

# **The changing roles of NGOs and economic interest groups in Turkey's Europeanization process**

A thesis submitted for the degree of  
Doctor of Philosophy  
in  
BIGSSS  
by

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Doctoral Colloquium:

Bremen, 16.05.2013

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## List of Acronyms

<b>ACP</b>	African, Caribbean and Pacific Group of States
<b>ANAP</b>	Turkish acronym for Motherland Party
<b>AP</b>	Turkish acronym for The Justice Party
<b>BAŞKENT KADIN</b>	Turkish acronym for Capitalist City Women's Platform
<b>BUĞDAY</b>	Turkish acronym for Buğday Association for Supporting Ecological Living.
<b>CARDS</b>	The Community Assistance for Reconstruction Development, and Stabilization
<b>CEDAW</b>	Convention Eliminating All Forms of Discrimination Against Women
<b>CHP</b>	Turkish acronym for The Republican Peoples Party
<b>CIS</b>	The Commonwealth of Independent States
<b>CSDP</b>	Civil Society Development Programme
<b>DKM</b>	Turkish acronym for Nature Conservation Centre
<b>DP</b>	Turkish acronym for The Democrat Party
<b>EC</b>	The European Commission
<b>EIDHR</b>	The European Initiative for Democracy and Human Rights
<b>ENP</b>	The European Neighborhood Policy
<b>EU</b>	The European Union
<b>EUROCHAMBRES</b>	The Association of European Chambers of Commerce and Industry
<b>EUVP</b>	European Union Visitors Programme
<b>EWL</b>	European Women's Lobby
<b>HAK-İŞ</b>	Turkish acronym for The Confederation of Righteous Trade Unions
<b>HYD</b>	Turkish acronym for The Helsinki Citizens' Assembly Network
<b>İHD</b>	Turkish acronym for Human Rights Association
<b>İHOP</b>	Turkish acronym for Human Rights Joint Platform

<b>IPA</b>	The Instrument for Pre-Accession Assistance
<b>İKV</b>	Turkish acronym for Economic Development Foundation
<b>KA-DER</b>	Turkish acronym for Association for Support of Women Candidates
<b>KAGİDER</b>	Turkish acronym for Women Entrepreneurs Association of Turkey
<b>KDV</b>	Turkish acronym for Foundation for Women's Solidarity Foundation
<b>MAZLUMDER</b>	Turkish acronym for The Organization of Human Rights and Solidarity for Oppressed People
<b>MEDA</b>	Euro - Mediterranean Partnership
<b>MHP</b>	Turkish acronym for The Nationalist Action Party
<b>MİSK</b>	Nationalist Trade Union Confederation
<b>MNP</b>	Turkish acronym for The National Order Party
<b>MSP</b>	Turkish acronym for The National Salvation Party
<b>NSP</b>	Turkish acronym for The National Salvation Party
<b>PPP</b>	The PHARE Partnership Program
<b>REC</b>	Regional Environment Office
<b>RP</b>	Turkish acronym for The Welfare Party
<b>STGM</b>	Turkish acronym for Civil Society Development Center
<b>TACIS</b>	The Technical Assistance to the Commonwealth of Independent States
<b>TACSO</b>	Technical Assistance for Civil Society Organisations
<b>TAIEX</b>	The Technical Assistance and Information Exchange Instrument
<b>TEMA</b>	Turkish acronym for Turkish Foundation for Combating Soil Erosion
<b>TİHV</b>	Turkish acronym for The Human Rights Foundation of Turkey
<b>TİSK</b>	Turkish acronym for The Turkish Confederation Of Business Associations
<b>TOBB</b>	Turkish acronym for The Union of Chambers and Commodity Exchanges of Turkey

<b>TOG</b>	Turkish acronym for Community Volunteers Foundation
<b>TÜSİAD</b>	Turkish acronym for Turkish Businessmen and Industrialists Association
<b>TURBO</b>	The Turkish Research and Business Organizations
<b>TUSKON</b>	Turkish acronym for Confederation of Businessmen and Industrialists of Turkey
<b>TÜGİAD</b>	Turkish acronym for Young Businessmen Association of Turkey
<b>TÜRK-İŞ</b>	Turkish acronym for Confederation of Turkish Workers' Unions
<b>TÜSEV</b>	Turkish acronym for Third Sector Foundation of Turkey
<b>UÇAN SÜPÜRGE</b>	Turkish acronym for Flying Broom
<b>UN</b>	The United Nations
<b>PHARE</b>	Assistance for Restructuring their Economies Program

# CHAPTER 1 INTRODUCTION

## 1.1 Background and Motivation

Europeanization literature has recently developed as a research agenda mostly produced for the EU member states, with the analysis of candidate countries, accession states and new members through the Europeanization perspective representing a new phenomenon. This literature has started to consider the ways and circumstances under which enlargement and the accession process change the identity, interests and behavior of governmental and societal actors. The inclusion of non-state actors into the ongoing accession process and the prioritizing of their input has formed part of the EU discourse of and approaches against accession states to facilitate the reforms and foster ‘Europeanization’ in accession states.

The analysis of Turkish accession to the EU provides the opportunity to test the quality of EU approaches to non-state actors beyond its borders. Various participatory mechanisms, EU-funded capacity-building initiatives, general frameworks dictated by the EU to overcome existing policy misfits, and exchanges at the transnational level have rendered the potential empowerment of non-state actors, enabling their contribution to the policy adoption process of an accession state.

As an external anchor, potential EU membership constitutes a powerful driving force and primary impetus for change in Turkey. The Helsinki decision created a powerful set of incentives for change and reform in Turkey’s domestic politics, thus accelerating political Europeanization (Öniş 2003; Göksel and Güneş 2005, 57-72; Muftuler- Bac 1997). The EU and its policies have become part of public discourse in Turkish politics, existing as contributing factors for the legitimization of political views, policies and actions within the country (Sofos 2000). Within the EU accession process, citizens and organized interest groups have found “alternative and non-national reference points for making claims and asserting their rights” (Rumford 2001). The EU accession process offers Turkish public and private interest groups a larger maneuver area, with the EU a realm of “opportunity structure” for them. Turkish non-state actors pursuing political or social goals have taken advantage of the emerging material and political opportunity structure within the country’s EU accession process. Many prominent businesses, academics, human rights organizations and trade unions have launched projects with EU partners, lobbied for EU accession, or raised their voice in Brussels, placing pressure on the Turkish government to adopt various reforms.



This research aims to deal with Europeanization at the political level, taking into consideration changes in the processes of interest formation, interest aggregation, interest representation and public discourses resulting from the EU's impact. It attempts to capture the significance of the EU anchor in developing democracies such as Turkey, concerning adaptations of non-state actors to the new opportunity structure in the Europeanization process. Furthermore, this study will assess the empowerment of non-state actors and their changing relation to the state, transnational communities and the EU. The output of this research can be influential in terms of contributing to theorizing the EU impact on non-state actors in accession countries, and aims to be instrumental in highlighting the new opportunities posed by the EU to its current and potential candidate states.

Theorizing the EU impact upon non-state actors of the accession states will be assets for the academic literature of Europeanization and the enlargement conditionality of accession countries. This research's conclusions can be applicable to potential candidate or accession states of the EU.

This study subscribes to the Europeanization research, but also maintains major reservations concerning top-down research designs developed to understand the domestic impact of the EU. The independent variable is the empowerment mechanism that the accession process brings to non-state actors in Turkey. It is assumed that open participatory mechanisms, capacity building with EU funds and the available EU model dictated with the policy misfit brings the potential empowerment of non-state actors that will facilitate their positive input in the policy adoption process of Turkey, the accession state under examination here.

The major argument of the theoretical framework asserts that the link between the potential material and political opportunities offered by the EU and the domestic adaptation or mobilization of Turkish non-state actors is not reflexive (Sedelmeier 2011). The dependent variable is the divergent patterns of adaptations of non-state actors. This study offers a typology indicating their potential inputs for the ongoing Europeanization process, including *opponents, opt-outs, users and promoters*.

The domestic conditions of the accession states and peculiarities of societal constellations filter the transformation potential that the EU offers an accession state. The mode of adaptations of non-state actors to the Europeanization process resonates from both external

opportunities (i.e. the influence of the EU) and internal constraints inherent to the respective organizations and their specific policy realms.

Intervening variables explain relationships between independent and dependent variables corresponding to micro-level observations, such as the capacities and organizational culture of the non-state actors under examination. The first hypothesis to be tested proposes that if the ongoing accession process is salient for respective non-state actors, it is more likely that changing opportunity structure empowers them to act as promoters of Europeanization. I argue that non-state actors carrying specific interests are better off in comparison to those with diffused interests because their constituency is identifiable, and thus they can respond to the changing opportunity structure in a faster way with consistent manners (e.g. organizational position, organizational investment).

## **1.2 Analytical Framework**

The purpose of the analytical framework is to indicate the approaches to synthesize the data from the case studies, integrating and analyzing findings with strict rules and procedures.

For multiple-case studies, a well-designed analytical framework ensures the comparability of data across case studies, dealing with the complexity and dynamics of the phenomena being studied. The analytical framework allows the researcher to bring a wide range of conclusions drawn from each case and make clearer sense of them. Following sections will inform each step defined by Yin for analytical framework of a research.

The analytical Framework must define: (Yin 2003)

1. The research questions – what the partners wish to learn in the course of the study.
2. The unit of analysis of the case studies.
3. The logic linking the data to the propositions.

### **1.2.1 Research Questions**

This research examines the consequences of the EU accession process on civil society in Turkey, as the accession country under investigation here. This study pays particular attention to three research questions:

1. What are the consequences of the EU accession process for non-state actors?
2. Are non-state actors becoming 'carriers' of Europeanization or does European policy on civil societies in accession states fail?
3. What are the conditions that facilitate or constrain the success of European policy on civil societies in non-member states?

### **1.2.2 Research Strategy: Multiple Case Studies & Multiunit Comparison**

Europeanization research suffers from complex causality, with scholars trying to establish causal pathways in which the European impact and domestic variables are separately identifiable. Saurugger (2005: 293- 294) labels the problem 'complex interdependence', indicating that it is difficult to distinguish clearly independent and dependent variables within Europeanization research, namely that European or domestic variables cause the change. Her solution to tackle these issues in the field of the Europeanization of interest group studies is to engage long-term analysis including micro-level methods and the comparison of different actors (that can be national or policy fields) (Saurugger 2005: 297). Radaelli (2012: 3) is also concerned with establishing causality in Europeanization research, defining the problem especially in the case of accession or candidate states, and asking how we know that the EU impact is causing the change.

A comparative politics approach will guide the strategy of proposed research to provide valid and plausible explanations to the puzzles initially illustrated. The important advantage of comparative methods is that they assist researchers with a variety of tools to deal with complex causality (Lim 2010: 23). Lim (2010) refers to three points, put by Ragin, in defining complex causality:

(1) Rarely does an outcome of interest to social scientists have a single cause; (2) Second, causes rarely operate in isolation. It is usually the combined effect of various conditions and their intersection in time and space that produces a certain outcome;

(3) Third, a specific cause may have opposite effects, depending on the context.

In this study, the comparison of different type of non-state actors in different policy fields and periods represents an appropriate option to tackle such causality problems.

Lim (2010: 24-25) asserts that comparative analysis offers the potential to deal with complex causality, for to various reasons.

(1) Comparative analysis can, and often does, deal with cases as a whole, meaning that a full range of factors can be considered at once within particular historical contexts (which themselves vary over time);

(2) Comparative analysis allows researchers to better understand or explain the relationships between and among factors.

Case selection is the most significant decision to make in the context of comparative research; it cannot be random and certain criteria should guide this decision. The research design, thereby indicating which variables outweigh others, can be useful to determine such criterion (Lim 2010: 26). Cases will most likely be included since this research aims to show causal pathways leading to diverse modes of Europeanization for non-state actors. Hypotheses based upon available literature will test how and under what conditions these results occur (Checkel 2005: 818).

To avoid over-determination and selection bias problems and to extend possibilities of theory enrichment, this study adopts the approach of multi-unit comparison, with the inclusion of more cases into the analysis providing greater flexibility. Taking Most Similar Systems (MSS) and Most Different Systems (MDS) at the same time are the complementary strategies. There will be three groupings concerning civil society NGOs and economic interest groups (trade unions and business associations), and MDS logic will be followed among these clusters. On the other hand, within clusters MSS logic applies. This mixed design incorporating different logics is the most feasible option to ascertain the conditions explaining the dependent variable.

Baxter (2008) refers to Yin (2003), who set conditions on when it is appropriate to have a case study design. Accordingly, the focus should be on answering “how” and “why” questions, with the aim of covering contextual conditions that are relevant to the phenomenon under study. It is useful to have such design when it is not possible to manipulate the behavior of those involved in the study, and when the boundaries between the phenomenon and context are unclear. Such conditions exist in terms of this project, and therefore it is deemed suitable to have a case study design. This multiple case study will enable the exploring of differences and replicated findings between cases. This will enable the predicting of similar results across cases, or contrasting results based on the proposed theory (Yin 2003).

### **1.2.3 Case Selection: Why Does Turkey Warrant Attention?**

Turkish accession departs from the former enlargements of the EU and other comparable cases, given that it has experienced a process longer than 50 years, with major difficulties visibly eroding relations. Previous examples (CEECs, Romania and Bulgaria) have enjoyed a stable process resulting in smooth accession, while other cases, including Croatia and Albania and Bosnia Herzegovina, are expected to join the EU in forthcoming years. Despite EU-Turkey relations being sui-generis, the impact of Europeanization follows a similar pattern. The transformative power of the EU has also penetrated into the realm of civil society, where Turkish non-state actors are mobilizing their interests. However, the unpredictable pace of EU-Turkey relations provides an opportunity to offer delicate explanations concerning the possible impact of the stalled relations on civil society actions in accession states.

#### **1.2.4 The Scope of Turkish Civil Society**

In assessing Turkey's compliance with the EU acquis, scholars have touched upon the civil society aspect on an ad-hoc basis. However, in most cases there has been reference to the civil society akin to a monolithic unit without divergent methods of adaptations. In general, they have referred to peak business associations and other upfront human rights organizations or newly emerging non-state actors in offering a snapshot of the civil society environment in Turkey vis-à-vis ongoing Europeanization. However, in this research different types of actors are selected for study, first to account for the divergent impact of the EU on non-state actors, and secondly this case selection will present the full picture of civil society in Turkey without generalizing based upon one or few cases.

In this research, the civil society of Turkey as whole is under examination, with distinctions made between a) NGOs or public interest groups b) economic/business associations, chambers, and c) trade unions. These types are adopted from the Civicus Civil Society Index Country Report for Turkey, published in 2006 (Bikmen, Keyman, and Meydanoglu 2006). This conceptualization also fits the civil society definition of the European Commission, encompassing labor market players, organizations representing social and economic players, NGOs (non-governmental organizations) and CBOs (community-based organizations). In the EU, there is no commonly accepted and legally applicable definition of the term civil society.

The selection of sample is not random, with the most significant cases included in the sample. Prominent trade unions, business associations and NGOs operating in four policy fields, namely women rights, environment, education and youth, and human rights, are included in the analysis. I placed importance upon the following points in the selection of cases. First, they all operate nationwide and are visible and active within their policy environment. Moreover, the interview partners directed me to the prospective cases; therefore case selection was able to meet the requirements of snowball sampling, helping me to crosscheck the list of the cases prepared at the beginning of the fieldwork.

Regarding the time dimension, despite the interviews being made at a certain point in time, the questions cover past experiences or future perspectives of organizations, and furthermore the analysis of documents also helps to track changes over time. Additionally, the foundation years differ between organizations, and NGOs are a recent phenomenon in Turkey. Thus, this difference provides the opportunity to differentiate non-state actors' changing perspectives on the ongoing Europeanization process over time. For instance, the comparison between new generation business interest groups and those established before the 1980s represents a strategy to assess the impact of the furthering EU-Turkey relations.

### **1.2.5 Data Collection: Semi- Structured Expert Interviewing and Document Analysis**

In order to determine the engagement of non-state actors to Europeanization in the phase of Turkey's European accession process, and furthermore to verify the theoretical value of Europeanization, it is necessary to acquire a mass of empirical data that is as representative as possible. However, such massive data on non-state actors in relation to Europeanization is not yet available.

There was information available for some business associations and trade unions, with their websites updated regularly and their representatives frequently voicing their opinions, objectives and activities publicly. For some cases, interviewing merely represented a supplementary action. The context was different for NGOs, with limitations on reaching their activity reports, annual reports, etc. Thus, in such cases, interviewing was a primary action.

Face-to face interaction also allowed reaching their flyers and reports that are not online or published elsewhere.

Qualitative work included conducting expert interviews with representatives of selected organizations, including 15 NGOs, 3 trade union confederations and 3 business associations. Furthermore, I rely on organizational data of 1 NGO and 3 business associations. In total, I was able to cover 25 cases.

To crosscheck the results, I also documented available organizational data from all non-state actors. The data analysis also includes EU legal documents and reports (Enlargement Strategic papers, Progress Reports, Enlargement Packages, Accession Negotiations, Regular/Progress Reports, Civil Society Dialogue and Accession Partnerships), state policy documents, country-specific reports and media scanning. Additionally, in order to support empirical findings, this research includes additional qualitative interviews with key experts, with five interviews conducted in the field.

The guiding questions of the structured interviews are included in appendix A. Questions are selected in accordance to the analytical framework and theoretical concerns of this study. The first set of questions inquires about the organizational features of non-state actors, their capacities and ideational stances towards the EU and Europeanization process. The second set of questions inquires about the level of empowerment from the changing opportunity structure posed by the EU accession process. I ask whether they have increasing access in transnational arena, participating in decision-making processes to the direct accession process and applying for EU funds.

## **1.2.6 Coding the data**

Coding was a necessary step to deal with the mass volume of data, and was conducted through the MAXQDA software program. The transcribed qualitative interviews produced over 300 pages of data in total.

The first step was the structural coding, with the available data coded in accordance to interview guideline. The identification of categories of codes was merely a product of deductive reasoning. Coding Categories inform pre-determined features of the typologies, constituted based on theory.

There is an example coding tree for an organization that invests in their capacity to influence the accession process and find the Europeanization process very salient.

/ ORGANIZATIONAL / High Capacity/ there is specialization

/ORGANIZATIONAL/ High Capacity/ employ EU experts

/ORGANIZATIONAL/ High Capacity/ rep in Brussels

/ORGANIZATIONAL/ High Salience of Europeanization / policy paper

/ORGANIZATIONAL/ High Salience of Europeanization / EU support

However, MAXQDA enables finding a balance between inductivism and deductivism. Structural coding answers ‘how’ and ‘what’ questions, such as: how do organizations adapt themselves to ongoing Europeanization, and what is the impact of empowerment mechanisms of the EU on non-state actors?

Contextual coding refined ‘why’ questions, such as: why do organizations behave that way, or’ why do they refrain from applying to EU funds? Their alternative answers or reasoning to pre-determined questions or coding categories formed sub-codes created through inductive reasoning.

I have determined general coding category without difficulties prior to coding. However, determining sub-codes exemplifying reasoning of cases required coding the transcriptions of interviews four times.

An example coding category with sub-codes below exemplifies the alternative answers to why participatory exchanges bring no or marginal impact for non-state actors.

PARTICIPATORY Mechanisms / No or marginal impact.

/ It is brand new.

/State- civil society relations is not regulated.

/ There is lack of interest in cooperation.

/ There is lack of sustainability.



Moreover, in order to strengthen argumentation and show a changing trend over time, in some instances specific EU documents were coded to indicate the relative significance given to some issues over time, with graphs illustrating the results on a time scale. In some cases, I used *invivo* coding function of MAQDA and coded words or phrases automatically.

As an example, to assess the inclusion of civil society in EU regular reports on Turkey, I searched for following words: NGO/ SOCIAL PARTNER/ CIVIL SOCIETY/ FOUNDATION/ ASSOCIATION / BUSINESS.

In some cases, after automatic coding I had to check the contextual usages within the text, to ensure its reliability.

As an example, I wanted to check usages of consultation in EU regular reports. First, I searched for CONSULTATION, and then checked whether this addressed CIVIL SOCIETY or referred to consultation mechanisms between EU and TURKEY.

### **1.3 Layout of Chapters**

Chapter II presents the theoretical standpoint of this dissertation, stating the argumentations behind how I make sense of Europeanization research and its application in explaining the divergent modes of behaviors of Turkish non-state actors in the country's ongoing accession process. Theoretical argumentations will be presented to justify the hypothesis for testing in the scope of this study.

Chapter III is the first of the background chapters presenting the development of the EU's civil society policy in different contexts and periods. This section will illustrate the ways and reasons for which the EU pursues civil society-oriented policies through the application of a wide ranges of instruments, and diffusing pro-civil society discourses. Cases are not limited to the EU-level, but include the EU's democracy promotion activity beyond its borders. Civil society policy for enlargement countries will be discussed intensively, focusing on the case of Turkey. This part illustrates the ways in which the EU can change the opportunity structure for non-state actors in the accession states.

Chapter IV is the second background chapter, and covers the historical development of civil society-state relations in Turkey. The Turkish context will also illustrate political opportunities or constraints for civil society organizations at the national level. This chapter

discusses why civil society activity is laggard in Turkey, pointing out critical junctures where civil society could have a space to develop. A further concern is to understand whether different types of non-state actors develop in different levels.

Chapter V presents the qualitative data on NGOs in different policy sectors, with cases from four different policy fields: women rights, environment, education & youth, and human rights.

Chapter VI presents the qualitative data on economic interest groups, including business associations and trade unions.

Chapter VII concludes the work by highlighting key results and providing further interpretation concerning the relation of the data to the proposed theory.

## **CHAPTER 2 THE ‘EUROPEANIZATION’ AND STATE OF THE ART**

### **2.1 Introduction**

This chapter presents the development of Europeanization literature and reviews its different conceptualizations within EU studies, including Enlargement literature. Furthermore, this section provides an overview of the drawbacks of this concept with references to the scholarly accounts dealing with Europeanization to explain changes of policy, polity and politics in EU member states, new member states (CEECs) and Turkey (case of accession states). Finally, I will discuss the ways in which I subscribe to Europeanization within the scope of this study.

The theorizing of European integration has gained extensive scholarly attention from different perspectives, with a wide range of theoretical tools. Early theories of European integration originated from the field of international relations and were dominated by neo-functionalism (Lindberg and Scheingold 1970; Haas 1961) and liberal intergovernmentalism (Moravcsik 1993, 1998). Scholars proposed traditional integration theories to explain the stability of interstate cooperation and policies produced at the supranational level. In such

integration theories, the in-depth analysis of domestic politics at the national level was somewhat neglected, although scholars consider them as variables that determine the outcome.

An institutional turn shifted attention from the creation of a supranational authority to the operation of the organizations themselves, since the EU's competence of scope expanded and individual member states remained as members of international organizations with their discretion on international issues and domestic agendas (Pirro and Zeff 2005). The effects of European integration the politics of member states and beyond the EU's borders promoted "Europeanization" as the new research agenda. Scholars became increasingly interested in the domestic impact emanating from EU-induced changes. How does European integration affect the domestic policies, politics and polity of member states? Furthermore, does the EU influence upon policy transformation, institutional change and identity changes, and under what conditions?

Europeanization literature predominantly deals with the "domestication of European dimension", with this approach mainly applying to EU member states (Wallace 2000). This largely deals with the ways and conditions under which enlargement changes the identity, interests and behavior of governmental and societal actors. The EU enlargement has considerable transformation competence on the process of domestic politics of individual countries, and thus brings a domestic context to the discussion. The enlargements of the European Union and its political, social and legal consequences have been the focus of many researchers in the field, with the application of different theoretical perspectives. This research agenda is concerned with either the internal and external dynamics of EU enlargement and/or the consequences of European enlargement on the policies, identities, institutional structures and interests of the candidate or accession countries.

Europeanization literature has recently incorporated studies of pre-accession effects on candidate countries, especially after studies on old and new member states, namely CEECs became a mainstream topic (Schimmelfennig and Sedelmeier 2005b). The Eastern enlargement of the EU enabled Central East European countries to become a laboratory to test hypotheses on Europeanization. These cases provided insight to develop a new perspective on "Europeanization beyond Europe", and various scholars brought significant contributions to conceptualizing mechanisms of the EU impact beyond the member states (Goetz 2005; Grabbe 2001; Schimmelfennig and Sedelmeier 2005a). Schimmelfennig and Sedelmeier's

(2004; 2005b) proposed theoretical model grasps Europeanization beyond Europe, however their model predominantly favors intergovernmental aspects and explains the compliance of governments in target states to the European model induced for EU membership.

These observations are valid for Turkey, which is an acceding state to the EU. The scholarship on EU–Turkey relations is mainly a search of the political and economic motivations behind Turkey’s lengthy prospect of EU membership. The Western-orientated policies of the Turkish Republic are presumed to accelerate Turkey’s economic and political development (Muftuler- Bac 1997). The research on EU enlargement politics on Turkey intensively searches for the factors shaping Turkey’s accession. The extent of Turkey’s adoption of the EU *acquis/criteria*, convergence of member states’ interests, public approval and the EU’s internal dynamics are the main themes. With the proposing of the Copenhagen criteria, the European Union’s democratization agenda for Turkey has led to an increasing number of studies addressing Turkey’s fulfilling democratic criteria and thus the development of civil society and citizenship rights in Turkey (Hale 2003; Kubicek 2002; Öniş 2003). However, these studies have mostly been conducted at the institutional level. According to Diez, Agnantopoulos and Kaliber (2005), this is because Europeanization literature has primarily focused on EU member states. Secondly, they affirm the agenda of EU-Turkey relations occupied with Turkey’s macro-political deficiencies in fulfilling the Copenhagen criteria.

Following these discussions, it is apparent that due to nature of the Europeanization literature and slow pace of EU-Turkey relations, the impact of the EU accession process regarding its changes for societal actors and interest group politics has not been one of the major research themes in the scholarship of EU-Turkey relations. However, recent contributions to state of the scholarship on EU-Turkey Relations have tended to scrutinize the term of Europeanization, diversifying the research focus by referring to the domestic responses to the European impact.

The EU Accession process has transformed the operating arenas or environments of the civil society to ensure their active participation. This research questions the extent to which this 'task' is accomplished in the case of Turkey, with the focus dealing with the domestic adaptation of non-state actors to the transformed political opportunity structure with EU-induced changes. The EU *acquis* and other formal mechanisms of Europeanization have changed the political environment of Turkey, promoting participatory mechanisms for non-

state actors. From the very beginning, the EU has wanted to include civil society into accession processes in order to safeguard the healthy accession and implementation of the rules after possible accession. Civil society is considered as the ‘safety net’ or pressure group facilitating the reform process at the domestic level. They are also expected to link up European and societies in accession states, in order to positively change perceptions for the smooth accession process.

Accordingly, this research has the intention of providing accurate answers to following questions: What are the consequences of the EU accession process on civil society? Are they becoming ‘carriers’ of Europeanization or does European policy on civil societies in accession states fail? What are the conditions that facilitate or constrain the success of European policy on civil societies in non-member states?

Analyzing the Turkish accession will offer the chance to test the success of the EU approach on non-state actors beyond the EU’s borders.

## **2.2 Overview of the Europeanization Research Agenda**

The process of European integration has prompted the emergence of an impressive body of literature on Europeanization that mainly identifies its impact on policies, politics and polities at the domestic level (Graziano and Vink 2007; Featherstone and Radaelli 2003; Radaelli 2003; Börzel and Risse 2007). As suggested by Goetz (2000: 211), Europeanization can be assessed as the “cause in search of an effect”. This is largely because Europeanization is not accepted as a theory within literature (Grabbe 2002; Featherstone and Radaelli 2003). Europeanization is a young concept, with a lack of grand theory (Olsen 2002: 944). Europeanization is “set of puzzles” that can be explained by a range of theoretical approaches and perspectives. According to Featherstone and Radaelli (2003:340), Europeanization is the “orchestration of existing concepts and theories with major theoretical import from comparative politics and theoretical policy analysis”.

Along with methodological safeguards, theoretical backings are necessary in the research field of Europeanization. There is no common perspective on the definition and usage of “Europeanization” as a concept within existing literature. Institutionalization of the distinct European political system (Mair 2004) is one such perspective. Accordingly, Europeanization is the emergence and development of distinct structures of governance at the European level

(Cowles, Caporaso, and Risse-Kappen 2001). However, some scholars have considered it necessary to draw boundaries around Europeanization, in order to differentiate this concept from European integration and convergence. Börzel and Risse (2007: 485) do not find this wider explanation of Europeanization that encompasses both the evolution of European integration and its domestic impact useful, because ‘it ceases to be a researchable subject matter’. In this conceptualization, Europeanization is a “top-down” process in which decisions taken at the EU level transform the policies, politics and institutions of member states. In the top-down model, Europeanization is the independent variable that influences upon domestic processes, policies and institutions. Pressure from Europe on member states leads to reactions and changes at the domestic level, and this understanding applies to explaining the Europeanization of non-member states.

In contrast to the top-down approach of taking European policies/politics as the independent variable, in the bottom-up cluster Europeanization research design the domestic level is the starting point of the analysis (Radaelli 2004). Radaelli refers to Giuliani (2003), who argues that Europeanization is not the explanans (solution that explain dependent variable) but rather the explanandum (problem that needs to be explained). In this design of research, actors, problems, resources, style and discourses at the domestic level (system of interaction at domestic level) form the starting point of the analysis. The bottom-up approach checks if, when and how the EU provides a change in any components of the system of interaction. Radaelli (2004) offers a complex definition of Europeanization that combines both the combination of bottom-up perspectives of European Integration and the top-down process of domestic change and adaptation to EU rules, norms and institutions. Pleines (2011a:189) refers to the critiques of Sudbery (2010, 136-157) on Europeanization research, largely focusing on top-down effects at the domestic level in new member states covering major critiques in the academia. They prioritize the bottom-up research cluster by considering that the top-down perspective ignores horizontal, bottom-up dynamics, and fails to account for the complex multi-level web of actors that produce EU policy.

## **2.3 Europeanization Research beyond Borders of the EU**

As discussed above, there is no consensus concerning the definition of Europeanization. Thus, diverse definitions have led to diverse Europeanization research designs. Wider explanations of Europeanization both encompass the broader understanding of European integration and impact of European-level institutions and decisions at the domestic level.

Counter-argumentations retain a narrow definition of Europeanization as the “domestic impact of Europe”. They are critical of the broad explanations, because it penetrates through the traditional research agenda of European integration and “ceases to be a researchable subject”. Another cleavage is on the research design of Europeanization, whereby proponents of bottom-up Europeanization research have criticized top-down approaches, finding such explanations mechanistic, indifferent to domestic context and ignorant to the horizontal integration.

Europeanization literature mainly deals with the “domestication of European dimension”, and this approach applies to EU member states in general (Wallace 2000). The impact of the politics of enlargement on candidate and accession countries has become part of Europeanization literature. Studies of pre-accession effects on candidate and accession countries have been recently incorporated, with the application of insights from studies on old and new member states, namely CEECs (Goetz 2001; Schimmelfennig and Sedelmeier 2005a; Grabbe 2001). EU enlargement has considerable transformation competence on the process of individual countries’ domestic politics. Scholars have assessed the impact of EU enlargement processes, considering changes in national contexts and dealing with the ways and conditions under which enlargement changes the identity, interests and behavior of governmental and societal actors, and under which conditions they conform to the norms of organizations (Schimmelfennig and Sedelmeier 2005a: 9).

A brief overview of the theoretical accounts highlights that the bulk of research and conceptualization of Europeanization is concentrated on “top-down” approaches analyzing the domestic impact of the EU. Additionally, pre-accession Europeanization research is predominantly made from “the lens of neoinstitutionalist compliance research” and keeps track of formal adoption of EU rules in candidate states” (Kutter and Trappmann 2010a: 43). Research on EU and accession/candidate countries tends to highlight the asymmetrical, coercive and hierarchical dimension of their relationship.

Due to the hierarchical relation of acceding countries to the EU, the dominant tendency of Europeanization literature has resulted in following the “top-down approach” in order to assess the EU’s domestic impact. Schimmelfennig refers to CEECs, argues that in the context international reinforcement, mechanisms have worked in an intergovernmental way since “societies are too weak vis-à-vis the states, and electorates are too volatile, to serve as efficient agents of socialization” (Schimmelfennig 2005: 828).

The EU exerts legal, political and material resources and presents new institutions (ideas, meanings, rules, norms) in the accession process of non-member states (Börzel and Risse 2007: 493). Conditionality is the EU's major strategy, allowing this hierarchical transfer of its model to non-member states. The EU imposes its rules by its conditionality, or in other words, "sets the rules of the game", and applicant countries position themselves by calculating the costs and benefits of fulfilling the membership criteria. On the other hand, socialization and social learning play a significant role, with the EU providing the basis of legitimacy for change in accession states. In particular, "return to Europe" discourse in Central Eastern European countries (CEECs) has enabled the forming of a large consensus and higher levels of interest in constellations that have facilitated the reform processes (Börzel 2011).

This literature has very recently started to focus on wider changes in the "organizational logic of national politics and policy-making". Accordingly, the impact of the EU on political parties, party systems, local government, refugee policies and citizenship at the national level are relatively new themes incorporated within Europeanization literature (Vink 2002: 4). However, Europe does not 'hit' non-state actors in a definite manner in accession states; rather it alters the domestic political opportunity structure in favor of democratization in non-member states, thereby the process itself might have the potential to inhibit or facilitate the mobilization of interest groups through indirect and direct mechanisms.

The EU has a transformative power on the larger political spectrum and opportunity structures in accession states that may boost or constrain possibilities for the exploitation of interest groups. Ladrech (2002: 391) claims that "Europeanization has something to do with the penetration of the European dimension into national arenas of politics and policymaking". In his article, he provides a framework of analysis in the field of political parties and Europeanization, by subscribing to Hix and Goetz's (2000: 12-14) definition of potential change at the domestic level due to European integration:

"...the other half of the story is how a new institutional arena at the European level impacts on domestic political systems by providing a new "structure of opportunities" for domestic actors. This 'opportunity structure' is likely to have particular effects on the institutional and input processes in domestic political systems".

To summarize, enlargement literature commonly subscribes to the top-down Europeanization framework, since its major focus is on the domestic change induced by the EU in the accession process. Secondly, the top-down perspective to date has mainly aimed at



explaining the changes at the institutional level, and very recently scholars have included actor level analysis in their research agendas.

This research benefits from the basic tenets of the top-down Europeanization framework, since its analysis focuses on non-state actors of an accession state, Turkey, who have no direct legal connection to the EU level and are incapable of having a direct impact on the EU acquis or legal agenda. EU-Turkey relations remain hierarchical, given that the EU is positioned in the higher level within this interaction.

On the other hand, many scholars of Europeanization research have challenged top-down approaches. This research also takes into account criticisms addressing the top-down framework, and carries the objective of developing its application on non-state actors in accession states having taken different theoretical contributions into account. The following section is an overview of different scholars' experiences concerning the top-down perspective.

## **2.4 Drawbacks of Top- Down Europeanization Approaches**

The top-down approach and definite impact of the conditionality has been challenged within enlargement literature, because the EU's attempt to transform the CEECs governance and administrative capacities has been rather limited or indefinite, although the 'misfit' between EU level and CEEC domestic policies has been eminent (Parau and Bains 2008: 110). Schmillefennig and Sedelmeier also ascertained that (2004: 670) "there is not necessarily a causal link between the presence of EU conditionality and successful rule transfer in particular issue-areas."

The puzzle is that despite accession process leading to the empowerment of non-state actors, outcomes are "uneven, ambiguous and unexpected" (Börzel 2010: 1). Within the literature, many studies on the Europeanization of interest groups suggest that this impact is largely mediated through, and conditioned by, existing domestic institutions, policies, cultures and identities (Eising 2007; Sidenius 1999; Cram 2001; Beyers and Kerremans 2007; Beyers 2002; Saurugger 2005; Saurugger 2007c; Marks and McAdam 1996).

In the literature on European civil society/interest intermediation, scholars have indicated that not every actor is well off under changing opportunity structures. Boronska-Hryniewiecka (2010:78-79) tries to answer the question of "why some have some non-state

actors, such as environmental NGOs (non-governmental organizations) and trade unions, been able to penetrate EU institutions while others have not?” Based on her findings, she concludes that some NGOs are regarded as legitimate interlocutors- so-called insider groups (such as trade unions in the social dialogue), while others are blocked from the negotiating table. Mahoney and Beckstrand (2011) followed the EU funding practices for civil society associations (CSOs), concluding that pan-EU organized groups receive more funding than newcomers - Central Eastern European Countries (CEECs) – therefore, old member states receive a larger share of the EC funding. Pleines (2011b) indicated that CSOs from CEECs do not have enough capacities to integrate at the EU level, with this situation hindering their leading roles in the adoption of *acquis* (Pleines 2011a). Marks and McAdam (1996:258-259) argued that the political impact of the EU on interest groups does not simply depend on union level structures, attitudes or opportunities. Rather, these conditions serve as a new external environment to them, and internal properties of the group or inherited institutions, values, norms and ideologies are determinants of their successful adaptation and interaction with this environment.

Moreover, Beyers (2002: 591) offers a similar account: “as interest associations’ political opportunities vary across member states, a uniform system of European interest representation is unlikely to emerge. The Europeanization of interest associations’ network strategies will, also depend on domestic institutional factors”. Beyers (2002) makes the distinction between “diffuse” and “specific” interests, claiming that specific interests (business associations and trade unions) are well-off, based on two assumptions: (1) due to the nature of their interests they can overcome the collective action problem (Olson 1971), and (2) they are directly linked to the policy sectors in which they interact. Eising (2007: 336-337) emphasizes that interest groups are likely to attach greater relevance to the EU institutions for the representation of their interests if they are exposed to a high degree of EU regulations. Similarly, Risse-Kappen (1996: 66) indicated that European institutions are more open to the impact of business associations rather than trade unions.

Similar to the scholarly accounts for Europeanization, civil society research at the EU level, for the CEECs, the available data and studies confirms the limits of success for the EU’s policy directed at civil society in accession states. The impact of EU enlargement on the civil society in CEEC assessed in a special issue of *Acta Politica*, entitled “Civil Society on the Rise? EU Enlargement and Societal Mobilization in Central and Eastern Europe”, during the introduction of which Börzel (2010: 1), as the guest editor, claims that the findings of

scholars show the “ambivalent impact of the European enlargement on the civil society in CEEC”:

“...The Eastern enlargement of the European Union had a profound impact on the domestic structures of the Central and Eastern European (CEE) accession countries. It had the potential for empowering civil society actors by offering new opportunities for them to voice their interests and inject them into domestic policymaking...” (2010: 1)

“...They (scholars) can show that enlargement constitute a new opportunity structure offering civil society actors additional rights, money and networks. Yet, the extent to which CSOs became empowered depended on their willingness and capacity to make use of these new opportunities...” (2010: 1-2)

Within literature regarding EU-Turkey relations, scholars have reached similar conclusions in their research agendas. According to Ergun (2010: 508), the EU’s external influence is not merely a one-way interaction or imposition of rules and norms, but rather its potential to transform is subject to local interpretation. In their article, Noutcheva and Aydin-Düzgit (2012) assessed the EU’s impact on the rule of law in the Western Balkans and Turkey, concluding that the reversals in rule-of-law performance in these countries can be explained by both EU level and domestic factors.

In a comprehensive book covering a wide range of issues concerning Turkey and European integration, editors Ugur and Canefe (2004) defined the ways in which contributors make sense of Europeanization in their research. They relate Turkey’s internal dynamics to the context of debates on Europeanization and convergence, rather than treating EU-Turkey relations purely as a “foreign” or “external” policy issue. The contributors to the book analyze the impact of the domestic factors on Turkey’s integration with Europe, along with impact of Europeanization on state-society relations, economic and political governance and democratic change. Thus, the authors closely considered domestic factors filtering the impact of Europeanization, with such variables including: economic policy design and mismanagement, preferences of the business community, positions of political parties, political culture, religion, identity politics, and nationalism, the influence of populism and public opinion on the EU.

Their definition of Europeanization relates to interaction between domestic factors with the external influence of the EU:

“In this context, we define Europeanization as the extent to which Turkish policy choices and dominant ideology trends correlate with the set of standards embodied in the EU project (acquis, policy coordination, the Copenhagen criteria, etc.)” (Ugur and Canefe 2004: 8).

Within this literature, scholars have also assessed civil society in relation to Europeanization process. İçduygu (2011) argued that the EU’s impact on civil society is highly ambivalent, with the contribution of civil society organizations to the EU membership process frequently indecisive. He explains this result through ‘ill-functioning mechanisms of the EU’s enlargement regime, particular problems inherited from the state–society relations and socio-political culture in Turkey’. On the other hand, Ketola (2011b; 2011a) analyzed the impact of EU funding on civil society activism in Turkey, referring to cases from the Turkish women's movement. He concludes that the success of the EU’s impact is dependent on if potential beneficiaries find EU policies and objectives relevant to their objectives and aims in their everyday practices.

In a similar vein, the analytical framework of this study is based on the basic principles of the top-down approaches to the Europeanization, since an accession state, Turkey, is under examination. There is asymmetry between the EU and the accession states, arising from the nature of the accession mechanisms. While considering basic tenets of top-down mechanisms that determine the EU’s scope of power in transforming accession states, the limitations of this framework in explaining extent of Europeanization will also be considered and questioned by referring to the domestic context and political contestations at the national level. Therefore, the basic premise is that the determining factor of the extent of the top-down impact of the EU is the context at the ‘bottom’, including resources, the ideas of the actors (civil society actors) and political contestations inherent in the national context.

Europeanization is not the outcome in the scope of this research, but rather will be treated as an ongoing process<sup>1</sup>. The objective is to understand the divergent patterns of adaptations of

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<sup>1</sup> Radaelli (2012: 7) makes the distinction between treating Europeanisation as an outcome and as a process. If Europeanisation is an outcome variable, results are based on cardinal measures imply less or more Europeanisation. If Europeanisation is a process for researcher, the dependent variable is not measured as ‘Europeanisation’ but outcome refers to changes or variations in domestic politics, public policy and institutions (Exadaktylos and Radaelli 2012: 19). This approach has taken by many political scientists including Radaelli and Exadaktylos in their contribution (Radaelli 2012: 7)

non-state actors to the ongoing Europeanization processes in accession states, and to eventually explain such variance. The following section discusses the typology illustrates divergent adaptation models of non-state actors.

## **2.5 Applying Top- Down Europeanization Approach on the Civil Society Field**

### **2.5.1 The EU Impact on Political Opportunity Structures**

The EU accession process brings opportunities and constraints on domestic politics. First, it is necessary to present the ways in which the EU can change the opportunity structure for non-state actors.

The EU accession process refers to the adjustment of the organization of national politics and policies to European standards, thus decreasing the “misfit” over time and opening up possibilities for EU membership. The ongoing EU-led adjustment process has a transformative impact on the domestic political settings. This new political opportunity structure also offers the potential to empower civil society organizations, providing them with further possibilities to raise their claims at the domestic level or in multilevel arenas (Börzel 2010; Knodt 2001: 182).

EU policy towards accession states mainly includes EU conditionality with respect to enlargement. The EU membership of a candidate state is conditional on them fully meeting the Copenhagen criteria (democratic conditionality) and adopting the EU *acquis communautaire* (acquis conditionality). (Schimmelfennig and Sedelmeier 2004: 677).

Conditionality allows the EU to create a direct impact on the policy-making of non-member states by inducing them to comply with EU requirements. According to Knill and Lehmkuhl (2002: 257- 258), the EU prescribes its institutional model and requires compliance with European requirements, leaving little discretion for the state. This form of Europeanization fits to the relation of non-member states with the EU, although Knill and Lehmkuhl proposed this model to explain the national impact of the EU on member states.

