union and Turkey,' International Institute for Strategic Studies (1999) 1

Carey S, 'Undivided Loyalties: Is National Identity an Obstacle to European Integration?' European Union Politics (2002) 3 4 387

Carr A. N, 'The 'Separation Thesis' of Self and Other: Metatheorizing a Dialectical Alternative' Theory Psychology (2003) 1

Closa C, 'The Concept of Citizenship in the Treaty of the European Union' Common Market Law Review (1992) 29 1137

Delhey J, 'Do Enlargements Make the European Union Less Cohesive? An Analysis of Trust between EU Nationalities' Journal of Common Market Studies (2007) 253

Elder K, 'A Theory of Collective Identity Making Sense of the Debate on a 'European Identity'' European Journal of Social Theory (2009) 1

Erdogan B, 'Turkey's compliance with European Union democratic constitutionality: resistance or transformation of identity' Netherlands Quarterly of Human Rights (2007) 25 1

Erisen C and Erisen E ‘Attitudinal Ambivalence towards Turkey's EU Membership’ Journal of Common Market Studies (2014) 52 2 217

Fligstein N and Polykova A and Sandholtz W, ‘European Integration, Nationalism and European Identity’ Journal of Common Market Studies (2012) 50 106

Goebel R. J, ‘Joining the European Union: The Accession Procedure for the Central European and Mediterranean States,’ 2004

Gormley L.W, ‘Introduction to the Law of the European Communities,’ Kluwer Law International, 1008 (1998)

Grundy S and Jamieson L, ‘European Identities: From Absent-Minded Citizens to Passionate Europeans’ Sociology (2007) 41 4663

Hollinger D, ‘From Identity to Solidarity’ Daedalus (2006) 135 4 22

Knight Abowitz K and Harnish J, ‘Contemporary Discourses of Citizenship’ American Education Research Association (2006) 653

Kochenov D, ‘EU Enlargement and the Failure of Conditionality,’ Kluwer International Law (2008) 1

Kostakopoulou D, ‘The European Citizenship Menu: Modes and Options’ Journal of European Public Policy (2000) 477

Kuzio T, ‘Identity and nation-building in Ukraine,’ Ethnicities (2001) 1 3 343

Laffan B, ‘The Politics of Identity and Political Order in Europe,’ Journal of Common Market Studies (1996)

Lobeira P. C. J, ‘EU Citizenship and Political Identity: The Demos and Telos Problems’ European Law Journal (2012) 18 4

McGoldrick D, ‘Multiculturalism and its discontents’ Human Rights Law Review (2005)

Magnette P, ‘European Governance and Civic Participation: Beyond Elitist Citizenship’ Political Studies (2003) 51 1

Magnette P, ‘How can one be European? Reflections on the Pillars of European Civic Identity’ European Law Journal (2007) 13 5 664

Mayer F and Palmowski J, 'European Identities and the EU – The Ties that Bind the Peoples of Europe' Journal of Common Market Studies (2004) 42 3

Menendez A.J, 'European Citizenship after Martinez Sala and Baumbast' Centre for European Studies (2009) 1

Milligan S, 'The "Nine" Ponder Enlargement, Enlargement Puzzle: Can they fit?' European Community (1977) 1

Morozov V and Rumelili B, 'Cooperating and Conflict – the external constitution of European identity' Cooperation and Conflict (2012) 47 1 28

Neunreither K, 'The European Union in Nice: A Minimalist Approach to a Historic Change' Government and Opposition (2001) 36 2 184

Ozbudun E, 'Turkey's Search for a New Constitution,' Insight Turkey (2012) 14 1 39

Royo S, 'The Experience of Spain and Portugal in the European Union: Lessons for Latin America, Miami European Union Centre (2002) Vol. 2

Rumford C, 'European Civil Society or Transnational Social Space? : Conceptions of Society in Discourses of EU Citizenship, Governance and the Democratic Deficit: an Emerging Agenda' European Journal of Social Theory (2003) 1

Saurugger S, 'The social construction of the participatory turn: The emergence of a norm in the European Union' European Journal of Political Research (2009) 49

Schimmelfennig F, 'The Community Trap' International Organisation (2001) 55 1 47

Schrauwen, 'Sink or Swim Together? Developments in European Citizenship' Fordham International Law Journal (1999) 23 779

Simonsen K, ''Europe', National Identities and Multiple Others' European Urban and Regional Studies (2004) 11 4 357

Vobruba G, 'Debate on the Enlargement of the European Union' Journal of European Social Policy (2003)

Von Bogdandy A, 'The European constitution and European identity: text and subtext of the Treaty Establishing a

Constitution for Europe' International Journal of Constitutional Law (2005) 3 295