**Table 1: The mechanisms of the EU accession policy on civil societies**

Direct		Indirect	
<b>Participatory mechanisms</b>	<b>Capacity Building</b>	<b>Channels of Access and Participation</b>	<b>Ideas</b>
<i>Change of law and formation of new institutions</i>	<i>EU funds</i>	<i>Multi-level character of the EU political system</i>	<i>Misfit</i>  <i>No-exit situation</i>

The imposition of conditionality has various implications on the political opportunity structure of civil society in non-member states. In this regard, the EU's impact might be direct or indirect. In direct forms, there is direct intervention of the EU on the political environment of civil society via conditionality, with an impact on the organization of the politics and daily routines of policy formulation by (1) imposing treaty revision and formal intergovernmental agreement affecting the formal organization of politics. Democratic conditionality has the potential to transform state and civil society interaction for the benefit of non-state actors. The EU transforms the political environment for non-state actors in accession states by providing channels of access and participation, and incorporating principles in political programs affecting the patterns of interaction. The EU attempts to promote participatory mechanisms in order to ensure the access of non-state actors to policy formulation and implementation (Kutter and Trappmann 2010b: 50). Second the EU, directly, intends to (2) build the capacity of civil society by providing financial aid, training and technical assistance, opening up their possibilities to engage in the ongoing rule adoption and implementation process of acceding states.

Indirect forms of the EU's impact on the political opportunity structure of civil society include soft forms of Europeanization. Third, by its nature, the EU itself is a multilevel political entity (3), offering multiple access points for non-state actors. Besides the institutional arenas at the EU level, non-state actors also find new political realms at the transnational level via memberships of networks and platforms operating at the EU level (Sudbery 2010: 140). Fourth, the EU changes the political opportunity structure (4) by

supplying ideas and promoting appropriate concepts affecting established and widely-shared beliefs in national and/or regional institutions.

Accession states find themselves in the ‘no-exit’ position when they agree to comply with the conditionality of EU membership. First, the EU decides on the extent of the misfit (the deviation of national regulations from the EU regulations). With wide range of tools, the EU determines the favorable political setting for the national government to reach for EU membership. The EU has extended oversight powers to follow the political developments in accession states, relying on this prior settlement and knowledge. In this process, the EU holds great power to exert new ideas and alternative arguments to change agendas. Thus, the EU’s prescription for the national government aims confirming policies and regulations to the EU standards. In the meantime, the EU indirectly alters the power equilibrium of domestic politics, holding great potential to provide alternative reference points and models for non-state actors (Kutter and Trappmann 2010b: 51).

The EU intervenes in the political opportunity structure of non-member states. Under new conditions, such mechanisms offer favorable conditions for non-state actors by empowering their facilitation of the accession process. The application of the *acquis* conditionality makes it possible to transform the relation of civil society to state; new governance mechanisms provide access channels and the multilevel nature of EU polity extends political realms to potentially allow the involvement of non-state actors in policy adoption and participation. EU funding intends to support the capacity building of civil society. Also indirectly, policy misfit and the EU model might make EU matters “relevant” for non-state actors in their claim making.

Open participatory mechanisms, capacity building with EU funds and the available EU model dictated with the policy misfit bring the potential empowerment of non-state actors, enabling their positive input in the policy adoption process of an accession state.

The EU’s intervention in the domestic political setting acts to facilitate the socialization of non-state actors of accession states with the norms and ideas promoted by the EU. In this way, civil society can develop new roles and/or internalize new identities. Accordingly, this research intends to determine the conditions under which the EU can socialize agents in the accession process.

However, as discussed above, the puzzle of the top-down approach is the indefinite impact of the changing opportunity structure on accession states. In the case of civil society, despite the accession process potentially leading to the empowerment of non-state actors, outcomes might be ambiguous and unexpected for various reasons.

## **2.6 Roles of Non-State Actors in Europeanization Process**

The previous section explained the ways in which the EU accession process might influence the political opportunity structures of non-state actors. The major drawback of the top-down Europeanization approach is that not every actor can relate themselves to the changing opportunity structure and make use of it; thus, the impact of the EU can be uneven and unpredictable. To explain actors' differential pathways of engagement at the theoretical level, it is necessary to assess whether they relate themselves to changing structures, develop collective identities and accordingly invest in their organizational structure to take advantage of opportunities. In this section, I summarize the main assumptions to be tested and the coding strategy developed in accordance with the theoretical discussion and relevant studies.

This section intends to bring a typology show different roles of non-state actors take in the new political environment changed according to EU-induced reforms. Directly or indirectly, the EU holds great potential for transforming the domestic political setting. It is necessary to differentiate non-state actors' roles of adaptations in the accession process. It is expected that there is no homogenous way of adaptations exists for non-state actors, rather that their organizational attributes and position in the domestic setting are the explanatory variables.

Social movements literature can shed a light on understanding this phenomenon. Proponents of resource mobilization assert that collective action is a rational response that can only occur when adequate resources are available (Mccarthy and Zald 1977). Strength of non-state actors in capacity terms can be relevant in explanatory factors. However if an organization invests in their capacity to have say more on the Europeanisation process, this means that their ideational framings have changed first.

Cultural and cognitive theories offer alternative explanations to understand social movements, with the constructivist perspective taking into account organizations' "cultural facets". Cognitive and normative attributions shape the choices of interest groups, with their



ideational positions, values, beliefs, shared norms influencing the ways they make sense of their physical, social and political environments (Beth and JoAnn 2005: 205- 207).

At the institutional level, the social learning model represents an alternative model to external incentives model in identifying domestic change within Europeanization literature, and can explain the compliance of non-member states to community rules. The social learning model follows the logic of social constructivism, providing the most prominent alternative to rationalist explanations of conditionality (Schimmelfennig and Sedelmeier 2004: 663- 667). The social learning model indicates that states comply with community rules when their internalized identities, values, and norms are appropriate to EU solutions.

The application of social learning model at the agent level is possible. Nationalist, non-western and non-European identity self-descriptions of the Europeanization of interest groups can lead to less engagement in the process. When interest groups perceive the EU accession process and accordingly conditionality as being legitimate, or in other words if there is “congruence” between the mindset of interest groups and EU discretion, this can also lead to increasing engagement of interest group in the process. Accordingly, their support of EU membership can be the litmus test that shows their historical background and ideological stances. In this respect, it is important to observe whether non-state actors associate their organizational logic with EU acquis, norms and criterion. If contradictions or discrepancies appear, this will hinder their appeal at the EU level.

Next section discusses the typology illustrates divergent adaptation models of non-state actors.

### **2.6.1 Promoters of the Europeanization Process**

Given the strong variances, there exists the mode of “*promoter*”. The EU envisages this favorable outcome through institutional changes, participatory action and funding schemes. Promoters are champions of the changing political opportunity structure, playing facilitative role in EU rules’ adaption and becoming influential actors in the accession period. Smooth EU accession negotiations are significant for the promoter interest group, and they are willing to contribute to the dialogue between EU and Turkey. Promoter non-state actors orient their

activities in order to detect issues that remain unsolved in the Turkish accession to the EU, bringing alternative proposals to the problems blocking smooth accession.

Civil society research widely discusses what kind of role civil society should adopt. At this stage, promoters are not just recipients of the policies, but also actively engage in the policy-making processes. Eder (2011: 50) defines the outcome of the practicing civil society in this stage as becoming the “cooperative partner to political institutions”, asserting; “Civil society enters as a participant in governance, thus giving substantive input (knowledge or counter-knowledge) to the policy process- this is civil society as a policy actor”. Taylor (1990) asserts that civil society is an effective actor in this stage, cooperating with the state to address social and political problems. In governing the accession process, promoters act as loyal partners to address issues slowing down or blocking the ongoing process.

From the perspective of Europeanization research, promoters of Europeanization develop Type II internationalization/socialization and accept and/or internalize the rules and norms produced at the EU level. This implies a shift in their behavior from cost-benefit calculation, and they act with the logic of appropriateness because they consider active involvement in the Europeanization process as the right thing to do (Checkel 2005: 804).

Promoters are the actors leading to ‘intended Europeanization’. Ioakimidis (2001: 74-75) proposes this concept mainly as being executed at the national level, arguing that political actors associate Europeanization with modernization. Consequently, they are strongly committed to the European project and purposefully transfer the logic, dynamics, organizational traits, behavioral and regulatory patterns associated with European governance to ‘modernize’ their political systems.

Such organizations devote resources to playing an active part in the process, with interest groups change their organizational structure to become more oriented towards the EU. They can expand the geographical scope of the organization (from the local level to regional, national, European, multi-national), introduce new specialized units (e.g. new departments for international relations or EU funding), and recruit experts (e.g. for application to EU projects). The logic behind their intentions may also be strategic, but they primarily believe that possible EU membership is the solution to their problems. In a systematic way, they contribute to the accession process by monitoring and providing information on the EU and technical aspects of the process. Furthermore, they attempt to initiate public debates in order to positively change perceptions both at the domestic and EU level.

Promoters' strong commitments to the European project and strengthened organizational structure bring greater potential of empowerment from the changing opportunity structure. Their strong organizational capacity and pronounced support for the EU accession process makes them good candidates for being carriers of the Europeanization. The channels of influence for organized civil society can follow 'national route' or 'Brussels strategy' (Greenwood 1997) and these options are not mutually exclusive. Apart from taking national route or making use of their established policy networks to influence the accession process they can also take 'Brussels strategy'. They can bypass national level and directly contact European policy actors or become member of Eurogroups in the transnational level to have a say in the accession process.

Regarding EU funding, they have greater potential to acquire mass amounts by investing in their organizational capacities, thus becoming strong candidates for funding.

If strong identification to the process (strong salience of Europeanisation) is accompanied by the changes in the organizational structure (strong capacity);

1. Promoters acquire mass amounts of EU funding for the project's aim:

- Better understanding of the accession process
- Initiating public debates
- Producing information on the EU and technical aspects of the process
- Monitoring the process
- Deepening the understanding of unions' functioning within candidate countries
- Positively changing perceptions.

2. Promoters activate their transnational exchanges to contribute to the EU accession process. They;

- Increase contacts with relevant EU institutions.
- Form their own structure in Brussels, or have representatives there.
- Have membership in European federations and networks.
- Interact with their counterparts in European countries.
- Contact European political parties and media.

3. Promoters increase their contacts and exchanges with relevant institutions at the domestic level (on EU affairs). In return, available participatory mechanisms are open for interest groups who are cooperative partners in governing the accession process.

## **2.6.2 Users of the Europeanization Process**

A second and lower variance of adaptation of non-state actors to Europeanization is the bottom-up ‘usage’ of the opportunities that emerge with the top-down ‘pressures’ of the EU. Direct usage relates to making use of the financial resources, and indirect usage is the behavioral change of the actors due to EU-induced changes at the domestic level (McCauley 2011). At this level, non-state actors strategically use European structures and the norms, ideas and practices produced with direct material allocations to enhance their influence and stake (Jacquot and Woll 2004). They are predominantly interested in the support base and relevant information to raise attention to their policy concern and effectively pressurize policy makers. They exchange information and engage in networking activities to achieve best practice or convey their messages or experiences in the policy field. Additionally, if it is possible they might refer to EU policies- or ‘use’ conditionality to enhance the legitimacy of their causes. EU funding becomes a viable option for resource diversification when there is a matching EU program to apply to.

According to Eder (2011: 51), civil society acts in this stage as the ‘watchdog’ influencing the public agenda setting. This outcome corresponds with the classic role of civil society as being confrontational to the state rather than cooperative with the state actors. In this stage, civil society constitutes the public sphere, which is expected to be free from state tutelage and carries a function of challenging any authoritarian tendency that can endanger freedoms (Foley and Edwards 1996). With reference to Hirschman’s categorization (1970), actors of civil society ‘voice’ their dissatisfaction, concerns, critiques complaints and try to convey their desirable policy contexts in this stage. They make use of the available opportunity structure with the objective of assessing and improving the quality of relations between state and society. Liebert (2010: 102) applies Hirschman’s categorization to theorize attitudes of European civil society towards the EU’s constitutional treaty reform, identifying actions of ‘voice’ accordingly:

“...Voice is meant here to refer to ‘contentious’ civil society groups, associations and movements that voice dissent and criticism, discontent, and grievances, or propose change, or, at times, engage in confrontational actions.”

From the perspective of Europeanization research, users of Europeanization develop Type I internationalization/socialization and consciously play the roles acceptable to their strategic environment. In this level, users of Europeanization take advantage of the revised opportunity structure, adopting new roles and struggling to act in accordance with what is appropriate for a non-state actor in an accession state, but they do not have to like or agree with this role (Checkel 2005: 804).

In this respect, users of the EU accession process are the actors leading to ‘responsive Europeanization’. Iokimidis (2001: 74) proposes this concept for explaining Europeanization at the policy and polity level. In such cases, Europeanization is a somewhat spontaneous response to the impact of European enlargement upon the political environment. European projects and the ongoing formal accession process are not necessarily widely embraced by the actors involved in the process, since Europeanization is not necessarily perceived as an alternative model for the organization and functional arrangement of the political system. Under these conditions, actors do not necessarily function as facilitators to smoothen the accession process, but their usage of Europeanization may increase the quality of the interaction.

Responsive or unintentional Europeanization created by users works with the same logic. They respond to the opportunities emanating from the EU accession process on an ad-hoc basis, and do not initiate the action in the first place. They do not have to embrace the European project, and the mechanism behind their mobilization is not directed towards Turkey’s EU membership prospects. However, despite their approaches not being systematic and sustainable, they might have an impact on facilitating the reform process of Turkey by bringing objective and critical information to the EU level (in meetings and/or by engaging in the preparation of regular reports of Turkey’s progress) and applying increasing pressure of the EU on Turkey. However, such critical viewpoints can also slow down the ongoing process.

Such organizations do not change their organizational structure with respect to the EU accession process. Access strategies of users might be channeled either via internal (domestic) channels or transnational (European counterparts, federations, networks) forms of

communication. In accession countries, the government remains the sole actor in determining the pace of Europeanization. Therefore, non-state actors might deem it sufficient to enhance contacts at the domestic level rather than directly accessing EU level institutions. They can predominantly decide to take the national route in contributing Europeanization rather than adopting the ‘Brussels strategy’.

If organizations do not deliberately develop any position and therefore remain neutral in the process (without disconnecting), their empowerment remains minimal.

1. Users are the recipients of the small-scale projects aimed towards capacity building. The length of projects is typically short, and the number of partner organizations managing the project is few. Organizations make use of the EU funding scheme when available programs match their objectives.
2. At the domestic level, users make use of the participatory mechanisms and channels linking non-state actors to the governing of the accession to the EU on an ad-hoc basis, to raise attention to their concerns or critical points. Their critical stances and underdeveloped capacity structures do not render them as ideal candidates to take part in participatory mechanisms in governing the EU accession process.
3. Transnational exchanges of users are on an ad-hoc basis, and contribution to the EU accession process is neither part of the organizational logic nor systematically applied.

### **2.6.3 Those Disconnected from the Europeanization Process**

If organizations have any position and find the accession process irrelevant for their organizational logic, it is most likely that they ‘exit’ the Europeanization process.

(1) Organizations choose not to apply for EU funding, do not engage in transnational exchanges, and participatory mechanisms and channels linking non-state actors to the governing the accession to the EU at the domestic level are not relevant for the organizations.

At the end of the continuum, interest groups can be “disconnected” in the process due to having no stake in the ongoing EU accession negotiations and the opportunity structure emanating from the process. On the other hand, they can be skeptical about the ongoing process, and there might be conflicts between their interests and EU perspectives, but in contrary to opponents they remain neutral and disconnected from the process despite possibly having negative attitudes.

**Table 2. Literature review: The Roles of Non-State Actors in Europeanization Process**

<u>OPPONENTS</u>	<u>OPT-OUTS</u>	<u>LOW-POTENTIAL RESPONSIVE EUROPEANIZATION</u>	<u>HIGH-POTENTIAL INTENDED EUROPEANIZATION</u>	<u>LITERATURE</u>
	EXIT	VOICE	LOYALTY	(Hirschmann 1970; Liebert 2010)
	DISCONNECTED	USAGE	PROMOTER	(McCauley 2011; Jacquot and Woll 2004; Saurugger 2005)
		WATCHDOG	COOPERATIVE	(Eder 2011)
HARD EUROSCEPTICISM				(Fitzgibbon 2012; Szczerbiak and Taggart 2002)

## 2.6.4 Opponents of the Europeanization Process

Europeanization research is not merely studies of positive adaptation processes and compliance, but also involves a lack of change or compliance, resistance and contestation (Radaelli 2012: 13). Fitzgibbon (2012) adapted notions of hard/ soft Euroscepticism (Szczerbiak and Taggart 2002) to civil society research. Opponent of the Europeanization process pursue ‘hard-Euroscepticism’, reject the entire Europeanisation process and advocates withdrawal of their country from the EU accession process.

(1) Under these conditions, opponents cannot acquire EU funding and/or are not willing to engage in participatory mechanisms, but activate their own resources and contacts both in transnational and domestic level to block the accession process.

## 2.7 Differential impact of EU on civil society: Taking ‘type of interest’ into account

The Europeanization process in accession states leads to institutional changes and thus power resources reallocated at the domestic level, which might empower some actors more

than others. At the agency level, cultural framings and the capacities of actors can explain their differential empowerment.

This study also assumes that EU impact is differential with regard to the diffuse (NGOs) and specific interest groups (business associations & trade unions). Accordingly, success of civil society varies across interest group type.

In explaining the differential Europeanization of non-state actors, their type of interests and according constituencies represented will be taken into account. Such attributes filter the opportunity structure posed for non-state actors by the EU, to activate their mobilization in the accession process. There is some differentiation between “diffuse” and “specific” interests, with the former, such as NGOs, representing broad and general segments of society, socioeconomic segments of society or future generations. In contrast, specific interests such as socio-economic or producer interests groups have more clear-cut stakes. (Beyers 2002: 589). In this regard, specific interests are well-off in comparison with diffuse interests.

The constituency of specific interest groups is identifiable, thus they can respond to the changing opportunity structure in a faster and more consistent way. The mobilization of non-state actors representing diffuse interests is harder because individual members of these groups are random, and it is therefore difficult to estimate the costs and benefits of particular policies on such interest groups. Additionally, an organization cannot deliver selective incentives to their members or supporters, thus rendering the mobilization even harder. In contrary, specific interest groups represent an identifiable socioeconomic context, and it is easier for such groups to mobilize their members and supporters.

It is also necessary to refer to the issue of the EU relevance for different types of interest groups. Eising (2007: 336-337) highlights the relevance of EU institutions and policies for interest groups, arguing that interest groups are likely to attach greater relevance to EU institutions for the representation of their interests when they are exposed to high degree of EU regulation. Specific interests with clear-cut stakes, an identifiable socioeconomic context and embedded situation in the domestic policy context are exposed to a high degree of regulation, and on the other hand are able show their position or react to the new environment in a faster way, with divergent options. They devote their resources, forming and presenting consistent, strong ideas. In contrary, diffuse interests tend not to have clear-cut stakes, identifiable contexts and a strong interconnection with the policy environment. They are



exposed to a lesser degree of EU regulation, and due to their type of interests they adapt to their new environment in a slow way with fewer options.

## **2.8 Conclusion**

The analysis of Turkish accession to the EU provides the opportunity to test the quality of EU approaches to non-state actors beyond the EU's borders. Various participatory mechanisms, capacity-building initiatives funded by the EU, general frameworks dictated by the EU to overcome existing policy misfits, and exchanges at the transnational level bring the potential empowerment of non-state actors that will allow them to contribute to the policy adoption process of an accession state.

This research examines the consequences of the EU accession process for interest groups in Turkey, the accession country under investigation here, with particular attention paid to three questions. First, to what extent are they empowered to become 'carriers' of Europeanization? Second, following from the previous question, do interest groups mobilize as the catalysts for policy adoption in the accession process, or are they detached? Third, what are the conditions that facilitate or constrain their involvement?

This research subscribes to the Europeanization framework and basic tenets of the political process model in explaining adaptations of non-state actors to the changing political opportunity structure. The analytical framework of this research takes a top-down approach, since the relation between the EU and an accession state is hierarchical in nature.

The analytical framework is based on the assumption that the modes of adaptation of non-state actors to Europeanization (high-medium-low variances) not only resonates from external opportunities (i.e. the EU's influence on the changing political opportunity structure), but also that internal constraints inherent to the respective organizations is influential in bringing explanations. The organizations' capacities and cultural facets showing their subjective assessments are factors explaining their divergent modes of Europeanization. The analytical framework discusses the attributes of the agent through its type of interests and their relation to the structure. Non-state actors claiming specific interests are expected to gain more from the changing opportunity structure and act as promoters of the Europeanization process, given that they show willingness to cooperate with actors governing the accession process and invest in their organizational capacities. Other types of actors claiming diffuse interests are

expected to remain as merely users of the Europeanization process, since their constituencies are not easily identifiable and are distant to the policy-makers at the domestic level. Their critical stances and lower capacities keep them out of policy cycles, yet they can still enhance the quality of the accession by producing alternative viewpoints.

## **CHAPTER 3 THE EU' S RELATION TO CIVIL SOCIETIES**

This chapter intends to provide an overview of the ways and reasons for which the EU developed policies addressing the civil society in different contexts and periods. The first part discusses the mainstream scholarly accounts on civil society in EU member states, the alleged functions of their participation in EU governance, and summarizes the EU's action towards European civil society. The second part considers the EU's relation to civil society beyond its borders, and the policies developed to make civil society part of the larger democratization agenda in different regions. The third part aims at discussing the EU's civil society policy towards enlargement countries. In the final part, the policy will be discussed in the specific context of Turkey; with this case study exemplifying the ways in which the EU can change the opportunity structure and transform the political environment of civil society in an accession state.

### **3.1 Literature on the European Civil Society**

As a concept, civil society constitutes an important place in the European political and normative debate since the legitimacy of the EU is being widely discussed and questioned. Within this debate, it has been argued that the legitimacy of European governance should value the role of civil society organizations. However, the legitimacy issue in European politics is contested in the first place. Many advocate that the legitimacy problem of the EU is a 'false problem' or 'false analogy'; Milward (1992) argues the EU being legitimate because it was created and controlled by the member states. Scharpf (1997; 1999) makes an input-output oriented legitimacy distinction, evaluating the EU with different type of legitimizations. Majone (1994; 1996) asserts that the EU is a regulatory state and redistribute policies should be left to member states' majoritarian institutions. Moravcsik (2002) put that the democratic illegitimacy of the EU is not supported by empirical evidence, and is mostly

elaborated with the standards of advanced industrialist democracies rather than criterion of parliamentary democracies. Finally, Andersen and Burns (1996) supported their argument by referring to the EU as a ‘post-parliamentary democracy’.

Contrary to these argumentations, many scholars have positioned themselves against the false-analogy issue, arguing that the legitimacy of European governance is in danger and there is democratic deficit in the EU (Lord and Beetham 2001; Horeth 1999). Saurugger (2007c: 386- 387) highlights that the democratic deficit rhetoric has prevailed in accounts of political and scholars, since the EC maintains dominance in decision-making and public opinion research has shown that citizens do not show attachments to the institutions – especially the EP - that are supposed to represent them. The role of civil society organizations has come to the forefront of this debate, signified as a remedy to solve the democratic deficit issue (Magnette 2006; Warleigh 2006; Armstrong 2006)

The revival and introduction of civil society into the institutional debate within the EU has also raised many questions, with civil society and its alleged contributions to the European governance being contested. First, various scholars have argued that the assessment of the EU’s democratic value and legitimacy issue depends on the normative preferences of the scholars and policy makers. As indicated by the discussion above, like the ambiguity of the civil society as a concept, the role attributed to civil society in European governance is a contested phenomenon in normative debates. As put by Cohen and Arato (1994), “divergent roles are attributed to civil society by different normative theories of democracy.” Kohler-Koch (2009: 49) argued that civil society is linked to different images of the natures of European polity and divergent conceptual frames linking the EU and civil society. In this article, the main hypothesis is formulated as “perception of the political nature of the EU has a strong influence on the roles attributed to civil society.” Liebert and Trenz (2009) also highlight the different meanings attributed by academics to civil society, illustrating different traditions by touching upon two strands of research, namely a “governance approach” and “social system approach”, showing different roles and images attributed to civil society by decision-makers and scholars.

The governance approach became dominant within European studies in the early 1990s. In this new approach that brought new perspectives to the ‘government’, top-down and hierarchical decision-making mechanisms were replaced by the decision-making mechanisms prioritizing the interaction of public and private actors in horizontal structures (Finke 2007:

5). In the governance approach, civil society is given the potential role to achieve by efficient problem solving via plural interest representation and mediation. This perspective conceptualizes “civil society” as the “organized” form of civil society and emphasis is placed upon the consolidation of European civil society in Brussels, checking the strength of their organizational structures, strategies and resources of European networks and umbrellas. In that respect, civil society is associated with “organized civil society”, which can bring the EU closer to the people, broaden the range of expert knowledge and improve awareness of the plurality of interests. The EU system of participatory governance conception follows the same tradition as the “new modes of governance”, which reflects the image of the EU as a multi-level governance operating on public-private partnership. Civil society is an underdeveloped concept in this approach, as the stakeholders, who are influenced by EU policies, should be entitled to the capacity to participate in the decision, and efficient and effective problem solving and better law making are among the benefits that civil society can bring within this approach. The debate on civil society is merely connected to enhancing the effectiveness and problem-solving capacity of the EU machinery through facilitating societal participation. (Finke 2007). Smismans (2003: 483) admits that literature on EU lobbying and interest groups in EU policy-making has already developed. The representations of business interests in European governance have been widely discussed since the formation of EEC, and the number of business interests has rapidly increased after SEA. However, he highlights that a normative discussion on the role of intermediary organizations and legitimate European governance has not taken place.

The debate on the legitimacy crisis of the EU has shifted the focus to the input-legitimacy argumentations highlighting participatory mechanisms connecting citizens to the EU, not just for the sake of the quality of decisions but also the quality of the deliberations of citizens before the decisions are made. The social sphere approach covers such perspectives that have an exclusive focus on ‘ever evolving European social space’. In this approach, civil society is expected to occupy the function of forming and controlling political authority, along with counter-balancing market forces. Initiatives to enhance participation of ‘citizens’ within the decision-making of the EU correspond to this understanding. A third conception perceives EU an emergent polity in its own right, embracing a political community within a deep constitutionalization process. In respect of this approach, the success of this process relies on building a “political constituency encompassing a transnational civil society and EU-wide

public sphere”. In other words, civil society is associated with the necessity for a European political community in which public communication and deliberation are possible.

On the other hand, scholars mention the ‘uncivil practices’ of civil society organizations that contest their potential to make European polity more democratic. Liebert and Trenz (2009) challenge the idea of normative expectations of legitimization functions, and being a “good” of civil society. Besides this, violent, xenophobic or anti-Semitic networks may operate in the name of civil society. Ruzza (2009) examines and classifies “uncivil society” (xenophobic, territorial, populist) and the emergence of uncivil activities in Europe, making implicit the relation between expression of anti-political uncivil social activity and social marginalization linked to the legitimacy crisis of relations between society and politics.

### **3.1.1 The EU’s Civil Society Policy**

Despite scholars of European Integration only having discovered civil society somewhat recently (Finke 2007), various policy papers issued by the EC have asserted that civil society and European institutions have a long history. Parallel to the academic discussion over quality of the EU democracy, the EU itself has included European civil society in the decision-making of its agenda. (Saurugger 2007a). In a similar vein, civil society and the third sector have increasingly signified the European level and access to EU institutions. In return, the EU started to initiate policy proposals addressing the civil society in the mid-1990s (Economic and Social Committee 1997; Economic and Social Committee 1998; European Commission 1997b; European Commission 2000b). The importance of such linkages between the voluntary sector and European institutions were first formally expressed in the Treaty on the European Union, in (1992), in the creation of Declaration 23, annexed to the Treaty.

Additionally, parallel to the intensification and diversification of scholarly discussion over the role of civil society in European governance, the roles attributed to actors of civil society at the EU level have changed and extended over time. Finke and Kohler-Koch (2007) propose three generations of EU-society relations, marked by the “consultations” during the 1960 and 1970s; “partnerships” coming to the forefront in the 1980s and 1990s, and since the 1990s and throughout 2000s the term of “participation” has been spelled out more frequently. Their three

generations of the EU- society relations not only illustrate the change and movement from one concept to another, but rather indicates “coexistence and of change and continuity”.

On the other hand, European institutions have updated the scope of civil society. The interest groups’ expertise and input have been included in political machinery since the establishment of the European Community, however the scope of civil society meant that specific interest groups and grassroots organizations were not included. (Saurugger 2007b).

In 1992, the European Commission issued a policy paper entitled “An open and structured dialogue between the Commission and special interest groups” (European Commission 1992). This paper does not mention civil society, yet makes a clear distinction between profit-making and non-profit interest groups. In this policy paper, the Commission specifically addresses its new approach to “special interest groups”, pronouncing its objective as redefining and clarifying relations between European institutions and interest groups, and promoting open and structured dialogue with special interest groups. The Commission states the purpose of increasing the understanding of special interest groups; however, the scope of the interest groups in this policy document remains limited.<sup>2</sup>

The relative significance attributed to the special interest groups coincides with the output-oriented efficiency and effectiveness understandings. The beginning of the document underlines that the Commission welcomes the input of interested outside parties, since some of these special interest groups serve as a channel to provide specific technical expertise to the Commission from a variety of sectors, such as in the drafting of technical regulation.

In 1997, Commission issued a “Communication from the Commission on promoting the role of voluntary organizations and foundations in Europe”, having conducted extensive survey to describe and understand the voluntary sector’s features (European Commission 1997a). This policy paper attributes extensive roles to the voluntary sector, including service delivery to promote democracy across the EU:

“These organizations are playing an important role in almost every field of social activity. They contribute to employment creation, active citizenship, and democracy, provide a wide range of services, play a major role in sport activities represent citizens' interests to various public authorities and play a major part in promoting and safeguarding human rights as well as having a crucial role in development policies.” (p.1)

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<sup>2</sup> In this policy paper, There is distinction of (European and (inter)national associations/federations) and profit making organizations (legal advisers, public relations and public affairs firms, and consultants). (p.1)

The extensive survey research conducted by the European Commission highlighted the features of civil society at the European level, and the main obstacles they face. The Commission took the findings of the research as a starting point, and opened up debate by inviting the members of the sector, European institutions, member states and scholars to the debate of meeting the needs of the voluntary sector and finding best solutions to include them in the EU's political machinery.

The Treaty of Amsterdam placed particular emphasis on EC consultation in the policy process, without referring specifically to civil society. The protocol for the application of the principle of subsidiary and proportionality annexed to Amsterdam Treaty includes a ninth point stating that "the Commission should except in cases of particular urgency or confidentiality, consult widely before proposing legislation and, wherever appropriate, publish consultation documents." This vague term and conditions did not lead to efficient usages of consultation mechanisms (Bouwen 2007: 270).

The Commission adopted the Discussion Paper "The Commission and NGOs: building a stronger partnership" on 18 January 2000, stating that the elected representatives of European people legitimize the decision-making process in the EU (European Commission 2000a). On the other hand, the text refers to NGOs and appreciates their positive roles in contributing to participatory democracy within and beyond the EU's borders. There are no general statements on the civil society within this policy document; the text names NGOs and recognizes them as significant components of the civil society.

The discussions concerning the EU's democratic legitimacy and alternative propositions to remedy the legitimacy deficits have opened up the Pandora's Box. The Commission staff-working document on the White Paper on European Governance (2001a) includes a subtitle 'Enhancing democracy in the European Union', and starts with a Chinese proverb: "'Tell me and I'll forget, show me and I'll remember, *involve me* and I'll understand."

This paper discusses how Europe is facing enlargement, institutional and democratic challenge. The working document asserted that the EU's problems can seem disconnected, but the single solution to overcome such obstacles is re- connecting citizens to the European Union. Thus, the White Paper aims at reforming the European mode of governance, and the best way to achieve this is democracy in Europe.

The White Paper on European Governance (2001a) is based on the working document after a consultation period in 2001, also illustrating that the European Commission has also included the ongoing discussion into its agenda, initiating further consultation mechanisms with the different segments of civil society who are active in social and migration policy fields.

The White Paper (2001a) mainly diagnoses the problem that many people are losing their confidences and feeling alienated from the work of the Union, but on the other hand citizens still expect the Union to act as visible national governments and take a leading role in responding to major challenges of unemployment, concerns over food safety, crime and regional conflicts.

The EC prescribed the solution for responding to such problems accordingly:

“The goal is to open up policy-making to make it more inclusive and accountable. A better use of powers should connect the EU more closely to its citizens and lead to policies that are more effective. In order to achieve this, the Union must better combine different policy tools such as legislation, social dialogue, structural funding, and action programs. This would contribute to strengthening the Community method.”  
(p.8)

In order to meet such objectives and upgrade European governance, involving civil society came to the forefront:

“Civil society plays an important role in giving voice to the concerns of citizens and delivering services that meet people’s needs... The organizations, which make up civil society, mobilize people and support, for instance, those suffering from exclusion or discrimination. The Union has encouraged the development of civil society in the applicant countries, as part of their preparation for membership. Nongovernmental organizations play an important role at global level in development policy. They often act as an early warning system for the direction of political debate.”(p.14)

Following the White Paper, EU institutional reform processes have addressed the democratic deficit problem of Union, and alternative solutions have highlighted the need to engage citizens and all other interested actors in Union politics. Declaration No. 23 on the future of the Union annexed to The Treaty of Nice (2001) “recognizes the need to improve and to monitor the democratic legitimacy and transparency of the Union and its institutions, in order to bring them closer to the citizens of the Member States“. This declaration also intends a deeper and wider debate about the future of the European Union, involving “all interested parties: representatives of national parliaments and all those reflecting public opinion, namely political, economic and university circles, representatives of civil society” to the discussion to



cope with democratic challenges, the treaty confirmed that the Economic and Social Committee (ECOSOC) has a special role in relation to civil society (Article 257). Laeken European Council conveyed a new version of the Declaration on the Future of Europe, which stressed an intention to close the gap between European institutions and citizens. The Laeken Declaration established the Convention on the Future of Europe in December 2001, to produce a draft constitution for the EU. Furthermore, the Laeken Declaration paved the way for a forum where civil society representations could debate and contribute to the Convention. The Convention itself contained a session on civil society, during which the need for institutional safeguards to enable regular dialogue with civil society in every step of producing the EU legislation was proposed.

The Treaty establishing a Constitution for Europe (TCE) (2004) is a void one since Dutch and French voters rejected it within their national referenda. However, the content of this unratified treaty shaped the basis of Lisbon Treaty (2007) , which came into force in 2009.

The Union's functioning is based on the representative democracy (Art. 8A, Lisbon – Art. I-46, TCE), but also engages in 'participatory engineering' by adhering to elements of participatory democracy. The Constitutional Treaty for the first time legally protects consultation mechanisms that enable the participation of public and private interest groups in EU policy-making processes. The Union commits itself to providing equality to its citizens; by allowing the equal treatment to citizens from its institutions, bodies, offices and agencies (Art. 8, Lisbon, Art.I-45, Constitution), and is obliged to maintain an open, transparent and regular dialogue with civil society representatives (Art. 8B, Lisbon- Art. I-47, TCE). The Lisbon Treaty addresses the issue of democratic deficit, proposing a variety of solutions. This treaty empowers EP, national parliaments and also citizens, by introducing 'the European citizens' initiative giving rights to its citizens (no less than one million and from number of EU member states) to intervene in the direction of EU policies, by asking the EC to make a legislative proposal (Art. 8 B, Lisbon – Art. I-47, Constitution).

Scholars have analyzed the constitutional debate and Lisbon treaty, observing an ongoing 'participatory engineering' at the EU level, but have maintained reservations. Kochler Koch perceives that the "EU commits itself to facilitate open and regular civil society consultations and dialogue mechanisms". But, she points out the political reality and claimed "NGO participation in EU governance did not make political representation in the EU more democratic" (Kohler-Koch 2012). In her article, Saurugger (2007c: 471-472), analyzes the

emergence of participatory turns at the EU level, stating that aspects of participatory norms addressed in the TCE and Lisbon Treaty have not been homogeneously implemented and are subject to contradictory interpretations. Moreover, Saurugger (2008: 1282) critically assesses the content of the Lisbon Treaty, stating that consultation mechanisms remain undefined, and finds the definition of civil society in the Lisbon Treaty problematic since the term of ‘representative associations’ is used and the broader definition of civil society is not included.

### **3.1.2 Conclusion**

The analysis of the selected documents and treaties produced in the critical junctures of the EU have shown that the democratic deficit issue has been widely addressed over time, and that the participation of civil society in policy processes represents the solution to overcome such problems. First, the civil society definition and its attributed scope and roles have extended over time through various policy initiatives. Since the formation of the EC, interest groups have been partnered to European institutions, pooling their information and expertise for the Union’s decision-making. The Union primarily refers to the potential that civil society offers to contribute to the effectiveness and efficiency criterion in European governance. However, by the time the democratic deficit of the Union was raised and extensively discussed by the European integration scholars and Eurocrats, civil society contributions had been extended from enhancing policy-making efficiency (output legitimization) to securing citizen participation (input legitimacy). Despite practical measures remaining problematic, scholars agree that initiatives taken by European institutions are inclined to secure the systematic participation of civil society into the decision-making.

## **3.2 Democracy Promotion beyond Borders of the EU through empowerment of the Civil Society**

This section discusses whether the change of civil society discourse at the EU level and following policies initiated with this logic has affected the EU’s civil society policy beyond its borders.

The previous section showed that, at least in the discourse level, civil society is no longer considered as the beneficiaries of policies, rather initiatives exist to include them as key actors or partners in decision-making processes, as their contributions are taken as added values to

enhance democracy, governance, justice and human rights. The EC and several member states are committed to ensuring CSO participation in every phase of policy-making, from policy design to implementation.

The Commission's policy towards European civil society and initiatives to boost their participation in decision-making is replicated in its relations with civil societies beyond the EU's borders.

The Commission adopted the Discussion Paper entitled "The Commission and NGOs: building a stronger partnership" on 18 January 2000 (European Commission 2000a). This paper indicated one of the reasons behind co-operations between the Commission and NGOs, and its assumption of the desire to strengthen and enhance it is as "...NGOs can make a contribution to in fostering a more participatory democracy both within the European Union and beyond." (p.4). The European Union is founded on the principles of liberty, democracy, respect for human rights and fundamental freedoms, and the rule of law; principles which are common to the member states. NGOs are increasingly recognized as a significant component of civil society, and as providing valuable support for a democratic system of government. Governments and international organizations are taking increasing notice of them, involving them in the policy- and decision-making process. This holds particular relevance in the context of enlargement, whereby according to the so-called Copenhagen criteria, membership in the EU requires that the candidate country has achieved stability of institutions guaranteeing democracy, the rule of law, human rights and respect for and protection of minorities. NGOs can make an important contribution to the development of democracy and civil society in candidate countries. Developing and consolidating democracy is also the Community's general policy objective in its co-operation with developing countries, and therefore extends far beyond the enlargement process. Partnerships with local NGOs in developing countries are particularly significant in this regard.

### **3.2.1 African, Caribbean and Pacific Group of States (ACP) - EU Development Cooperation**

Cooperation between the European Union (at that time European Community) and countries in sub-Saharan Africa, the Caribbean and the Pacific (not yet ACP Group) started in

1957 with the Treaty of Rome, giving life to the European Common Market. Part 4 of the Treaty provided for the creation of European Development Funds (EDFs), aimed at offering technical and financial aid to African countries which were either still colonized at the time or had historical linkages to states of the Community.

As part of the EU's democracy promotion initiatives with third world countries, partnership agreements signed with African, Caribbean and Pacific (ACP) states have particular relevance. The EU's external action towards ACP states has changed slightly over time, bringing political aspects and conditions into the content of the partnership agreements. Until the 1980s, the relations of the EU to ACP states were regulated with the Lome agreements dating back to 1975. The major premise of development policy towards ACP was merely granting preferential trade agreements and financial aid to the formal colonies of the member states.

Important developments on the international stage and socio-economic and political changes in the ACP countries made the EC reconsider its relation to ACP states.<sup>3</sup> The political context entered the agenda with the third revision of the Lome agreement (1985-90), including implicit reference to enhancing policy dialogue among the Commission and ACP states, and with article 215 of the convention regarding "Programming, appraisal, implementation and evaluation", the Commission undertook to exchanges views that aim at "enabling the Community to gain knowledge of the development objectives and priorities of the ACP State concerned." (Third ACP-EEC Convention 1986). In addition to references to consultations for increasing the efficiency and effectiveness of the proposed policies, the condition of showing commitment to the human dignity by both the EU and ACP states as contracting parties was also included. Lome IV (1990-2000) specified further conditions on democracy, human rights and law making, and made it necessary to form and continue relations with any ACP state for the purpose of their development (Article 5). Moreover, this agreement took the good governance into the agenda of development policy of the EU, for the first time.

The partnership agreement between the EU and ACP states has been signed for the period of 2000-2020, and is named the Cotonou Agreement. It is based on the former acquis of 25

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<sup>3</sup> EUROPEAID. "From Lomé I to IV". Last modified February 17, 2012.

<[http://ec.europa.eu/europeaid/where/acp/overview/lome-convention/lomeitoiv\\_en.htm](http://ec.europa.eu/europeaid/where/acp/overview/lome-convention/lomeitoiv_en.htm)> [Accessed March 11, 2012]

years of ACP-EC cooperation, and brings new aspects to regulate these relations. First, the political dimension is again highlighted as one of the pillars of relations, along with development, economic and trade cooperation. In contrast to the former agreements, this agreement highlights the cooperation between the EU and recipient state as equal partners who act to fulfill mutual obligations with the sense of ownership of development strategies. The text refers to the domestic political context of recipient countries, and partnership options do not only address the central governments. This time main partners are not only the executives (authorities and/or organizations of states at local, national and regional level), but partnerships with non-state actors (private sector; economic and social partners, including trade union organizations, civil society in all its forms, according to national characteristics) have also become possible. They have also included specific funding schemes and capacity building programs, particularly in order to empower civil society actors and strengthen their position in this political dialogue.<sup>4</sup>

There have been various amendments in the application of the EU's development policy following the Cotonou Agreement, which have strengthened the EU's commitment to empowering civil society and promoting them as strong partners of development policy. The assessment of the EC on the success of the development policies has highlighted the significance of gaining support from civil society:

“Development policy and programs are generally more effective when the priorities of the different development actors are consistent with those of civil society, as this gives local populations a sense of ownership of national development policy”.<sup>5</sup>

The European Consensus on Development (2006), was prepared jointly by European Parliament, Council and Commission, set out the Union's approach towards civil society vis-à-vis its development policy, showing the EU's willingness to cope with poverty and build a more stable and equitable world:

“...The EU supports the broad participation of all stakeholders in countries' development and encourages all parts of society to take part. Civil society, including economic and social partners such as trade unions,

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<sup>4</sup> EUROPEAID. “Cotonou Agreement”. Last modified September 12, 2012. <[http://ec.europa.eu/europeaid/where/acp/overview/cotonou-agreement/index\\_en.htm](http://ec.europa.eu/europeaid/where/acp/overview/cotonou-agreement/index_en.htm)> [Accessed March 11, 2012]

<sup>5</sup> EUROPEAID. “Relations with Civil Society”. Last modified February 17, 2012. <[http://ec.europa.eu/europeaid/who/partners/civil-society/relations\\_en.htm](http://ec.europa.eu/europeaid/who/partners/civil-society/relations_en.htm)> [Accessed March 12, 2012]

employers' organizations and the private sector, NGOs and other non-state actors of partner countries in particular play a vital role as promoters of democracy, social justice and human rights. The EU will enhance its support for building capacity of non-state actors in order to strengthen their voice in the development process and to advance political, social and economic dialogue. The important role of European civil society will be recognized as well; to that end, the EU will pay particular attention to development education and raising awareness among EU citizens." (Article 4.3 participation of civil society)

Revisions made to the Cotonou Agreement in 2005 have deepened the participatory approach to civil society and local actors. The second revision, made in 2010, once again highlighted that:

“non-state actors and local decentralized authorities... will be provided financial sources to support local development processes and they will be involved in the cooperation projects and programs.” (Article 4-general approach)<sup>6</sup>

The EC prepared policy papers to assess progress made on the participation of non-state and local actors in policy dialogue and the implementation of cooperation policies and programs in 2003, 2004 and throughout 2006-2007. There has been a consultation process on the programming of EC aid to ACP countries and regions during 2008-2013 (European Commission 2007a)

### **3.2.2 The Poland and Hungary: Assistance for Restructuring their Economies (PHARE) Program**

The PHARE assistance originally addresses Central and Eastern Countries (CEECs), with its nature and scope extending gradually in accordance with the region's political developments. In the beginning, the PHARE was exclusively advanced for Poland and Hungary, supporting their transition to the market economy. In the Copenhagen European Council of June 1993, when the Union affirmed ten countries' possible accessions, the PHARE was proposed as the main financial instrument to pursue a pre-accession strategy for such candidate states. The Union also specified criterion for countries seeking to become members of the EU. Apart from the existence of a functional market economy, political conditionality corresponding to “the achievement of stable institutions guaranteeing

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<sup>6</sup> EU Website. DEVELOPMENT. “Second Revision of the Cotonou Agreement- Agreed Consolidated Text”. <[http://ec.europa.eu/europeaid/where/acp/overview/cotonou-agreement/index\\_en.htm](http://ec.europa.eu/europeaid/where/acp/overview/cotonou-agreement/index_en.htm)> [Accessed March 12, 2012]

democracy, the rule of law, human rights, and respect for and protection of minorities” was advanced. Accordingly, the PHARE assistance also included the objective of supporting the institutional building of CEECs, assisting them to meet the Copenhagen criteria through their empowerment of public institutions and building capacities to design and implement institution-building programs.

PHARE projects are agreed upon the consent of the national administrations, and are thus demand-driven. However, without the need for the request of applicant states, the Commission has the right to set up horizontal programs and implement projects on the areas of supporting NGOs and furthering democratization, with such funding schemes accounting for 5% of PHARE's budget.

The PHARE Democracy Program was launched in 1992 as a response to the European Parliament Resolution on a European Democracy Initiative. This program is part of PHARE, and a concrete indicator showing that the Union is also interested in democratic restructuring along with policy reforms and market transformation. Democratic restructuring was previously referred through the aspects of reforming of public administration and strengthening local government; however, this program specifically highlights the significance of involving non-state bodies, NGOs, chambers of commerce, professional associations, etc. in implementing reform.<sup>7</sup>

The PHARE Partnership Program (PPP) was established in 1993 with the objective of supporting local economic development and promoting the institutional building of NPOs and NGOs. The main purpose of this program was the developing of decentralized initiatives at local and regional levels. In contrast to other PHARE programs, it is not implemented based on agreement between the Commission and the governments of the CEECs, rather the Commission deals directly with applicants from individual groups and bodies, private NGOs and grass roots organizations.

It exclusively supports local development projects initiated by decentralized non-profit (NPO) or non-governmental organizations (NGO). The wider objectives were stated as: (1) to promote socio-economic development and support the reform process in CEECs, (2) to

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<sup>7</sup>EU Website. Press Releases. “Phare Democracy Programme First Decisions. Reference: IP/93/292”. Last modified April 21, 2012

<<http://europa.eu/rapid/pressReleasesAction.do?reference=IP/93/292&format=HTML&aged=1&language=EN&guiLanguage=en>> [Accessed March, 15 2012]

increase the effectiveness of cooperation processes, and (3) to promote EU-CEC partnerships (PHARE 1998). PHARE program support for NGOs established after the Union observed that CEECs were facing structural problems due to rapid transformation, such as massive unemployment, insufficient income, weak capacities of the public sector hence diminishing quality, and the quantity of basic social services. In this respect, the mobilization of citizens was signified, and this support program was developed to establish a safety net for the segments of the society who were adversely affected. Evaluation report of 1998 determined one of the expected results of civil society development as “creating pressure for change”, giving examples from regions such as Bulgaria and Slovakia in which the NGO sector remains strongly anti-government and pressured for economic and political changes (PHARE 1998).

The assessment report on PPP applied in all recipient states (PHARE 2001) determines the focus of the national program and common objectives:

“The wider objectives of most national programs focus on ‘strengthening and widening the capacity, involvement of the NGO sector in civil society and political transformation, and creating a sustainable framework for the role of NGO in the development of civil society’. Analysis shows the following areas of commonality in the immediate objectives of nine programs: in developing the legal environment; improving public, media and policymakers’ awareness of NGO in open society; supporting new, embryonic and established NGOs; developing skills and capacity of NGOs; providing grant support to NGOs; and promoting voluntary work and a donation culture.”

This report also highlights again that meeting the Copenhagen political criteria is not merely a formal adaptation but also putting them into daily practices. In this respect, the development of democratic society is linked to an open civil society and the so-called third sector complementary to the activities of the state and market economies (PHARE 2001: p.1)



### **3.2.3 The Technical Assistance to the Commonwealth of Independent States (TACIS) Program**

TACIS (Technical Assistance to the Commonwealth of Independent States) was established in 1990 for members of the Commonwealth of Independent States (CIS) (and Mongolia) to support their smooth transition to democratic, market-oriented economies. In 1991, the focus of TACIS was the transition to a market economy, but gradually the ‘reinforcement of democracy’ was included in the 1993 Regulation, and the two objectives were combined and given equal significance in the 1996 Regulation.

In 1993, TACIS countries were also included in the PHARE Democracy program, and the Union pursued similar objectives in this region with a focus on civil society development and enhancing their legitimacy. The program was renamed as the PHARE and TACIS Democracy Program (PTDP), and its budget was increased to 10 million € (ISA Consult 1997).

TACIS was demand-driven between the years of 1991 and 1998, with the program structured and implemented based on requests from CIS ministers. Following the Council Regulation of 2000 concerning the provision of assistance to partner states in Eastern Europe and Central Asia, a dialogue-driven process started with a dialogue-based approach based. This report emphasized that technical assistance is “fully effective only in the context of progress towards free and open democratic societies that respect human rights, minority rights and the rights of the indigenous people, and towards market-oriented economic systems.” Moreover, support for the development of civil society is a requirement that would provide the long-term sustainability of reform (Council of the European Union 1999)

### **3.2.4 The Community Assistance for Reconstruction, Development, and Stabilization (CARDS) Program**

The EU’s approach to the Western Balkans follows the CEEC trajectory (), with the EU adopting a regional approach to South- Eastern European countries in 1996 and the Council established political and economic conditionality to be fulfilled by these countries in the region (European Commission 1996) In June 2000, the European Council confirmed the Union’s attachment to the objective of the possible accession of Western Balkan countries, recognizing countries of the region as potential EU members. Based on the Union’s regional policy, the stabilization and association process (SAP) was launched in 1999. The SAP

provides the framework and regulates EU negotiations with the Western countries, until they eventually accede to the Union. The EU pursues three objectives in this region: (1) stabilizing and supporting their smooth transition to the market economy, (2) promoting regional cooperation and (3) eventual membership. The EU approach envisages capacity building in the region by advancing trade concessions, economic and financial assistance, and association agreements and assistance for reconstruction, development and stabilization (CARDS).

Until 2000, Community assistance for the countries of South-Eastern Europe was provided under the OBNOVA and PHARE programs. On 5 December 2000, with the Council Regulation (EC) No 2666/2000, assistance to South-East European countries was brought together under the CARDS program (Community Assistance for Reconstruction, Development and Stabilization (Council of the European Union 2000). In the stabilization and association process, the community assistance also aims towards the reconciliation and consolidation of civil society. Along with states, federal, regional and local bodies, public and semi-public bodies, non-governmental organizations, associations and foundations are mentioned as beneficiaries of this program.

In the regular reports assessing the stabilization and association process of South East Europe, references were made to civil society development in the region, and assessments on the financial assistance provided under the CARDS program ran from 2001 until 2006, including its possible contributions to the protection of minority rights and the establishment of sustainable democracy.

The regular report of European Commission (2003) stated that civil society was slowly but surely emerging with civil society organizations engaging in an increasing number of areas in the region, but it also highlighted that most of them are at their early stage of development. The annual report of 2004 addressed the underdevelopment of civil society in Western Balkan countries with slight improvements, stressing the need to improve their advocacy skills and financial viability. In 2006, the Commission proposed to extend civil society dialogue to Western Balkan countries. The Commission (2005) proposed this a year previously, with the Commission Communication enhancing civil society dialogue involving social partners and NGOs in Turkey and Croatia. For the Western Balkan countries, the Commission (2006a: 16) once again stated: “special effort should be undertaken to encourage civil society development in each country and a culture of civil society consultation.”

In December 2002, the Copenhagen European Council restated the EU's determination to include Western Balkan countries in the Union. In March 2003, the Brussels European Council again showed that the integration of Western Balkans is among the EU's priorities, in stating that "the future of the Western Balkans is within the EU" Following these developments, the Brussels European Council of 2004 recommended that accession negotiations with Croatia should be opened, and in 2005 the Brussels European Council gave candidacy status to the to the former Yugoslav Republic of Macedonia.

### **3.2.5 Euro - Mediterranean Partnership (MEDA)**

The Barcelona declaration adopted at the Euro-Mediterranean Conference in 1995, also known as the Barcelona process, confirmed the EU's interest in the region. The Euro-Mediterranean partnership (MEDA) lays upon three major fields of partnership areas, (1) Political and Security Partnership (2) Economic and Financial Partnership, and (3) Partnership in Social, Cultural and Human affairs.<sup>8</sup> This agreement is a sign indicating parties' willingness to pursue efforts to establish a common peace and stability area built on the premises of rule of law, democracy and human rights. The second pillar regards sustainable development and the building of a zone of shared prosperity that would ultimately lead to a Euro-Mediterranean free-trade area. The third pillar considers the development of human resources and promoting understanding between cultures, and exchanges between civil societies.

Regarding the first pillar, particular attention was given to the "participation of civil society and populations in the planning and implementation of development measure" in achieving sustainable socio-economic development and better socio-economic balance. The third pillar undertakes supporting civil society and making them active agents to facilitate building regional, sub-regional and cross-border cooperation, with exchanges between civil society in the community and the Mediterranean partners particularly welcomed. Similar to the EU's approach to civil societies in different regions, the definition and scope is not exclusive to some segments, but rather there has been a general tendency to encompass a whole range of the stakeholders, namely universities, local communities, associations, trade

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<sup>8</sup> EU Website. EEAS. "Barcelona declaration adopted at the Euro-Mediterranean Conference - 27-28/11/95" <[http://www.eeas.europa.eu/euromed/docs/bd\\_en.pdf](http://www.eeas.europa.eu/euromed/docs/bd_en.pdf)

unions, the media, private business, non-governmental organizations, etc. (Council of the European Union 1996)

The Commission's Communication of 8 May 2001 on the European Union's Role in Promoting Human Rights and Democratization in Third Countries<sup>9</sup> invited the Union to adopt more proactive and concrete approaches in the field of human rights and democratization, and thus these objectives became high priority within the Commission's overall strategic approach in external relations. Building the capacities of civil society is associated with fuelling up their potential to create "pressures for the change" (p.21), and such developments are evident in the Union's approach to the Mediterranean region. The Mediterranean Development Assistance (MEDA) regulation has enabled the EU to provide financial and technical assistance to achieving these objectives in the region. Along with this program, the region is also a beneficiary of the European Initiative for Democracy and Human Rights (EIDHR).

Communication from the Commission in (2007) entitled "Reinvigorating EU actions on Human Rights and democratization with Mediterranean partners: Strategic guidelines" specifically addresses the Mediterranean region, making concrete the strategic guideline to be followed by stakeholders with ten concrete recommendations in the area of human rights promotion<sup>10</sup>. The Communication involved the results of two seminars organized by the Commission with Euro-Mediterranean civil society, held in Amman and Casablanca during 2002 (p.2). The analysis of the situation in the region indicated that progress in the field of human rights is insufficient, and that the participation of civil society in the promotion and protection of human rights is not welcomed since NGOs have to cope with particular problems: "legal and administrative constraints, are frequently marginalized and sometimes repressed" (p.4).

In this report, the EC repeated recognition of the essential contribution that civil society can make in the process of the Euro-Mediterranean Partnership development that was already established by Barcelona Declaration (1995), once again pronouncing that "the EU fully recognizes the crucial role played by civil society in the promotion of Human Rights and

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<sup>9</sup> "Promoting Human Rights and Democratisation in Third Countries.", accessed November 1, 2012, [http://europa.eu/legislation\\_summaries/human\\_rights/human\\_rights\\_in\\_third\\_countries/r10101\\_en.htm](http://europa.eu/legislation_summaries/human_rights/human_rights_in_third_countries/r10101_en.htm).

<sup>10</sup> Communication of 21 May 2003 from the Commission to the Council and the European Parliament "Reinvigorating EU Actions on Human Rights and Democratisation with Mediterranean Partners. Strategic Guidelines" [COM(2003) 294 Final - Not Published in the Official Journal].", accessed November 5 2012, 2012, [http://europa.eu/legislation\\_summaries/human\\_rights/human\\_rights\\_in\\_third\\_countries/r10112\\_en.htm](http://europa.eu/legislation_summaries/human_rights/human_rights_in_third_countries/r10112_en.htm).

democratization” (p.6). In the implementation and monitoring phases of the policy-making, their possible contributions have been underlined and initiatives that would enhance their potential were mentioned, with concrete recommendations to support civil society in overcoming the aforementioned deficiencies. Apart from capacity building and the empowerment of NGOs through training (p.18), the Commission addresses the deficiencies in their political environment, undertakes to develop appropriate legislative and administrative structures, particularly achieving freedom of association and expression by including monitoring/advocacy around legislative frameworks governing NGOs and other NSAs and human rights defenders (p.14).

Furthermore, the integration of civil society into national dialogue was proposed with the initiation of Commission delegations. Finally, capacity building on regional basis was mentioned in the regional cooperation among the partners’ civil societies. Their empowerment is a solution to enable exchanges at the regional level, leading to their inclusion in the elaboration of the Regional Indicative Programme (RIP) for 2005-6. The Commission stressed this point since it was reported that some issues are sensitive to discuss and deal with at the national level (p.18).

The primary financial instrument for achieving the objectives of the Barcelona Process is MEDA, which is negotiated with the beneficiary state and supplemented by the EIDHR in supporting democratization through directly funding NGOs, without necessarily negotiating with the recipient states.

The Barcelona processes re-launched in 2008, renamed as “the Union for Mediterranean”, with the Commission upgrading relations with partners in the region, renewing the cooperation’s visibility and reaffirming its commitment by furthering the policies.

### **3.2.6 The European Neighborhood Policy (ENP)**

The European Neighborhood Policy (ENP) was launched in 2004, transforming the EU’s relations with its neighbors, including Russia, Ukraine and some of the newly independent States, without granting them any prospective accession perspectives. This is different from the EU’s policy approaches in Central, Eastern and Western Europe. The EU and the neighbors jointly own the ENP initiative, aiming to enhance relations and increase prosperity

and stability in the region. The EU also supports the democratic and economic transformations of these countries, if any such demand and willingness exists. There is also a focus on trade relations and political cooperation, without the prospective membership perspective. The NIS is also an accumulation of the EU's policies experienced in the external borders, and follows similar patterns. The Commission Communication of (2004a) set out the strategy paper for the ENP, with priority sector cooperation including civil society development (p.21) and funding people-to-people projects. The objective of these projects is as follows:

“People-to-people projects will be encouraged, aiming at promoting civil society initiatives in support of human rights and democratization, supporting youth organizations, and promoting intercultural dialogue through educational and youth exchanges, as well as human resource mobility and transparency of qualifications (p.23)

In 2006, the Commission issued a communication entitled “Strengthening the Civil Society dimension of the ENP”, as part of an initiative framed as “Strengthening the ENP” (European Commission 2006b). Similar to the EU discourse in other regions, the Commission once again indicated that the success of the ENP depends on the extent that civil society engages in the process, hence it was underlined that “ownership (of the ENP) by governments is essential but not sufficient” (p.1). Community support to civil society was framed again as the building of civil society capacities in partner countries, facilitating their participation in the process and sharing information on regular basis. In this paper, the Commission also stated that it is impossible to work directly with all of civil society, since ENP partners encompass a total of 766 million people. Accordingly, the EC encouraged EU level and national networks within EU member states to intensify their dialogues with business, trade unions, professional, environmental, development, gender, human rights, religious, cultural and other organizations in the ENP countries, “to gather their views of the implementation of the Action Plans” (p.2). Moreover, the EC signified dialogue between government and civil society in the partner countries, and the inclusion of civil society in regular policy dialogues, stating, “the progress of the ENP cannot be monitored through official channels alone” (p.2).

### **3.2.7 The Instrument for Pre-Accession Assistance (IPA)**

The Instrument for Pre-Accession Assistance (IPA) was established in 2006, with the EC aiming to improve the efficiency and coherence of the Union's initiatives in external borders by designing a framework for programming and delivering external aid. Thus, this program replaced the other funding schemes that applied during the term 2000-2006.<sup>11</sup> The IPA assists candidate and potential candidate countries to meet their needs in their alignment to the Community acquis, through to their future accession to the Union. This instrument compiles the Union's approach in different regions, continuing to focus on the development of civil society (Article 2), with their participation in the planning of the assistance underlined again (Article 6) (Council of the European Union 2006). The IPA budget for the period 2011-2013 is over 5 million €, and the assistance program commits itself to wide range of institutional-building measures including the development of civil society of pre-accession countries. The Multi-Annual Indicative Planning Document (MIPD) asserts that the EU's major objective for the period 2011-2013 is to strengthen civil society organizations and their role in the political and European integration process ongoing in pre-accession countries (European Commission 2011c). There are two components of EU strategy to achieve this objective. Along with building the capacity of local NGOs and ensuring their participation in the European integration process, the EU deems it necessary to encourage freedom of association and to guarantee a supportive legal environment for civil society activities. The EU presumes that such policy actions can potentially enhance dialogue between decision-makers and civil society, and this context is a prerequisite to facilitate and consolidate the reform process.

### **3.2.8 Conclusion**

The analysis of EU external aid programs applied in the different regions has shown that the EU has gradually incorporated civil society discourse within the democracy building agenda beyond its borders. Over time, this discourse has become increasingly coherent and included in the planning, implementing and assessment of the assistance programs.

The overview of the EU's actions in its external borders indicates that the following results are replicated in different regions. First, the EU's attachment to civil society and its

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<sup>11</sup> The programmes for candidate countries, namely PHARE, SAPARD and ISPA, PHARE Cross-Border Cooperation (CBC) and Coordination, pre-accession financial assistance for Turkey; the programmes for potential candidate countries, namely CARDS.

participation comes directly hand-in-hand with its democratic acquis. In this discourse, a flourishing civil society is an important component of a democratic society and state. Second, the emergence of vibrant civil society and its empowerment is not just an ‘end’ but also a ‘mean’. In the application of such aid programs, civil society is given different roles to correct the deficiencies emerging in the ongoing relations. By its nature, the process leads to a fund giver and recipient relation. Over time, the EU has aimed to overcome this unbalanced relation in the favor of beneficiaries, trying to determine the ways in which their wills can be incorporated in the design process of the proposed programs.

The focus was predominantly on increasing the efficiency and effectiveness of EU external aid, since the implementation phase would produce best results if the beneficiary country had the full consent and strong ownership of the plan. At this point, the Union also emphasized involving civil society and other related stakeholders in the process at the national level, supporting other mechanisms that can bring national representatives and civil society together. Having their say on the process is perceived as a means of enhancing the recipient state’s willingness to cooperate. On the other hand, the EU has instrumentalized their participation as a control mechanism to ensure checks and balances at the national level, given that the process is all about injecting new policies and instruments into the system, which can involve oppressive governments and reject progressing to the way the Union designates.

Moreover, the EU perceives civil society as an alternative information base to check the situation in recipient countries in a healthier way, with the different sources of information and interpretations. The EU tries to achieve such objectives by empowering the capacities of civil society, initiating their access to policymaking, flowing ideas and expertise by supporting transnational networks and/or regional networks. Funding schemes address civil society building and development is applied with the consent of the national administration. The EIDHR has a different procedure, funding civil society organizations directly in different regions, without needing the consent of national authorities. The definition of the civil society has remained all-encompassing in all cases, including all relevant stakeholders, NGOs, business associations, trade unions, think-tanks and universities, and the media.

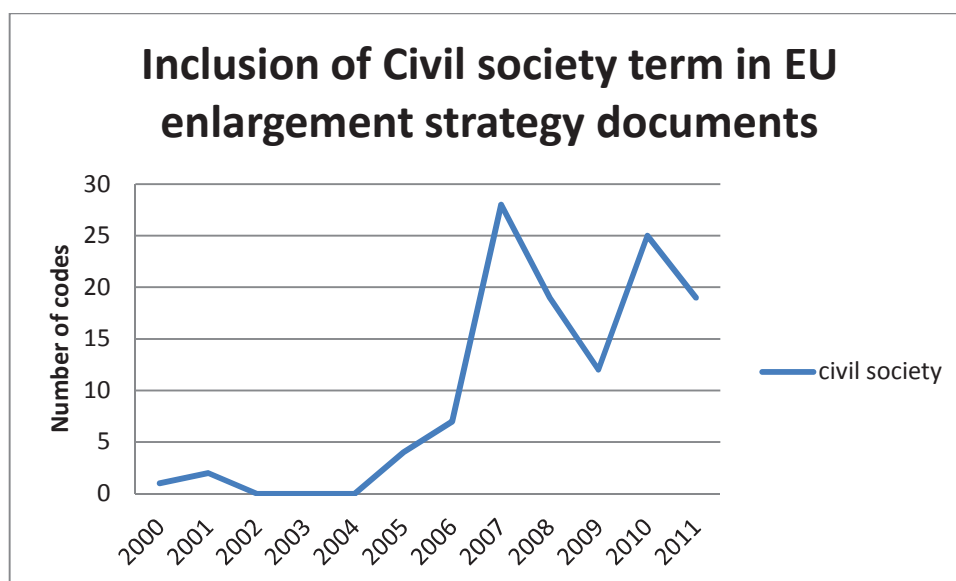


### 3.3 The EU's Civil Society Policy towards Enlargement

#### Countries

The EU acknowledges its enlargement policy as one of the most powerful policy tools, maintaining its strategic interests in achieving stability, security and conflict prevention. It is a tool to increase prosperity and growth opportunities, and to secure vital transport and energy routes inside and beyond the EU's borders. On the other hand, the EU contributes to stability and encourages significant political and economic reforms in the Western Balkans and Turkey, the enlargement policy's beneficiaries (European Commission 2007c). Similar to the intensification of the civil society discussion at the EU level, the emphasis on civil society has developed for the enlargement countries, with such discourse diversifying over time. The term civil society has been increasingly included in the EU enlargement strategy documents, including Turkey, since 2005.

**Figure 1: Inclusion of Civil Society term in EU enlargement strategy documents 2000-2011**

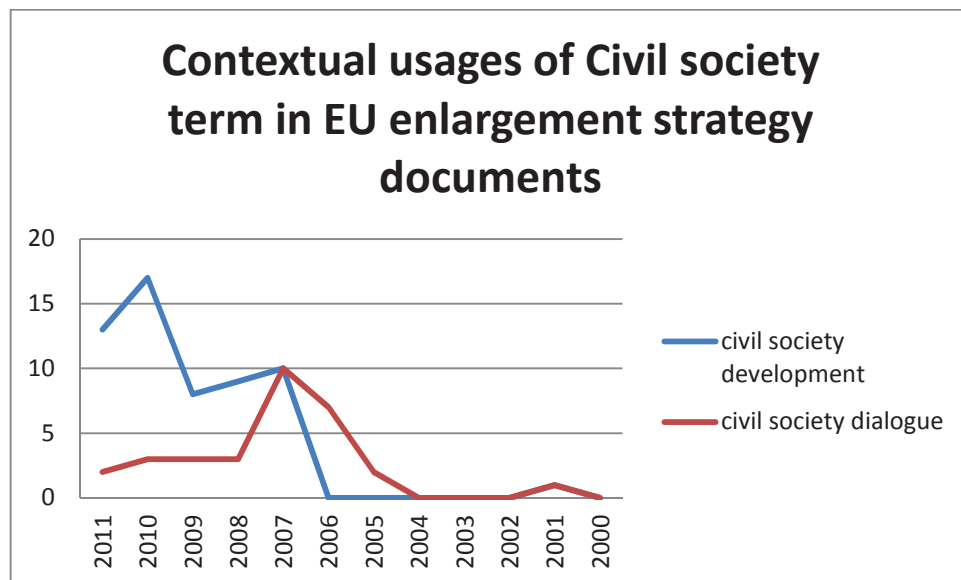


The table above illustrates the increasing usage of the term 'civil society' within the EU enlargement documents during 2000-2011.

An extensive analysis of the contextual usages of the civil society concept within these documents also indicates that the EU's policy towards civil society in enlargement countries

has developed and diversified over time. Prior to 2005, reference to the civil societies of enlargement countries in major EU enlargement strategy documents was almost non-existent, with the concept of civil society restricted to ‘business, regional and local bodies and professional organizations’. With time, the EU has shown increasing interest in civil society; in 2005- 2006, the EU referred to civil society in respect of the dialogue between societies of enlargement countries and European societies and institutions, enhancing enthusiasm and support for the EU membership in respective states. By 2008, when the civil society facility was launched, the EU had directed its attention to ‘build civil societies’ in enlargement countries, raising their engagement in the intensive reform process. Within this approach, civil society was given the role of strengthening the democratization processes in their states, transformed by the rules, norms and ideas produced at the EU level. Along with civil society development discourse, the dialogue objective was raised on an ad-hoc basis. Similar to the discussion in the previous section highlighting the development of EU policy at the EU level and for third world countries over time, it is also evident that the EU has increasingly pursued sophisticated approaches to activate the civil societies of enlargement countries.

**Figure 2: Contextual usages of ‘civil society’ term in EU enlargement documents**



The table above illustrates the usage of the terms of ‘civil society development’ and ‘civil society dialogue’ in EU enlargement strategy documents. Civil society dialogue was the predominant focus area of the EU between 2004 and 2007, with the 2007 enlargement

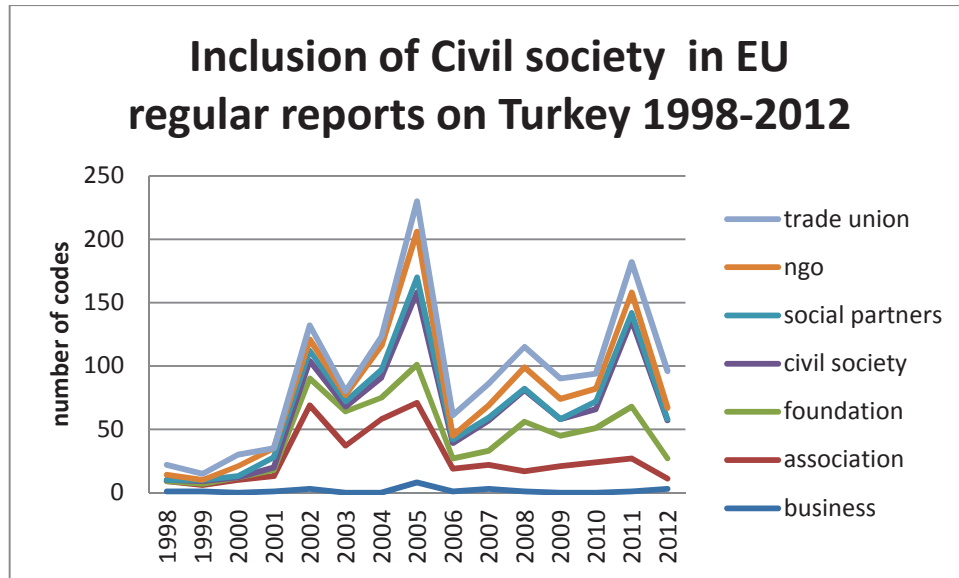
strategy emphasizing that the EC gives the same weight to the development of civil society alongside the intensifying civil society dialogue. The Civil Society Facility came into force in 2008 and explicitly offered solutions to support the two complementary policy dimensions of the EU towards civil societies of accession states.

### **3.3.1 The EU's Approach towards Civil Society in Turkey**

The EU's interest in Turkey's civil society follows the trajectories of the previously discussed examples. The EU's increasing interest in civil society is expected to follow in parallel with the pace of EU-Turkey relations progressing or stalling over time.

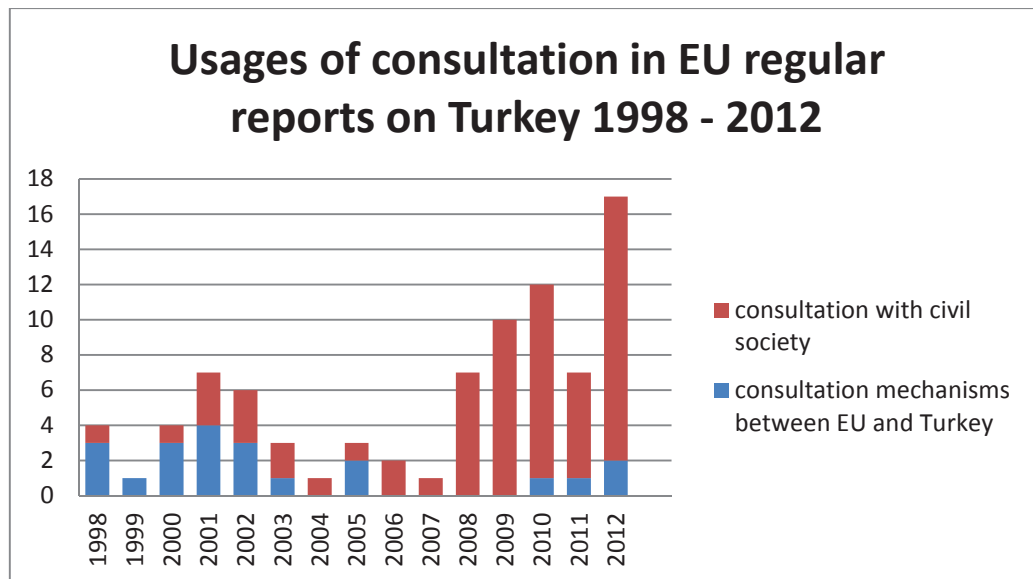
The table below shows references made to civil society in major EU documents issued between 1999 and 2011. The graph highlights an increasing trend with peak points in periods when EU-Turkey relations progressed. Additionally, one should note that despite relations slowing down after 2005, the recent trend for civil society policy is more progressive. The breaking points for the increasing attention to social partners and civil society's role in the accession process are the Copenhagen Summit in 1993, when the scope of EU democratic conditionality were broadened; 1999 Helsinki Summit, when Turkey was offered candidacy; and 3 October 2005, when accession negotiations started with Turkey. At present, the peak point is 2011, when the EU issued a policy paper for civil society in Turkey during 2011-2015.

**Figure 3: Inclusion of Civil Society in EU regular reports on Turkey 1998-2012**



The table below shows the usage of the term ‘consultation’ within EU regular reports on Turkey produced between 1998 and 2012. Prior to Turkey being granted candidacy status and accession negotiations starting, the regular reports focused more on the ongoing consultation between the Turkish government (executive branches) and EU institutions, and references to consultations among the government and civil society at the national level were almost non-existent. Over time, after the EU-Turkey relations were stabilized, the EU placed greater emphasis on the necessity of government’s consultation with civil society in the ongoing accession process. Particularly after 2008, almost every chapter includes an evaluation on whether legislations were drafted/adopted with an appropriate consultation of civil society and other stakeholders. The most recent 2012 report includes such assessments 15 times in different policy areas.

**Figure 4: Usages of consultation in EU regular reports on Turkey 1998-2012**



The following section will discuss the EU's approach towards civil society in Turkey's accession process to the EU, with the objective of specifying the general findings drawn from former sections indicating the EU's relation to its societies. This part also will review the phases of EU-Turkey relations in which new policies were introduced for the civil society. In the first phase between 1999 and 2005, the EU's first priority towards civil society in Turkey was the development of the political environment through conditionality. After the accession negotiations started in 2005, the civil society dialogue framework was established with the input of civil society in Turkey for facilitating the accession process highlighted and supported in many respects. In 2008, the Civil Society Facility came into force and aimed to include civil society in the decision-making processes through their financial support. Recently, the EC has conveyed guiding principles for EC Support of the Development of Civil Society in Turkey during 2011- 2015, with this policy paper affirming the EU's approach towards civil society in Turkey. On the other hand, the EU has increased allocation of funding for civil society to support its policies that were diversified over time.

### **3.3.2 Transformation of political environment in Turkey through EU acquis**

Within history of EU-Turkey relations, the EU's special interest in NGOs can be traced back to 1998, when the EC prepared its first progress report on Turkey's accession to the EU. During that period of time, the EU has started to promote cooperation among Turkish authorities and NGOs to support Turkish authorities' efforts to increase respect for human rights and the rule of law (European Commission 1998: 6).

EU conditionality towards Turkey has been the core strategy to induce its meeting with community rules. At the Copenhagen Summit in 1993, the political condition of accession to the EU was defined, referring to the "stability of institutions guaranteeing democracy, the rule of law, human rights and respect for and protection of minorities". As part of this broader agenda, the primary focus in the earlier periods of EU-Turkey relations was on improving the political environment in favor of civil society. The EU placed the demand on the Turkish government to meet the minimum requirements for civil society development, with progress assessed through the situation of civil society context particularly in respect of the Copenhagen criteria. In other words, civil society in Turkey was on the agenda of the EU due to the political criterion, with related policies proposed to reduce the policy misfit with regard to the Copenhagen criteria. In the preparation of regular reports on Turkey, the Commission did not only elaborate on the political environment that restricts vibrant civil society in Turkey, but also made use of the reports of members of civil society (especially from the field of human rights). In general, the EU claimed freedom of assembly, freedom of association and freedom of expression are not assured in Turkey, and there have been negative consequences on the working of NGOs and trade unions. In the 1999 regular progress report, the EU brought a case illustrating this situation when the Turkish government prosecuted human rights NGO for 'separatist propaganda' based on a document prepared in a project financed by the EU (European Commission 1999: 19). Moreover, the 2000 regular report indicated the unfavorable political environment for the NGOs:

"...Freedom of association and assembly (public meetings and demonstrations) is still not fully respected. NGOs' activities such as conferences or distribution of leaflets require official permission. NGOs are prohibited from establishing umbrella institutions and from arranging institutional collaboration with other NGOs on an international scale (unless permitted by decree of the Council of Ministers). NGOs and branches of NGOs which are active in the field of human rights continue to be subject to pressures and/or to be closed down, in particular in regions under emergency rule."(European Commission 2000c: 17)

The similar context for trade unions has also been indicated:

“...As far as the role of trade unions and the right to strike are concerned, difficulties continue to exist”  
(European Commission 2000c: 19)

“...As regards social dialogue, a law on trade unions in the public sector is under preparation, containing a number of provisions which could entail significant constraints on the right to organize in the public sector. These restrictive provisions notably relate to the exclusion of large categories of workers from the right to join trade unions; the possible 'liquidation' of trade unions by the authorities, which could lead to the banning of trade unions on political grounds; the scope of collective bargaining; and the right of affiliation to international public employees' confederations.” (European Commission 2000c: 50)

The European Council in Helsinki granted Turkey the EU candidacy and accession partnership (2001), presenting the priority areas to be supported and the single framework providing the financial means available through towards Turkey's membership. The accession partnership also touched upon the unfavorable conditions blocking the mobilization of civil society, with references to the former regular reports and objectives concerning its development in Turkey. The Council undertook to “strengthen legal and constitutional guarantees of the right to freedom of association and peaceful assembly and encourage development of civil society”, under the title of “enhanced political dialogue and political criteria” (p.16). In order to ensure the conditions in place for an active and autonomous social dialogue, the Council established the objective of ensuring that “trade union rights are respected and by abolishing restrictive provisions on trade union activities”. Additionally, supporting their capacity building efforts to develop and implement the *acquis* in the field of employment and social affairs was highlighted (p.18).

The declaration of Turkey's candidacy in 1999 boosted reforms regarding the democratic political environment for civil society. The accession partnership facilitated various reforms, with the 2001 regular report indicating improvements with regard to civil society development and their participation in the accession process. Article 34 of the constitution was amended to bring slight improvements in the rule of law and strengthening of institutions. The Economic and Social Council was set up in 2001, enabling the consultations of economic and social actors. However, the report suggested that NGOs could only be invited to attend the meeting at the discretion of the Prime minister. This council is a single step and given the dominance of the government does not bring autonomous tripartite social dialogue (p.67).

This report also pointed out that the government needs to strengthen its administrative capacity for social dialogue and should support the capacities of social partners, given that “they will be called to play in the future in the social dialogue at EU level as well as in common European policies.” (p.69). The 2001 regular report also includes developments regarding the enforcement of human rights, namely the establishment of various bodies to monitor the implementation of legislation.<sup>12</sup> The Human Rights Consultation Board was established as a venue allowing the exchange of views between the government and NGOs (p.21). During this period of time, various laws and regulations were updated for the improvement of the political environment of civil society in Turkey under the EU’s impact. The law on “Trade Unions of Public Employees” was adopted in 2001, but still excluded the right to collectively bargain or strike. With regard to freedom of association and peaceful assembly, the amendment of article 33 of the constitution eased the restriction on forming associations, and the abolishment of difficulties regarding NGOs forming international linkages was expected accordingly. The report remained skeptical of the formal changes since it was not implemented, and there have been obvious cases in which NGOs have been subjected to harassment and intimidation, having to gain government to receive financial support from abroad (p.26) (European Commission 2001b).

Three rounds of extensive reform packages were passed during 2002 to meet the political conditions of the *acquis*. The first legislative package addressed the freedom of speech, whereas the second, passed in April 2002, addressed freedom of association and assembly, freedom of press and freedom of speech. The third Legislative package, passed 3rd August 2002, abolished the death penalty and lifted restrictions on the individual cultural rights of minorities.

The 2002 regular report also highlighted that the Turkish government had made some progress in increasing civil society dialogue in the policy field of human rights. The parliamentary Committee on Human Rights intensified relations with NGOs with regular visits (p.19). However, there have been deficiencies, such as in the application of the Human Rights Board, with NGOs unwilling to participate since they were not satisfied with their composition. The government also passed various laws lifting pressure on civil society,

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<sup>12</sup> e.g. the Human Rights Presidency, the High Human Rights Board, the Human Rights Consultation Boards and the Investigation Boards. The Human Rights Presidency



progressing to ensure freedom of association and peaceful assembly. These reforms eased collaborations of NGOs with foreign donors and international organizations, making it difficult to ban any association. However, according to the report, the restrictive character of such law has remained. Foreign associations' presence is restricted and various legal grounds to ban an association were retained. Nevertheless, the EC has observed CSOs more actively participating in the reporting period against this background. With the leadership of TÜSİAD , having also written extensive reports on political reforms, 175 CSOs have issued a common declaration pressuring the government to further the reforms to accelerate the accession process. There have been slight improvements, but the EC warned that NGOs could not establish dialogue with authorities or actively participate in the reform process. Their close cooperation and involving NGOs in the drafting of new law on associations was advised (p.36). Regarding the situation of trade unions, the same problems were pronounced and report did not mention advancement in their situation (European Commission 2002)

The EU political conditionality has enforced the Turkish state to liberalize NGO and associations law. For instance, Turkey was able to restructure the associational system by passing reform packages to meet the economic and political criteria for accession in the phase of accession period. The EU funds have strengthened their capacity building, particularly supporting projects aimed at building up their relation to state with institutionalized forms. The EU candidacy status and thus democratic conditionality has changed the characteristics of civil society, in which Turkish public and private interest groups operate. The Turkish government pushed reforms in sensitive areas to meet the political aspects of the Copenhagen criteria. The government passed various laws under the National Programme, aiming to create “legal foundation for the full protection of the individual rights and freedoms, the freedom of thought and expression, the freedom of association and peaceful assembly and the enlargement of the space of civil society” in Turkey.

The regular progress report of 2004 underlined that Turkey had progressed since 2002, and that there has been institutional convergence towards the standards set out by the EU with “civil society grown stronger” accordingly (p.15). Nevertheless, the EU continued to highlight the deficiencies regarding civil society's participation in the Human Rights Board and the efficiencies of these organizations. Despite government regulation removing security forces involvement from the boards, two major human rights organizations resisted participation on the ground that government reps had a strong influence on the Boards, and even that some Boards did not receive any applications nor meet at all. Overall, these organizations did not

receive too many complaints. Another case is the Human Rights Advisory Committee, which brought together government representatives and civil society, but the report suggested that its impact has been limited, regardless of some exchanges (p.32). Concerning ensuring freedom of association, the report summarized various reforms lifting the pressure on civil society and referred to the establishment of “Department of Associations” within the Ministry of the Interior to take over the duty from the Director General of Security (p.36). However, this was realized in 74 cities out of 81, with the exclusion of Istanbul. NGOs observed the new institution as being more open, yet in practice there have not been significant changes (p.41). There have also been amendments to the law on associations, which has passed in the Parliament but vetoed by the President. The report again indicated various restrictions on civil society (p.40), yet with respect to trade unions and their positioning in social dialogue, this report did not detail any positive developments. Turkey have not accepted Article 5 (“right to organize”) and Article 6 (“right to bargain collectively” including the right to strike) of the European Social Charter (p.48) (European Commission 2004b).

### **3.3.3 The Civil Society Dialogue between EU and candidate countries**

The EC noted that citizens in EU Member States were neither sufficiently informed nor prepared in the previous enlargements. In order to overcome such problems in the future enlargement of the EU, the EC recommended that “strong, deep and sustained dialogue between the societies of the candidate countries and in the EU member States, as well as with the EU institutions” should complement the process. On 17 December 2004, the European Council took into account the recommendation of the EC and broadened the scope, stating, “parallel to accession negotiations, the Union will engage with every candidate state in an intensive political and cultural dialogue. With the aim of enhancing mutual understanding by bringing people together, this inclusive dialogue involves civil society.” In 2004, upon request of the European Council, the Commission prepared an assessment on Turkey’s possible accession to the EU and its further implications. This report stressed that the accession of Turkey is challenging both for the country itself and the EU, given that Turkey’s accession would be different than previous cases based upon “Turkey’s population, size, geographical location, economic, security and military potential, as well as cultural and religious characteristics.” (p.4) The EC has underlined that “it has been widely argued that the Turkish

State and society have values and practices incompatible with EU standards”, and “Turkey has been described as a country with a different cultural background adhering to democratic principles in the same manner as EU Member States” (European Commission 2005). The peculiarity of Turkey’s Europeanization is relevant in terms of how the EC and European Council convey their perspective regarding role of Turkish civil society in the country’s accession process.

This report paid special focus to the empowerment of civil society with regard to human rights development in Turkey, as the previous reports indicated. The section covering the situation concerning civil society was renamed “Reinforcing and Supporting the Reform Process with Turkey”, and civil society was given further roles in the consolidation and broadening of political reforms (p.6). For the first time, this document addressed strengthening of the dialogue between the EU and Turkey to discuss concerns and perceptions of both parties on issues such as difference of cultures, religion, issues relating to migration, and concerns regarding minority rights and terrorism. At this point, the EC emphasized the significant roles of civil society in the formation of dialogue, promising to present concrete proposals on how to initiate such a dialogue (p.8). The EU’s projections for Turkey’s foreign policy and its possible performance regarding the political reforms and democratic development are based on the assumption that ‘internal development’ would provide the direction. The presence of civil society and its raising of awareness in international affairs were mentioned among the domestic factors paving the way for the consolidation of democratic reforms (p.11).

The EC adopted Civil Society Dialogue between the EU and candidate countries in 2005, immediately after the accession negotiations started with Turkey. This framework incorporated the EU’s approach towards civil society in the accession countries of Turkey and Croatia. Civil society dialogue was first proposed as the third pillar of the EU’s three-pillar policy vis-à-vis Turkey: “the first pillar focused on reinforcing the political reform process in Turkey, the second pillar consisted of conducting negotiations under a revised methodological approach and the third pillar was about a EU-Turkey dialogue.”