Waldron J, 'What is Cosmopolitan?' Journal of Political Philosophy Volume 8 Number 2 (2000)

Ward I, 'In Search of a European Identity' The Modern Law Review (1994) 57 2 315

Ward I, 'The Culture of Enlargement,' The Colombia Journal of European Law (2005) 12 199

Reports

Etienne Balibar, 'Our European Incapacity' Our European Incapacity, (16 May 2011) https://www.opendemocracy.net/etienne-balibar/our-european-incapacity

Barker J. Paul, 'Turkish Religious Identity and the Question of European Union Membership' (Institute for Cultural Diplomacy: Ankara Conference on Peacebuilding and Conflict Resolution Ankara, Turkey, April 2012)

Canon Loyes C, 'European Identity. Individual, Group and Society' University of Deusto Bilbao 2003

Opening address Home Office, (Report on the impact of EU enlargement on migration flows) (Cmd 25/03) Dustmann C and Casanova M and Fertig M and Preston I and Schmidt C.M, 'The impact of EU enlargement on migration flows' Home Office Online Report 25/03

Giscard d'Estaing V, 'Pour ou Contre l'Adhesion de la Turquie a l'Union Europeenne' Le Monde (8 November 2002)

Great Britain: Parliament: House of Commons: Foreign Affairs Committee, Foreign 'Policy Aspects of the Lisbon Treaty', The Stationary Office 2008

Mach Z, 'EU Enlargements: Dilemmas of identity,' Reconstituting Democracy in Europe, Research Report on Collective Identity Formation in accession states (April 2008)

Morelli Vincent L, 'European Union Enlargement: A Status Report on Turkey's Accession Negotiations' Report for Congress, Congressional Research Service (5 August 2013)

Nicolaidis K., Turkey is European…for Europe's Sake, from Turkey and the European Union: From Association to

Accession?' Ministry of Foreign Affairs of the Netherlands (December 2003)

Solanke Dr I, The question of third country nationals, stationary Union citizens and residency rights, 2012 Eutopia law at http://eutopialaw.com/2012/02/13/the-question-of-third-country-nationals-stationary-union-citizens-and-residency-rights/

Tornos A., 'The Meaning of European Identity: Past, Present or Future Project,' Time Magazine, Across the Great Divide (October 1992)

'European Identity. Individual, Group and Society', University of Deusto Bilbao (2003)

Usano Martinez M., 'Difference as Destabilizing Factor', 'European Identity. Individual, Group and Society' University of Deusto Bilbao (2003)

Websites

http://europa.eu/scadplus/glossary/accession_criteria_copenhague_en.htm

IWM, (Institut fur die Wissenschaften vom Menschen), Reflection Group, 2004, The Spiritual and Cultural Dimension of Europe, Vienna, at

http://www.iwm.at/index.php?option=com_content&task=view&id=79&Itemid=286

www.europa.eu

Presidency Conclusions, Copenhagen European Council, 1993, http://www.europarl.europa.eu/enlargement/ec/pdf/cop_en.pdf

Accession Criteria, European Union, http://ec.europa.eu/enlargement/enlargement_process/accession_process/criteria/index_en.htm

European Parliament website, http://circa.europa.eu/irc/opoce/fact_sheets/info/data/citizen/citizens/article_7174_en.htm

The Guardian, 06 August 2009 - http://www.theguardian.com/commentisfree/2009/aug/06/turkey-eu-membership
http://www.nationsencyclopedia.com/economies/Asia-and-the-Pacific/Turkey.html
http://travel.nationalgeographic.co.uk/travel/countries/turkey-facts/
Turkish Statistical Institute, 14 February 2013 -
http://www.britannica.com/EBchecked/topic/50300/Balkan-Wars

Turkey Demographics Profile 2013 - http://www.indexmundi.com/turkey/demographics_profile.html

Table of Cases

Case 274/96 *Bickel and Franz* [1998] ECR 563

Case 378/97 *Wijsenbeek* [1999] 439

Case 456/12 *O And B* [2014] 135

Case 184/99 *Rudy Grzelczyk v Centre public d'aide sociale d'Ottignies-Louvain-la-Neuve* [2001] 458

Case 85/96 *Martinez Sala* [*1998*] ECR 217

Case 413/99 *Baumbast and R. v. Secretary of State for the Home Department* [2002] ECR 493

Case 200/02 Zhu *Chen v Secretary of State of the Home Department* [2004] ECR 639

Case 34/09 *Ruiz Zambrano* [2011] ECR 124

Case 434/09 *McCarthy* [2011] ECR 277

Case 256/11 *Dereci and Others* [2011] ECR 734