The EC has broadened the definition of civil society within this policy framework, with municipalities and other local communities included in the dialogue. The definition of civil society is broad: “all structures in society outside of government and public administration, whether based on a voluntary or mandatory membership (trade unions and employers

federations, organizations representing a broad spectrum of social and economic actors, non-governmental organizations, grassroots organizations, religious communities and the media)".<sup>13</sup> The major objective to promoting civil society dialogue is facilitating the enlargement process by informing public opinions from the EU and candidate countries about the opportunities and challenges that future enlargement can bring. Civil society's increasing participation in political, cultural and economic transformation of the candidate country has been indicated as one of the prerequisites for achieving this objective. Thereby, the EC highlighted the importance given to the development of vibrant civil society in candidate countries that are also associated with the political criteria for the accession and consolidation of human rights and democracy (p.3) (European Commission 2007b). The Civil Society dialogue established with Turkey in 2004 has remained as the model, and was extended to the Western Balkans in 2006 (p.23-24). The 2007 regular report noted that IPA financial assistance devoted € 500 million to Turkey, and, € 21.5 million from the 2006 National Programme supported civil society dialogue between the EU and Turkey through grants to selected projects in 2007(European Commission 2007b: 5).

In 2006, the Council's decision on the principles, priorities and conditions contained in the Accession Partnership with Turkey reflected new perspectives on the EU's civil society policy in accession countries, and specifically Turkey. Similar to previous policy papers, the EU continued its interest in facilitating and encouraging the domestic development of civil society, and differing from previous attempts, this framework stressed ensuring their involvement in the shaping of policies and exchanges between Turkish civil society and its European counterparts (p.4). In 2006, the EC communicated its Enlargement Strategy and main challenges for the term 2006-2007 to the EP and Council (European Commission 2007c). Following the argumentations raised in the 2006 Council decision, the EC adopted a focus on ensuring support for enlargements and ensuring its better communication. Furthermore, the report indicated, "it is significant to listen to citizens and address their concerns through adequate policies and present factual information." Accordingly, this report presents the EU feeling detached from societies, whereas societies are not well informed on the enlargements' prospective benefits. Civil society has been given roles to cope with such

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<sup>13</sup> EU Website. Summaries of EU legislation. "Civil Society Dialogue Between the EU and candidate countries". Last modified, January 23, 2007.  
<[http://europa.eu/legislation\\_summaries/enlargement/ongoing\\_enlargement/e50022\\_en.htm](http://europa.eu/legislation_summaries/enlargement/ongoing_enlargement/e50022_en.htm)> [Accessed, June 12, 2012]

deficiencies, and moreover, the EC have instrumentalized them as sources of user-friendly information bases to assess the development of candidate states.

### **3.3.4 The Civil Society Facility**

Since 2006, the EU has focused attention on civil society participation in the governing of the accession process. The EC's 2007 regular report on Turkey highlighted the recent reforms supporting civil society to play active roles in policy-making and addressing social, economic and political causes. Moreover, the EC emphasized that their participation in policy-making would enhance political pluralism (p.16). The report indicated various examples regarding NGOs' increasing participation in the governing of the EU accession process, with women's rights organizations and public institutions combining in regular meetings and monitoring the implementation of the prime ministerial circular to combat honor killings and domestic violence against women. Furthermore, women's NGOs have engaged in public awareness activities to draw attention to women's participation in politics and to promote female candidates in the July 2007 elections. Their actions proved successful, with the number of women in parliament doubling. Moreover, educational NGOs undertook campaigns aimed at increasing enrolment rates in primary and pre-schools (European Commission 2007a)

The 'Civil Society Facility' (CSF) came into force in 2008, including civil society in decision-making processes through their financial support<sup>14</sup>. The CSF holds the clear objective of enhancing participatory democracy in Turkey by improving civil society–state dialogue, enhancing their capacity to contribute effectively to public sector reforms, and increasing the access of CSOs to financial resources.

This initiative relies on the 2008 -2009 Enlargement Strategy, which clearly associates the success of the accession process with the involvement of civil society in policy dialogue and consultations. It argued that the engagement of civil society in the pre-accession process increases the quality of the accession process and enhances public support for the ongoing reform processes:

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<sup>14</sup> EU Website. EU enlargement. "Civil Society Facility 2011-2012 (9) Country Fiche: Turkey". <[http://ec.europa.eu/enlargement/pdf/financial\\_assistance/ipa/2012/pf\\_9\\_csf-tr.pdf](http://ec.europa.eu/enlargement/pdf/financial_assistance/ipa/2012/pf_9_csf-tr.pdf)> [Accessed June 5, 2012]

“...Increased participation of civil society organizations in the reforms undertaken in the enlargement countries is a strong determinant for the pace and quality of the accession process, as well as in attaining public support for accession.” (European Commission 2008: 10).

Following the CSF declaration, the EU started a new project called Technical Assistance for Civil Society organizations (TACSO), in Western Balkan countries and Turkey. This project aims to overcome key challenges hindering the influence of CSOs in decision-making processes. The overall objective is to increase the capacities of CSOs by addressing existing issues such as ‘weak organizational capacity, lack of cohesion across the sector, low-level of community based operations and insufficient regional networking’. In general terms, the project pursues strengthen the roles of CSOs in participative democracies.<sup>15</sup>

Introduction of Civil Society Facility was a turning point and EU directed all its attention to overcome problems block civil society participation in governing the accession process. By 2008, the EU had repeatedly mentioned the significance of strengthening state- civil society cooperation in the governance of the accession process. The 2008 EC regular report on Turkey raised the issue of achieving the conditions maintaining the systematic participation of civil-society in policy-making. The EC observed that governmental bodies consult CSOs, yet this occurs on an ad-hoc basis without a code, and hence does not lead to tangible policy output. Developing a coherent legal framework organizing this cooperation was therefore proposed (p.19), supported by the examples of various cases. For example, women’s NGOs complained about the government-initiated consultation procedure for elaborating on gender policy, claiming that a limited number of CSOs were consulted and that their positions were not taken into account (p.21) Moreover, the report advised the enhancement of civil society involvement in various policy areas, including policies on internally displaced persons (p.29), judicial reform (p.68) and anti-corruption (p.69) .On the other hand, further amendments made to the Law on Foundations February 2008 furthered the freedom of associations and extended the legal framework to all existing foundations. These new provisions eased the foundations’ workings regarding their establishment and funding of activities. The conditions were revised in the favor of foreigners establishing foundations in Turkey. Moreover, the Foundations Council was established and brought opportunities for the foundations’

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<sup>15</sup> TACSO Website, “Project Data: Capacity Building of Civil Society Organisations in the Western Balkans and Turkey”.< [http://tacso.org/doc/doc\\_brochure\\_en.pdf](http://tacso.org/doc/doc_brochure_en.pdf)>[Accessed September 21, 2012]

representativeness. However, there are restrictive measures concerning associations that receive funding abroad, including from the EC. Interestingly, the report indicated repressive measures on NGO activity in East and Southeast Turkey, with a lesbian, gay, bisexual, transgender/transsexual (LGBT) association closed down and the registration of the Turkish Armenian Business Development Council rejected. (p.18)

The 2009 Regular report on Turkey repeated similar points advanced previous year, highlighting that the legal framework on associations is broadly in line with European standards, yet problems exist in its implementation. This report emphasized growing awareness within public institutions and the general public about the significant role played by CSOs, including in the accession process. A full-time EU Chief Negotiator was appointed, organizing meetings with civil society to promote participation and a better understanding of the accession process (p.8). Yet in many cases, a lack of coordination between the government and civil society was stressed, necessitating the further participation of CSOs in policy-making. This report does not see any progress was made on the fields of labor law and states there is little progress observed on the field of social dialogue (European Commission 2009b).

The 2010 regular report on Turkey once again indicated deficiencies in the implementation of progressive law and regulations. For illustration, the report highlighted the way in which the government proposed constitutional amendments and their adoption, however there has not been a consultative process involving civil society (p.8). However, the roles of the State Minister for EU Affairs and Chief Negotiator were praised, frequently meeting with CSOs to promote their participation in the accession process (p.9). At the governmental level, actions with the potential to raise awareness of the role played by CSOs were pursued by the EU Secretariat-General, and consultative meetings were organized with civil society on the accession process (p.22). This report indicates limited progress in the field of labor law and relations. The report positively assesses developments in social dialogue, including progress in collective bargaining for public servants and an amendment lifting bans on strikes. Changes in legislation have allowed membership of workers in more than one labor union. Furthermore, the Economic and Social Council has become a constitutional body to be consulted by the government for policy-making in the economic and social fields (p.69). However, assessments of the EU have claimed that trade union legislation is still not in the line with EU standards and ILO conventions (p.70).(European Commission 2010).

The 2012 Regular report also noted that the legal basis of freedom associations meets European standards, yet its application remains problematic. The report addresses restrictive interpretations of the legislation against associations, civil society organizations and trade unions, evaluating the quality of the government's consultation with civil society several times (discussed previously on page 72), underlining that 'consultation of civil society remains the exception rather than the rule' (p.10). On the other hand, this recent report once again repeats the limited progress in social dialogue, with current conditions unable to meet the EU and ILO standards. The report also mentions freedom of association legislation being broadly in line with the EU standards, however necessary changes for trade unions have not been made (p.23). Specific incidents exemplify the restrictive interpretations of laws, with frequent imprisonments of trade union activists and a ban on specific strikes discussed in detail. The EU explains the low level of unionization and coverage of collective agreement through restrictive legislative provisions (p.65) (European Commission 2012).

### **3.3.5 A Coherent Civil Society Policy for the foreseeable Future**

The EC has accepted the guiding principles for EC Support of the Development of Civil Society in Turkey for the 2011- 2015, for the first time producing a single coherent program addressing an accession country's civil society (European Commission 2011b). This policy proposal addresses criticisms mentioned in special the report by the European Court of Auditors, which diagnosed an insufficiency in the EU's strategic approach for the area of civil society development. This new policy proposal is a follow-up to the EU's specific objectives regarding civil society development and dialogue formulated in the Enlargement Strategy (2007c) and existing strategy and programming documents, including the Accession Partnership (2008) and Multi-annual Indicative Planning Document (European Commission 2009a). The EC provides a multi-annual strategic approach by explicitly determining objectives, possible EC actions and indicators for assessment. Generally, this document relies on civil society policy built on civil society dialogue and civil society facility, with objectives listed under two general headings. The first objective is to improve the legal environment for active citizenship, and the second is to strengthen the capacity of organized active citizens.

In the guiding principles for the European Commission support of the Development of Civil Society in Turkey (2011- 2015), the scope of civil society is further enlarged to incorporate a vast range of activities, e.g. participation in sports clubs, spontaneous parents' initiatives for schools, supporting petitions or membership of a CSO. The EC aims at



“contributing to a more open, participatory and dynamic democracy in Turkey and place active citizenship at the heart of its efforts to that end.” However, despite the EC encouraging “Turkish authorities to facilitate all forms of active citizenship”, there is a particular focus on the element of active citizenship directed towards influencing collective choices at local, regional, national or European levels. This document brings together EU action towards civil society in Turkey.

Technical Assistance for Civil Society Organizations (TACSO) prepared documents, with their scheduled activities hinting that the EU is placing extra significance on the preparation of a code of conduct regulating civil society and state relations in Turkey. TACSO has issued a report on the Civil Society Environment in the Western Balkans and Turkey (2010), including the conceptual framework for “enabling civil society environment” and providing data from nine countries.<sup>16</sup>

It is widely acknowledged that the EU accession process has had a direct impact on changes in the law of associations and charities. Reform packages to meet EU acquis that have been passed by the government have considerably liberalized the associational structure. The freedom of associations and autonomy of CSOs have been partially attained partially due to no problems in the implementation (affirmed by CSOs and experts interviewed). In contrary to other IPA beneficiary countries, TACSO’s report on the Civil Society Environment in the Western Balkans and Turkey (2010)<sup>17</sup> highlighted the formal institutional mechanisms for mediating relations with civil society and government do not exist in Turkey. Expert from the TASCOS project indicated that the establishment of such an agreement would be afforded high priority by the EC in the forthcoming period. There are study visits and workshops scheduled for the 2011 and 2012.

### **3.3.6 Financial Support**

EU efforts to engage civil society in accession processes were materialized with the concrete direct material incentives, Funds are allocated to enhancing the active involvement of civil society in the implementation of the acquis and strengthening their institutional

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<sup>16</sup> TACSO Website, "The Civil Society Environment in the Western Balkans and Turkey Report." <http://www.tacso.org/documents/reports/?id=1754> (accessed November 11, 2012).

<sup>17</sup>This report offers the conceptual framework for the “enabling civil society environment” and provides the data from nine countries.

capacity, with material elements including financial aid aiming to boost their capacity in project design and implementation, fundraising and communication. Civic initiatives are funded, including various projects some apolitical and many touched clearly on political themes. The Instrument for Pre-Accession Assistance (IPA) supports Turkey's efforts to meet the Copenhagen criteria, with special attention placed on the political criteria and particularly strengthening institutional capacity and investment related to the adoption of the *acquis*. The beneficiaries of EU's financial assistance not only include the public sector or Turkish government, but also such programs addressing the needs of non-state actors, including business interest groups, trade unions, small and medium sized enterprises (SME), associations, foundations and non-profit organizations.

The IPA offers financial incentives for the promotion of civil society dialogue between the EU, Turkey and Civil Society Development (CSDP). The European Initiative for Democracy and Human Rights (EIDHR) has focused on Turkey and supported NGOs through micro and macro-projects; between 2002 and 2012, over 100 micro and macro projects were implemented with an annual budget of EUR 2 700 000. The EC is dedicated to furthering its assistance to long-term partnerships between the civil society organizations, and their counterparts in the EU to promoting transfers of knowledge and experience<sup>18</sup>.

Organizations active in such crucial areas as youth, gender-equality, environment, consumer rights, cultural rights, civil and human rights, and combating social exclusion and all kinds of discrimination, are encouraged to establish a sustainable dialogue with EU institutions and their European counterparts. Civil society dialogue includes the business community, professional organizations and social partners from both sides.<sup>19</sup>As a component of the Technical Assistance and Information Exchange Instrument (TAIEX)<sup>20</sup>, the People-to-

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<sup>18</sup> EUROPEAID Website. "EIDHR TURKEY PROGRAMME.", accessed July 12, 2012, [http://ec.europa.eu/europeaid/what/humanrights/documents/eidhr\\_2008\\_projects\\_in\\_turkey\\_en.pdf](http://ec.europa.eu/europeaid/what/humanrights/documents/eidhr_2008_projects_in_turkey_en.pdf).

<sup>19</sup> AVRUPAINFO. "Civil Society Dialogue" <<http://www.avrupa.info.tr/Files/File/CSD/civildialogue-eng.pdf>>[ Accessed July 12, 2012]

<sup>20</sup>The Technical Assistance and Information Exchange Instrument (TAIEX) is a financial instrument for enlargement that aims to help countries with regard to the approximation, application and enforcement of EU legislation. TAIEX provides short-term technical assistance and advice, technical training and peer assistance, and database tools.

AVRUPAINFO. "CSD Guiding Principles." <[http://www.avrupa.info.tr/fileadmin/Content/Files/File/CSD/Guiding\\_Principles\\_for\\_EC.pdf](http://www.avrupa.info.tr/fileadmin/Content/Files/File/CSD/Guiding_Principles_for_EC.pdf)>[ Accessed July 12, 2012]

People Programme (P2P) offers individuals and non-governmental organizations the opportunity to visit EU institutions, relevant EU umbrella non-governmental organizations, and other European, national and international organizations, with the main purpose of strengthening the role of civil society organizations by providing opportunities to familiarize them with EU policies, programs, initiatives and best practices. Another program is the European Union Visitors Programme (EUVP), aiming to increase mutual understanding between professionals from non-EU countries and their EU counterparts by organizing individual 5-to-8 day programs of meetings with EU officials in Brussels, Strasbourg and/or Luxembourg. The EU undertook setting-up a Euro-Turkey Business Council, similar to the projects carried out in Central European candidate countries during accession negotiations. This Council will be a forum for EU companies active in Turkey, and their Turkish counterparts, with the aim of acting as a link between European institutions and local business associations. (European Commission 2005).

Due to the accelerating the pace of accession, both political and financial instruments directed at civil society have become diversified, with the amount of funds increasing considerably. Until 2002, the EU supported Turkey's customs union and economic and social development under the Euro-Mediterranean Partnership National Indicative Programme (MEDA) (1996-2001). Following the candidacy being granted by Helsinki European Council in 1999, financial programs have been opened with pre-accession orientation (Euro-Mediterranean Partnership 2005). The priority areas during 2004-2010 were institution building and investment support Turkey's effort to meet the Copenhagen criteria, with a special focus on political criteria. Organizations involved in social dialogue, such as employers' federations, trades unions, professional organizations and other representative bodies, were treated as important actors in the EU accession period of Turkey. They were assisted in order to enhance their potential in helping preparations for accession and the implementation of the *acquis*, with non-governmental organizations also assisted. The EU supports initiatives that pursue consolidation and the further development of democratic practices, rule of law, human rights, equality for women and men and the protection of minorities.<sup>21</sup>

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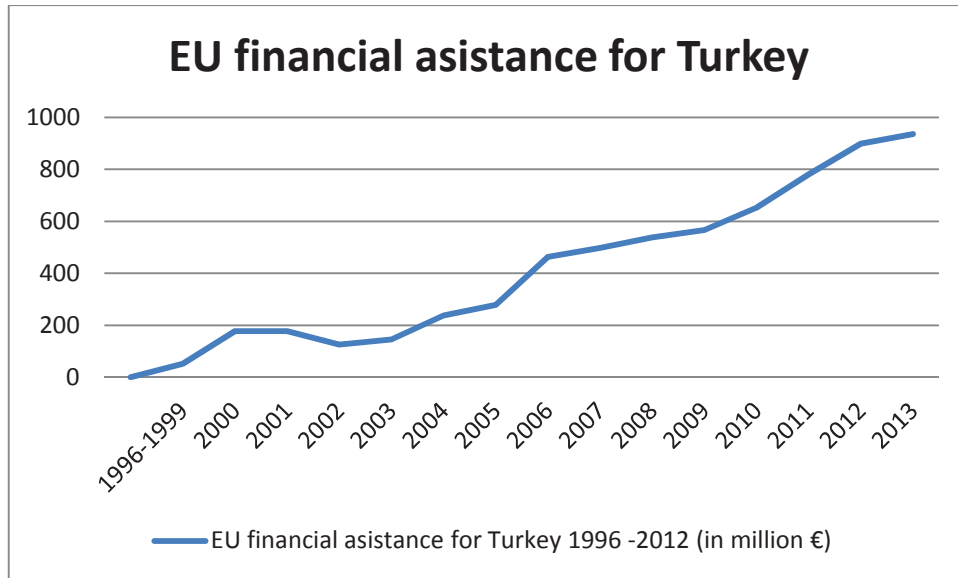
<sup>21</sup>CENTRAL FINANCE CONTRACTS UNIT Website. "EU- Turkey Financial Cooperation". <<http://www.cfcu.gov.tr/program.php?lng=en&action=program>> [ Accessed June 22, 2012]

In the 2003 Accession Partnership, the EU once again undertook to lift restrictions and ensure the development of civil society. Pre-accession community assistance prioritized institutional building and investment in the 2003-2006 period (Council of the European Union 2003: 16), in line with the PHARE programs. For the years 2000-2003, financial assistance to Turkey amounted to an annual average of around € 177 million. In 2003, the pre-accession financial assistance national program totaled € 144 million, whereas the 2004 program had €235.6 million allocated for the national program of Turkey. For reference, between 1995 and 2003 the EU committed €1098 million to various programs (European Commission 2004b: 8). Institutional building regarding political conditionality and pre-accession assistance has addressed improving government-to-civil society dialogue, with the EIDHR also included in the scheme. Between 1995 and 2002, € 954 million was committed to various programs in Turkey.

The EC's 2007 communication, covering enlargement strategies and the main challenges for 2007-2008 proposed the Multi-annual Indicative Financial Framework for IPA, covering the period 2009-2011, with a facility to enhance the development of civil society and dialogue through capacity building and exchange projects (p.4). The objective for initiating the facility is the enhanced capacities of civil society, boosting their exchanges and dialogue with counterparts and bodies in the EU (p.14-15) (European Commission 2007c)

By 2011, IPA assistance had started being implemented with a decentralized management in Turkey. The EC continued to support civil society capacity building, encouraging civil society dialogue between Turkey and the EU under the national program and Civil Society Facility (p.5). In the 2011 regular report, assessment of CSOs' inclusion in policy processes states 'this is in still in a nascent stage but has advanced' (European Commission 2011a: 28).

**Figure 5: EU Financial assistance for Turkey: 1996-2013**



The table above clearly illustrates the increasing trend of financial assistance offered by the EU for Turkey from 1996-2013. During 1996-1999, the EU offered assistance to Turkey through the MEDA program, with 52 million Euros released in this period. After Turkey was granted candidacy at the Helsinki Summit, funding schemes applied in a systematic way and a draft regulation on Pre-Accession Aid for Turkey (2005/2001/EC) came into force. This scheme brought together three funding sources that had applied in the previous terms: MEDA, Economic and Social Development Support for Turkey, Support for Enhancing Turkey-EU Customs Union, with the amount of funding increasing considerably. The EC revised its financial schemes in 2006, applied through five source programs (PHARE, ISPA, SADARD, Pre-Accession Assistance for Turkey and CARDS), bringing them together by establishing the Instrument for Pre-Accession (IPA). The new pre-accession strategy includes Turkey and other potential candidate countries. Along with the reorganization of the financial schemes, the amount of funding dedicated to Turkey has increased since its accession negotiations started in 2005.<sup>22</sup>

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<sup>22</sup> Data compiled from IKV Website. “Turkey- EU Financial Cooperation”.  
<[http://www.ikv.org.tr/icerik\\_en.asp?konu=maliisbirligi&baslik=Financial%20Co-operation](http://www.ikv.org.tr/icerik_en.asp?konu=maliisbirligi&baslik=Financial%20Co-operation)>, [Accessed July 20, 2012]

### **3.3.7 Conclusion**

EU policy towards civil society in accession states has different components with complementary goals, with the EC imposing conditionality (political instruments) and EU funding (financial instruments) in support of the civil society development. Along with the purpose of civil society development, the major long-term objective is strengthening such actors to boost the accession process, and the successful implementation of the *acquis*.

Civil society was first given significance in EU-Turkey relations when the country was granted EU candidacy status. First, with the guidance of the Copenhagen criteria, the EU held the objective of transforming the political environment to ensure freedom of expression and association. Following a series of reforms, in relative terms, Turkey was able to better provide political space and enable mobilization of civil society throughout the 2000s. In that respect, despite ongoing problems, the EU visibly had strong competences to transform the political environment through conditionality.

While relations were progressing, the EU increased its voice on civil society – public sector dialogue and partnerships in governing the accession process. In 2008, The Civil Society Facility provided financial schemes to increase civil society involvement in the reform process. Along with such improvements, the EU started civil society dialogue between civil society in Turkey and their counterparts in Europe in 2005, facilitating the accession process and reducing prejudices, which is peculiar to case of Turkey's EU accession. In 2011, the EC issued a special report addressing civil society in Turkey, representing a significant step due to this policy paper offering clear objectives, and indicators and tools towards their achievement. This policy paper shows the EU's strong commitment to the policies developed for civil society over time. Finally, the analysis indicated that the scope of the civil society in Turkey has enlarged over time. In the early years, civil society was limited to social partners and major NGOs (particularly in the field of human rights), however over time the EU has enlarged its definition of civil society to include almost all actors that are not related to the state.

## **CHAPTER 4 DOMESTIC CONTEXT: DEVELOPMENT OF THE CIVIL SOCIETY IN TURKEY**

The purpose of this chapter is to review and summarize scholarly comments in reference to state formation and its relation to civil society, with this historical background emphasizing the constraining factors that explain the limited and late development of Turkish civil society. Furthermore, this section will attempt to ascertain if some segments of society and specific societal actors have been treated differently to others.

### **4.1 Ottoman Heritage: Strong State Tradition and non-existing Civil Society**

Scholars analyzing state–society relations with regard to the modernization history of Turkey have generally claimed that the patrimonial state tradition inherited from the Ottoman legacy has hindered civil society development, which has not been an effective societal force since this period. The main reason is the asymmetrical and hierarchical relation between state and its society. In contrast to the history of state development patterns in Western Europe, where struggle was eminent among central and decentralized powers, in the Ottoman-Turkish case power was concentrated centrally and allowed little room for the development of any social force or constellation.

Sunar (2004: 41) depicted state-society relations in the Ottoman Empire, highlighting differences in comparison to Medieval Europe, and concluding it remained as a political whole without state-society distinction. Heper (1992: 177) also refers to the peculiarity of development of Ottoman-Turkish polity. In his article entitled “The strong state as a problem for the consolidation of democracy”, he argued that the weak civil society in Ottoman-Turkish polity departs from the strong state phenomenon of certain cases within continental European states, suggesting “Ottoman-Turkish polity developed not alongside civil society virtually smothering the other.”

The political, economic and social system of Ottoman polity offered relative autonomy for religious and ethnic communities.<sup>23</sup> However, the structural enforcement of political and economic authority did not allow for the reallocation of political or economic privileges to any social or political actor. Sultan acted as the owner of people and properties in the name of

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<sup>23</sup> ‘Millet system’ constitutes legal and societal organization of Ottoman polity. The Ottoman peoples were categorized into religious communities and each millet could have considerable autonomy.

god (Sunar 2004: 41). State apparatus also applied religious power without an independent church of Islam, and military power enjoyed isolation acquired through a conversion system (Sunar 2004: 67). Accordingly, this political system prevented the emergence of any prospective potential opponents or countervailing powers to challenge the central authority. Heper (1992: 178) noted civil society was absent in the Ottoman – Turkish case.

Political machinery also made a strong distinction between center and periphery (Heper 1980; Mardin 1973) ; the latter remained detached with local political actors unable to access the state, given that intermediary political organizations were simply lacking. There were no initiatives to reshape local polity through the introduction of civic and associative organizations or through allowing their access to the center. The military and bureaucratic elite largely captured the center of the political apparatus, with periphery detached from the center and not granted exclusive rights, privileges or immunities ,hence the independent or autonomous state structure could not developed. Society and all types of relations were regulated with rules produced within, and applied by, the center. According to Sunar (2004: 68) there was no state policy aimed at structural transformation or the integration of center and periphery, with Heper (1985) suggesting that peripheral powers were incapable of strengthening their political power bases and challenging the central political authority.

## **4.2 The nature of Turkish Revolution and early Turkish Republic Period**

Secular Turkish Republic was founded in 1923, with the new polity substantially severing its linkages with the Ottoman legacy. Secular institutions replaced the monarchy, and a parliamentary system was established as a sovereignty norm. However, scholars analyzing the transformation of Turkish society have argued that despite the departure of the new political formation the Ottoman legacy, the new political entity retained systematic deficiencies of the former and simply reproduced them in different forms.

First, they refer to the top-down nature of the Turkish revolution, corresponding with the elite-negotiated democratization above. As Heper and Keyman (1998: 259) noted, the reestablishment of the new political order was neither achieved through multiple political confrontations (politics) nor recognition of respective legal jurisdictions (law), and was accordingly open to legitimacy crises. Sunar (2004: 105) emphasizes the social constellations



leading to change of the political system, indicating that the revolution emerged from above and did not intend to achieve social-structural transformation, but rather emphasized political and cultural changes. Furthermore, he describes the core group of the social constellation backing the Turkish revolution, suggesting that it was not a dominant class, namely aristocracy (they do not exist), urban commercial class or landed notables (they do not have political power). Rather, the core group was led by a charismatic leader, Mustafa Kemal Atatürk, and the ruling elite consisted of military and civilian elite inherited from the Ottoman rule, with their negotiation mobilized under the Republican People's Party (RPP). Following the Ottoman legacy, Sunar (2004: 72-73) noted that the early republican regime also lacked autonomous intermediary groups and institutions:

“...the center remained highly segregated and closed , with the periphery always diffuse, weak and immobilized...Overall system remained in its structure to the Ottoman past. It was organized, cohesive, and closed at the top, with selective penetration and restricted institutional permeation of society. It was primordial, segmented, and disconnected at the bottom”

The new republic had such a grand project for the modernization of society and political organization of the state, yet the ruling elite's ideological stance and projections for the new nation-state was not shared by the public. Turkish mobilization was elite-negotiated, and the grand projects of the new republic attempted to build state and nation through control rather than enabling mobilization of the masses and autonomous actors. Heper (1985: 16) notes that the Turkish republic inherited the strong state and weak civil society tradition from Ottoman era, which was perceived necessary by the new ruling elite in keeping society together. The Republican elite were selective in granting the access of societal actors in polity, particularly favoring the participation of economic actors that would contribute to the economic development of the newly-established state.

The gulf between center and peripheries remained intact and this time, and likewise the gulf between the elite and masses was clearly evident. Civil society could not develop under such conditions, since the ruling elite demanded full conformity and commitment to their modernization project. In 1931, etatism was adopted as the industrialization strategy, thus positioning the state as the central actor in policy-making. Moreover, businesses and economic actors independent of the state simply did not exist.

The 1936, the labor law followed that of fascist Italy in banning unions and any kind of strike action (Zürcher 2004: 252). The 1938 'law of associations' further increased pressure

on labor unions, prohibiting all associations based on family, community, religious or class interests (Kus and Ozel 2010).

### **4.3. Multi-Party Period: First Experiments of Democracy**

Another factor indicating the underdevelopment of Turkish civil society is the domination of party politics (Özbudun 2000: 99). The underdevelopment of the civil society made outlets of political parties the major center of politics for citizens.

The multi-party period, which started in 1945, has opened up new opportunities for the flourishing of civil society. In 1947, Labor Law, namely the ‘law of the worker and employer unions and union associations’, was passed to legalize labor unions. However, there were strict limitations attached, for instance, they were not granted the right to strike or engage in political activity. While the confederation of Turkish trade unions was formed in 1952, its position remained weak given that the living standards of members were not high enough to effectively support the union. In addition to restrictive labor law, after 1957 the state deliberately attempted to weaken linkage to international organizations and other industrial sectors (Zürcher 2004: 227). Along with trade unions, other economic actors including chambers and bars were activated as agents of the state and subordinated to achieve goals its set goals, being allowed to mobilize in the restricted political environment under control of the state (Karaman 1990: 10- 11).

The strong state tradition was not challenged within the multiparty political setting, with the strong state retaining influence over the economy, and in trying to achieve economic development through import-substitution industrialization it distributed roles to the relevant actors on ad-hoc basis Heper (1985: 102) indicates that the transition to multi-party politics did not challenge the state’s position, with business interest groups dependent on the state due to the government solely deciding the direction of policies regarding import allocation, credit and investment and infrastructure.

Despite a substantial increase in the numbers of associations and intermediary organizations during this period, the quality of the civil society environment was not developed. Civil society functioned under tutelage of the state, and was only allowed survive as long as it supported and served the agenda of the state. Keyman (2005: 42) terms it ‘the state centric model of associational life in Turkish modernity’, arguing that transition to the multi-party parliamentary system failed to change associational life in Turkey. Furthermore,

one can observe the uneven development of civil society during this period. The Kemalist elite backed business interest groups and newly-emerging entrepreneurs as they were taken as counterparts to modernize Turkey, but on the other they pressured labor interest groups (Zürcher 2004: 200).

#### **4.4. Change of the Political Power and the New Societal Constellations**

Founded by former prominent members of the RPP, the Democrat Party came into power in 1950 through democratic means. The new power was backed by the grand coalition of peripheral interests such as the urban mercantile class, landlords, peasantry and groups carrying religious demands. The RPP has been detached from the popular interests, widening the gap between elites and masses. During that period, commercial interests were politically weak, but over time they accumulated capital and became able to define their own interests due to state support. The Democrat party achieved success by emphasizing popular sovereignty, religious freedom and the liberalization of economy and politics. In order to mobilize and gain the support of the masses, the DP instrumentalized religious discourse, alienated the masses from the secular Western-oriented rulers and worsened the economic situation in the aftermath of World War II (Sunar 2004: 52).

This shift of power allowed democratic experiment in Turkey, yet this was short lived. During 1950-1960, the RPP remained the opposition party but kept old alliances, namely old bureaucracy, intelligentsia and military. Over time, the DP evolved into an authoritarian power and confronted the old center. In 1960, the military intervened in politics, overthrowing and closing down the DP, with Adnan Menderes, leader of the party, executed. In the following aftermath, a new constitution was adopted in 1961.

#### **4.5 The Second Turkish Republic, 1960 -1980**

The 1961 Constitution re-institutionalized the state and introduced new institutions to form checks and controls systems to avoid the centralization of power (Heper and Keyman 1998: 264). This constitution was liberal, strengthening the democratic credentials of the state by expanding the scope of basic rights and civil liberties, freedom of speech and assembly. The political environment was transformed, introducing elements of democratic participation by guaranteeing individual and associational liberties. Under such conditions, civil society

benefited from windows of opportunities to develop tremendously. According to Özbudun (1975: 80) the number of associations also increased quantitatively, with data indicating the number of intermediary organizations being 20 times greater in the 1960s than the previous period.

Accompanied by the legalization of strikes and collective bargaining, in 1963 the liberal political environment paved the way for the development of the labor rights movement and the improvement of social rights. Rapid industrialization in the 1960s enhanced the development of national industry, with the simultaneous strengthening of the labor rights movement. However, the levels of workers' unionization remained low, because agricultural and service workers, constituting a large portion of the workforce, were unorganized. Against this background, labor unions were able to increase the income levels of non-unionized workers in the 1960s and 1970s.

This general trend led to the proliferation of interest groups, pluralization of society and politicization of interests. However, this rapid development cannot be solely attributed to the change of institutional structures, rather also to the wider context of impulsive forces such as rapid industrialization, migration flows from rural to urban to Western countries (guest workers), increasing literacy rates and development of the mass media.

The Justice Party (AP), the heir of the DP, won the parliamentary majority in 1965, with the The Republican People's Party (CHP) remaining in opposition throughout 1960s. During this period, functional right-left cleavages replaced the old progressivism versus tradition distinction (Sunar 2004: 78), and the frequency of politicization and polarization escalated. Positioned in the line of left and right, Turkish youth and activists began to radicalize, with political instabilities in the form of student activism, demonstrations, workers' strikes and notably urban guerrilla terrorism escalating political violence in cities (Nye 1977: 209)

There were over 800 trade unions in Turkey in the 1970s, but most had small-scale membership bases and many joined nationwide federations to increase their influence. The polarized political scenery also reflected in the way they organized. The (Confederation of Turkish Workers' Unions) TÜRK-İŞ was the major nationwide federation, yet workers dissatisfied with its policy orientation founded the Revolutionary Labor Unions Confederation (DİSK) in 1967. They had fewer members than TÜRK-İŞ, but were radical and militant. Political fragmentation and polarization was also reflected in the labor union environment, with the Islamic-oriented The Confederation of Righteous Trade Unions (HAK-İŞ), and

MİSK (Nationalist Trade Union Confederation), which positioned itself within right-wing politics (Pitman III 1998: 177- 178).

Party fragmentation increased in the 1970s, with proportional representation having been adopted as the electoral system in the 1961 constitution. Along with the major parties, JP – led by Süleyman Demirel, and RPP- led by Bülent Ecevit, several other minor parties emerged and the government could only be formed by coalitions. Two minor parties on the extreme right determined the balance of power by forming a coalition government with the major parties of Turkish politics. The Nationalist Action Party (MHP) is an extreme right wing party, mobilizing like-minded youth against the left, whereas The National Salvation Party (MSP) pursued fundamentalist political Islam.

In 1971, military once again stepped in and wanted the AP government's resignation, demanding a 'credible and strong government' by declaring a memorandum to President Sunay. Coups by memorandum led to the resignation of Demirel, political leader of the JP. The military expressed their discontent with the provisions of the 1961 constitution, making it a scapegoat for the anarchical situation. Following the memorandum, substantial changes were enacted to limit the autonomy of universities and media, setting back the liberal associational and individual liberties guaranteed with the 1961 constitution.

Along with the intensification of ideological polarization with the violent activities of extreme right and leftist groups, political and partisan fragmentation characterized the 1970s Turkish political scene (Sunar 2004: 81). Political violence arising from the right–left clash resulted in 5,000 casualties, and in 1980 it was reported that there was an average of 20 political killings each day, with members of the parliament, university professors and journalists killed. These crises escalated sectarian, ethnic and religious-based conflicts (Tachau and Heper 1983: 25)

#### **4.6 The Crisis of Democracy: Military Coup of 1980**

Unstable politics, the fragile unity of coalition governments and increasing political extremism once again interrupted the political machinery, and the military intervened in politics on 12 September 1980. The military ruled Turkey until 1983, remaining the sole political power and substantially changing Turkey's political configuration, and they wanted to depoliticize society to stop the political violence that escalated during 1970s. The Constitution, Law on Political Parties, Law on Trade Unions, Foundations Law, Associations

Law, Law on Meetings Demonstrations were all considerably changed, and this new authority brought strong limitations to individual liberties. Parliament and the government were dissolved, political parties and unions banned and political leaders arrested. The National Security Council, composed of five high-rank military officers, ruled the state and reorganized politics to reaffirm the centralization of power and reestablish the state's authority (Tachau and Heper 1983: 26; Sunar 2004: 87)

Political parties and labor unions were perceived as being responsible for the high level of politicization and ideological polarization within Turkish society, and the weakening of the state (Heper 1985: 133). The autonomy of universities and the media was abolished, with former parties banned, and members of labor unions and professional organizations plus university professors not allowed to engage in political activity. The 1982 Constitution placed strict limitations on the political activity of labor unions, and an additional law passed in 1983 rendered the formation of new labor unions difficult, as all kinds of politically motivated or general strikes were criminalized (Pitman III 1998: 278- 279)

Strict limitations were imposed on the freedom of associations and freedom of media. Moreover, it is evident that military junta discriminated against organizations or labor unions that were close to the left continuum of politics, closing them down accordingly. On the other hand, the existence of those closer to the state, such as the employee organizations TISK and TOBB, was allowed to continue.

Consequently, the new authorities favored re-establishing a united and strong state authority, at the expense of the weakening of civil society. The 1982 constitution represented a further attempt to depart from the former period and to configure civil society-state relations in a different logic. Civil society actors that were either close to the state or far from being capable to challenge its authority were allowed to function, albeit with strict limitations. The military showed their 'distrust to politicians' and acted as the 'guardian of the state', changing the political configuration to depoliticize Turkish society for the avoidance of any political or ideological polarization and confrontation (Dagi 1996: 124- 125).

## **4.7 Democratic Transition in Turkey aftermath the military coup**

Civil society in Turkey could develop against this background in the 1980s, with the following sections discussing the trend of economic and political liberalization during this period, and its spillover effects as the explanatory factors behind this phenomenon. As will be discussed, economic and political openings had differential impacts on business interest groups, trade unions and newly-emerging issue-oriented NGOs.

### **4.7.1 Economic Liberalization and its side-effects**

Further to attempting to alter the political configurations by changing major premises of constitution, during this period the military rule also re-established the structure of the economy. Along with the political polarization and confrontations, the Turkish economy encountered serious problems including massive unemployment, trade imbalances, high inflation, public debt and shortage of basic consumer goods during the 1970s (Sayarı 1992: 28-29). The military establishment recruited Demirel government's chief economy advisor Turgut Özal, who was in charge of the stabilization and reform program initiated on 24 January 1980.

Turgut Özal was a significant figure in shaping Turkey's economic structure by replacing import-substitution with the neo-liberal development model in the 1980s (Öniş 2004). Özal had a significant impact on economic policy-making, and furthermore shaped Turkey's politics during the 1980s as the leader of Motherland Party (ANAP), the ruling party between 1983 and 1987, and as the president of Turkey from 1989-1993.

With an emphasis on export-oriented economic development, market-oriented policies were pursued and relevant economic and financial reforms realized. In this period, Turkey was granted IMF structural funds and structural adjustment loans from the World Bank, with the economic reforms aimed to diminish state interference in the economy and a liberal mode of governance no longer requiring the centrality of state in economic and social affairs.

Despite the economic reorganization lessening state intervention, not all societal actors could participate in policy-making processes to an equal extent. For example, powerful and well-organized large companies gained most from the policy shift from import substitution to an export-oriented market economy. The organizational structure and foundations of law did

not back labor interests and allow them to challenge state policies, with the influences of labor interests minimal through every stage of policy-making (Kubicek 2002: 764). Shambayati's research (1994) indicates that Turkish business interest groups were already powerful in the 1970s, having accumulated capital and political power during former import substitution period. Subsequently, they were ready to adapt to the neo-liberal policies introduced in the 1980s. Shambayati (1994: 327) found that business associations were even able raise their claims upon the state in the 1970s, enjoying some degree of autonomy as the Turkish state was financially dependent on domestically-generated surplus.

Further, even if the collective action of business interest groups was not realized in the 1980s due to divisions either functional or geographical reasons, the government was responsive to their interests and they remained relatively free of bureaucratic restrictions. Some segments of the business sector were strong enough to criticize the government outside of corporatist mechanisms such as TÜSIAD (Pitman III 1998: 281)

Bianchi (1985: 157) also explains the relative strength of business interest groups over labor interest groups and other societal actors, through their organizational attributes and positioning concerning the state. :

“The associations of Turkish capitalists are less numerous and more centralized; they enjoy more reciprocity in their relationships with government and party leaders and they possess a clearer advantage in their balance of power with organized labor...Businessmen were more successful in overcoming the rigidities of their traditional corporatist associations by reorganizing them from within and by quickly exploiting opportunities to create new and more flexible pluralist associations.”

Scholars have also emphasized the negative consequences of Özal's economic legacy. The rapid transition to market-oriented and neo-liberal policies required a series of reforms, and such decision-making procedures were neither interrupted by lengthy discussions in parliament nor stakeholder participation. As termed by Heper, ‘the autonomization of an executive inner cycle’ rendered the policy cycle exclusive to the key decision makers, namely technocrats, institutional players and the executive. Moreover, he notes there was no stable relation between interest groups and decision-making, including the executive and legislature (Heper 1985: 164- 165). This style of policy-making eventually undermined the rule of law and democratic policy-making. Cizre-Sakallioglu and Yeldan ( 2000: 503) state that this new structure was marked by “anti-political politics”, with political actors tending to legitimize decisions by sticking to the “efficiency of a managerial state rather than to the expansion of



democracy and concern for the rule of law”. Ugur (2004: 94) also admits that Turkey’s liberalization efforts were ‘oversold’, leading to adverse consequences highlighted by the macroeconomic instability of the 1990s. He refers to the excessive discretion enjoyed by policy-makers and the rent-seeking culture of economic actors that were inherent to the institutional structure of the politics, intact in the transition period towards neo-liberal economic restructuring (Eder 2004: 78). Conclusively, Eder (2004: 61) proposes that the liberal economic policies of 1980s could not change state-society relations.

Industry could not develop independently due to the state retaining its dominancy, with the roles of industry in policy-making kept minimal (Kubicek 2002: 764). Heper and Keyman (1998: 267) argue that this was because policymaking was extremely centralized, and that institutional collaboration between state and business did not develop. Cizre-Sakallioğlu and Yeldan (2000: 484) pointed out that the liberalization of Turkey’s financial markets did not undermine the central role of the government in the economic organization, since the state was able to maintain its dominance in both the assets and commodity market through a complex set of mechanisms. The state held the primary position in the privatization process, Heper noted that not many enterprises were privatized in the 1980s. Moreover, he refers to the decentralization process as aiming to lessen the political power of the traditional elite rather than accelerating political participation in Turkey (Heper 1991: 163).

Considering the organizational traits of business interest groups against this background, and the favorable context emerging following the export-oriented economical arrangements introduced, they were expected to gain a relatively stronger position in the governance of economy and politics. However, in contrary to these valid expectations, they were not able to channel their demands and could participate in public policy-making as the equal counterpart of the state. Moreover, attempts to introduce real market economy in the second half of 1980s brought high levels of uncertainty for the business environment, particularly given price fluctuations or inflationary environment and uncertain interest rates. Under these conditions, business interests and state could not form a strong relationship to govern economic policies (Buğra 1991: 157- 160).

#### **4.7.2 Political Liberalism: ‘zeitgeist’ of the 1980s**

Economic liberalization was accompanied with the liberal policies in different realms that led to the expansion of the public sphere. For instance, communication outlets increased and diversified with the investment of conglomerates, through private TV channels and radio broadcasting. On top of everything, despite the 1982 constitution limiting all kinds of political activity and bringing strict limitations on civil society activity, following a spill-over effect liberal ideas and liberal practices in different realms awakened individualism. Citizens increasingly claimed individualistic demands, rights and freedoms, and political consciousness with regard to women rights, human rights, environmental and gay rights was consequently aroused. Issue-oriented civil society activity developed, free from left-right ideologies. In this context, their activity brought relative pluralism to Turkish polity and attempted to challenge national discourse and the hegemony of the strong state tradition. Groups that were previously marginal due to their different identities based on ethnicity, religious or sexual orientations became visible within society and demanded equal rights (Göle 1994, 113-126).

For instance, the Turkish women movement helped to consolidate democracy in the critical transition phase from military rule to democracy by reacting against state policies and advocating the rights of women (Arat 1994). Özcürümez and Cengiz (2011) argued that the post-coup women movement represents change and an example of new social movement, whereas previously they claimed their rights within the left-right spectrum. The ideological vacuum of the post-coup era enabled them to distance themselves from political institutions and class-based contestations, therefore they stacked to individualism and mobilized with the position of ‘personal is political’.

On the other hand, the ethos of the 1982 constitution promoted a ‘conservative nationalist religious ideology’ and to a certain extent opened up the Pandora’s box (Arat 1994: 245). Military junta advocated a Turkish-Islam synthesis to legitimize the new ruling and overcome ideological and sectarian polarization, eliminating cultural differences in Turkey that harmed the unity of state in the previous periods. This synthesis was built upon Turkish nationalism, Islamic culture and Ottoman heritage (Yavuz 1997). Accordingly, the policies of the Özal government departed from the hegemonic nationalism, tolerated identity politics and advocated the logic of state that is free of ideologies and simply aims to serve society (Ignatow 2008: 435). Özal held liberalism as the guiding ethos of the era, and along with the

realm of economy, political liberalism and freedom of thought formed part of his discourse (Heper 1991). The political vision of Özal embraced different religious, sectarian, cultural identical manifestations, and aimed to avoid any polarization that could lead to clashes within society (Aral 2001: 74-75). Consequently, claims of Kurdish activists and Islamists became more vocal, with relevant research suggesting that numbers of Islamic- oriented associations and foundations increased visibly after 1983 (Yücekök 1998).

In this context, Turkish civil society generally grew in the 1990s, with the number of associations dealing with a variety of issues increasing tremendously. Scholars and stakeholders in politics highlighted the development of civil society in Turkey, affiliating this phenomenon with the democratization process (Heper and Keyman 1998: 272; Keyman and İçduygu 2003: 217- 232). However, scholars have also highlighted that raising quantity did not correspond with the high quality of the function they possess in the public sphere. In the 1990s, Turkish politics encountered massive corruption and the newly-emerging civil society was unable to act to effectively control or influence public affairs.

Cizre-Sakallioglu and Yeldan (2000: 494- 495) note that the quality of the public sphere diminished in the 1990s, due to decision-making being over-centralized, politics discredited and subsequently society disconnected from politics. They refer to the negative consequences of the neo-liberal policies, stating that a very limited number of winners emerged, and that other economically disadvantaged segments of the society ‘have further been sub-divided into distinct rival identities based on ethnicity and religion’(Cizre-Sakallioglu and Yeldan 2000: 506).

Keyman (2005: 44)also stated that the democratization of Turkey has not been achieved, since civil society is not developed in qualitative terms, noting civil society organizations’ weak organizational capacities as one of the reasons hindering their contribution to policy-making. Moreover, he also claimed that the major obstacle marking1990s politics was the continuous clash between identity-based claims (either Islamic or Kurdish) of society and state as the carrier of the mission of protecting “secular identity and territorial integrity of the society”. In this context, actors of the civil society merely functioned as the carriers of identity-based claims.

## **4.8 Legitimacy Crisis of the Turkish State in 1990s**

A series of incidents further undermined the legitimacy of the Turkish state in Turkey in the 1990s and following years, covering the socio-economic attributes of the Turkish Republic in 1990s and the conditions of international politics of that time. In addition, a specific case, namely the Turkish government's response to the natural disaster of the Marmara earthquake called the legitimacy of the Turkish state into question.

### **4.8.1 Breakdown of National Identity**

An issue based on Kurdish ethno-nationalism presented an existential issue and the first threat for the integrity of Turkish state. The Kurdish question not only challenged the strong state tradition by opening up the cultural and ethnic pluralism agenda in Turkey, but also state authority in the south-eastern part bordering Northern Iraq failed (Robins 1993: 658-659). Armed conflict between Turkish state forces and the guerrilla Kurdistan Workers Party (PKK) resulted in 35,000 casualties, most of whom were civilians.

Monolithic state identity was not challenged merely by the rise of ethnic Kurdish identity, rather it was marked by the presentation of identities in the lines of religious- Islamic and sectarian -Alevi divisions in the 1990s.

The rise of political Islam in the 1990s presented itself with the electoral success of the Welfare Party (RP), a descendant of the National Order Party (MNP) and National Salvation Party (MSP) emerging in the 1970s. In 1995, the RP attracted 21.4 percent of the votes, becoming the largest partner in the coalition government. The State elite and particularly military were somewhat uncomfortable about the increasing power base of an Islamic-oriented party in Turkey. Following several incidents, anxiety over Islamization of Turkey had increased tremendously, and on 28 February 1997 the National Security Council demanded a series of persecutions from the Prime Minister to prevent the rise of Islam in Turkey. Prime Minister Erbakan resigned in the aftermath, and the RP was banned by the constitutional court in 1998 (Taniyici 2003: 474). This post-modern military coup of 1997 can be defined as a clash between rising political Islam and the old center with Kemalist-Secular tendencies. However, Islamic manifestations of societal movements were not only represented in party politics. In the 1990s, rising political Islam was coupled with the expanding number of civil society organizations affiliated with political Islam. As an example, MUSIAD, a business interest organization with an Islamic orientation, was founded in 1990. Gulalp (1999:

34) discusses this phenomenon with reference to Islamist intellectual Abrurrahman Dilipak, arguing that Islam can no longer be associated to the rural Anatolia, but that it found a solid power base in cities with the established Islamist movement and intellectual capacity.

Alevis represent the second largest religious constituency, after the Sunni Muslim population. Although no official data exists, with many Alevis also tending to keep their identity secret, it is estimated that they constitute 30 per cent of the population in Turkey (Vorhoff 1998). Scholars observed that Alevi identity became visible in the late 1980s and particularly the 1990s. In scholarly accounts, this change has attracted different conceptualizations, with some examples including: ‘Revival of Alevi Identity’ (Caha 2004); ‘re-politicization of Alevi Identity’ (Erman and Göker 2000); and ‘The Transformation of the Collective Alevi Identity’ (Göner 2005)

These academic works have highlighted that the mobilization of Alevis in 1990s differs from previous decades, as they greater emphasized their identity issues and religious practices rather than embedding their position to the leftist political discourses. During this period, they represented their identity in many forms through the establishing of foundations, places of worship (cemevi), organizing mass gatherings in festivals, and using media outlets such as radio broadcasting, print and websites.

#### **4.8.2 Natural Disasters**

In 1999, a Marmara earthquake measuring 7.4 on the Richter scale killed 17,000 people. This disaster evidently showed the insufficient capacity of the state, and that the state administration was not well-prepared to manage such a crisis, with severe planning and audit deficiencies worsening the earthquake’s consequences. State machinery and officials were harshly criticized and blamed for the devastating results of the natural disaster. Scholarly accounts consider this incident as a turning point for the potential of the civil society emerging as an active and unitary agent to solve issues as a counterpart of the weak state. Civil society came to the fore in this event, working actively to respond to all kinds of needs of the earthquake survivors. (Kubicek 2002; Jalali 2002).

### **4.8.3 Economic Crises**

The Turkish economy experienced two currency crises, in 1995 and 2001. Extremely high real interest rates (three digits in the 1990s), increasing public sector borrowing (Akyüz and Boratav 2002: 10), government debt exceeding 60 per cent of GDP (in 1999), and capital flows explain the repetitious economic crisis in Turkey in recent decades. The financial crisis of 2001 resulted in mass unemployment and the shrinking of Gross National Product from US\$201.4 billion to \$148, thus citizens were dissatisfied with the policies of the state. As Keyman (2005: 45-46) noted, these were the turning points in widely acknowledging the failure of the strong state tradition, signaling the necessary restructuring of state-society relations p 45-46. Additionally, Önis (2004: 114) highlighted there were no attempts to establish 'institutional infrastructure for the effective operation of a market-oriented economy' during this period, which led to massive corruption in the 1990s. In contrary to expectations, the economic liberalization reforms did not weaken the state's hand in economy, rather it was able to retain control over the economy through fiscal and price adjustment mechanisms.

### **4.8.4 Globalization and the impact of Global Players of the International Politics**

The central position of state in politics was not only interrupted by domestic political developments, but also by the intensification of political exchanges across borders that once again changed the status quo. The process of globalization has facilitated the articulation of interests, demands and concerns of individuals based on their identity, culture and political vision, in different outlets irrespective of state control. Actors of Turkish civil society found new access points to voice their agenda and issues, and international and supranational agents of global politics became norm-setters. The Turkish state experienced a series of crises, undermining its legitimate central position in the pace of its reintegration with the outside world after realizing economic and communication liberalization. With spill-over effects, the expansion of liberal outlets led to new manifestations of identities in the public space that have also challenged official discourses. Simultaneously, the economic reintegration of Turkey to the global economy reinforced its political connection with major international political players that determine the normative ethos of global politics. Subsequently, the IMF and World Bank were able to diffuse norms of good governance into Turkish politics,

accompanying the loans offered for economic structural adjustment. The UN has also offered institutional access points to Turkish civil society, enabling them to raise their issues within the international arena. For example, women's organizations took part in the preparation of CEDAW reports producing an alternative assessment on the situation of women in Turkey, whereas environmental organizations prepared a report on environmental policy practices in Turkey and attended the UN World Summit on Sustainable Development in Johannesburg in 2002.

Furthermost, Turkey's affiliation to the EU has also substantially reconstituted state-society relations. Turkey was granted EU candidacy in 1999, with the accession negotiations opened in 2005. Between 2000 and 2005, when the reform process was at its peak point, substantial changes were realized involving the legal foundations regulating state and society relations through a series of reforms, and by 2004, the law of associations had been updated substantially. Keyman and Icduygu (2003) admit, reforms made in EU accession process indicate that the sources of democratization in Turkey are no longer national, but also global, and therefore EU constitutes important role in the changing nature of the state-society relations in Turkey.

#### **4.9 The Role of Civil Society in Democratization Process of Turkey: Current discussions**

The changing ethos of politics, the intensification of globalization, and multiple failures of the strong state in Turkey have transformed the opportunity structure in terms of civil society's potential to cultivate. Along with the aforementioned major players of global politics, scholars have associated the development of civil society with the modernization of Turkey, generally attributing civil society's role as the intensification of democratization in Turkey.

However, scholars linking the emergence of civil society with democratization have typically concluded that that equation does not work smoothly since civil society in Turkey is not free from ideological and cultural divisions, rather remaining as an arena where divergent societal visions compete. Özler and Sarkissian (2011: 379) found that ideological polarization divides civil society in Turkey along Islamist–secularist and ethnic/nationalist lines. They argue that democratization can be achieved when civil society struggles to overcome societal divisions, but such divisions embedded in the society are replicated/reproduced once again in Turkey's public sphere through civil society activism.

Kubicek also assessed the role of the EU concerning Turkey's democratization process, concluding that while the legal environment is favorable, given that civil society is divided along cleavages as discussed above, it is unable to direct the EU accession process (Kubicek 2011: 925).

In a similar vein, Keyman and Icduygu (2003 : 228) have also stated that despite civil society in Turkey experiencing relative autonomization from the state in 1990s, the major issue limiting their role in the democratization process is the 'boundary problem':

"When we approach civil society organizations in Turkey on the basis of these two definitional criteria, we see that most of them act on the contrary, that is, their activities are not issue-based in scope and content; instead they are embedded in big societal visions. First of all, there are civil society organizations whose activities are framed, to a large extent, by big societal visions, such as, Kemalism, a modern Turkey, the protection of contemporary civilized life, the secular-democratic Turkey or Islamic order, Islamic life, a socialist Turkey, and Kemalist Woman, to name a few. Second, we see that while civil society organizations institutionally take place outside the state, they can have strong normative and ideological ties with state power."

There are also scholarly comments on the political culture in Turkey that challenge the healthy development of civil society. With reference to the strong state argument, scholars have indicated that opposition culture has not developed in Turkey at the structural level. Along with the persistent 'lag between the state and society', the lack of political opposition culture was highlighted in Mardin's (1966) work on opposition and control in Turkey. Mardin explains this through structural conditions and noted that political opposition movements have not been welcomed since Ottoman times, perceived as a threat for national unity and even widely repressed. In different periods, one can observe that political parties have been banned and various agents of civil society, such as associations including labor unions, outlawed, when challenging state authority. For instance, 10 political parties from different political spectrums (Left wing, Religious and Kurdish separatist) were banned by courts in Turkey between 1925 and 2009. At the individual level, 'interpersonal trust' has been discussed as one of the determinants of healthy civil society. Kubicek (2002) addresses the political culture as the major barrier hindering civil society development in Turkey, referring to results of the World Values Survey (1997) that indicated very low interpersonal trust in Turkey as one of the indicators explaining the problematic development of civil society.



## 4.10 Conclusion

In summary, the overview and historical background of state-society relations in the modern history of Turkey have shown that the strong state tradition inherited from the Ottoman era and the elite-negotiated/top-down logic of modernization and reversals in the democratization processes can explain the late and uneven development of civil society. The New Republic inherited the strong state tradition and the new elite cooperated with societal actors as long as they served their long-term objectives, such as economic development and nation building. The 1961 Constitution protected individual rights and liberties, allowing high level of societal mobilization, and following this period, society was highly politicized and divided into political camps. Civil society failed to develop under such conditions, but the organic vision of society came to an end.

The 1980 military intervention represented a turning point for Turkish politics and the development of civil society. The liberal understanding of 1961 constitution was curbed, with the new aim of de-politicizing Turkish society by placing strict limitations on societal mobilization. On the other hand, the trend of globalization economic and political openings and the connection of Turkey to outer world have made impossible to keep civil society in an iron cage, and despite the unfavorable political context, civil society has developed. This time, they have adopted issue-oriented agendas rather than positioning themselves within the right-left continuum. However, the introduction of the liberal economy did not diminish the state; in contrary it actually retained its dominance. Moreover, adverse effects of such rapid change occurred, for instance technocratic decision-making outweighed democratic procedures with the participation of many. In A series of incidents in the 1990s (natural disasters, economic crises, Kurdish separatist movement) de-legitimized the ‘strong state’ and ‘one nation’ discourses. Furthermore, globalization process has led to the attachment of various international actors to Turkey, with the EU process and its political conditionality facilitating the empowerment of civil society and improved state-society relations in Turkey. On top of everything, the EU has associated civil society development with the democratization process for various reasons, bringing this discussion into Turkey’s political agenda (see the section discussing The EU’s Approach towards Civil Society in Turkey). Along with the scholarly accounts, actors themselves have acknowledged the positive impact of the EU on the civil society environment. The CIVICUS Civil Society Index Country Report for Turkey (Bikmen, Keyman, and Meydanoğlu 2006) included a section to assessing the impact of EU, with the impact of EU funds on NGOs and the EU’s impact on NGO law and regulations and

NGO-state relations added as indicators. The results confirm that NGOs generally acknowledges the positive impact of the EU on these different dimensions.

Through the comparison of the relative strength of different type of interests over different periods, one can realized that business interest groups have occupied favorable positions within policy-making since the economic restructuring of the new republic allowed the collaboration of state and business interests. However, in contrary to expectations, the economic liberalism of the 1980s did not offer them favorable policy contexts, as the state retained its dominancy and directed reform processes. Issue-oriented civil society organizations has a very late development, and have only been able to gradually find opportunities to voice their interests after the collapse of the right-left continuum. Trade Unions were also pressurized critical junctures of Turkish politics when the system went into crisis.

## **CHAPTER 5 NON-GOVERNMENTAL ORGANIZATIONS**

### **5.1 Introduction**

Civil society in Turkey is a growing phenomenon. As discussed intensively in the previous chapter, issue-oriented civil society organizations have developed in the post-1980 era, becoming significant agents of social change in Turkey. The statistics of Interior Ministry on the number of associations indicate that there are 92,493 active associations in 2012; this number was 60,931 in 2000, moreover, the number of volunteers reached over 8 million in 2012, compared with only 4 million in 2004. This shows a positive trend and a striking increase, however Turkish civil society lags far behind the European average. Twelve percent of Turkish citizens are registered in NGOs, with one NGO for every 800 individuals. By contrast, there are 2.1 million NGOs in Germany, one for every 40 individuals. In France, one-fifth of population is registered with at least two NGOs. In Norway, 52 percent of population is registered in a NGO, which is 30 % in the UK.

There are also imbalances evident in the civil society environment. First, the data depicts gender equality in civil society: among 8,852,907 NGO members in Turkey, 1,606,739 are women. The concentration areas of civil society in Turkey are predominantly religious services, sports and mutual aid. In total, there are 47,329 organizations pursuing such agendas, which

constitute more than half of the total number. There are only 1,714 environmental, 795 youth organizations and 861 dealing with civil rights. Furthermore, the distribution of number of NGOs throughout country is uneven, with 75 % located in İstanbul, Ankara and İzmir.<sup>24</sup>

In parallel to their late-development, they have only recently been able to gain the attention of politicians and academics. Therefore, there is quite limited data on civil society, which is particularly scarce concerning issue-oriented NGOs (İçduygu, Meydanoglu, and Sert 2011: 41). The Department of associations started to collect data on civil society since e-registration system was introduced, and by 2012, more than half the associations have a profile on their system and submit their annual reports digitally. Therefore, the scope of information on their membership profiles, organizational structure and identities, budgets, funding sources, activities, and relation to the international realm have been enlarged. Another reliable source of information is the reports prepared by the Third Sector Foundation of Turkey (TUSEV) within the CIVICUS Civil Society Index (CSI) Project applied in over fifty countries across the globe. There are two reports, the first published in 2005 and a second in 2011. Finally, the EU-funded TACSO project publishes reports on civil societies of IPA countries, including Turkey, assessing variety of issues. Their general report is the Needs Assessment on Civil Society Development in Turkey, which is updated every year<sup>25</sup>.

The CSI report (Bikmen, Keyman, and Meydanoglu 2006) on Turkey is the only one of the aforementioned sources to measure the impact of the EU accession process on civil society development. In 2005, NGOs perceived the positive impact of the EU in terms of enabling their environment through changing law of associations and their increased ability to promote democratic values. Less significant yet positive impacts of the EU were further cited as their

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<sup>24</sup> Data compiled from different sources, see;

Foundations Directorate. "Official Statistics."

[http://www.dernekler.gov.tr/index.php?option=com\\_content&view=category&layout=blog&id=52&Itemid=12&lang=tr](http://www.dernekler.gov.tr/index.php?option=com_content&view=category&layout=blog&id=52&Itemid=12&lang=tr) [Date accessed September 20, 2012]

Saglam, Serkan. Today's Zaman. "Turkey's civil society organizations increase by 44 percent in 10 years". Last modified June 15, 2011. <http://www.todayszaman.com/news-247462-turkeys-civil-society-organizations--increase-by-44-percent-in-10-years.html> [Date accessed September 20, 2012]

Hürriyet Daily News "Turkish Civil Society far behind European Average, says CHP.". Last modified March 16, 2011. <http://www.hurriyetdailynews.com/default.aspx?pageid=438&n=turkish-8216civil-society8217-far-behind-european-average-chp-2011-03-15> [Accessed September 19, 2012]

<sup>25</sup> TACSO website, [http://www.tacso.org/Default.aspx?langTag=tr-TR&template\\_id=69&pageIndex=1](http://www.tacso.org/Default.aspx?langTag=tr-TR&template_id=69&pageIndex=1) [Accessed November 10, 2012]

capacities for collective action and dialogue with the state (p.19), and the most critical views have addressed the EU's funding policy. In 2011, similar results emerged in each dimension. However, this report refers to criticisms made by scholars and NGOs in consultation discussions, regards the EU's funding policy and its negative consequences, and the sustainability of the EU impact (p.128-129). The case study assessed the 'Effects of the EU Accession Process on CSO's level of organization in Turkey', suggesting that NGOs have become familiar with searching for funding and preparing projects documents, but that the EU's impact on changing norms and structures of NGOs in Turkey remains limited (p.169- 170)

Furthermore, starting in 2011 TUSEV (September 2011) has prepared reports assessing civil society environment and problems to be addressed. The 2011 report states the positive impact of the EU on enabling the environment of civil society through new associations law passed in 2004 and new foundations law passed in 2008. These developments are evaluated as important initiatives in 'eliminating major barriers restricting the autonomy of Turkish CSOs' (p.5). However, this report discusses why civil society development remains stagnant, indicating that state-civil society relations do not work smoothly, with current problems not relating to the existence of the law but rather their implementation (p.4). The report advocates the visible incompatibility between the strong state tradition in Turkey and the participatory decision-making mechanism envisaged by the EU integration process (p.5)

This section intends to provide qualitative information on these dimensions, assessed roughly in existing studies. The issue- oriented organizations are studied in different sections. First, I question whether the Europeanization process is salient for NGOs, and whether these organizations have changed their organizational structures. Next, I assess whether they acquire EU funds, engage in transnational exchanges and work closely with executive in the EU accession process.

## **5.2 Women Rights Organizations**

CAPITAL CITY WOMEN'S PLATFORM (BASKENT KADIN) founded in 1995, based in Ankara. Their main objective is to enhance women's participation into social life through education, employment and political life. <sup>26</sup> FOUNDATION FOR WOMEN'S SOLIDARITY

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<sup>26</sup> BASKENT KADIN Website <http://www.euromedalex.org/fr/node/5937>, Interview with BASKENT KADIN, Ankara, 30 March, 2011.

(KDV), founded in 1987, is an independent organization that aims to fight with every kind of violence against women, especially domestic violence.<sup>27</sup> THE ASSOCIATION FOR SUPPORTING AND TRAINING WOMEN CANDIDATES (KA-DER), founded in 1997, in Turkey, is a non-partisan organization and considered as the first political movement of women. KA-DER has 17 branches in major cities. <sup>28</sup> FLYING BROOM (UÇAN SÜPÜRGE) was founded and began its activities in 1996. The organization's initial aim was to establish a network between women NGOs and to function as an information and documentation center. <sup>29</sup>

### 5.2.1 Salience of Europeanization

Women rights organizations are formed by volunteers reflecting the different backgrounds and wide political spectrum in Turkey. There has been discussion at the organizational level of European politics and Turkey's accession to the EU, but they did not find having a single voice or position necessary. Volunteers and paid staff of the organization sometimes hold conflicting political positions, and thus found having "no position on the EU matters" as the easy way out. This no-position not only applies European issues, rather most of the time they do not want to have a position on any political issues.

For instance, a representative from UÇAN SÜPÜRGE claimed that there is no possibility for her to generalize on the positions of the people associated with their organization:

"I can't say if EU's role should be increased or diminished for Turkey in the future... Some of us claim the EU's role should be enhanced but some others demand EU should not be involved at all. For your project there is one inconvenience that, here we have many people with different political views and understandings of the feminism. Some of us are socialist feminist, anarchist feminist or liberal feminist. Different women get together here. Our organization constitutes people with different ideas, however our major concern is gender mainstreaming, issues of women and making women visible and empowering them."

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27 KDV Website <http://www.kadindayanismavakfi.org.tr/english>, Interview with KDV representative, Ankara, 26 April 2011.

28 KA-DER Website <http://www.ka-der.org.tr/en/container.php?act=unlimited00&id00=111>, Interview with KA-DER Representative, Istanbul, 7 July, 2010.

29 UÇAN SÜPÜRGE Website <http://www.UÇAN SÜPÜRGE.org/turkce/index.php>, UÇAN SÜPÜRGE representative, Ankara, March 9, 2011.

The representative of KDV raised similar points:

“We don’t have specific attitude or position towards the EU issues. There has not been any discussion either. Women with various political viewpoints get together here; everyone has different understanding of international politics, EU politics. When there is no unanimity we prefer being silent. Remaining activist and silent gives us much more flexibility.”

KA-DER shows the same attribute:

“In the organizational level we have never discussed whether we are pro-EU membership or anti-EU membership. We do not have such a concern. Moreover, KA-DER is a coalition like a parliament; women have different political views and affinities to different political parties. At the individual level and even in the branches interest might change. However, objective of KA-DER is pursuing political participation of women of Turkey. In the practice and individual consultations, there might be some differences; this is related to ideological stance of the person.”

Moreover, the slow pace of EU–Turkey relations has affected their attitude formation processes and their subjective assessment of the Europeanization process. They generally claimed that the impact of political conditionality is no longer particularly strong. The salience of Europeanization for women’s organizations remains high, although it can be argued that the importance attached to the accession process and given political conditionality has slightly diminished due to interruptions to EU-Turkey relations. They admit that relations are stuck, and thus they are losing their enthusiasm and excitement.

Among the women rights organizations under examination in this research, KDV is the only one to pronounce that relevant EU issues are no longer on their agenda, stating:

“Membership discussions are topic of the past, the EU is outdated for us. We take here (Turkey) as center, EU is not relevant. We do not think the solutions to the problems and transformation will be coming from ther”

### **5.2.2 Organizational Changes**

Women’s organizations do not have strong organizational capacities, frequently operating with limited budgets. The introduction of membership fees is the main and simplest option to finance such organization, but they typically have problems collecting this money from members. For reference, BASKENT KADIN finances its organization with membership fees, whereas KDV collects a rather symbolic amount of money from people affiliated to the

organization, and KA-DER, which has rather more stable channels of funding, also has a membership fee option. However, they all agreed that membership fees insufficient for financing an organization, and they mostly choose to apply to the funding schemes of international organizations.

Representatives from the organizations usually said that project-based working style is becoming a custom, with organizations largely supporting themselves with funding offer to Turkish CSOs by international donors. KDV highlighted the importance of funding coming from projects, in stating, “There is no funding or support comes from the state side. We should continue making projects.” Similarly, UÇAN SÜPÜRGE mainly conducts projects funded by international donors.

Women’s organizations do not display a special interest in investing in their organizational capacities within the EU accession process, with no change in their organizational structure and they have not employed experts specialized in EU issues.

Their organizational system has not changed in order to influence this process. However, due to the increasing significance of ‘fund-raising’ with projects, they have increasingly gained such expertise in order to succeed in all phases of project cycle management, e.g. following the call for projects, writing the project, plus application and reporting while conducting the project. However, there is no specific person dealing with EU projects. Most importantly, they generally claim that their organizations do not have experts and special departments within their organizational charts. Generally speaking, “specialization” is weak for such organizations, with this approach rather associated with the “professionalization” that carries the risk of undermining their voluntary action.

KA-DER does not have a specific department within its organizational chart relating to EU-specific issues, with such tasks distributed in a very loose manner. A representative from this organization underlined that there is no special department within their organization, and that they have never paid significance to having experts for fundraising, etc. She adds, “We are the experts. We became experts in time... We learned while practicing in the process. We do not pay to anyone for project applications.” Aysun Sayin used to be responsible for administration issues, branches, and campaigns and fundraising. Her master thesis was on EU social policies, and due to her background and specific knowledge in EU politics, she started to support KA-DER’s in respect of EU projects.

UÇAN SÜPÜRGE, BASKENT KADIN and KDV demonstrate similar attributes, typified by a very loose organizational structure with a vague sphere of duties subject to change in accordance with the task being dealt with. Most of the time, the reason is that organizations possess limited capacities and a constant number of people trying to cover many duties at the same time. They did not see the necessity of changing their organizational structure and assigning EU-specific tasks to a single expert.

### **5.2.3 EU funding**

These organizations rely on third party funding, developing projects and applying for funding schemes to realize their objectives. In this regard, EU funding has always been essential for their survival, with all organizations having either used EU funding or mentioned they are planning to apply in the future to conduct projects.

UÇAN SÜPÜRGE has conducted various projects with the support of EU funding, for example, preparing short TV spots on national TV channels to inform legal changes that have an impact on the lives of people. Furthermore, they have created a women's films festival with the support of EU funding schemes. The representative of UÇAN SÜPÜRGE clearly indicated that EU funding has not just enabled them to conduct their projects, but has also empowered their organizational capacity with regard to the project cycle management.

KDV has also been a beneficiary of EU funds, claiming that projects have supported them to facilitate the mechanisms to form and push to the Turkish state. The representative of KDV argued that there is much to be done to prevent violence against women in Turkey, yet she thinks this is not the primary function of CSOs: "We give advice and put pressure on decision-makers. Projects in that sense help to raise the awareness." KDV has an awaiting application for another EU project in the forthcoming period, which might give them chance to apply and transfer their hands-on civil society experience and women's rights advocacy to women living in the North-Anatolian provinces. They have proposed a project aiming at the civil education of women consisting of various workshops to raise consciousness of women's rights and gender mainstreaming, and to inform about women's organizations, their purpose and working styles.

BASKENT KADIN has conducted three projects so far, with one of the projects on gender mainstreaming funded by the EU. BASKENT KADIN is one of the organizations facing



financial difficulties. The representative of KDV emphasized the significance of fundraising from EU sources, underlining the positive implications of EU funding on their capacities: “It is really hard to support an association financially. EU projects help us in that terms. For instance we would not open up this computer lab without the funds we raised.” Apart from the capacity building function of EU funds in financial terms, they also cited their positive implications on the “project management” experience of the organization:

“We learned that we should develop and conduct projects in order to achieve our objectives. If you ask how you learnt that, I would say we learned it in the EU accession process.”

Moreover, she evaluated the impact of the EU funds on the general environment of Turkish CSOs:

“The dialogue within country thus the dialogue among CSOs has developed in tremendous way. The organizations used to get together and cooperate. The ones that would not contact each other started to meet frequently. It has major significance on attaining the peaceful atmosphere within the country. We should thank to the EU”.

In previous years, KA-DER was also a recipient of EU funds, but has recently given priority to other funding sources at the national level.

As the representatives of the prominent women’s organizations stated, EU funding has various positive implications on the civil society environment. On the other hand, they stressed the constraining factors that have diminished its impact.

From the application to implementation phases, all of these organizations stated that the EU funding process brings an extra burden to NGOs.

The organizations particularly indicated their organizational weaknesses and their lack of organizational capacities, with UÇAN SÜPÜRGE and BASKENT KADIN seemingly suffering most in this process. The representative of BASKENT KADIN finds the application process very demanding and time-consuming, with the documents for completion appearing very complicated:

“In some of the parts they want us to write about objectives of the project, in other part there is section about the project itself. It seems to be odd. They expect us to write something different things all time to explain one single project. It is really hard for us; they demand a lot of details.”

They also failed to apply for one of the funding schemes, as due to some problems they could not complete the application on time.

Interviewee from UÇAN SÜPÜRGE stressed the same issues:

“There are thirty six pages of guideline documents and we wrote sixty two pages of project application file. They also demand lengthy documents showing budgetary details of the project. It is too much.”

They also cited a recent example showing the situation in the whole CSO environment:

“The EU has announced a civil society development project that will give support to projects with the higher amount of money ranges from 30.000 to 100.000 thousands Euro organizations which will form partnership with the ones that operate in small provinces. Normally there are applications between the numbers of two hundred and three hundred but this time they just got fourthly applications. They should question this situation.”

These organizations repeatedly stressed the procedural issues limiting the empowerment capacity of EU funding. On the other hand, the rigid process of funding has led to them being alienated and losing interest in EU funds. These organizations are critical about the EU’s strong influence in determining areas of support and the rigidity of the projects to be conducted. They claim this type of funding procedure deters CSOs from applying for EU funds. UÇAN SÜPÜRGE states:

“Our principles of working do not match with the EU’s funding procedures. The projects describe the target audiences and sometimes we think that if we address the project to such audience and conduct it that way that might be artificial and cannot be sustainable. We see such projects. In contrary, we observe the demand and necessities in the field and develop projects accordingly. The EU has put many limitations on the title of project they support. We are in the condition that sometimes we have to fix and change our project according to their criteria to be funded. We do not like it that way. This situation constraints our work.”

They also added that there has been no increase of the amount of EU funding received in the past ten years; in fact, they have not been able to receive any EU funds during the last three years. Due to the aforementioned constraints, they prefer other sources of funding, with schemes initiated by the Turkish corporation’s social responsibility departments gaining in significance.

Furthermore, KA-DER does not assess the procedure of EU funding as being ‘user-friendly’. The EU fund sources are not the first priority realm when they wish to receive support for their projects:

“We do not like the fund giver and recipient relationship among Turkish civil society and the EU. The process itself is very discriminative. The format is deterrent and bureaucratic. You can do a construction

project with the EU fund. Social issues cannot be funded by the EU. When you apply today, you get the money after one and a half year. In such time everything can change in this country.”

The representative of KA-DER mainly highlighted the working style of the organization. As they work on the political participation of women, their project cycles are based upon electoral periods. First of all, they claim that the EU tends to support projects that assure direct non-interference in domestic politics, therefore KA-DER’s organizational objectives are generally ineligible for funding. They claim that KA-DER is a good candidate for attracting funds, because they mostly work in politics. Second, they cannot work with rigid schedules because the nature of domestic politics is very flexible. However, receiving EU funding is a long process:

“We work in a very flexible way. We have to do so. For instance, you might include an educational activity targets Kurdish women in your project application. You have to go to an eastern province in Turkey and conduct a workshop however at that time something serious might happen regarding Kurdish issue and you cannot go there. You cannot bring people together. Either you give this decision or it is better to do so. In such instances, you cannot deal with the EU. They have a look at the timetable and want you to fulfill the requirements.”

EU funds have always been significant source for the financing of women’s organizations, with all of the organizations under examination having used EU sources and holding the motivation to apply in the next rounds, claiming that EU funds support the building of their capacities. They have first encountered the “project culture” and fundraising trend with this EU-initiated process. However, in the process of application and executing the projects all claimed to have encountered many problems that have lessened the impact of the EU funds. They find the process lengthy, over-bureaucratic and rigid, and their organizational capacity is typically insufficient to deal with such issues. Therefore, they look for other sources offering greater freedom in every respect, particularly at the national level. Moreover, the EU funding that they have received is not in greater amounts, and they have not executed projects with sufficient numbers of stakeholders to visibly boost Turkey’s accession to the EU. Instead, the funding supported their projects has been mainly aimed at their capacity building and raising awareness of their issues. Accordingly, it is observed that when organizations lack capacities, EU funds support their capacity building in the first instance.

## 5.2.4 Transnational Exchanges

Women's organizations are increasingly engaging in transnational activities enabling the exchange of resources and information. However, so far none of those organizations have systematized their relation to Brussels and other relevant institutions operating there, and do not have permanent branches in Brussels. However, they do form contacts and have a say in the process on an ad-hoc basis through membership within transnational organizations, contacting EU institutions' branches at the domestic level, forming personal contacts, and -if the organization is not so strong – with the leadership of stronger CSOs.

These organizations are not active in Brussels, and with the exception of KA-DER, the representatives of other the organizations did not signify having direct access to Brussels. Membership of the European Women's Lobby is a significant resource possessed and activated by these organizations in Turkey's accession to the EU. All of these organizations named their membership in the EWL when discussing transnational activities, compensating their non-existence in Brussels that detaches them from the accession process.

Relatively financially instable organizations, namely BASKENT KADIN and UÇAN SÜPÜRGE, signify their membership in the European Women's Lobby (EWL) National Coordination for Turkey (EWNCT-AKLTUK in Turkish). The Representative of BASKENT KADIN clearly highlighted that financial issues constrain their involvement in Brussels, and that they compensate this weakness through the EWL:

“We are member of EWL National Coordination for Turkey. They have representative in Brussels. When they prepare reports, we have opportunity to reflect our own views. We show an effort to contribute to those reports. We would like to go Brussels and attend meetings and form contacts but that would bring extra financial burden for us. We cannot support that. It is problematic. If we had such financial strength we would even send a representative to just follow regular meetings.”

KA-DER serves as the elected General Secretariat for EWNCT. They gained this position in 2002, aggregating and transmitting the viewpoints of women rights organizations operating in Turkey at the European level through their network. They have also instrumentalized this membership and transferred the information from EWL to other members of the EWL National Coordination for Turkey.

They summarized their attempts in their activity report for 2006-2007 under the heading 'KA-DER continues to bring the International women movement and local women movement together'. They also stressed their commitment to the process by indicating that:

“Beyond instrumentalizing the European policies, it is necessary to engage in the political process. We interfere in this process through becoming part of EWL; on the other hand we continue leading EWL National Coordination for Turkey to include women of Turkey in this process and to voice them.”

KA-DER has continued its leading position, further attempting to influence the agenda of the EWL. They cooperated with Magyar women and initiated the proposal of ‘Child-care directive’ for inclusion in the EU conditionality.

Interviews with the representatives also support the data indicating that the EWL offers a transnational power base for KA-DER to engage in the EU accession process. Turkey is pressurized to fasten the political reforms; however, they do not take the EU conditionality for granted. Sayin suggested that the same pressure applies on the EU side, as through the EWL they criticize and try to influence the political stance, directives and guidelines.

Emine Bozkurt is a significant figure for women’s organizations, and her contributions were greatly valued when their transnational networks were under examination in the interview phase. Bozkurt is a Dutch politician of Turkish descent, and a member of the European Parliament since 2004. She is a member of the Labour Party, part of the Party of European Socialists, and sits on the European Parliament's Committee on Employment and Social Affairs and its Committee on Women's Rights and Gender Equality. She is also a substitute for the Committee on Culture and Education, and a member of the delegation to the European Union–Turkey Joint Parliamentary Committee. Her reports and speeches mainly rely on information gathered from prominent women’s organizations, with KA-DER pronouncing her importance:

“ Women rights organizations of Turkey has significant relations with Emine Bozkurt because she serve as the reporter of Turkey in the European Parliament's Committee on Employment and Social Affairs and its Committee on Women's Rights and Gender Equality. Consequently, in the process of the preparation of her reports we organize various meetings and invite her as well. Either we give feedback to her report or we give proposals. We engage in this process”

In the other cases, they also highlighted Emine Bozkurt’s push to include women’s organizations in the ongoing accession process. For instance, the representative of the BASKENT KADIN claimed that their frequent contacts to the Delegation of the European Union to Turkey and Ministry for EU Affairs (formerly European Union General Secretariat) and subsequent inclusion of their opinions in the various reports is a process started under the initiative of Emine Bozkurt back in 2005 and 2006.

Transnational engagements first need sufficient financial strength, which is evidently lacking for the organizations under examination. They do not invest in their organizational structure to strengthen their engagement at the transnational level. On the other hand, these organizations compensate their lack of access at the transnational level through instrumentalizing their membership in the EWL and strengthening contacts with politicians from Europe of Turkish descent. However, except for the case of KA-DER, their relations are not systematized and can only be detected on an ad-hoc basis.

Apart from the negative consequences of financial instabilities, the instabilities of the EU and Turkey have impacted the unstable transnational linkages of such organizations. It is also evident that the salience of engaging in European affairs and having a say in the accession process of Turkey is no longer so strong for women's organizations.

However, when EU-Turkey relations reached their peak point in 2004, women in Turkey have demonstrated initiative to show their commitment and steer the accession process. Women rights organizations combined with the leadership of Arzuhan Yalcindag (former CEO of national TV and chair of TÜSİAD), forming a group called 'Women initiative for Turkey' with the objective of speeding up the accession negotiations. They aimed at addressing the publics of the EU with various activities, including lobbying, preparation of pamphlets, websites and organizing meetings in order initiate a healthy dialogue between Turkish and European women. UÇAN SÜPÜRGE was one of the participating organizations in this initiative, with its representative stating that theirs and similar organizations have had the opportunity to reach Brussels via such initiatives, with the leadership of influential people and/or powerful CSOs such as TÜSİAD .

Furthermore, the salience of other transnational outlets outweighs the significance attached to the European options. The Convention on the Elimination of All Kinds of Discrimination of Women (CEDAW) is signified by the organizations under examination.

CEDAW remains one of the most useful instruments at the UN level in promoting women's rights in the national context. The United Nations General Assembly accepted the CEDAW in 1979, which became a convention in 1981 and was ratified by the Turkish government in 1985. The Ratification of the Convention makes it necessary for state parties to implement policies that prevent discrimination against women. They have to prepare and present a report to the CEDAW Committee on a continual basis, reviewing the national implementation of CEDAW. It is common practice for women's organizations to prepare the

so-called “shadow” or “alternative” country reports for presentation to the CEDAW Committee, which represent the civilian country perspective on the advancement of women’s human rights as foreseen by CEDAW, serving as extremely valuable tools in rendering the UN review process much more credible and effective.

UÇAN SÜPÜRGE and KDV have pursued a leading role in advocacy at the UN for the advancement of women’s human rights in Turkey through processes such as CEDAW. All organizations participated in the preparation process of two shadow reports for Turkey’s periodic country reviews by CEDAW (1997 and 2005), and lobbied the CEDAW committee and Turkey’s government delegations during the review sessions. The committee’s concluding remarks and sessions were mainly based on the reviews of the organizations. In the domestic realm, organizations instrumentalized the final report and lobbied the state for the advancement of women’s empowerment in Turkey.

The transnational exchanges of women’s organizations have achieved a moderate impact on the ongoing EU accession process, since they do not have permanent representations in the relevant outlets, such as in Brussels. They reach there with their memberships in transnational organizations, with the most significant being the EWL. They feed Brussels with relevant information via EWL and in return gain information and expertise. Since this channel is somewhat new, the impact remains moderate. Moreover, women’s organizations keep good contacts in Brussels, particularly citing Emine Bozkurt, who gave them the opportunity to raise their concerns. On the other hand, it is also striking that the slow pace of the EU-Turkey accession has made European outlets and EU channels increasingly less relevant for women’s organizations. It is observed that the UN and CEDAW reports remain significant for them, yet the importance attached to transnational mechanisms concerning the EU is slightly diminished.

### **5.2.5 Participatory Mechanisms**

With the increasing pressure of the EU on Turkey, the available institutional structures that are supposed to connect civil society and public bodies have been revitalized. The Directorate General on Status of Women (KSGM), which dates back to the 1990s, achieved its formal basis in 2004. The law on KSGM brought changes in its organizational setting, making it possible for representatives of NGOs to become members of its advisory council together with governmental representatives and academics. Also, changes in the law of associations

that generally favor civil society development have brought significant changes in the political environment of women's organizations.

After the accession negotiations started, the Ministry for EU Affairs has initiated meetings with the same format, entitled "Dialogue with Civil Society Meetings". Women rights organizations attended to this summit in 2005, when Turkey-EU relations reached their peak point. The representative of UÇAN SÜPÜRGE stated that this was the first time that civil society organizations and the representatives of the state administration got together, with discussion focusing on the ways in which stakeholders should cooperate in the forthcoming accession process.

A further meeting in 2009 specifically addressed issues of women and the EU, with over 500 CSOs attending the meeting. Considering the number of participating organizations and limited time, some of the organizations had the chance to raise their issues regarding women's empowerment and the ongoing accession process, including UÇAN SÜPÜRGE. First of all, they stated the necessity of having a unit in the Ministry for EU Affairs to enhance the sustainability civil society dialogue. Such a unit was proposed to deal with issues of women's organizations, meeting with them occasionally to assess needs and problems, and to provide solutions. Second, they raised their concerns regarding the unstable Turkey-EU relations, criticizing the Turkish government's unwillingness to provide a mechanism that would protect women against violence. In that respect, UÇAN SÜPÜRGE signaled that the government needs civil society, and moreover to value their expertise and potential to push Turkey towards the EU, by stating that: "There is change but for the transformation, you need inclusion of the civil society." As a specific example, in this venue they proposed that the Central Finance & Contracts Unit should cooperate with the organizations and include them in the review process of the projects for EU funding.

Apart from the Ministry for EU Affairs, The EU delegation to Turkey has also made various significant attempts to include CSOs in the accession negotiations, and women's organizations also agree that their initiatives made them more visible in the process, attending consultation meetings on an ad-hoc basis. The representative of BASKENT KADIN particularly noted that the delegation has a strategic position as a center of attention for the EU officers and relevant people who could have stake in the process:



“...There is a list of the EU delegation to Turkey that consists of the contact information of the CSO representatives that could be interest of the EU staff and the ambassadors when they have a visit to Turkey. The EU delegation includes every single institution, there is no discrimination.”

From the EU side, civil society has been perceived as a reliable information base for the assessment of Turkey’s democratization and the extent of its harmonization with the EU acquis. The EU reports were prepared with an inclusive consultation period in which viewpoints of CSOs were collected, with their claims used to legitimize the current deficiencies or visible developments in Turkish politics. Women’s organizations also confirm a stable and healthy consultation process with regard to the preparation of the EU progress reports for Turkey. The representative of BASKENT KADIN indicated that CSOs are given significance in the preparation of the reports: “The EU reports do not come from the sky. We mention our ideas, especially regarding liberties (headscarf issue) and they reflect our reasonings in the EU reports.” They particularly said that organizations with critical stances in pronouncing problematic issues raise more attention. By contrast, relatively reluctant, neutral or non-critical organizations cannot be the center of attention in the long-run, as they do not function as information sources. BASKENT KADIN is aware of this context and makes use of this new participatory facility that brings the opportunity to direct their concerns and critiques to decision-makers.

In 2009, under EWL coordination in Turkey leadership, women’s organizations took a more systematic approach in preparing an alternative report critically assessing the situation of women in Turkey. This report was presented to EC, and finally the 2009 regular report on Turkey featured greater content on women issues in Turkey, with their assessment in line with the alternative report prepared by the women’s organizations (Kanci et al. 2010: 33).

KA-DER has great potential to make use of participatory mechanisms opened up in the EU accession process, and accordingly have strategic approach to this ongoing process. They have chosen to follow the process, detecting the turning points in EU-Turkey relations that might open a new channel for bring their concerns into the political machinery. KA-DER holds a strategic position with regards to the EWL and connecting women’s organizations with their European counterparts. Therefore, via such transnational connections they have become well-informed about the current discourse on civil society and the EU. They particularly refer to the initiatives of the EC to include CSOs into social dialogue, and specific developments within the EU and its implications for the accession states. In this way, KA-DER claims that the EU must consult CSOs in all phases of the ongoing accession.

KA-DER is active user of the EU accession process, with the organization's interviewee suggesting that the EU is a good "instrument" and that they find this process a "strong pressure instrument" on decision-makers and the government.

"...Our concern is to benefit from democracy and human rights promoted in EU accession process... We perceive this process as an instrument for ensuring rights of women in Turkish society. This is a strategic approach. We instrumentalize and use the process... We see this process as a technical issue. How does it like in Brussels? What are the Commission and the Council? Who works there and what are their responsibilities? We also analyze Ankara and the process and the possible benefits for our agenda. We can use Progress reports, National Plan [ government plan to meet the acquis], strategy documents etc."

The interviewee made frequent references to the nature of the EU acquis and membership conditionality for Turkey, indicating that the "EU acquis is more important in compare to the formalities of United Nations (UN) because it is must and Turkey is obliged to adapt. It is a very natural; we use facilitator impact of the international law."

The EU process has a direct influence on the working environment of women's organizations by facilitating the change of the law of civil society and associations in imposing political conditionality. When the impact of EU was posed to the women's organizations, they all emphasized that the law of civil society and associations regulating their relation to the state was liberalized. They consider this change as a turning point for all CSOs in the process of Turkey's accession to the EU. The 2003 liberalization of the law of associations gave relative autonomy to women's organizations, which they directly relate with the impact of the EU and can indicate concrete improvements. First and foremost, they have become accountable to the division of associations within the Ministry of Interior rather than the Turkish National Police. For instance, police also had the right to attend their general assemblies and annual meetings; however, this has changed following the revisions of the law. With this reform, they are no longer required to obtain prior authorization for funding received, nor for their cooperation with other organizations in national and transnational arenas (TÜSEV 2012)

UÇAN SÜPÜRGE is one of the organizations to have faced problems due to the serious shortcomings that the previous law brought CSOs. They first formed their organization as a non-profit corporation, in order to avoid the control of Ministry of Interior, rather dealing with the Ministry of Commerce. The representative of UÇAN SÜPÜRGE highlighted the change in the EU accession process, and how they accordingly decided to change their status, now working as an association:

“According to the old version of the law of civil society and associations, police had rights to come to our offices and collect our official documents to investigate... With the political reforms happened to meet the EU conditionality, such rights of the police were abolished. We became relatively autonomous. We have been working as an association for three years.”

KA-DER representative evaluated on the impact of EU process on their enabling environment:

“The EU process has made our works and objectives visible. Consequently this process accelerated the struggles of CSOs... We cannot say relationships are strengthened but the EU process itself voiced our claims”

“We think that the philosophy of the EU and especially diffusion of the EU conditionality to the domestic politics that reinforces harmonization that have already boosted the domestic transformation regarding democratization and participatory democracy... The EU process also pushed state to reach the standards determined by the international agreements... Whenever we meet the EU officials, we say that even the discussion of the EU process empowered the women rights organizations in Turkey. We are thankful. Because this discussion, softened the discourse of the men in Turkey who are resistant to the issues of women that needs to be solves.”

The women’s organizations under examination here realize that accession negotiations should go beyond the Turkish government and EU representatives, and that there should be participatory mechanisms for CSOs. However, they face various constraints hindering their participation.

The most significant reason is that there is no mechanism defined to articulate the interests and positions of CSOs. First, the accession negotiations are an ongoing process, mainly between the EU parties and Turkish government. Among the organizations consulted, KA-DER is the only organization that has shown an effort to be an influential part of this process, yet it has encountered various problems. The representative of KA-DER stated their strong willingness to become an object of accession negotiations, but also claimed that CSOs generally have no such power in such phases:

“In accession negotiations chapters are opened after a bargaining process among the EU and Turkey. We are not objects of this bargain. We are invited to the meetings after all the process has finished. General tendency is gathering the members of CSOs together and telling them what has happened. CSOs do not engage in the harmonization of Turkish legislation to the EU acquis. Our expertise and capacity might be lacking as well but there is no defined mechanism. When the process is ongoing, you also show an effort to define a mechanism to engage in, but meanwhile the process might has finished already”

KA-DER “In the discussion and consultation process of the new constitution, we tried to engage in but no platform could be the object in that process. Because the process did not have mechanisms to get involved. There was an draft constitution. We brought our critiques in group by group. However we did not have chance to sit next to the government and lawmakers...”

The EU process has not led to significant changes in the political environment of the CSOs in terms of introducing new channels that allow their participation in the political processes. When EU-Turkey relations were at their peak point, namely when Turkey was granted candidacy and accession negotiations started, both state and civil society were enthusiastic to work together. State authorities were also particularly willing to include all relevant stakeholders by offering them voice in dialogue meetings, thereby fulfilling the EU criteria that necessitate the inclusion of civil society in the process. Women’s organizations made use of this trend, and have demonstrably applied extra efforts to remain a significant part of the process. However, this trend has proven not to be sustainable. First, the pace of EU-Turkey relations has slowed down, and as the relative significance of the process has diminished for all actors, with both state and civil society failing to show extra effort in working together to boost the accession process. Besides the pace of the accession, the lack of institutional capacities, code of conducts and cooperation culture has also handicapped the intensification of the participatory mechanisms for the benefit of women’s organizations. Additionally, the capacities of women rights organizations were also insufficient to overcome such issues. The EU process facilitated their inclusion in some respects, yet their actual participation has not materialized. The most significant impact of the EU accession process on their participation is the change of law of association and charities. Women’s organizations positively perceive this change, claiming that the political environment has been considerably liberalized, which has had a great impact on their daily routine.

## **5.2.6 Conclusion**

Women’s organizations create *Responsive Europeanization* on an ad-hoc basis, yet remain as users of the accession process. However, their relative empowerment from the new political opportunity structure is limited, as they claim that EU funding has had uneven impacts, and to date, EU funds have been largely directed at building their capacities. However, they also observe negative consequences of EU funding, such as constraining their freedom of action by posing highly bureaucratic rules, and consequently they prefer to apply

for more flexible funding schemes. Transnational exchanges are increasing, and the EWL has particularly brought them greater opportunities to connect to Brussels. However, their linkages are still not systematized. Finally, participatory mechanisms remain be problematic, with the processes connecting them to decision-making in the governance of accession to the EU not fully functioning.

Women's organizations generally have low organizational capacities. Financially, they rely on third party funding and do not have a large membership basis. Regarding the EU accession process, these organizations have not made any organizational changes and specialization remains low at the organizational level. The relevance of the Europeanization process is moderate for women's organizations; there have been no tendencies to form a coherent policy paper on the EU accession process. In other words, they have no single voice concerning the EU accession process.

Under such conditions, their relative empowerment is also diminished by the structural factors embedded at the domestic level, ruling the relationship between the EU and Turkey. They are not satisfied with the pace of the EU-Turkey relations, with civil society and state relations handicapped.

### **5.3. Environmental Organizations**

There are five environmental organisations under examination in this section. Since the establishment of TURKISH FOUNDATION FOR COMBATING SOIL EROSION, FOR REFORESTATION AND THE PROTECTION OF NATURAL HABITATS (TEMA) in 1992, TEMA's mission is to raise public awareness of environmental problems, specifically soil erosion, deforestation, biodiversity loss and climate change.<sup>30</sup> DOĞA DERNEĞİ, established in 2002, seeks to protect Turkey's bird species, Important Bird Areas, Key Biodiversity Areas and priority habitats, through a national network grassroots.<sup>31</sup> As one of the leading heritage NGOs in Turkey, THE FOUNDATION FOR THE PROTECTION AND PROMOTION OF THE ENVIRONMENT AND CULTURAL HERITAGE (ÇEKÜL) strives

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<sup>30</sup> TEMA Website <http://english.tema.org.tr/Sayfalar/Hakkimizda/AmacVeHedefler.html>, Interview with TEMA representative, Istanbul, 9 May, 2011.

<sup>31</sup> DOĞA DERNEĞİ claimed no abbreviation in Turkish or in English. <http://www.birdlife.org/worldwide/national/turkey/index.html> Interview with DOĞA DERNEĞİ representative, Ankara, 29 April, 2011.

to foster and build a nation-wide awareness and network for the preservation of the urban and rural, built and natural environment. ÇEKÜL was founded in 1990 by a group of intellectuals, the majority of whom were academics.<sup>32</sup> THE ENVIRONMENT FOUNDATION OF TURKEY (ÇEVRE VAKFI)<sup>33</sup> is a non-governmental, non-profit, voluntary and independent organization carrying out its work in accordance with the principles of the Civil Code of Turkey. The Foundation, established on 1 February 1978.<sup>34</sup>

The Buğday movement, started with establishment of Buğday's (Wheat) Vegetarian Cafe, the first all-organic store – restaurant & eco-cultural centre in Bodrum at the beginning of 1990's, has been operating officially since 2002 under the name of Buğday Association for Supporting Ecological Living (BUĞDAY).<sup>35</sup>

Natural Conservation Centre (DKM) was founded by experienced ecogologists who came together to provide technical know how to support conservation and sustainable development in Turkey.<sup>36</sup>

### **5.3.1 Salience of Europeanization**

Environmental activism in Turkey has benefitted from the EU's pressure in advocating for the adoption of the environmental acquis as one of the requirements of the prospective accession. The salience of the EU acquis is high for the environmental organizations in Turkey, as they attach great importance to it in determining the norms and standards indicated for Turkey in the chapters on the environment, checking whether new rules have been applied in practice.

Environmental organizations have engaged in Turkey's EU accession, with significant initiatives to facilitate the reform process regarding the environment chapter of the acquis. The most visible initiative was formed when the EU and Turkey relations were at their peak

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<sup>32</sup> CEKUL Website, [http://www.ÇEKÜL\\_vakfi.org.tr/we-exist-through-nature-and-culture](http://www.ÇEKÜL_vakfi.org.tr/we-exist-through-nature-and-culture), Interview with ÇEKÜL representative, Istanbul, 21 July 2010.

<sup>33</sup> ÇEVRE VAKFI claimed no abbreviation in Turkish or in English.

<sup>34</sup> CEVRE VAKFI Website <http://www.civilscape.org/civilscape/content/en/partner/pages/1302039114.xml> Interview with ÇEVRE VAKFI representative, Ankara, 29 April, 2011.

<sup>35</sup> BUĞDAY Website [http://bugdayglobal.org/?page\\_id=56](http://bugdayglobal.org/?page_id=56)

<sup>36</sup> Interview with DKM representative, Ankara, 24 March, 2011.

point. The initiative was called “ABce- Turkey’s Environment and Agriculture Alliance”, with BUĞDAY, ÇEKÜL, DOĞA DERNEĞİ and TEMA combining to form this intra-civil society organizations structure in 2006, to show support and enable their input into the process. The main objective behind forming this alliance was the enhancing of Turkey’s harmonization of the environmental and agricultural part of the EU acquis, achieved through forming a control and feedback mechanism by bringing prominent CSOs together. In 2006, the first product of their initiative was manifest in a prescription to solve the water problem of Turkey: “Turkey’s Water Prescription” brought twenty-two concrete solutions to address this problem<sup>37</sup>. This document indicates that these CSOs acknowledge the potential of the EU accession process to assess Turkey’s water politics and enable the rational usage of water sources. By drafting such a document, the environmental organizations within this initiative show their expectations of both the Turkish government and the EU. Moreover, they find this document as a sign of their readiness to support both parties of accession by reviewing the water policy of Turkey, conducting necessary scientific research and drafting legislation. They proposed opening up new political channels to involve CSOs and academics in decision-making processes, particularly regarding the institutional situation. Environmental organizations signified the active involvement of CSOs in the process of harmonization of the national legislation with the EU water directive.

This initiative was only able to survive for two years, with no coincidence that their active years of collaboration corresponds to the period when EU-Turkey relations were at their peak point. TEMA coordinated “ABce-Turkey’s Environment and Agriculture Alliance” for some period, with their representative stating that they could not continue their alliance, not because of the disagreements or cleavages between organizations, but rather that other priorities (organizational objectives) outweighed them, and they could not invest so much time in keeping this initiative based on cooperation among prominent environmental organizations:

“Abce was a cooperation that continued for two years. Environmental organizations including BUĞDAY, DOĞA DERNEĞİ and TEMA got together to coordinate activities related to the EU acquis regarding environment and agriculture. We decided to follow this process as a united body and wanted to inform the public. It was a voluntary initiative but we could not spend that much time. It was ended after some time...I should say, collaboration did not end because of the disagreements and we could not work that

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<sup>37</sup> Yeşil Ufuklar Website. Avrupa Birliği Sürecinde Çevre Ve Sivil Toplum. Accessed May 20, <http://www.yesilufuklar.info/yesil-bakis/yasal-boyut/727-avrupa-birligi-surecinde-cevre-ve-sivil-toplum>.

long to have such deep cleavages. Some other issues popped in. I assume the EU agenda lost its momentum in Turkey, so in that respect we had also some other priority agendas.”

Among all other NGOs, environmental organizations remain deviant cases in the EU accession process, regarding organizational capacities. Like other organizations, they need to attract funding, yet they have the distinctive feature of possessing great technical expertise in their field. Regarding the salience of the EU conditionality and the relevance of the misfit, they have also shown different attributes. For environmental organizations, the criteria set by the EU and environmental policy in the European realm function as an anchor. They demand Turkish legislature to attain such standards, and therefore the relevance of the *acquis* is fairly high, and they have even formed an intra-environmental organizations initiative to boost the accession process. However, that initiative was not durable and ended after some time, mainly due to the organizations being unable to find the time to work on it, and moreover their enthusiasm and strong commitment diminished with the slowing down of EU-Turkey relations.

### **5.3.2 Organizational Changes**

The environmental organizations under examination generally work on a project basis, supporting themselves with third party funding provided by international organizations. These organizations employ professionals, with their salaries paid from the project budget. As highlighted by the representative of DOĞA DERNEĞİ, the funding they extract from international fund givers are usually “restricted fund sources”, thus without the flexibility to decide on the prior allocation of the money, they are also unable to make slight changes to the budget during the project period.

Besides TEMA and ÇEKÜL, the other organizations either lack the publicity to extract funding through charitable donations and business affairs or simply do not prefer such alternative options to support themselves. The representative of DOĞA DERNEĞİ highlights the importance of unrestricted funding budgets that could be collected by the organizations’ members donating money on regular basis. Accordingly, the development of their membership system is a preferred option to achieving unrestricted funding; however it is rather a difficult option since people in Turkey generally prefer donating to organizations that work on dramatic and traumatic issues, such as natural disasters or children with illnesses. DOĞA DERNEĞİ has three hundred members and an annual membership fee is ten euros, so their unrestricted funds are still not materialized. They do not simply seek donations in the



form of money, but also welcome donations in kind or people volunteering to support their organizational workload.

TEMA and ÇEKÜL are well-known environmental organizations that rely on the commitment of large numbers of volunteers. On their website, ÇEKÜL references the 900,000 volunteers and supporters participating in the rescue and restoration of urban and rural sites. The Foundation has also regular connections with over 300 member municipalities with the capacity to organize regular colloquiums and workshops, equipping local agencies with tools for quality renovation and restoration projects. TEMA have around 400.000 supporters and more than 550 voluntary representatives all over Turkey supporting the organization in reaching its objectives. With mass-based support, these two organizations hold the potential to accumulate funds through national base campaigns. Additionally, they have special co-operations with Turkish corporations/banks, so consumers can donate to them indirectly whenever they shop using one of those banks' issued credit cards.

Environmental NGOs have neither set up new organizational units nor decided to change their hierarchical structure within the accession process, unlike all other types of NGOs, with TEMA the sole environmental organization to have a department specialized in European issues. TEMA previously had separate international departments and an EU projects division, which merged in 2009. It has also initiatives to open up a representative office in Brussels, in order to follow up the EU environmental acquis and exchange information with EU officials on Turkey's specific environmental issues. This endeavor has not yet materialized, although TEMA does have two branches in Europe, in the Netherlands and Germany.

Apart from TEMA, the other environmental organizations have not placed significance on the issue of organizational restructuring. However, these organizations do hold great expertise and specific expert knowledge on environmental politics. As stated by the head of Civil Society Development Center (STGM)<sup>38</sup>, members of the commonly used to work for the Ministry of Environment, and the new generation of such organizations' members have also studied related hard-science disciplines. Thus, holding such great expertise in terms of hands-on knowledge of environmental politics has eased their adaptation to change vis-à-vis the EU accession process. They have not adapted their organization in the process of accession in terms of concrete organizational changes and the employing of EU-specific experts, but as a

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<sup>38</sup> Interview with head of STGM, Ankara, 23 March 2011.

whole organization they have turned their face to the direction of the EU realm, following specific developments related to the environmental chapter posed to Turkey.

### **5.3.3 EU funding**

Environmental organizations recipients of EU funding, with the organizations investigated in this research stating that they have either been beneficiaries of EU sources or were currently in the preparation period to engage in a EU-funded project.

The list of EU-funded projects of environmental organizations indicates that funding schemes do not necessarily aim towards the capacity building of environmental NGOs or strengthening their advocacy coalitions in the field of environmental politics. Rather, the implemented projects indicate that EU funding has supported environmental organizations to channel their expertise and information bases to policy processes.

Moreover, as an international organization assisted by the EC, the Turkey Office of Regional Environment Office (REC) aims to enhance public participation in environmental decision-making by facilitating cooperation among governments, non-governmental organizations, businesses and other relevant stakeholders. The REC has an international organization status, thus enabling the transfer of transnational knowledge and experience to countries and regions. In the Turkish context, the REC's major objective is to facilitate the effective implementation of the EU environmental acquis. One of the components of their organizational agenda is the capacity building of civil society in Turkey's accession process.<sup>39</sup>

The EU's financial assistance offers varying degrees of potential to empower environmental organizations. The financial stability and capacities of the organization are significant assets in helping them to extract EU funding. TEMA and DKM<sup>40</sup> are among the financially stable organizations with the capacity to engage in larger consortium-led projects.

The recent Kaçkar Mountain project was executed by TEMA and the EU, with project partners including DKM, lasting 4 years and 8 months and costing around 2 million Euros.

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<sup>39</sup> REC Website, [http://www.rec.org.tr/?module=proj&item=proj\\_projects&project\\_id=34](http://www.rec.org.tr/?module=proj&item=proj_projects&project_id=34) [Accessed May 5, 2012]

<sup>40</sup> Interview with DKM representative, Ankara, 24 March, 2011.

Drawn with the active participation of experts under the scope of Kaçkar Mountains Sustainable Forest Use and Conservation Project, the “Kaçkar Mountains Management Plan” set an example for Turkey in terms of the accumulation of scientific knowledge on natural conservation. According to the representative of TEMA, this project has the largest budget allocated to an environmental NGO in Turkey, having applied to the EU funding scheme provided for developing countries. The contractor is the EU delegation to Turkey, but they submitted their application directly to Brussels. This process shows that TEMA had the strength and capacity to handle the application process without any support from relevant institutions in Turkey. They signify the project, because for the first time a forest plan was designed with experts based on biological diversity. This study will pave the way to other studies and research involving other cases and regions in Turkey. The project coordinator of TEMA, Prof. Dr. Orhan Doğan, stated that they would demonstrate extra effort to enable this project’s sustainability and application to other cases. This project is defined as the roadmap for all actors and institutions engaged in this project. <sup>41</sup>

Financially stronger organizations have greater opportunities to enjoy EU funding in comparison with those facing financial difficulties. For instance, ÇEVRE VAKFI was one of the first environmental organizations to have funded its projects from international sources, in the early 1980s, when hardly any NGOs existed. They particularly found sources from CSOs operating in countries such as Germany, Switzerland, United States and Japan, and were furthermore able to finance their projects through the international and supranational institutions of the United Nations, World Bank and EU. ÇEVRE VAKFI has applied for EU funding in the past ten year, and receiving grants for projects comparing the EU environmental acquis with the legislation in Turkey and transferring best practices from the EU countries to Turkey. However, the representative of ÇEVRE VAKFI stated that it has become increasingly difficult to find sources in recently years, and they have subsequently encountered financial problems. This was chiefly because the civil society realm has enlarged with the entrance of new actors, with the demand for funds increasing without the accompanying diversification of sources. Furthermore, it has become harder for ÇEVRE VAKFI to attract funding through bilateral agreements with their counterparts in Europe,

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<sup>41</sup>EUROACTIV. “Kaçkar Projesi Dogayi Koruyarak da Kalkinmanin Mumkun oldugunu gosterdi.” Last modified July 13, 2011. <http://www.euractiv.com.tr/cevre/interview/kackar-projesi-dogayi-koruyarak-kalkinmanin-mumkun-oldugunu-gosterdi-019709> [Accessed February 6, 2012]

because they pointed in the EU direction and wanted applications to compete for the EU funding.

Apart from financial strength, the significance they attach to the misfit has impacted the extent of financial opportunities to benefit from. For instance, ÇEKÜL is the single organization that signifies the EU level to a lesser extent:

“Our values come from the national level (local level). We pursue bottom-up objectives. The EU is way too much top-down for our understanding. Their approach does not fit to our vision and reason of existence. The EU and our organization can approach and collaborate if we can find a common point in accordance to the needs come from the local. Otherwise, it is not important...We aim protecting the local and we are against globalization. The EU can be part of the globalization. As an organization, we can stand against the EU but also we can collaborate. You can define this strategic approach as ‘instrumentalization’”

ÇEKÜL has made changes in their organizational priorities and objectives, prioritizing cultural heritage issues over environmental ones. Whereas they previously employed large numbers of staff with expertise in environmental issues and keeping a strong eye on the developments and project openings in Brussels, they have recent tended to delegate environment-specific issues to other environmental organizations, focusing specifically on environmental heritage issues. ÇEKÜL now defines being a beneficiary of EU funds as a “collaboration” with the EU in realizing their organizational objectives. They prefer applying to EU funding schemes when they find an appropriate program that fits their agenda. They have conducted various projects with EU funding on the issues of protection and promotion of the environment and cultural heritage, and have even found the opportunity to lead the consortium managing the project on GAP. A further reason behind their non-appeal to EU funding is that ÇEKÜL relies on its network of activists and its high reputation. Thus, they have different ways of attracting funding for the projects they develop, and do not come up with the project budget beforehand:

“The organizations you see first write a project with the budget and after that they search for the funding sources. We work in a different way. First, we define our strategies and objectives that reflect our mission and vision. We stick to an organizational model if we decide on an activity. We collaborate with all related institutions and experts that can contribute to the project. Afterwards, if we have missing budget we search for extra funds. We do not stick to a budget and run after funding sources. We do not need that much money anyway. Nowadays many NGOs work as project office. Then, where is the voluntary contribution of the people?”

Changes in organizational objectives and traits are extreme examples indicating their change of approach vis-à-vis EU funding. More importantly, the difficulties encountered in the project application and implementation phases have greatly impact their lack of willingness to extract more funding. Thus, the procedural problems endanger relative empowerment by the EU direct financial aid.

TEMA illustrates the situation of the NGOs in Turkey, indicating their capacities to execute EU projects are still in the development phase. They particularly have knowledge on the situation of organizations operating in the local level, however the representative of TEMA highlighted that language remains a constraint for local organizations, moreover the officers of such NGOs show efforts to implement project without proper knowledge on project cycle management.

As one of the financially strong organizations, TEMA is encountered difficulties regarding the process of EU funding. As a general rule, every organization is expected to financially contribute to the projects be eligible for EU funding. In the projects on the Kackar mountains, TEMA had to contribute around 400,000 Euros to the overall budget, determined as 2 million euros. The representative defined this amount of contribution as “wearisome” for the organization, adding that making such contribution has battered their organization. They found this contribution to be the main handicap, also highlighting that the project’s application, reporting and implementation phases necessitate a high level of their capacity. TEMA wants to diversify their funding sources, and some of the projects that were originally initiated and supported by the EU have been taken over by other international organizations. However, these international organizations are willing to sponsor projects rather than supporting the contributions of TEMA to the budget of an EU-supported project.

DOĞA DERNEĞİ has founded by biologists, and their issue-specific concrete objective is the protecting of bird species in their own habitats. However, they observed that they first have to struggle against policies made at national level that threaten the habitat and species. They are also one of the activist organizations that arranges protests and the symbolic the Great Anatolian March called “We will not give Anatolia” to raise attention on environmental issues. They state these activism and lobbying aspects of their duties are the hardest part, and finding funds to support these types of activities is almost impossible.

As discussed above, the organizational logic of ÇEKÜL insufficient to follow up the EU funding schemes. However, their tendency is not given, rather they have changed their

position after experiencing the EU funder-recipient relationship. They managed the GAP project to protect the cultural heritage in the region, with a consortium leading the whole project with an overall budget of 12 million Euros. The representative of ÇEKÜL stated that managing such a large budget and project was a valuable experience from which they have learned a lot many lessons:

“...We observed that significant amount of the budget went back to the main source, to the EU. They allocated too much money for their own experts appointed directly by the EU. If we could have a say on the budget allocation, much more money could be invested to the cities that were part of the project. It could be used in a more efficient way if we could work with experienced people who had information on the local area. The EU employed people who had no sense of what was happening there. They brought some formulas and ready-made solutions for the issues...”

Based upon the GAP project experience and the problems that EU projects might bring, ÇEKÜL has started to focus on projects with small budgets and shorter fixed periods, with the aim of achieving full control over the project being implemented. They have recently received funding for protecting industrial heritage in İstanbul, cooperating with an NGO from Marcilya city, and are quite satisfied with this ongoing project.

The environmental organizations under examination here have applied for EU funds and executed large-scale projects. Those with greater capacities such as TEMA, DOĞA DERNEĞİ and ÇEKÜL have executed particularly large scale projects with various stakeholders. The projects they have managed offer great potential to narrow down the misfit between Turkish environmental legislation and the EU acquis. However, these organizations have also encountered certain problems relating to the procedures set by the EU, claiming they are over-bureaucratic and tiring. For instance, TEMA also finds contribution to the project funding to be a burden, since the overall budget for their conducted projects have involved considerable amounts of money. After completing a large project, ÇEKÜL abandoned conducting EU project on a great scale, since they were dissatisfied with the process. DOĞA DERNEĞİ pronounced that the EU is rigid in the sense of determining areas for support, subsequently they cannot find funding that will support their activist movements at the national level. ÇEVRE VAKFI, a relatively smaller organization, reported different experiences, being unable to find appropriate funding schemes in recent years.

Environmental organizations have shown that those weak in capacity terms have problems reaching the EU funds, whereas stronger ones find the procedures of the EU funding mechanisms troublesome, and consequently they prefer different funding sources.

### 5.3.4 Transnational Exchanges

Among all types NGOs, environmental organizations are most empowered by activating transnational exchanges vis-à-vis transnational networks and their memberships. They are well informed about EU environmental acquis and can control the performance of Turkey in satisfying EU conditionality. Environmental organizations transfer their transnational information bases to the national politics level, and find great opportunities to influence the EU accession process.

The Organizational capacities of NGOs and the salience of Europeanization for them remain either facilitative or constraining factors that can either enhance or loosen the empowerment impact of their transnational exchanges.

TEMA has various memberships in various institutions and is an accredited NGO of UNCCD (United Nations Convention to Combat Desertification) and UNFCCC (United Nations Framework Convention on Climate Change), and a partner of UNEP (United Nations Environment Programme) and UNEP-MAP (United Nations Environment Programme – Mediterranean Action Plan). In order to diffuse the mission of TEMA at the international level, they have formed branches in Netherlands and in Germany.<sup>42</sup>

The representative of TEMA has given priority to the UN agreements, acknowledging that they shape their approaches to their international activities. They also have regional initiatives, in which the EU comes into their agenda. TEMA follows up the EU acquis in a systematic way, and apart from the Turkey's acquisition, the misfit, they have gained solid knowledge of the EU environmental acquis through membership in the European Environmental Bureau:

“In the transnational level, we have memberships. We give importance to our membership in European Environmental Bureau that gives us venue to follow up not just Turkey's harmonization of the acquis but the EU environmental acquis itself as well.”

TEMA had been an executive board member of EEB since 2002, but recently delegated this role to BUĞDAY, another member of EEB from Turkey.

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<sup>42</sup>TEMA Website, <http://english.tema.org.tr/Sayfalar/Calismalarimiz/UluslararasıCalismalar.html> [Accessed on 23.05.2012]

With regard to the activities in which TEMA has been involved, they highlight the significance of the project called the Environment Forum, supported by the DG Environment. The overall objective of the Environment Forum (“the project”) is to build and strengthen civil society’s active involvement in the environment field in candidate countries (Croatia, the former Yugoslav Republic of Macedonia and Turkey) and potential candidates (Albania, Bosnia and Herzegovina, Montenegro, Serbia and Kosovo under UNSCR 1244/99) through information exchange on EU environmental policy and developments in the enlargement process. This project will also enable the DG Environment to consult NGOs on developments in the EU environment policy and the implications for their respective countries.<sup>43</sup>

TEMA has been part of this initiative, and as an active member they see consider their engagement as an opportunity to share their perspective on the EU environmental acquis and following up all accession countries’ performances its harmonization.

“The Environment Forum project is not a new initiative yet the similar gatherings were supported by the EU Commission with different names like The NGO forum, NGO dialogue etc. As the head of the international relations department, I have been working here for eight years and for that time of period, we have attended activities of this project. Every year we meet with other organizations in Brussels to discuss the issues regarding the EU acquis and the situation in every accession and candidate country. ”

DOĞA DERNEĞİ is also an organization with strong transnational linkages, first and foremost they are the branch of BIRDLIFE in Turkey. The projects on bird protection and nature preservation executed by DOĞA DERNEĞİ are funded by BIRDLIFE and various other organizations (RSP, WZP), and they prepared the reports on Turkey determining Important Bird Areas (IBAs) and Important Nature Areas. DOĞA DERNEĞİ applies their methodologies for the selection of Important Bird Areas (IBAs) in Turkey, determined by Conservation International, BirdLife International and Planlife. Turkey’s report highlighting Important Nature Areas was prepared with the leadership of DOĞA DERNEĞİ. This report is significant in being the first nationwide application of this methodology, and it also attempts to answer the issues to be tackled in the process of application of internationally based methods that are applied at national and local levels. In that respect, DOĞA DERNEĞİ has gained experience in the effective application of the methodology, additionally contributing to its development by transferring their experiences encountered in Turkey.

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<sup>43</sup> ENVIRONMENT FORUM Website, < [http://www.envforum.eu/doku.php/ngos\\_enlargement/start](http://www.envforum.eu/doku.php/ngos_enlargement/start) > [Accessed on 23.05.2012]



IBA's strength lies in indicating important areas to be protected in the international realm, with clear and measurable indicators developed by fifteen experts from leading organizations Conservation International, BirdLife International and Planlife. These criteria are accepted as the most comprehensive and easily applicable methods within this field. Their categorization corresponds to the EU's terminology through covering selection of NATURA 2000 areas. More importantly, BIRDLIFE is the official advisor to the EC, informing on the bird population. DOĞA DERNEĞİ is empowered through exchanging information and engaging common projects with BIRDLIFE and various organizations.

ÇEVRE VAKFI prefers not to engage in institutional relations with federations and networks on membership basis. They have bilateral relations with regards to funds on an ad-hoc basis.

ÇEKÜL dropped their membership from the European Environment Bureau and have not activated their transnational relations to keep informed on developments at the EU level regarding the *acquis* and Turkey's performance in its adoption. They used to behave in a similar way to TEMA and DOĞA DERNEĞİ, but as the organization they have changed their priorities and objectives. They remain part of the European Association of Historic Towns and Regions. With the leadership and secretariat of ÇEKÜL the Union of Historic Towns was founded in 2000 under this organization, to facilitate collaboration among historic towns of Anatolia for heritage preservation:

“There are information exchanges among historical cities in Europe and ones in Turkey. Each year we organize an international symposium. This year, it was organized in Kayseri. Representatives of three European and Turkish historical cities gave presentations. Best practices were shared... We collaborate with European Association Historic Towns and Regions to realize the transfer of knowledge and experience in common areas. However, the transfer of the EU *acquis* etc. is not our organizational priority. We also do not lobby for the implementation of the EU *acquis*. Our focus is on the historical cities in Turkey and their residents.”

Environmental organizations generally maintain durable and sustainable linkages with international organizations, which enable them to exchange information and resources at the transnational level. However, there are organizations among them investing in capacities and attaching highly significance to the EU *acquis* activate transnational networks to facilitate Turkey's accession to the EU, with DOĞA DERNEĞİ and TEMA exchanging information and resources at the transnational level to a great extent, thus achieving a considerable impact on the accession process; whereas ÇEKÜL and ÇEVRE VAKFI do not demonstrate the same

attributes. ÇEVRE VAKFI lacks capacity and does not have the motivation to be a member of an international organization. By contrast, ÇEKÜL maintains various memberships, but does not link their exchanges to the accession process, because the relevance of Europeanization has diminished over time as they have experienced changes in their organizational structure and priorities.

### **5.3.5 Participatory Mechanisms**

In comparison to other policy fields, environmental organizations typically collaborate with the state to a high extent in the process of designing and executing environmental policies. Civil society gradually became part of environmental policy-making in the aftermath of the 1980s, yet environmental activism remains infant given that the tradition of civil society–state collaboration in policy-making is not developed in the Turkish context. Aydin (60-61) argues that there is ‘critical engagement’ among civil society and state in the environmental policy area, with each actor recognizing others capacities and capabilities to address environmental problems. He also notes that the state is willing to cooperate with civil society unless their position conflicts the state’s economic growth strategies that do not always prioritize the environmental impact of actions. The mainstream and prominent environmental organizations have been traditionally formed and managed by former state bureaucrats who are familiar with the processes. Furthermore, CSOs hold great expertise and knowledge; therefore experts and leading academics work for such organizations. Thus, state institutions are also willing to collaborate with the CSO to make use of the information and expertise accumulated and produced by the CSOs.

The change in the associations and charities law have not lead to serious changes on the operations of environmental organizations in the EU accession process, as they are already accepted as relatively legitimate actors within policy-making, with their strong expertise and capacities. However, as other CSOs have experienced, their participation in the policy-making of environmental organizations are not stable and have not systemized. Specifically, their participation in the governance of EU politics is disturbed by the restrictive actions of the state. Actually, in comparison to CSOs working in other fields, environmental organizations have highly problematized this situation and have pronounced their dissatisfaction. These are the organizations that are willing to be part of the process as active actors, and they are thus affected by the restrictive measures.

The Representative of DKM asserted that environmental organizations are eager to work closely with the government and include their perspectives and technical information in the planning of Turkish strategy documents of to meet acquis conditionality in the environmental field. He also affirmed that DKM and some other NGOs can actively collaborate with the ministry, pooling their technical expertise. However, they do not claim this collaboration to work smoothly:

“I think in Turkey, in the EU accession process most active NGOs operate in the field of nature and environment. However, contribution of civil society is limited.”

For the interviewee, this is because decisions in this field are made merely from the development perspective, prioritizing economic benefits. Secondly, he observes that the state finds collaboration with civil society necessary in making decisions with regard to the accession process.

Environmental organizations struggle to activate their transnational networks and follow the developments in the EU accession process in order to find solutions to overcome restrictive measures and become part of the governance of Turkey’s EU accession process.

TEMA is among the environmental organizations affirming that remains out of the decision-making processes, and only involved in some developments due to their push and the impact of the EU. The representative stated that the exchanging of views among state institutions and CSOs are increasing, but the process remains a sham:

“The viewpoints of the CSOs are increasingly given significance. The way of thinking is changing but the processes are not sincere and in a way that it should be... For instance there are instances when we get three hundred pages of documents two days before the decisions to be made...”

“...The processes are not transparent. We prefer following up the process from Brussels through EEP and Environmental Forum. Then we try to push authorities in Turkey. For example, we became part of the monitoring committee of IPA’s investments on environment with the pressure of us. At least we could engage in the decision making as the observer...”

Environmental organizations with strong capacities the perspective of “strong misfit relevance” have always demanded stable linkages to policy-making in influencing the EU accession process. TEMA affirmed that:

“...We aspire to see the process is going transparent way and enabling the participation of civil society in Turkey. Not only us but with many other organizations we have initiatives time to time...”

Their demands and initiatives for being partners in the governance of the EU accession process have been supported by EU funds, institutions and other international organizations. However, their stable participation is yet to be systematized, and they have encountered various problems. The most controversial current issue involved the “nature protection” part of the EU *acquis* to be harmonized with the Turkish legislation.

In the accession process of Turkey, the nature protection issue corresponds to the harmonization of the law on nature protection and biodiversity. Initially, the participation of CSO actors in making this policy was supported by the program funded by the Global Environment Facility (GEF) as a corporate program, and implemented by the United Nations Development Programme (UNDP)<sup>44</sup>

The Bio-diversity and Natural Resources Management Project aims to establish the sustainable management of protected areas and natural resources at selected bio-diversity conservation demonstration sites. It will further build capacity at the national level, facilitating the institutional capacities of priority conservation sites in Turkey. The components thus include: 1) strengthening of the national framework for bio-diversity conservation, through a participatory review, and strategic rationalization of the legal framework for bio-diversity conservation, including removal of overlapping sectoral legislation, and policy, or adjustments to legislation adversely impacting bio-diversity. Financing mechanisms will be assessed to support conservation initiatives; and monitor these activities, and relevant public awareness will be conducted; 2) developing prototypes for effective protected area management, through innovative conservation management systems. The institutional capacity of the Protected Area Management Authority will be strengthened, building staff skills, developing management planning systems, in a participatory manner. Funding will be provided to support conservation development, and reduce unsustainable use of resources, such as forest, wetland products, and grazing; and, 3) project management, and monitoring expenses, to support implementation activities.<sup>45</sup>

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<sup>44</sup>UNDP The Gef Small Grants Programme,

<<http://sgp.undp.org/index.cfm?module=ActiveWeb&page=WebPage&s=AboutSGP>>[Accessed February 9, 2012]

<sup>45</sup> Poyraz, Yonca. Zaman. “Turkey's civil society, EU worry about nature bill”. Last modified November 21, 2010.<<http://www.todayszaman.com/news-227502-turkeys-civil-society-eu-worry-about-nature-bill.html>>[Accessed February 9, 2012]

The most comprehensive study carried out by experts on these two fundamental issues within the context of the Biodiversity and Natural Resources Management Project was known as “GEF2 Project”, implemented between 2000-2006. The reports and proposed draft law pertaining to this project are at the Ministry. The main purposes of this project are: (1) preparation of the institutional legal framework for the protection of biological diversity and protection of the nature; (2) bringing together all laws and regulations; and (3) forming a legal basis to enable Turkey to meet the obligations established by the international agreements and the EU acquis.

This project brought related CSOs together, and they were able to form their position and contribute to the law-making process. This project offered them the opportunity to have their say on the ongoing accession and harmonization of the environmental policies in the field of nature protection.

Environmental organizations positively evaluated the project and the process of consultations, however, the final report including the recommendations of environmental organizations was prepared after a long consultation process yet has not been reflected in the final draft law:

“...In 2003, GEF started to finance the consultation processes in which all environmental organizations participated. We prepared a final report. Then that report was disappeared. In 2010, a new report came into the discussion. This one is not related to the former one. It was written all over again and the one, which was prepared with the contributions of all actors, was dismissed...”

In 2010, they formed another initiative to pressurize decision-makers after CSOs were kicked out of the decision-making process. Environmental organizations collaborated under the Nature Law Watch Initiative and brought their critiques to the agenda, arranging regular meetings and consultations among the representatives of prominent environmental organizations.

Nature Law Watch Initiative was formed by 73 CSOs working in the fields of environment, nature conservation and rural development, and they have mainly criticized the institutional restructuring in the Environment and Urbanism Ministry and the Forestry and

Water Affairs Ministry regarding decision-making on nature conservation. Environmental organizations have emphasized two main problems in the legal and institutional contexts:

1. Our national legislation includes several overlapping and conflicting articles within laws drafted at different times for a variety of needs, and this legal framework neither complies with European Union nature conservation directives, as well as the international, bi-lateral and multi-lateral nature conservation conventions that Turkey is a party to, nor poses a solution to current environmental challenges.
2. The complexity and fragmentation in the institutional structure and the resulting lack of communication, cooperation and coordination, ends in serious conflict of jurisdiction and slow-moving bureaucratic processes, wasting valuable financial and human resources.

The “Draft Nature Conservation and Biodiversity Law” was approved by the Environmental Commission of the Turkish Parliament prior to the elections on 16 March 2011. Nature Law Watch Initiative put forward their critiques on the content of the law and the way it was produced, claiming: “This draft law is still having serious deficiencies, has the potential to fulfill that need, through a participatory process of revision.”

Environmental organizations came together rapidly and have formed ideas and recommendations on the draft law on nature protection and biodiversity.<sup>46</sup>

They have made concrete proposals to overcome institutional fragmentation in the politics of nature conservation, demanding open and transparent participatory processes in the making of the law:

“1- Combining “General Directorate of Nature Conservation and National Parks” and General Directorate for Protection of Natural Assets” under the same institution.

2- Restarting the preparation of “Draft Nature Conservation and Biodiversity Law” through participatory, transparent process to make it coherent with international rules and regulations that Turkey is a party to and harmonized with EU policy and regulations.”

DOĞA DERNEĞİ used to be an active member of the Nature Law Watch Initiative, but later decided to opt out simply due to their organizational priorities. Nevertheless, they

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<sup>46</sup> Nature Law Watch Initiative Website, “Tabiatı ve Biyolojik Çeşitliliği Koruma Kanunu Tasarısı” Konulu Hareket Noktamız <<http://tabiatkanunu.wordpress.com/hareket-noktasi/>> [Accessed March 10, 2012]

continued to press the government on the issue of the proposed nature law. Among all environmental organizations, DOĞA DERNEĞİ has been particularly perceived as the leading organization to have anticipated the significance of EU support in this case, systematically lobbying DG Enlargement and DG Environment in order to persuade these institutions to intervene in this process of law-making on behalf of the CSOs. DOĞA DERNEĞİ wanted to instrumentalize the EU acquis itself, and compared the components and possible consequences of the draft law vis-à-vis the criteria that will be set by the EU against Turkish legislation. They have also prepared reports indicating that the current situation will harm nature in the long-run, and the possible intervention mechanisms necessary to reverse the direction of the philosophy of nature protection. They deliberately chose this method because there is no binding EU acquis on Turkish legislature at this stage of the accession, and they argue if the nature is harmed until Turkey achieves membership, there will be no remaining nature areas to be protected by the time Turkey gets into the EU:

“The EU acquis is binding on Turkey because the EU questions sincerity of Turkey’s dedication to the membership perspective when policy makers act this way that will harm potential NATURA 2000 areas to be decided when Turkey joins to the EU...”

DOĞA DERNEĞİ systematically fed the DG Enlargement and DG Environment with their reports, briefings, etc., additionally supporting their argumentations by indicating that the current situation is not only threatening nature rights, but also social, economic and human rights are being violated with the decisions produced without the active participation and consent of CSOs.

On the other hand, DOĞA DERNEĞİ admits that the EU anchor is a part of their tactics. As part of the environmental movement in Turkey, they believe that the Turkish government signifies the evaluation of the EU that can foster or diminish their international prestige, rather than the voice of the local initiatives and movements prevailing in the national realm:

“We struggle to foster attention on the nature protection issue with regard to Turkey’s accession to the EU. We did our best. We activate our transnational network. We sent emails and faxes continuously. Finally, we were able catch the attention of the DG Environment and one significant paragraph was added to the progress report after meeting with Stefan Füle just one night before the submission of it. After that, we continued informing the DG Environment and sometimes we have contact with the DG Enlargement...”

The Commission persuaded the Turkish government to organize a technical workshop on the harmonization of the EU acquis with regard to nature protection, bringing together experts

from both parties. By the time the government agreed to hold this workshop in Brussels, they had prepared a new draft law and sent it to CSOs. According to the representative of DOĞA DERNEĞİ, the government had changed some parts and they are in search of the legitimation of the new proposal on the draft law.

In environmental politics, and particularly with regard to nature protection, environmental organizations have instrumentalized the EU membership perspective and EU *acquis* to remind the Turkish government that CSOs should actively participate in law-making. Organizations that had developed greater capacities and expert knowledge in their fields and have shown strong attachment to the EU misfit have particularly used the European perspective and their institutional linkages to press the government.

When the perspectives and priorities of the organizations do not correspond with the European perspective, they have chosen not to instrumentalize the possible mechanisms, opportunities and outlets to enhance their participation in environmental politics, thus potentially limiting the empowerment potential of the EU. For instance, ÇEKÜL, the organization that has neutralized its perspective vis-à-vis the EU accession process, did not indicate that the EU accession process leads to empowerment by strengthening their participatory mechanisms.

The lack of organizational resources is another key constraining factor. ÇEVRE VAKFI prepared various reports and completed projects that would contribute to the future implementation of the *acquis*. However, they are not satisfied with the governance of the EU accession in Turkey in excluding the participation of CSOs. ÇEVRE VAKFI is willing to work actively on the harmonization of Turkish legislation with the EU *acquis*, but they cannot find a suitable outlet to feed the process with their expertise and available research output. They do not find annual meetings organized by Ministry for EU Affairs effective, as a large number of organizations attend yet there is little time to discuss issues intensively. Therefore, formal consultation mechanisms for environmental organizations simply do not exist.

These indirect and potential empowerment mechanisms do not facilitate the participation of CSOs in political processes. These attempts bring about discourse, models and best practices, but path-dependent problems constraining the relations between civil society and the state have diminished the impact of the EU. For instance, environmental organizations highlighted that even if the government is willing to include the representatives of CSOs in decision-making by inviting them to the meetings, these consultation processes are



ineffective. Government officials simply inform CSOs about their decisions and consult them to gain their consent or minimize critiques.

On the other hand, the slow pace of the accession and the non-binding context of EU conditionality at this phase have somewhat lessened the possible empowerment impact of the EU accession process on environmental organizations. They do not seem to be pessimistic about the future of EU-Turkey relations, but have found the process to be slow, handicapped and even blocked. From their perspective, both parties want to keep their promises on realizing Turkey's accession. Turkish government keeps the political commitment, but despite it never being spoken there have been no recent developments. Meanwhile, the Commission also maintains its positive image of wanting to accelerate the process.<sup>47</sup>

Environmental organizations have not been excluded from the policy networks, since the subject they work on does not correspond to the critical policy realms where non-state actors continuously challenge the state to claim their rights. One of the indicators is that their causes have been perceived as legitimate by large segments of society, which is reflected by the number of members in their organizations. Second, they employ former state bureaucrats and academics who know how to deal with such bureaucracy. Therefore, the impact of the EU on the institutional framework in pushing for change in the law of associations and charities has had very limited impact on environmental organizations. They claim not to feel the change, rather that some bureaucratic processes have been dismantled. With greater willingness and capacities to engage in the accession process, environmental organizations have found new channels to raise their concerns and have their say in policy-making. The push of the EU in this case has been particularly materialized with the long-term EU funded projects that have brought many stakeholders together. This new style of policy-making created the rapprochement of CSOs and the state in preparing the new environmental legislation. However, the proposal on the new legislation was not eventually taken to parliament in a transparent way and the recommendations prepared by environmental organizations were dismissed. This example indicates that state actors have not internalized the culture of consulting NGOs and including their concerns at every stage of any policy proposal. Many

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<sup>47</sup> Nature Law Watch Initiative Website, "Tabiatı Ve Biyoçeşitliliği Koruma Kanunu Hakkında Görüş ve Basın Bildirisi Metni. Tabiat Kanunu İzleme Girişimi: Türkiye Doğasının Sırtındaki Bıçak." <http://tabiatkanunu.wordpress.com/degerlendirme-metni/> [Accessed March 10, 2012]

environmental organizations came together and formed 'Nature Law Watch Initiative' in this stage, to advocate their rights and demanded a new code of conduct regulating relations between civil society and the state

### **5.3.6 Conclusion**

Environmental organizations have great potential to promote the Europeanization process. However, results indicate that this is constrained by the structural factors endangering civil society-state relations at the domestic level. In explaining the different result for environmental organizations, one should consider their organizational traits. The Europeanization process is salient in this field, with their organizational capacities stronger since they hold vast expertise within their field and employees or volunteers who commonly used to be civil servants.

In comparison with other NGOs in different policy fields, environmental organizations are the most empowered, having received considerable amounts of EU funding and managing it through larger consortiums over long time periods. They have produced technical knowledge that has direct impacted the direction of the accession process, and have also made great use of transnational exchanges. However, participatory channels remained somewhat blocked, although there have been slight developments.

The variances in their capacity and ideational position are evident. Moreover, there are examples supporting the argument that holds a positive correlation between the high level of empowerment and strong salience of Europeanization with a strong organizational capacity. For the cases of environmental organizations, when an organization retains Europeanization in its agenda and has the willingness to guide the accession process, they make use of such opportunities to a greater extent.

## 5.4 Education & Youth Organizations

There are three education & youth organisations under examination in this section. COMMUNITY VOLUNTEERS FOUNDATION (TOG) is founded in December 2002. Foundation contributes to the personal development of young people through encouraging young people to participate to the social responsibility projects as volunteers.<sup>48</sup> THE MOTHER CHILD EDUCATION FOUNDATION (AÇEV) founded in 1993, has vast research, program development, implementation, and advocacy experience in early childhood, parent education and women empowerment.<sup>49</sup> FOUNDATION FOR SUPPORTING A CONTEMPORARY LIFE (ÇYDD), established in 1991, aimed at protecting and developing Atatürk's revolutions and principles, reaching a contemporary society with contemporary people; working voluntarily with his information, skills and experience for the country to reach "above the level of contemporary civilization."<sup>50</sup>

### 5.4.1 Salience of Europeanization

The salience of Europeanization and EU political conditionality is low for education and youth organizations, as they do not develop any attachment to the political developments occurring due to the EU accession process of Turkey.

The representative of TOG cited that they do not have any perspective or policy paper demonstrating their attitudes as an organization:

"We did not write any policy paper on that. We do not see any necessity of that. Individually people can have their perspectives, yet TOG has no policy position regarding the EU."

TOG has pursued the EU political conditionality posed to Turkey for membership, however the representative adds that such political criteria are written documents and do not

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<sup>48</sup> TOG Website, <http://tog.org.tr/EN/> [Accessed September, 20 2012] Interview with TOG Representative, Istanbul, April 20, 2011

<sup>49</sup> Global Womens Network Website [http://www.global-womens-network.org/wiki/Mother\\_Child\\_Education\\_Foundation\\_\(ACEV\),\\_Istanbul,\\_Turkey](http://www.global-womens-network.org/wiki/Mother_Child_Education_Foundation_(ACEV),_Istanbul,_Turkey) [Accessed September 20, 2012] Interview with AÇEV representative, July 11, 2010

<sup>50</sup> CYDD Website <http://www.CYDD.org.tr/> [Accessed September 20, 2012] Interview with ÇYDD representative, May 3, 2011

relate to practice. Consequently, the organization acknowledges that its involvement in life and practical elements means that the conditionality does not greatly relate to them.

A further attribute of education and youth organizations is that they do not have political allegiance as they collaborate with the state and large segments of society in supporting their causes by volunteering or donating. They do not want to narrow down their supporters by limiting their focus through politically-colored stakes, opinions, etc.

“In our organization, young people with different political ideas, religious belongings and ethnic identities can voice their claims. We have political causes but we are also equally close to every idea and we have to keep our distance to every political institution. We also do it without imposing our agendas to anyone. Being neutral is also a political attitude.”

Similar to TOG, they have also not developed an organizational policy position towards the EU accession process.

The representative of ÇYDD pronounced their large membership base and concerning issues:

“It is very hard to generalize. Currently we have 14,700 members and organization is a melt pot for variety of perspectives.”

The situation for AÇEV does not vastly differ, with the relevance of the misfit remaining low. They refer to EU criteria in their field, suggesting that among other actors including the UN and UNICEF, the EU is not their foremost reference point concerning available studies and context relevant issues. Still, they do follow EU reports on Turkey if there are specific issues that could be interest to the organization. However, they remain an “outsider”, and the representative suggests they do not have a specific interest in what is going on in the EU.

Within their organizational history, AÇEV has never pronounced their support to a political institution, and in this regard, their organizational board has never discussed their position vis-à-vis the EU. Similar to TOG, AÇEV also is hesitant about collaborations because they want to secure their organization from institutional affiliations that would pose their political, religious or anti-scientific agendas. They label themselves as a “task-oriented” organization, with collaborations and affiliations only meaningful if their standards, principles and approaches are congruent to theirs:

“AÇEV pursues universal criteria on early childhood, child development and education. We want to apply education programs in a scientific way. AÇEV does indicate problems and beyond that brings

concrete solutions to identified issues by checking international standards and scientific approaches. In that respect, there are similarities between the general standards of EU on education, early childhood and our perspective. Yet, we do not have political discourses. Our stance is apolitical stance”

The capacities of the education and youth organizations are greater than every other type of NGOs: they are financially strong and typically raise funds through donations from either individuals or corporations. Therefore, the significance of EU any other international funding sources remain low. Furthermore, the salience of accession negotiations and the misfit is very weak for education and youth organizations, with conditionality far from being an anchor given that the relevant part of the *acquis* are neither the EU’s nor Turkey’s top priority in the accession negotiations.

#### **5.4.2 Organizational changes**

Education and youth NGOs have relatively strong organizational capacities, with their causes supported by large segments of society, volunteers, firms and state institutions.

TOG employs 35 professionals and benefits from a large network of volunteers mainly supported by student clubs within universities. Students realize their projects under this structure and according to their data 20,000 volunteers annually engage in such projects, corresponding to an active 5,000 people each year. TOG is also among the organizations that are confident about their financial strength and sustainability of funds, with main sponsors, sectoral sponsors, collaborators in projects, supporters of campaigns and corporate sponsors. Individual donations correspond to 15% percent of the budget, and TOG expects to reach an annual 3-4 million TL budget.

AÇEV displays similar attributes, with an annual budget of 6-7 million TL, and is mostly supported by the Turkish corporation, FIBA who meet the salaries of the professionals and other expenses. The CEO and his wife form part of the management board of AÇEV, and their individual contributions along with the corporation’s annual support are given significance by the representative of AÇEV. Along with their strong linkages to one of the largest corporations in Turkey, they have also demonstrated the capacity to attract funding from prominent charities in Turkey founded by other large corporations, such as Sabancı, plus internationally such as Vodafone. Moreover, the World Bank and EU have also supported

some of their projects, and AÇEV can also attract volunteers to work for their organization, recruiting over 7,200 volunteers to teach people within their enhancing literacy program.

ÇYDD also works in the field of education and supporting such needs of people in Turkey. Their legitimate cause is pursued by many volunteers working in their branches organized all over of Turkey. While individual contributions account for a great portion of their budget, ÇYDD has also been supported by state institutions with regard to their different projects.

Education and youth NGOs are financially stable organizations due to their legitimate causes pursued by a large segment of the society. In this line, their organizational structure chart is also complex, involving different departments working on a variety of issues. All organizations described above have projects and international departments with recruited experts working on different tasks including fundraising, tracking projects and increasing international relations. However, these departments were not formed vis-à-vis the EU accession process of Turkey, and moreover they do not have a specific department following up EU issues and funds.

### **5.4.3 The EU Funding**

Among all other empowerment mechanisms that the EU could bring for CSOs, funding is the most pronounced opportunity structure for education and youth organizations. Their agenda on the EU largely relates to project development and fundraising, and The significance of participating in EU youth programs is highlighted by all interviewees. In particular, they consider such programs as an opportunity to combine with their European counterparts to exchange information and experiences.

However, EU funding remains of moderate significance for education and youth organizations, because these organizations are financially stable organizations and can attract funding from variety of sources. Additionally, the projects funded by the EU are very indirect in terms of their potential contribution to Turkey's Europeanization. At least they have not such a perspective in their application and implementation processes.

Funds attracted from the EU represent a small percentage of TOG's annual budget, with their representative explaining this situation by referring to their strong organizational capacity:

“The EU funds constitute a small percentage because we are a relatively strong organization. We can attract support of corporations and these ones are not just one or two, many of them gave support to us. Accordingly, this gives us a large space of freedom.”

One example that can support this argumentation is that TOG the first received funding from the EC in 2005, in support of their project concerning human rights and youth action. After the project’s completion, it was continued with the organization’s own resources.

ÇYDD is also interested in attracting EU funding. In the past they have also initiated projects informing citizens about human rights and the vocational training of women. However, ÇYDD’s financial capacity is fed by the local level, and EU funding remains almost insignificant within their annual budget.

TOG and ÇYDD are also beneficiaries of the EU’s education and youth programs. The Youth in Action program provides funding to send their volunteers to gain a European perspective, and they also host volunteers from collaborating European organizations from through involving the European Voluntary Service within their organizations.

TOG is a relatively experienced organization in terms of engaging in projects funded by the Youth in Action program, certainly in comparison to ÇYDD, and has been the beneficiary of such funds since 2005. TOG hosted the international seminar “Youth Volunteering in a Changing Europe” organized with the Youth for Exchange and Understanding International in the frame of the European Year of Volunteering 2011. They developed a declaration on the importance of youth volunteering, addressing stakeholders dedicating their work to young people. Young people from 21 local, national, and international youth organizations came together for the purpose of sharing different approaches to volunteerism as a tool for youth participation in the changing circumstances of Europe, in a project financed by the National Agency for “Youth in Action” of Turkey and implemented by TOG with the assistance of YEU International. The participation of the partner organizations from the (South-) East European countries was sponsored by TACSO.<sup>51</sup>

ÇYDD perceive the significance of the Youth in Action programs, and have involved in these programs since 2008. Their representative claimed that economically disadvantaged

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<sup>51</sup> TOG Website, [http://www.tog.org.tr/EN/head\\_news-110#.TxL2\\_KX9NFs](http://www.tog.org.tr/EN/head_news-110#.TxL2_KX9NFs) [Accessed February 8, 2012] European Commission Youth,

[http://ec.europa.eu/youth/evs/aod/hei\\_form\\_en.cfm?EID=76000342101](http://ec.europa.eu/youth/evs/aod/hei_form_en.cfm?EID=76000342101) [Accessed February 9, 2012]

young people have difficulties in finding a job, even if they have the college degree. Therefore, they find this program a valuable facility to send disadvantaged students to Europe to enhance their experiences. ÇYDD received accreditation to engage in Youth in Action programs, and they have sent eight young people to Europe. Their accreditation has since been extended for a further three years.

AÇEV applies to specific EU funding programs and schemes supporting their projects on early childhood, parental and literacy education. Other similar examples of local funding schemes have a larger percentage in the budget. AÇEV has also participated in a gender equality project led by consortium including KA-DER and the Education Reform Initiative. This project started in 2005 and was finalized in three and half years; during this term various activities were promoted to maintain gender equality in education. AÇEV analyzed all their education materials with a reliance on the project materials produced on detecting gender discrimination.

In their application to EU funds and the implementation of projects, they do not pronounce any constraints faced or expected in the near future. On the other hand, they have general critiques towards the logic of the EU funding and its unexpected consequences. Such organizations are concerned about the general situation of civil society and the organizations that are simply founded to attract EU funds without claiming a real cause. They claim that these types of organizations will not be sustainable and will encounter troubles, and thus such “project-based organizations” are criticized due to their reverse logic:

“They start a project in a different way. First, they identify details of the project rather than questioning the needs and necessity of the project. Here, main objective is making money. In our organization, first we start with the assessment of the needs. We plan the projects according to needs in Turkey and we refrain ourselves from changing the project idea to be eligible of the EU funds”

A further point is that they have observed that EU funds are used effectively by the relevant stakeholders from the state:

“So, either they pass the deadline to spend the fund allocated by the EU or very last moment they arrange a conference in a five star hotel.”

Education and youth organizations have benefited from the EU funding schemes on an ad-hoc basis. Among all other empowerment mechanisms of the EU, the funds have been most relevant and effective them, with the ‘Youth in Action’ program becoming increasingly significant for education and youth organizations.



#### 5.4.4 Transnational Exchanges

Education and youth organizations are increasingly engaging in transnational activities; yet do not relate their relative empowerment vis-à-vis the EU accession process and do not activate their linkages or networks to enhance the pace of the Europeanization of Turkey.

TOG holds a variety of connections at both national and international levels, to universities, youth networks, NGOs, international organizations and volunteer programs. Furthermore, it is a member of international youth NGOs/networks such as Youth for Exchange and Understanding and the Healthy Network, and a member of the Advisory Council on Youth of the Council of Europe, where they can have a say on youth policies in Europe. In activating their formal affiliations to European networks, they also find opportunities to diffuse their organizational structure as an example model on youth NGO in Europe, also trying to discover best practices from European organizations. TOG has no office in Brussels, but they do not feel detached because they have the chance to work in the offices of the organizations that they are affiliated to. They claim that they instrumentalize their channels to lobby for the rights of youth, and have engaged with initiatives to export their organizational model to Azerbaijan and Northern Cyprus.<sup>52</sup>

ÇYDD has not developed formal affiliations with any European organization or network; however, they have the willingness to enter such memberships in the near future. They also attend meetings and conferences organized in Brussels on an ad-hoc basis, with a major motivation of transferring the experience of volunteering and gathering information on youth programs.

AÇEV's activating of transnational mechanisms on EU issues has not been observed, since the issue is not on their organizational agenda. However, they have strong transnational linkages and mainly apply their methods and education programs in specific European and Arab countries. Their programs are specifically designed for Turkish-speaking minorities living abroad, and AÇEV collaborates with state institutions in the design and application of the programs in those countries.

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<sup>52</sup>Youth Networks, "Community Volunteers Foundation."

<[http://www.youthnetworks.eu/UserUploadsYN/Documents/6f3c208a-04de-4bcd-91a6-105156cbb0fa\\_1bfa89f7-1b16-4934-b19a-1b1b79687403.pdf](http://www.youthnetworks.eu/UserUploadsYN/Documents/6f3c208a-04de-4bcd-91a6-105156cbb0fa_1bfa89f7-1b16-4934-b19a-1b1b79687403.pdf)> [Accessed February 17, 2012]

The organizations under examination here are financially stable and able to organize in every region at the national level. Beyond the borders of Turkey, they are able to benefit from the exchange of information and resources through membership in transnational networks, with some even occupying permanent representations abroad. Despite European networks and organizational structuring in relevant venues appearing to be significant, these organizations do not activate their power bases to have a say in the EU accession process.

#### **5.4.5 Participatory Mechanisms**

Turkey's EU accession process has no opportunities or constraints for education and youth organizations that would facilitate or hinder their contribution to Turkey's Europeanization. These organizations have not indicated any problematic issues that endanger their relation to state institutions, and tend to work with the state in attracting funds and collaborating in projects. Accordingly, they suggest that the EU has neither a positive nor negative impact for them, with related empowerment mechanisms remaining irrelevant. A further reason is that these organizations collaborate with state institutions rather than contesting them, and since their causes are perceived to be 'legitimate' and widely embraced within society, they generally do not pronounce the issues of lacking access to policy networks or decision-making mechanisms.

On the other hand, the 2002 liberalization of law of associations had an impact on their relation to their European counterparts. First of all, the new law of associations provides a convenient institutional setting for their participation in European programs and establishing partnerships in Europe. Secondly, changes in law of municipalities has enabled youth organizations to engage in politics in a direct manner, since their representatives could be part of city councils (Kurtaran 2008).

## 5.4.6 Conclusion

Education and youth organizations use EU funding and youth programs but generally remain *disconnected* in the EU accession process.

These fields have been included in this analysis as the control group. In comparison to the other policy fields, education and youth policies do not constitute the most critical issues of the accession negotiations. Thus, for these non-state actors, the salience of Europeanization process is minimal. Accordingly, when the *acquis* is not salient, the opportunities to empower civil society cannot function properly. Another difference is that, in comparison to other organizations in other fields, education and youth organizations have stronger capacities. Thus, this attribute has also shown the lack of direct linkage between the organizational strength of given NGOs and their relative empowerment from the changing opportunity structure. The significance of the salience of Europeanization holds a priority within this analysis.

## 5.5 Human Rights Organizations

There are four human rights organisation under examination in this section. THE ORGANISATION OF HUMAN RIGHTS AND SOLIDARITY FOR OPPRESSED PEOPLE (MAZLUMDER), founded by 54 people on 24 January 1991 in Ankara, Turkey.<sup>53</sup> Human RIGHTS ASSOCIATION (İHD) founded, on 17 July 1986, by 98 human rights defenders. Today İHD continues its struggle with 29 branches, 3 representative offices and over 10.000 members and activists. Human Rights Association struggles for protecting life right, abolishing Death Penalty, finding disappeared person, prevention of execution.<sup>54</sup> THE HUMAN RIGHTS FOUNDATION OF TURKEY (TİHV), established in 1990, is a non-governmental and non-profit organization providing treatment and rehabilitation services for torture survivors and documenting human rights violations in Turkey.<sup>55</sup> THE HELSINKI CITIZENS' ASSEMBLY NETWORK (HYD), which laid the foundation

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<sup>53</sup> MAZLUMDER Website, <<http://www.MAZLUMDER.org/ing/sayfa.asp?sayfaID=1>> [Accessed September 21, 2012] Interview with MAZLUMDER representative, Istanbul, 10 May, 2011

<sup>54</sup> İHD Website, <[http://www.İHD.org.tr/english/index.php?option=com\\_content&view=article&id=141&Itemid=48](http://www.İHD.org.tr/english/index.php?option=com_content&view=article&id=141&Itemid=48)> [Accessed September 21, 2012] Interview with İHD representative, Istanbul, 16 May, 2011.

<sup>55</sup> TİHV Website, <http://www.TİHV.org.tr/index.php?about-TİHV> [Accessed September 21, 2012] Interviews with TİHV representative, Ankara, 15 March, 2011.

for Helsinki Citizens Assembly (hCa) for Turkey and which is described as an international working conference, is an inter societal cooperation and connection network working in the fields of international law, peace and human rights.<sup>56</sup>

### **5.5.1 Salience of Europeanization**

The relevance of the misfit indicating the gap between human rights practices in Turkey and the EU acquis on human rights is relevant for the human rights organizations under examination here. However, it should be noted that they do not act as active promoters of EU norms, standards, or at least such an objective is not embedded in their organizational logics. One reason is that given the large membership bases of these organizations, with branches dispersed across Turkey, it is hard for them to have a single voice concerning European politics. Indeed, data has shown that there is a single voice showing support to the EU accession process of Turkey, however still retain their reservations. Furthermore, their attachment to the EU accession process of Turkey has eroded in aftermath of EU-Turkey relations slowing down; nevertheless, EU conditionality remains as significant “reference point” since the EU norms and criteria are seen as part of international law.

İHD and MAZLUMDER relate the EU acquis with international law and norms, however they do not undertake the role of facilitating the accession process. For them, the Turkish state has to comply with the EU political conditionality, and if not they will remind the government to meet such standards through press releases and reports. However, the excerpts from the interviews indicate that they do not actively pursue auditor roles in the accession process, and do not confirm strong and unconditional support to EU membership.

The representative of İHD makes their position clear by stating that their organization has a general will to support Turkey’s EU accession, believing that Turkey will gain by taking steps towards democratization in this process. Additionally the EU’s role is associated with international mechanisms promoting democracy, and they considering them as necessary for promoting and developing democratic standards in a state:

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<sup>56</sup> HYD Website, <<http://www.hyd.org.tr/?pid=215>> [Accessed September 21, 2012] Interviews with representatives of HYD, Istanbul, 20 May 2011.

“Without international mechanism, I do not believe that societies can further democratic standards on their own... International mechanisms are products of sufferings and experiences. Thus, international mechanisms cannot be contestable”

On the other hand, they are critical of the availability the EU acquis, and note that the EU has various mistakes, positions and practices that do not correspond to human rights. The interviewee pointed out two such examples to highlight this point. First, interviewee has a law school background and observes that there is a tendency in EU countries to conduct referenda on basic rights and freedoms that are generally not associated with the aspect of plurality. Second, he mentioned that MAZLUMDER does not always find the EU policies on human rights correct, and about case of Turkey, they observe that the EU occasionally remains silent concerning human rights violations in Turkey: “We cannot say they support, but they remain silent.”

MAZLUMDER has felt the repression of their organization in Turkey, indicating over 3,000 political prisoners includes their vice president and head of Diyarbakır branch. Many MAZLUMDER had to leave Turkey due to the lawsuits. They keep track of human rights violations in Turkey, with reports suggesting that violations increased during 2005-2010 in comparison to the prior corresponding period of 2000-2003. The interviewee cited this data as an indicator presenting that the EU accession process has not been so effective:

“Between the period of 2000-2003, Turkey tries to start the accession period and pursues to get the candidacy status. In the period of 2005- 2010, accession negotiations have started but it seems that opening up chapters and rapprochement of Turkey to the EU does not finish the violations of human rights. Conversely, there is increase. Human rights policy field is different than other fields.”

Under such conditions, the interviewee claimed that MAZLUMDER has expected the different approach and policies of the EU in the line of their own perspective. He also brings explanations from their perspective as to why the EU has had a limited impact. They do not evaluate the EU as an organization formed with the single motivation of “increasing democratic standards”, further criticizing the economic motives behind European integration, labeling the EU as a “liberal capitalist” organization.

Human right organizations relate the developments in their policy field with the EU accession process. MAZLUMDER’S representative indicated that it is impossible to evaluate the developments in the field of human rights independent of the EU, adding:

“It is obvious that the EU accession process is the first and foremost factor that leads to relative liberal policies in Turkey. So far, such developments were realized with the external push rather than internal struggles pursued by MAZLUMDER and similar organizations.”

However, the interviewee highlighted that MAZLUMDER has never taken a side in the EU accession process, either by showing their support or Euro-skepticism:

“MAZLUMDER cannot discuss the necessity of the EU membership. Here, the organization can take side of the law. If there is an accepted and binding conditionality that is part of international jargon, we can support and advocate it since that comes from the EU. But being for or against to the EU is far too much political and that issues are beyond our agenda”

The demands of human right organizations also correspond with the EU conditionality and *acquis*, seen among the reference sources to which they have to base their claims on a legitimate basis.

HYD is the single organization pronouncing itself as pro-EU since the beginning. They positively evaluate the EU being anchor and reference point for Turkey, and agree that every single actor has benefited from the process. They are willing to retain the EU as the organization’s reference point in the future. Similar to other cases, they do not perceive the EU as a “magic wand”, rather as an organization and system reflecting some norms, ideas and values formed in consensus.

The interviewee from HYD claimed, “EU leverage became effective since end of 1990s and civil society in Turkey was in the need of such leverage because back then it was hard to talk about sensitive issues and Turkey was not strongly connected to the international realm. Organizations that did not choose being marginal were dependent on upon EU leverage.”

HYD have been always a pro-EU organization, however they have also adopted a critical position:

“As the organization, we feel that we are in EU. We are an insider. This is a platform for the people feeling like EU citizens. So, we have the constructive position for understanding the substance of EU, its direction and beyond all of those we are discussing what EU ought to be”

For instance, HYD works on the asylum rights, and claim their project also brought serious criticism on EU practices:

“This project can be regarded as critique of EU. Nevertheless, our aim is the betterment of the situation. We do not pursue this objective through an antagonism, but we want to bring up the matter and lobby the problem.”

TİHV supports the EU process as long as it serves the development of human rights and taking root of democracy and peace in Turkey. However, for TİHV the EU has lost its momentum, and they indicate the discrepancy between legal development and laggard practical measures. The interviewee observes failings in the prevention of torture and the reemergence of illiberal arrest conditions. From their perspective, the perception of the EU as an anchor on the democratization of Turkey has changed, under the notion that the EU has lost its momentum. Their support is stable, but they are no longer enthusiastic since the process lost its functioning:

“The EU-Turkey relations have not just raised expectations of the civil society but also citizens of Turkey have expectations affiliated to the accession of Turkey to the EU like; having the EU citizenship that would make easier to find jobs and travel around. However when the scope of democratic criteria enlarged and the EU agenda included the Armenian problem and Cyprus question and when the government took out the EU membership from their agenda all these expectations have changed and even the situation got worse.”

Enthusiasm for the EU has eroded for the all organizations under examination here. The slow pace of accession is one explanatory factor, but the human rights organizations also pronounced their dissatisfaction with the EU’s potential to further democratic human rights practices. They believe that the EU has not been as effective as they presumed, and accordingly their expectations have not met.

Human rights organizations admit that with the EU-Turkey relations having eroded, the relative impact of the EU on Turkey has deteriorated and the process is almost blocked. Hence, the positive expectations of human rights organizations of the ongoing process have significantly lessened.

İHOP issues a periodical called “Dialog for Human Rights”. In the fourth and final issue published in 2010, they had a special focus on international and supranational organizations’ lack of effectiveness in responding to human rights issues. They particularly analyzed the decreasing support of Turkish society to the EU, relating this phenomenon with European institutions’ double standards with regard to human rights policies. In this discussion, they had the tendency of having complementary approaches to the EU-Turkey relations, human rights policies of the EU and decisions of the European Council and European Court of

Human Rights. They briefly claimed that decisions of ECHR and EU progress reports always highlights specific issues and continuously neglect many issues. Human rights organizations also believe that European institutions occasionally remain blind to their concerns, approaching issues with selective sensitivities. On the other hand, members of İHOP argued that there has been an increasing lack of confidence in the EU acquis itself when observing EU member states applying policies incongruent to the EU perspective.

The interviewee from MAZLUMDER claimed that different political actors and segments of society and political had different and sometimes opposing expectations of the EU. They position themselves within Islamic-oriented organizations that base their reference points from the Islamic civilization that has produced values and norms for humanity and human rights. The representative indicated that the “Leyla Sahin legal case” represented the breaking point for MAZLUMDER and other organizations basing their values on Islamic culture. Leyla Şahin v. Turkey was a 2004 European Court of Human Rights (ECHR) case brought against Turkey by a medical student challenging a Turkish law banning the wearing of the Islamic headscarf at universities and other educational and state institutions. The Court upheld the Turkish law by 16 votes to one.

MAZLUMDER associates the decision of the court with the EU conditionality, and their position towards the EU changed in the aftermath the decision on Leyla Şahin case:

“How come the ECHR can be the court protecting human rights if they have decision saying that Republic of Turkey is right to dismiss students with headscarf from the universities? Their decision is not congruent to human rights. That was a breaking point for us and not just for us, for the ground and on which MAZLUMDER has based on. Yes, the EU has contributed to the establishment of basic values and freedoms in Turkey but aftermath we have observed that the transferring the norms and values of the EU to Turkey would not have positive impact on us. We have seen that.”

“The EU project is secular by its origins. NGOs that have secular basis; the ones like pursuing Kurdish rights and gay rights movement discuss the EU membership and have greater expectations to larger extent. Secular Kurdish rights movement and religious minority group, Alevites as well keeping their strong relations to the EU. They have expectations from the EU conditionality. Classical Kemalists have been skeptical and stopped showing their support when there was possibility of joining the EU they stepped back. Islamic movements kept an eye on the EU aftermath 28 February, however there have been this breaking point, which is the rejection of the Leyla Sahin law case.”



From the perspective of human rights organizations, it is hard to make generalizations regarding the relevance of the acquis and policy misfit. Similar to women's organizations, there is a general acceptance of the positive role of the EU accession process on the political environment. They claim the European impact and concrete acquis including norms, ideas and policy recommendations has enabled the problematization of human rights issues in Turkey, giving opportunities for civil society actors to raise their concerns. In other words, the existence and causes of NGOs in the field of human rights are considered legitimate from the perspective of all relevant actors in policy-making and some segments of the society. However, this acceptance does not render them enthusiastic in sticking to the accession process and EU political conditionality. As organizations pursuing the advancement of human rights in Turkey, they are critical organizations concerning every aspect of policies pursued by power-holders, including the EU. Accordingly, by adopting such critical stances they do not simply follow up the EU's norms and criteria set for the accession states, rather they are also interested in applications at the European level that have been seen as an indicator of being a "sincere" norm-setter. When the pace of Turkey and EU relations were at their peak point and stabilized during the period 1999-2005, human rights organizations were also highly motivated towards the ongoing process and maintained their enthusiasm. However, as observed in the other fields under examination, by the time relations slowed down they since lost such enthusiasm. On the other hand, human rights organizations have realized that they would not well off in the near future in some cases, since they could not gain the support expected from the EU. These attitudes and perceptions did not materialized in concrete terms in policy papers and declarations, because as discussed above these organizations are 'critical' by nature and they do not offer open support and affiliation to any mainstream political tendencies, rather retaining 'neutral' stances.

### **5.5.2 Organizational Changes**

The human rights organizations under examination here have been active since the early 1990s, which represents a relatively long period within the context of the NGO sector's late development in Turkey. Long-term support of civil society and volunteering has brought them high numbers of members, expert knowledge and wider networks both in national and transnational realms. The organizations held initial plans to support themselves with membership fees, but they could not realize this objective through contributions collected

from their own network. Similar to women rights and environmental organizations, NGOs in the policy field of human rights encounter financial stability issues and a project-based working style, with the notion of attracting funding from international sources becoming an increasingly widespread solution.

MAZLUMDER has been active since 1990, with a large membership base ranging from 7,000-8,000 members, 3,000 of whom belong to the İstanbul branch. MAZLUMDER mostly operates through membership fees collected on a regular basis, with the representative citing the difficulty in collecting each members' fee. Nevertheless, this is the most significant and relied upon source for the organization.

IHD formed their organizational structure to sustain themselves through relying on membership fees collected from their members. However, similar to MAZLUMDER, they find it problematic to collect member fees from every members, and therefore they also rely on donations.

HYD collects a membership fee, yet as indicated by previous examples they also have problems concerning their regular collection. Their representative confirmed that they have members paying fees on regular basis, yet this group is less than one third of the organization's total members:

“We have 180-190 members but with the collected membership fees you can just pay bill of on phone line we use in the office. The amount of fee is very symbolic; there is no way to sustain the organization with that source”

Consequently, HYD has developed projects and raised third party funding to sustain the organization:

“After experiencing difficulties, the organization started function through finding funds for the projects. For all other NGOs this is the case, it evolves to this direction.”

They are selective about funding source, in order to ensure the organization's independence from of any interference. However, this selective approach is also restrictive; aid in kind is accepted, yet they are more discerning when receiving financial allowances.

TİHV demonstrates the same attributes, although this organization has the charity status, and thus does not have members as associations do. Consequently, the organization does not rely on membership fees. Projects of TİHV are supported by the UN, EC, and Amnesty International's national branches operating in European countries including Germany,

Switzerland, Sweden and Norway. Apart from funding their project ideas, in some cases their projects are managed through volunteering doctors.

The human rights organizations under examination here, portray different types of organizational structuring. MAZLUMDER and IHD They have large membership bases and they highly signify donations of individuals to attain their financial sustainability, because they perceive this as sign of attachment of the members to their causes. Since they can attract individual donations, the relevance and significance of the funding schemes of international organizations including the EU is lower. By contrast however, the significance for TIHV and HYD is relatively high, as highlighted by their new applications for funding in every financial year.

Human rights organizations do not show a special interest in investing in their capacities in the EU accession process. There has been no change in their organizational structure, they have not employed experts relating to EU matters, and they do not have departments specialized in European issues. In general, specialization within their organizations is less likely to emerge.

### **5.5.3 The EU Funding**

One local branch and the head office of MAZLUMDER were been granted EU funding in 2003 and 2004, but their decisions were subsequently discussed within the organization and they finally decided to opt out from any funding schemes provided by states and inter-governmental organizations. The representative explains the underlying reason behind their decision through the principle of avoiding any interference to their organization. MAZLUMDER does not accept any funds granted by Turkish government, considering financial support from any formal institution as a constraint that could endanger their impartiality.

“One of the reasons is that we want to survive with relying on our own resource. This is very significant. If we are not in the need of any funding, it is evident that we have strong roots. We work for the society and we have membership base. If we have financial difficulties we should turn our face to them so our members also get attached to organization and feel responsibilities.”

A further reason is that MAZLUMDER sticks to the premises of Islamic culture and understandings that glorify donation to charities: “this is our cultural hinterland, we have

members donating. We cannot entrust our own resources and choose other fund-givers alternatively”.

İHD has adopted similar perspective on funding provided by states and inter-governmental organizations. However, in contrary to MAZLUMDER they evaluated the EU differently from the UN, and subsequently decided to use their fund resources. However, the funding attracted from the EU constitutes a marginal percentage of their annual budget. They share the similar concerns with İHD :

“In Turkey, for NGOs it is very problematic to get funding from institutions abroad, especially for the organizations like İHD that has over 10000 members, with 28 branches. Funding issues are most contested subject for us...It is contested issue for NGOs in Turkey to get funding from abroad. There are paranoid ideas embedded in Turkey: foreigners will dissolve the Turkish states, they will split territories. Ordinary people think that European states and United States feed the organizations pursuing adversary politics and that are critical of the state financially. This is the widespread belief.”

İHD only decided to apply for funding schemes opened by international organizations, including the EU, excluding options from states. The reason is the same; they want to remain independent of any interference:

“There is this belief widespread in politics, one you get fund after a while you start to get directives. It is not that problematic to attract funds since we have capacity to take initiatives and dismiss any authority that can direct us. İHD is an organization that has never allowed any authority, neither from abroad nor from national level, to intervene our work since 1986. We have trust for our organization so we don't have problems.”

İHD has received support for their various projects in recent years, with their representative stating that these are not their major projects budget-wise. When their organization needs assistance to continue with some of their projects and cannot do so by itself, they apply for external funding. However, in general terms İHD still contests receiving external funding.

HYD is a recipient of EU funds and other grant schemes opened by foreign missions for the benefit of NGOs in Turkey. They first received EU funding in 1994, and started to use this source in a more systematic way in 1996. HYD has the potential to fund some of its own projects, but they acknowledge widely being a beneficiary of EU funds. However, they are very willing to diversify their funding sources in the forthcoming period.

Similar to HYD, EU funding schemes and other sources of funds from international organizations constitutes a major part of TİHV's budget. In 1993, three years after TİHV was founded, they started to make use of the EU funding schemes. They currently have three projects supported by the EC in the context of the European Instrument for Democracy and Human Rights (EIDHR), with a project concerning "five treatment and rehabilitation centers for torture survivors". Another project called 'Effective Protection of the Rights of Refugees, Asylum Seekers, and Other Persons in Need of International Protection' received the support of EIDHR, with this project implemented with the Human Rights Association and contributions from the UN High Commissioner for Refugees in Turkey. A third project is entitled "strengthening the integrated and holistic approach to the fight against torture and ill-treatment".

HYD and TİHV indicated that they are among the organizations positively empowered vis-à-vis the EU direct funding. TİHV initiated the "Istanbul Protocol", the Manual on the Effective Investigation and Documentation of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, as the first international document providing guidelines for the effective investigation and documentation of torture. This document was prepared by several human rights organizations with extensive knowledge, and it was presented to the United Nations High Commissioner for Human Rights on 9 August 1999. Following publication of Istanbul Protocol, TİHV became well-known internationally, training over 5,500 lawmakers through the financial support of the EC. The organization's representative relates the empowerment of human rights organizations with regard to the EU's impact, summarized under three major headings: "The EU has positive role in development of civil society in Turkey with direct financial support on projects level, political support and indirect impact of the EU- Turkey relations on liberalization of political environment."

As one of the indicators, the representatives of TİHV observed that NGOs in the human rights policy field have grown in number, with İHD and MAZLUMDER making similar observations:

"When İHD was founded in 1986, there was not any other organization struggling for human rights. After 2000, number of human rights organizations was increased to twenty to thirty. It shows that the EU came to the civil society field as a 'fertilizer' and helped them to grow and develop."

The representative of MAZLUMDER is optimistic because he also observes the number of NGOs increasing and developing compared to ten years ago.

The Human Rights Joint Platform is an independent platform composed of the Helsinki Citizens' Assembly, Human Rights Association and Amnesty International Turkey, and represents an independent medium of sharing, consisting of the four NGOs operating in the domain of human rights and freedoms and the development of democracy in Turkey. The work of the platform is focused on complementing and reinforcing the activities and efforts of its members.

The Platform attempts to disseminate common attitudes developed in certain matters and with the same attitude, included in the agendas of the democratic public opinion as well as the legislative and executive branches, by means of campaigns, training/education programs, programmed meetings, conferences and seminars. Work groups, open to all member organizations, have undertaken the workload of the Platform. In accordance with the strategic objectives set by the Platform, the work groups determine the areas and modes of carrying out work, and also their timing, attempting to incorporate the opinions of every member organization into its agenda.

Human rights organizations place strong statements on possible constraints that EU funding could bring to NGO sector and the externalities that they observe. The representative of İHD highlighted the cases of NGOs founded simply to attract EU funding without a strong cause, membership bases and networks, labeling them "balloon NGOs":

"There are balloon NGOs around, they want to get projects and make financial benefit out of it. In most of the cases, the EU feeds these kinds of organizations. Typical balloon NGOs have professional cadre with three to five full time employees. They do not have strong connection and information bases as they work in an apartment in Istanbul. They do not have large networks. They are informed from TV, print media etc., and they can call few people to be informed."

According to İHD's representative, a further problem of such "balloon NGOs" is that they sometimes write some reports on demand, with such reports claiming that human rights violations have lessened despite this not being the case. He raises concerns about the non-selective position of the EU with regard to decisions on funding NGOs in accession states:

"NGOs picturing the political scene as if everything is normal cannot serve their purposes in Turkey. Basic function of human rights associations and activists are being opponent. The rulers in the power make violations; activists and organizations defending the rights of people have to be opponents. Consequently, organizations that are hands in hand with the power and giving reports in accordance to demand of them harm the struggle over human rights. The EU should take into account these issues. Unexpectedly, institutions get worse when they want to develop them at first place."

Give their familiarity with the processes since 1990s, negative externalities of the mechanism of EU funding schemes were widely discussed by the representatives of HYD. They claimed that the process is problematic, with several issues to be resolved: “The EU helped many organizations but there are also many were aggrieved”

They argue that the EU’s funding system and allocation procedures produce new power bases in national politics, highlighting this unexpected impact as very dangerous for countries such as Turkey. They offer the example of the EU’s preference for forming umbrella organizational structures in fund-recipient countries and allocating money through them rather than deciding on which organization to fund case-by-case. HYD is against this formation of another hierarchical structure, anticipating that it would cause severe problems in Turkey:

“The EU has tendency to form umbrella organization in Turkey and time to time they insist on this idea; we resisted it. This causes hierarchies and we are among organization resisting this development. In Romania, this is the case and one umbrella organization turned out to be power base. This organization became part of Romanian Ministry of Affairs. If you get along well with them you are entitled to receive funds, if not you are not supported.”

Problems have also been detected regarding the planning of fund distribution, implementation and evaluations of the projects. They stated that EU funding process are “output-oriented”, with their approach exhausting organizations that focus on the process rather than concrete output, including HYD:

“In the evaluation of performances, sometimes they want to measure things that are not measurable. We do not have perfectly measurable criteria for their point of view. However, in time there is progress that we make that is very hard to show.”

They are critical of the EU funding process becoming an “odd process” concerning measures of performances, missing the big picture of the projects’ real political impacts. They addressed the situation of the EU becoming attached to “etiquette”, thereby losing impact on civil society in Turkey. They associate the situation with offering scholarship to students simply because they have higher GPAs, without any other criteria.

The interviewee from HYD claimed it is not possible to conduct long-term projects with EU funds:

“You cannot get funding for projects that would last four- five years. In short- term projects, organizations like us worry about what is going to happen in six months or in a year. It is not possible receive funding for a project that follows up a previous one funded by the EU. We get funding for a

project and issue to some point and we know that if we apply another funding for a project will be in the same field will get rejection most probably.”

From the NGOs perspective, they have also indicated the situation similarly. While the EU is becoming obsessed with etiquette and subsequently loses focus on the real possible impact of the projects, civil society has started to spend considerable time on fundraising and project development issues:

“The process makes the essence of the projects irrelevant and becomes method-oriented. All small organizations in Van write projects and got trainings on that. However, it is like project- fetishism. It seems like everything is perfect there, just the knowledge on how to write EU projects and report findings are missing.”

They asserted that the balance of civil society has changed with the project-based working style logic introduced by the EU. While there were even funding sources in the early 1990s, addressees who could make use of such sources were lacking. After a while, all actors in the civil society realm went over the project-management trainings, and civil society activities were associated with applying projects. Thus, demand for funds increased, and such higher demands have further bureaucratized application processes. “Now, bureaucracy of the EU is the most exhausting thing for us.”

It is hard to make general conclusions regarding the relative impact of EU funding on human rights organizations. The analyses have indicated two divergent patterns of changing opportunity structure. The first groups, including İHD and MAZLUMDER, have no tendencies to raise funding since they prefer collecting membership fees and supporting their organizations with contributions of people who support their causes. Accordingly, the EU funding mechanisms remain irrelevant to them. The second group, including HYD and TİHV, mainly extracts EU funding and their organizational capacities have been empowered to a greater extent. They do not collect membership fees (or the amount of money collected remains marginal), therefore they have to raise funding and subsequently the EU sources are relevant for them.



#### **5.5.4. Transnational Exchanges**

HYD and TIHV do not have regular contacts in Brussels, but they try to maintain a flow of communication through ad-hoc meetings in Turkey or Brussels, reaching the DG Enlargement European Commission via Ministry for EU affairs. They both particularly pronounced their attendance for meetings in the preparation of EU regular Progress Reports.

İHD and MAZLUMDER have not made attempts to form regular connections to any European institution. However, contextually, despite not initiating such occurrences, they have found various venues (official meetings, roundtable discussions, etc.) to meet high officers from European institutions in Turkey. Additionally, they affirm that when EU officials or diplomats come to Ankara or other cities for official visits, they visit their offices and gain information on human rights issues in Turkey. Furthermore, when there is issue of particular relevance, İHD sends their representatives to European Parliament to give a speech or attend meetings in the EC. İHD and MAZLUMDER also have transnational linkages, but similar to previous findings they do not use their linkages or networks as power bases in this context.

The representative of MAZLUMDER observes an increase in transnational exchanges within their organization, considering that having branches in different countries that can transform MAZLUMDER into an international organization. However, MAZLUMDER currently remains a national and “introvert” organization, with such attempts reserved for the future. Furthermore, in terms of their internationalization prospects, the Islamic world appears to be the major outlet for their activities. At present, they do not have representatives working abroad, but they maintain strong relations and partnerships in foreign countries such as in Sudan and Somalia. They do not have memberships in federations and networks, preferring to attend in coalitions and federations.

The interviewee pointed out that they have not maintained “organic” relations with transnational organizations, and subsequently Europe is not their primary interest. MAZLUMDER does not have plans to have someone in Brussels increasing relations and following up developments. Rather, for them the center is The Hague, where international courts and the UN offices are located. While the EU remains out of their focus, they are willing to meet officials from the EU when they have official visits to Turkey. The representative of MAZLUMDER attends meetings particularly on the screening reports on

Turkey. They attend and provide comments on the current situation in meetings initiated by the EU-Turkey Joint Parliamentary Committee, EU delegation to Turkey and the European Parliament's Human Rights Sub-Committee. Additionally, they maintain close contact with the diplomatic staff of European states based in Turkey.

İHD shows similar attributes to the case of MAZLUMDER, having contact with European institutions on an ad-hoc basis without developing organic relations. They send their representatives to speak in meetings in the EP or to attend round table meetings and conferences initiated by the EC on issues such as human rights, torture prevention and freedoms in Turkey. The interviewee highlighted that this is a new phenomenon for İHD, and they still do not have close connections and the advisory organization status with any institution.

MAZLUMDER and İHD keep track of human rights violations in Turkey on regular basis, sharing them online to reach their evaluation for wider audiences. They claim that researchers working on human rights in Turkey and Eurocrats are interested in reports produced by NGOs.

İHD is among the founding members of the International Criminal Court Coalition (UCMK) and The International Federation for Human Rights (FIDH), and a member of the Euro-Mediterranean Human Rights Network (EMHRN). İHD engages in transnational activities through their networks on an ad-hoc basis, but their representative mentioned that they are unwilling to show extra effort to develop further contacts from Europe, and that relations with current networks help them to exchange information when there are issue-relevant topics.

For HYD, their transnational exchanges are not systematically applied. moreover, are rather on an ad-hoc basis. They do not pursue systematic lobbying in Brussels, although the interviewees claim that officials from the EU and European countries are in touch with the organization, similar to the previous cases. HYD defines itself as being formed by a network of people with wider networks, with its members being mobile people attending various meetings at national and international levels. The interviewees claim they conduct “intellectual lobbying” on an ad-hoc basis, without following a code of conduct. HYD does not have membership in any federation or network.

However, organizations holding information and expertise in their fields have strategic positions and can even have a direct impact on content of EU policies without the intentionally doing so. In this regard, I would like to focus on TIHV as the illustrative case. TIHV provides medical service and legal support for the rehabilitation of torture survivors, furthermore documenting human right violations in a systematic way. They have gained expertise in their fields and have accumulated considerable amount of data. For instance, TIHV was able to prepare the Manual on Effective Investigation and Documentation of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, commonly known as the Istanbul Protocol; the first set of international guideline for the documentation of torture and its consequences. It provides useful guidance for doctors and lawyers who want to investigate whether a person has been tortured and report the findings to the judiciary and any other investigative bodies. The Istanbul Protocol became an official United Nations document in 1999, and was referred to by the EU in its 'Guidelines to EU Policy towards Third Countries on Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment', adopted by the General Affairs Council in 2001.

The transnational exchanges of human rights organizations occur on an ad-hoc basis, and the relative impact is minimal. First, they do not keep track of the ongoing accession in a systematic way, and moreover, they do not have permanent representatives in relevant outlets. This is more an issue of a lack of willingness. rather than a weak organizational capacity problem. They have no intention to have a branch in Brussels or to employ someone to follow up the agenda there in the near future. On the other hand, human rights organizations keep track of human rights violations in Turkey in a systematic way, offering related reports and data accordingly. Eurocrats has shown particular interest in the reports prepared by NGOs contesting government perspectives. To a greater extent, they meet European officials and academics at the national level in regular meetings organized in the routine of Turkey's accession process, thereby sharing their concerns. However, this is nothing more than a symbolic intervention within the EU accession process; rather they tend to instrumentalize such opportunities to raise their concerns. Moreover, human rights organizations admit that Eurocrats and academics and activists from Europe make efforts to reach their offices when they visit Turkey. Human rights organizations share their concerns and feed them with a different type of data, highlighting their perspectives and experiences of NGOs in Turkey.

### **5.5.5 The Participatory Mechanisms**

Human rights organizations have been active since the early 1980s, and have since been struggling to contest the government's policies on human rights to overcome such violations in Turkey. As discussed above, the human rights organizations under examination here have indicated that they are still occasionally under repression despite this diminishing over time, to some extent through the impact of the EU. These organizations are relatively strong, with wide membership bases and experience in their policy fields, therefore decision-makers take them more seriously more and they have therefore been able to form relatively healthier relations with the state. They argue that the EU accession process have facilitated the participatory mechanisms connecting the NGOs to state institutions, with a change of the perception of civil society and state collaboration in the governing of the accession to the EU; however, the institutionalization or participatory mechanisms remain weak due to various reasons.

Similar to other policy fields, actors in human rights are dissatisfied with the participatory mechanism linking CSOs with the government in the EU accession process. They claim that despite consulting them in policy-making processes being a new concept, they can notice its development. All organizations under examination have stated that executives consult them in various policy-making stages. For example, the government has consulted and demanded opinion of human rights organizations in the preparation of national plan to adopt the EU acquis. On the other hand, from the EU perspective, European officials consult them in the preparation of EU regular progress reports on Turkey. MAZLUMDER and İHD indicated that their opinions have been quoted in some of the previously issued progress reports . HYD holds the same opinion; they believe that NGOs feed the EU officials with their information from the field when writing their progress reports. Thus, the relative importance is not particularly high for them, as the reports do not say anything new for them. Additionally, they also feel that the significance of the reports has diminished in the last three to four years. Previously, they made greater use of the reports showing deficiencies in Turkish democracy; however they now consider that progress reports are far from setting the agenda in Turkey.

The representative of TİHV highlighted that the EU process has had a significant impact on the perception of NGOs operating in the field of human rights in Turkey, claiming that it has made human rights a hot topic. Prior to 1999, they claim that they remained “unwanted

actors and people”, due to being labeled as allies for foreign powers and maintaining relations with terrorists:

“They would call us betrayers. They thought we are blaming Turkey in the international level. We have never been taken as civil society organizations.”

The interviewee claimed that Turkish civil society could develop in the relatively democratic atmosphere created by the EU-Turkey relations. Following 1999, when Turkey was granted EU candidacy, these types of organizations have gradually found space within political arena, thus feeling that their legitimacy has increased in the eyes of state representatives and media, with public awareness of civil society growing accordingly.

The strength of human rights organizations is that Human Rights Joint Platform (İHOP) provides them with the opportunity to cooperate and act under one group. Even if they are unwilling to formally be part of it, İHOP remains their information channel and a common front in the political environment. İHOP has defined its mission as strengthening the capacity of the human rights movement in Turkey, cooperation between its elements, and enhancing its general impact. By referring to the capacity building, İHOP also attaches significance to reconnecting civil society actors to the political environment with defining concrete channels and mechanism. Thus, the empowerment of capacities also includes the development of participatory democracy:

“In this framework, the mission of İHOP is defined as, empowering the capacity, components, general impact of the human rights movement in Turkey and the general impact of it. İHOP believes that creation of open, transparent, and orderly environments, providing the means for the civil society and the organized segments of civil society to express their opinion in all areas of human rights to authorities in legislative and executive branches, and to exchange views with them, would play a high priority role in development and implementation of policies based on human rights and in development of participatory democracy.”<sup>57</sup>

İHOP, composed of the Helsinki Citizens’ Assembly, Human Rights Association and Amnesty International Turkey, has initiatives to intervene in the policy processes by opening up channels that would enable them to be active participants in every stage of policy-making.

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<sup>57</sup>İHOP Website, “The Draft Law on Establishment of Human Rights Council of Turkey must be withdrawn Immediately!”. Last modified May 21, 2009.

<<http://www.ihop.org.tr/english/index.php?limitstart=10>>[Accessed February, 10 2012]

They primarily criticized the government's manner of handling the institutional changes with regard to the human rights policy realm in the EU accession process, furthermore claiming that they are excluded from the process. A second initiative was the preparation of declaration entitled "strengthening the participation of CSOs to the legislative processes", involving more than 20 signatory organizations.

In 2009, İHOP issued a press release against the government's approach to the preparation of the draft law on establishment of Human Rights Council in Turkey. Four NGOs working in the field of human rights, including the Helsinki Citizens' Assembly, Human Rights Association, The Association of Human Rights and Solidarity for Oppressed People, Human Rights Foundation of Turkey and Amnesty International-Turkey added their signatures under this press release, with their main argumentation as follows:

"The Draft Law on Establishment of Human Rights Council of Turkey' that has been prepared secretly from everyone and us in other words in a manner that is contrary to the UN Paris Principles must be withdrawn immediately!"

They were informed about the government's preparation of the draft law when the spokesperson of the Government, Mr. Cemil Çicek, hold a press conference on 18 May 2009. However, they had not been informed about this draft law until it was approved by the Council of Ministers. In this press release, they particularly pointed out that the government had attempted to form "National Human Rights Council" three times since 2004, and that each time İHOP was critical of the process in excluding the participation of civil society actors with the decision-making and consultation mechanism:

"The last two attempts were criticized by our organizations as the Government has not asked opinions and thoughts of our organizations and the public opinion but prepared it in a manner of fait accompli. We face a similar situation today. Our organizations, which work hard to protect and promote human rights despite difficulties for many years in our country, have not been informed about the draft law that has been approved by the Council of Ministers. "

In the press release, human rights organizations also questioned the sincerity of the government's commitment to the EU accession process. They claimed that many decisions were being made in the human rights field without going through an intensive consultation process including the opinions and recommendations of various stakeholders, including human rights organizations. Moreover, according to human rights organizations, the government reluctantly engages in reform process and make relevant changes as

“homework“. They refer to Mr. Çicek’s statement explaining the ground of the draft law to support their argumentation.

“The EU progress reports wish establishment of an autonomous council. Not having such a council is considered as failure.”

During this period, various kinds of human rights units called “Province and District Human Rights Boards” and “Human Rights Advisory Board” were founded to meet the EU acquis. Human rights organizations find the composition of these human rights units very problematic, mentioning that their basis of foundation is contrary to the Paris Principles, and the participation of NGO in these boards has not been maintained. One of the cases is the Province and District Human Rights Boards that includes the necessary involvement of at least three NGOs in their boards according to their provisions of regulations. However, contrary to this rule, in some provinces there has been just one NGO in the board. Such cases have shown that some NGOs that are not actively working in the related fields, and their contributions are not so clearly assessable.

A further case indicates the malfunction of these advisory boards founded vis-à-vis the EU accession process. In this press release, human rights organizations highlighted that the Human Rights Advisory Board has only been asked once to express its opinion about the evaluation of the EU Accession Report within the context of human rights and political criteria, on 8 December 2003. Afterwards, the president of the Advisory Board, Prof. İbrahim Kaboğlu, and the president of the sub-commission, Prof. Baskin Oran, were placed on trial due to their opinion report on Minority and Cultural rights issues for “inciting hatred, enmity, and humiliation of the courts authority”, with the prosecutor imposing 5 years imprisonment against them. Between 2003 and 2008, Human Rights Advisory Board did not hold any meetings, which human rights organizations as a clear sign of the government towards this issue.

In the conclusion part of the press release, the organizations repeated their concerns regarding the anti-democratic process of preparation of the draft law that can be regarded as a human rights violation in a broad context. Apart from the problems about the preparation process, they also brought critiques to the content of the draft law. With reference to previous examples, they suggested that the “Human Rights Council of Turkey” would not be different from the current human rights board and problematic and functionless agencies if relevant changes are not enacted:

They indicated that “Human Rights Council of Turkey” must

1. be independent in terms of finance and staff;
2. guarantee job security to its staff;
3. clearly identify its criteria of appointment, membership and membership compositions;
4. have authority of arbitrary and limitless visit;
5. be accountable to the public opinion via its reports;
6. have authority to make recommendations;
7. provide high-level participation of non-governmental organizations that are active in the field of human rights;
8. Prevent the administration from right to vote even if it will be represented in the council.<sup>58</sup>

In 2009, with initiation of İHOP and its members, over twenty NGOs working in the field of human rights and freedoms formed a common front and wrote a declaration entitled “strengthening the participation of CSOs to the legislative processes”. They addressed their opinion to the member of Commission working on the change of internal regulations of the Grand National Assembly of Turkey, a sub-commission formed under the Commission on the Constitution Change.

Their major objective was to draw attention to the issues related to connecting CSOs to the legislative processes in an efficient way, with their major argument as follows:

“Executive, legislature and judiciary institutions are expected to meet the needs of citizens and establish societal justice. In order to fully function, first and foremost to identify needs there should be channels that are accessible and participatory mechanisms to these channels should be activated.”

These organizations wanted decision-makers to define the participatory mechanisms to enable CSOs’ input in the legislative processes in cultivating the democracy culture. Besides raising this demand, they also proposed setting minimum requirements in defining such a participatory mechanism:

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<sup>58</sup> IHD Website, “The Draft Law on Establishment of Human Rights Council of Turkey should be withdrawn immediately!”. Last Modified May 21. 2009.  
<[http://www.ihd.org.tr/english/index.php?option=com\\_content&view=article&id=518:the-draft-law-on-establishment-of-human-rights-council-of-turkey-must-be-withdrawn-immediately&catid=14:joint-press-releases&Itemid=30](http://www.ihd.org.tr/english/index.php?option=com_content&view=article&id=518:the-draft-law-on-establishment-of-human-rights-council-of-turkey-must-be-withdrawn-immediately&catid=14:joint-press-releases&Itemid=30)> [Accessed February 10, 2012]



1. There would be legal changes allowing CSOs participation to commission meetings of Grand National Assembly of Turkey;
2. The process should be open for the ones who want to participate and who want to be informed as being a citizen;
3. The criteria determine the selection of CSOs should not be discriminative;
4. NGOs working on the related fields should be included in legislative processes when there the issue is salient;
5. To ensure high quality of participatory mechanism, consultations with NGOs and citizens should start at very early stages like before submission of draft law and regulations to Grand National Assembly of Turkey or presenting it to the general assembly;
6. To ensure effective results, there should be reasonable time to be set for preparation and bringing up comments;
7. In consultation processes, feedback and evaluation stages should be included;
8. To activate and maintain participation, special and enough resources should be devoted;
9. Based on these principles, there should be a separate part entitled “Participation process of Civil Society” in the internal regulations and in deciding on subparts and content the members of civil society should be consulted.<sup>59</sup>

They claim that constitutional change bringing the change of internal regulations of the Grand National Assembly of Turkey into discussion is a great opportunity to strengthen and develop participatory democracy, considering this process as a chance that should be seized by all actors.

Similar to the other policy fields, although the EU accession process has made significant changes, participatory mechanisms in the human rights policy field are not fully open and effective. The EU political conditionality and visible misfit has indicated that Turkish legislation lags behind international norms and criteria, with the EU having pushed the Turkish government to satisfy the democratic norms to become eligible for full membership. Human rights organizations have observed the transformative impact of the EU, indicating that their causes have become more visible and legitimate with the EU’s support. However, conversely, they claimed the changes in the law and associations have not rendered serious changes in their working environment, rather in practice the pressure on them was on the place to some extent.

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<sup>59</sup> IHD Website, “Yasama Faaliyetlerine STK Katılımının Güçlendirilmesi üzerine ortak görüş.” Last modified February 19, 2009 <[http://www.ihd.org.tr/index.php?option=com\\_content&view=article&id=1300:yasama-faaliyetlerine-stk-katiliminin-guclendirilmesi-uzerine-ortak-gorus&catid=30:ortak-baslamlar&Itemid=80](http://www.ihd.org.tr/index.php?option=com_content&view=article&id=1300:yasama-faaliyetlerine-stk-katiliminin-guclendirilmesi-uzerine-ortak-gorus&catid=30:ortak-baslamlar&Itemid=80)> [Accessed on 10.04.2012]

In governing the EU accession process, the participatory mechanisms linking CSOs with the government work to a certain degree, yet human rights organizations do not find it sufficient and sustainable. They can observe that developments and consultations are increasing, for example, through their inclusion in the preparation of the National plan to adopt the EU acquis, and through EU officials tending to consult them in the process of preparation of the EU regular progress reports on Turkey. Therefore, they have been able to raise their voices, concerns and critiques both through national and via transnational linkages. However, similar to events in the environmental policy field, the EU push for the institutionalization of state and NGO relations via building concrete mechanisms have not succeeded due to state-society relations remaining problematic at the nation level. Moreover, even if institutional changes materialized, they were either not implemented or implemented with deficiencies. Additionally, these organizations are also dissatisfied with the slow pace of the EU-Turkey relations; therefore the participatory mechanisms are also losing significance for them. When they encountered some problems in the implementation of new rules regulating new institutions linking the state and human rights organizations, they have shown some initiatives via İHOP, however these attempts are not currently in their agenda. The EU conditionality was previously a strong reference point and ‘anchor’ for their argumentations, but this is no longer the case. The interviews showed that this change cannot simply be explained through the slow pace of the EU-Turkey relations and diminishing impact of the conditionality to transform Turkey, but there have also been some turning points with negative consequences on the perception of human rights organizations on the EU and Europe in general.

### **5.5.6 Conclusion**

Human rights organizations create *Responsive Europeanization* and remain ‘users’ of the ongoing accession process. Regarding their organizational traits, none of them have invested in their organizational capacities to influence the process. Moreover, at the organizational level they do not have a single policy paper indicating their subjective assessments on the accession process, and the relevance of the misfit has dropped considerably since 2005. As discussed above, human rights organizations have become more critical towards the EU, with the perceived credibility of the conditionality in decline. This disengagement is somewhat explained by the slow-down in EU-Turkey relations.

In general terms, these organizations do not invest in their organizational capacities and have not made bold statements in their statements regarding the accession process. The organizations under examination portray different attitudes to the EU funding schemes. , with MAZLUMDER and İHD are willing to be independent from any interference and perceiving funding mechanisms as a potential intervention. By contrast, HCD and TİHV have been recipients of the EU funding, developing stronger affiliations to the EU accession process and European ideas than their counterparts. They have developed various projects that have enabled them to raise attention concerning human rights issues. The transnational exchanges of these organizations are on an ad-hoc basis, and they use their linkages to enhance attention for human rights issues, however enhancing the accession is not part of their agenda. Nevertheless, they bring alternative information and ideas to the actors engaged in the accession process, yet their relative empowerment from the initiatives to develop participatory mechanisms for CSOs also limited. Human rights organizations contest state policies, given this nature of existence state-society relations have been tense. They exist to contest government policy and retain critical stances, therefore restricting them from being linked to policy-making. On the other hand, there have been initiatives to link state and human rights organizations via stable mechanisms with the formation of institutions; however these attempts were not materialized or have not been effectively implemented. The capacities of such organizations are limited and their ideational framings are not concrete, therefore it has been much more difficult for them to overcome such chronic problems embedded in their policy fields.

Nevertheless, prominent human rights organizations have emphasized the content of the Copenhagen criteria and its implication on Turkey that has focused deficiencies in the human rights policy field as a major aspect of the misfit. Therefore, these organizations have received support for their causes not just with direct EU funding but also through indirect means that have helped to legitimize their concerns in the eyes of the public and the state administration. However, meanwhile the transformative capacity of the EU has diminished for human rights organizations; therefore, rather than being promoters of Europeanization they have kept their distance and prefer being ‘users’ of Europeanization.

## **5.6. Conclusion: NGOs Remain the ‘Users’ of the Europeanization**

The analysis has generally shown that NGOs in Turkey remain ‘users’ of the Europeanization process rather than promoters of the EU accession process. The main reasons can be traced to organizational traits of NGOs, including capacity-based explanations and their subjective assessment of the ongoing processes. Briefly, most cases have highlighted that organizations with limited organizational capacities and less willingness to engage in the process are those that are least empowered, with their limited capacities representing a constraint in extracting EU funds and forming transnational exchanges. Regarding participatory mechanisms, attempts have not been particularly successful and NGOs’ capacities are insufficient in overcoming the problems hindering healthy state and society relations at the national level. Moreover, the slow pace of the EU–Turkey relations and its dwindling significance have negatively influenced the subjective assessments of NGOs, with EU conditionality and the misfit becoming less relevant for actors in every policy field.

Participatory mechanisms have not been fully developed to provide channels to bring together decision-makers and civil society actors within the EU accession process. However, CSOs that were in conflict between the power holders for a long time claimed that the EU accession process has normalized the political atmosphere and changed the ethos of politics in favor of people and organizations pursuing the protection and expansion of human rights and freedoms, and the push of the EU has made state-society relations much smoother. CSOs were perceived as legitimate actors in their policy fields, decision-makers increasingly consulting them on an ad-hoc basis in the ongoing accession process. Changing the image of civil society and their gaining significance were consequences of the two-fold process. The EU has applied pressure on the government to include civil society in the governance of the accession; thus, the government took initiatives to articulate the interests of civil society. On the other hand, the EU has consulted civil society actors in different venues to gain insightful information on the political developments in Turkey. Civil society has been considered as a means to differentiate impartial information sources, and their input have been signified due to its potential to facilitate reforms and accelerate the accession.

However, the problems hindering civil society-state cooperation are embedded in the political system, with this tradition a persistent issue in the governing of Turkey’s accession to the EU. The relative impact of the EU on the liberalization of the political environment has been constrained by the problematic relations between the two parties. The initiatives of the

institutionalization of consultation mechanisms have not materialized, and even if there were serious attempts, certain cases show that the relations are far from being successful in producing a positive result that satisfies civil society actors. As a consequence, NGOs remain as outsiders in this process.

The transnational activities of respective NGOs allow resource and information exchange, bringing potential empowerment and capacity development. Given that this is a relatively new phenomenon, it is difficult to assess the true impact of transnational exchanges. Particularly in the fields of environmental and women's rights, certain cases have shown NGOs to make use of their transnational linkages to frequently exchange information. NGOs that find the salience of Europeanization have shown efforts to gain memberships in certain networks and federations. If Europeanization is not salient or of diminishing significance for NGOs (e.g. for education and youth organizations, and some human rights organizations), they do not systematically engage in transnational exchanges. However, internal access points are always an option for them. For instance, Eurocrats or representatives of their European counterparts occasionally visit human rights organizations and try to keep track of their agenda or make use of their alternative perspectives.

The EU funding schemes are the direct empowerment mechanisms applied to the civil society environment in Turkey. The EU funding has relative importance to NGOs with respect to their policy environment in which they are mobilized. Education and youth organizations perceive the direct funding mechanism of the EU as the most effective tool, with the significance of funding relatively less for other types of organizations. On the other hand, when the capacities of the organizations are weak, they attach greater importance to EU funds and show extra effort to extract new resources. However, one can argue that the relative significance of the EU funding schemes for Turkish NGOs has generally diminished. They have attempted to diversify their sources and decrease their dependency on international fund schemes and the EU funds. This situation does not only relate to the EU accession process, moreover the organizations under examination here generally prefer to secure stable funding from domestic sources such as corporations and charities allocating resources to CSOs under their corporate responsibility programs. The main reason behind this tendency is that they find the application and evaluation processes of funding schemes allocated by international and supranational organizations highly bureaucratic, claiming that strict procedures defined by the EU for eligible applicants fail to capture the reality in Turkey. Complicated application procedures not only deter relatively weak (in capacity terms) organizations, but have also

influenced the decisions of stronger organizations. Weak organizations do not have the capacity to follow strict procedures, whereas strong ones can easily opt for other funding schemes to avoid the bureaucratic hassle that the EU has placed on non-state actors in accession states.

Additionally, apart from the over-bureaucratic rules posed by the EU in funding civil societies across the EU borders, the negative implications observed by recipients in Turkey of such mechanisms have made them hesitant to continue applying in the forthcoming terms. For instance, they see that new actors of civil society are founded simply to extract funding, without having general causes. Furthermore, they generally consider that civil society actors are becoming obsessed with the procedural requirements of EU funding schemes to secure future funding. Applicants have to invest more time on the technical details of projects rather than the expected impact that they can bring. Finally, organizations that have conducted projects with a larger budget (e.g. environmental organizations) also consider the process as challenging and troublesome in different ways. To conclude, the organizational strength of NGOs does not offer them ideal conditions to attract EU funding in a systematic way

## **CHAPTER 6 ECONOMIC INTEREST GROUPS**

### **6.1 Turkish Business Interest Groups**

This chapter discusses the modes of Europeanization of business interest groups in Turkey, offering contrast to the previous section that concluded generally weak civil society development, certainly in comparison to the strong state...Business associations have found themselves in a relatively stronger position within policy-making in comparison with actors such as trade unions and issue-oriented NGOs, with their organizational attributes enabling them to remain united and quickly respond to the changing opportunity structures (Shambayati 1994; Bianchi 1985).

EU-Turkey relations and its evident impact on Turkish politics have changed the political environment of business interest groups. In return, they have changed their strategies, adapting to the new environment and making use of available opportunities. Their nature of their interests that bring identifiable constituencies with steady relations to decision-makers in domestic policy-making can explain their role as promoters of Europeanization.

To account for the stability of Turkish business interest groups' strong affiliation to the Europeanization process, the analysis is based on the comparison between new generation business associations founded in the early 2000s and the long-established business associations whose organizational history can be traced back to the early 1950s.

### **6.1.1 Salience of Europeanization & Organizational Changes**

Business interest groups' relations to the state have developed somewhat differently to NGOs or trade unions. Despite the 'strong state' phenomenon representing the primary problem hindering civil society development, business interests have enjoyed the advantage of being indispensable partners in economic policy-making. During the early republican period, the adoption of the import substitution economic model granted business interest groups exclusive rights, and in return their cooperation towards national economic and social development was thus ensured. However, in the later period of the 1970s, the import substitution economic model appeared to fail, with Turkish functional interests developing independent of the state and initiating alternative discourses. The political scene of the 1970s enabled the emergence of new actors representing functional interests, and their initial position signaled a clear separation of industrial from commercial interests. TURKISH INDUSTRY & BUSINESS ASSOCIATION (TÜSİAD) was founded by Turkish industrialists and businessmen in 1971, prior to which THE UNION OF CHAMBERS AND COMMODITY EXCHANGES OF TURKEY (TOBB) had been the largest association. TOBB was founded in 1950, defining itself as the highest legal entity representing the Turkish private sector. TOBB came into force through the Law 5590 on the Chambers, Commodity Exchanges and Union, updated in 2004. THE TURKISH CONFEDERATION OF BUSINESS ASSOCIATIONS (TİSK) was also founded in 1961, in the aftermath of the new constitution recognizing the right to organize unions to employers. By the 1970s they had lost their status as the sole representative of business interests, with the economic failures and political fragility of the 1970s offering other actors the opportunity to develop their own strategies independent of the state. TÜSİAD fed the political context with alternative views on the development strategies of Turkey, pursuing further integration with markets, including Europe. Their Western orientation and interest in foreign markets have been evident. However, in contrary to expectations the state has maintained its central position in designing

the new structure within the transition period to the neo-liberal economic policies, with no institutional restructuring to connect business interests (and for other actors as well) and the state in policy-making.

EU-Turkey relations started to constitute larger content in the agendas of business interest groups since the Customs Union (CU) was signed on 6th March 1995 at the Turkey-EU Association Council. The CU allowed the dismantling of trade barriers between the EU and Turkey in most sectors, excluding agriculture and service sectors. However, in contrary to expectations, import figures have not changed drastically. The CU is regarded as one of the milestones of EU-Turkey relations, not only enhancing economic integration but also highlighting to public and all other relevant actors that the EU membership is possible for Turkey (Sertoglu and Ozturk 2003). Moreover, The CU has considerably changed the ethos of business by introducing the new rules, norms and ideas regarding competition policy and intellectual property rights. In summary, the Turkish business sector's integration into the global economy has accelerated in this period.

A key issue arising from reviewing the civil society context throughout the history of modern Turkey was the country's politics being marked by multiple legitimacy crises of the state in the 1990s, including increasing corruption, economic crisis and budget deficits. Under these conditions, the EU and its norms and economic and political competencies to transform Turkey were taken increasingly seriously by business interests groups. The Europeanization process became part of their agenda when the Customs Union came into force, and the economic benefits of further reintegration to the European markets have been a major part of their interest. When Turkey's candidacy was declined in the Luxemburg Summit of 1997, it was evident that political conditionality and the extent of Turkey's meeting criterion will determine the pace of the accession. Business interest groups have also raised their concerns concerning this topic, with TÜSIAD, a Western-oriented, secular and pro-EU association approaching the EU's democratization agenda very seriously.

In the meantime, they could follow European discourses towards Turkey more closely than any actors, given that their transnational network has been increasingly strengthened. They could detect challenges against Turkey's further integration to the EU largely aroused from the 'cultural discrepancy' widely discussed in different platforms. They aim to respond in a fast and coherent way to change such discourses, both undermining the legitimacy of Turkey's candidacy and resultantly slowing down the accession process. On the other hand, despite EU-Turkey relations stalling and public support of EU membership drastically diminishing overtime, business interests have retained interest in EU membership, investing



their energy in facilitating relations and remaining a common front against anti-European discourses both at the domestic and international level. In return, their strong organizational capacity and affiliation with Europeanization have brought greater windows of opportunities within the accession process. The salience of Europeanization has not only increased for the long-established business associations, but new-generation business associations have also developed pro-EU discourses and changed their organizational structure accordingly to contribute to the accession process in different ways.

One indicator of the increasing salience of Europeanization for business interest groups is their subsequent changing of organizational structuring by hiring experts and increasing specialized units.

Long-established business associations have developed their organizational structure over time, whereas new-established ones had invested in their organizational structure during their foundation.

**THE TURKISH INDUSTRY & BUSINESS ASSOCIATION (TÜSİAD)** was founded by Turkish industrialists and businessmen in 1971, and currently has 600 members representing 3,500 companies that realize 80% of Turkey's total foreign trade, excluding energy imports. Specialization is quite high in their organizational structure, with different departments, committees and six worldwide representative offices enabling them to spontaneously work on different types of issues. TÜSİAD has always been a pro-EU business association, and has become an increasingly significant player in Turkey's accession process. This is highlighted by the fact that convergence with the European Union is one of the major issue areas for TÜSİAD. Prior to realization of the customs union, TÜSİAD's main concerns were monetary regulation, taxes and tariff, and moreover they have played leading role in the adoption of principles of a free market economy since the organization was established. In the mid-1990s, they focused more on political instability, which was considered as the major hindrance for economic and social development. The boundary between business and politics has become blurred in TÜSİAD's statements and activities. In this context, *Perspectives on Democratization in Turkey* were published in 1997, containing proposals for legislative reforms. In 1997, TÜSİAD published a seminal and critical report on Turkey's democratization process – a step that would have been unthinkable a decade earlier. After Turkey was finally declared as a candidate for EU membership at the Helsinki Summit in December 1999, TÜSİAD's attention was redirected to the fulfillment of the Copenhagen Criteria, and thus for democratization and rule of law, set as a pre-condition for the beginning

of membership negotiations. TÜSİAD attempted to gain the attention of public and private authorities both in Turkey and the EU by publishing reports.

By the time that EU-Turkey relations had passed their peak, in 2007, TÜSİAD prepared a report to convey their policy positions for the new executive. In this report, TÜSİAD set the 2014 target for full EU membership, reflecting its commitment to strong democracy, social structure and economy towards achieving this objective.<sup>60</sup> TÜSİAD's report for 2011-2015 indicates that they continue to support the Turkey's EU membership; however they also acknowledge that this process has stalled. Apart from evident indicators of the slow pace of the accession process such as blocked negotiations of the chapters, the lack of a prospective accession date, and unsolved political issues such as Cyprus problem, this report refers to the public's perception of the EU's diminishing effectiveness and Turkey's increasing significance. However, they warned that such changing perception does not mean that Turkey is exempted from its obligation to meet the EU acquis:

“Under changing conditions, there is possibility for the EU to loosen the political unity and become condemned in to restore different integration circles. In this scenario, best position for Turkey is to be ready for the EU membership and be an economically successful. This situation will enhance the life standards in Turkey independent from the membership process.” (p. 18)<sup>61</sup>

In 2011, also TÜSİAD formed the Working group of Cyprus as part of its International Politics department.

Organizational restructuring of the **THE UNION OF CHAMBERS AND COMMODITY EXCHANGES OF TURKEY (TOBB)**<sup>62</sup> with regard to the developments in EU-Turkey relations has changed over time, with their strong relation to the state granting them roles in the EU accession process. Law Number 5174 Article 56/e, on the subject of

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<sup>60</sup> TUSIAD Website. [http://www.TÜSİAD.org/\\_rsc/shared/file/secimrapor.pdf](http://www.TÜSİAD.org/_rsc/shared/file/secimrapor.pdf). [Accessed 15.07.2012]

<sup>61</sup> TUSIAD Website, “TÜSİAD, iş dünyasının yeni yasama dönemine ilişkin beklentilerini içeren bir çalışma hazırladı.”

<<http://www.tusiad.org.tr/bilgi-merkezi/basin-odasi/basin-bultenleri/tusiad--is-dunyasinin-yeni-yasama-donemine-iliskin-beklentilerini-iceren-bir-calisma-hazirladi/>> [Accessed May 13, 2012]

<sup>62</sup> Interview with representative of TOBB, Ankara, April 4, 2011.

relations with the European Union regulates their roles and position in the process, as follows:<sup>63</sup>

1. Monitor the right of these sectors in relations with the EU and international organizations.
2. Carrying out operations as regards the EU acquis.
3. Informing Chambers and Commodity Exchanges on these subjects.

Until 2000, TOBB employed just one expert, and did not have a special unit within their organization. Between 2000-2004, when the reform process was moving faster and in a smoother manner, TOBB decided set up a special unit to track the accession process and set its agenda. In 2005, when accession negotiations started, TOBB also increased its number of experts specialized in EU affairs, opening an EU representative office in Brussels. Despite the stalling progress of the accession process in the following period, TOBB was willing to remain active. In 2008, a general directorate for the EU was founded, with three units set up in 2010.

The EU Department of TOBB aims to coordinate participation of the Turkish private sector with the harmonization of Turkish legislation with the acquis. There are different specialized sections with this department, namely the EU Harmonization and Negotiation Unit, the EU Project Development and Monitoring Unit and the Environment Division. These departments work together to connect the business sector to the process and thus involve their input, furthermore preparing reports on EU policies and issues regarding Turkey and EU relations, presenting their position papers and suggestions on the Chapters during the harmonization process with the EU to different stakeholders, and communicating all information to chambers and firms.

In addition, TOBB has founded prominent think-tanks to bring scholarly contributions to this process, including the foundation of the Turkish Economic Policy Research Foundation (TEPAV) and Economic Development Foundation (IKV). IKV systematically inform the Turkish business world and public about developments in the field of Turkey-EU relations,

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<sup>63</sup> TOBB Website, <<http://www.tobb.org.tr/AvrupaBirligiDairesi/Sayfalar/Eng/Hakkimizda.aspx>> [Accessed, May 17, 2012]

producing visionary policy proposals to facilitate the accession process. On the other hand, they aim to ensure the active participation of the business world and NGOs in the process, promoting Turkey among EU members. Over time, IKV has achieved an increasingly effective impact on Turkey-EU relations through their seminars, research, publications, lobbying activities and close cooperation with relevant actors, both at the domestic and EU level. Founded in 2004, TEPAV is a non-partisan, non-profit think-tank based in Ankara, producing policy papers to contribute to public policy design in seeking to enrich knowledge content in Turkey's discussions. Within TEPAV, The European Union Institute (EUI) was founded in 2009 with the aim of contributing to the acceleration of reforms and the negotiation process.

**THE TURKISH CONFEDERATION OF BUSINESS ASSOCIATIONS (TİSK)**, founded in 1961, is an autonomous confederation of business associations representing Turkish employers' interests at the national and transnational level. TİSK currently represents 22 business associations that are active in various sectors, and has developed its mission in accordance with Turkish society's common goal of full membership to the European Union:

“TİSK with its unique characteristics of having an autonomous structure, being the sole umbrella organization in having the authority to represent Turkish employers both nationally and internationally, bringing employers who are active in various sectors of the economy together in a spirit of sodality and solidarity and within the framework of the principle of a voluntary organization, fully conforms to the European Union's “social partner” criterion.”

Again at the 2009 JCC meeting, Kutadgubilig stated that EU should consider Turkey as a gateway out of the economic crisis, adding that “Turkey is indispensable political and economic partner for Europe and is able to play the role of production base... Turkey and EU can overcome current and future challenges only through a closer relationship that could only be achieved Turkey's accession.”

In the 24th meeting of the JCC in 2008, TİSK president Kutadgubilik made a speech entitled, “How to promote the civil society participation in Turkey's accession process”, and referred to the organizational position. He made explicit that TİSK had taken initiatives to engage its expertise in this process by conducting extensive comparative analysis of the EU acquis on Social Policy and Employment, furthermore increasing their relations with their European counterparts. They have presented their findings to the government at the domestic

level, and through TISK's External Relations Committee they have reached the EU member states in combining with governments, social partners and civil society representatives.

**The Women Entrepreneurs Association of Turkey (KAGİDER)**, founded in 2008, represents women entrepreneurs and aims to increase entrepreneurship of women in Turkey. As a first example of representing the interests of businesswomen in Turkey, it is notable that the relevance of the EU is quite high for such an organization.<sup>64</sup>

KAGİDER was founded by influential Turkish Businesswomen, whose networks have increased their opportunities to receive financial support. For instance, KAGİDER's office in Istanbul is sponsored by one of the national banks of Turkey. In addition, they established their Brussels Representation with the support of Turkish Industry and Business Association (TÜSİAD), and opened their office its building.<sup>65</sup>

Since the establishment of KAGİDER, a working group in their International Relations department has specialized in EU affairs. Moreover, they also opened their representation office in Brussels in 2008, suggesting that this development is a clear sign of their attachment to the EU membership prospects of Turkey. In the organizational statement, they clearly state:

“KAGİDER believes in and supports Turkey's admission into the EU, while arguing the importance of women's active participation in the negotiation process. As a civil society organization, it has actively participated in the accession process and aims at proceeding to take an even more active part in the future as well.”

KAGİDER has pronounced their open support for EU membership:

“...KAGİDER supports this process and thinks that Turkey will benefit from the prospect of EU membership in many respects. That is why we intensify our efforts...We accept the related parts of the *acquis* (social policy and employment) and they totally match with our objectives...”

KAGİDER aims to achieve sustainable dialogue with several European institutions, continuing to lobby for EU activities at the national level, and has also activities to change perceptions both in national and European contexts.

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<sup>64</sup> Interview with representative of KAGİDER, Istanbul, July 11, 2010.

<sup>65</sup> Some call KAGİDER 'sister organisation' of TÜSİAD.

**THE TURKISH CONFEDERATION OF BUSINESSMEN AND INDUSTRIALISTS (TUSKON)**, founded in 2005, is an umbrella organization representing regional business federations organized in seven regions of Turkey, representing a total of 172 business associations organized in 80 provinces of Turkey.

TUSKON represents the interests of these business associations (a total of 400,000 entrepreneurs), which were mainly founded by small and medium sized enterprises of Anatolia in the early 1990s, with the objective of adapting to the changing economic structure in Turkey and connect themselves to foreign markets. According to the organizational history of the TUSKON, besides the attempts to form associations, the development of civil society resulting from the EU accession process has led to the formation of one single unit and cooperation of associations under the hierarchical structure. The head of TUSKON, Rizanur Meral, also highlighted that TUSKON is one of the largest civil society organizations in Turkey:

“Our organization was founded in 2005 but our members have been already active for 15 years. For stronger force of expression, first federations were founded. Later, with the intensification of relations with the EU; the necessity to have stronger voice was felt and the TUSKON was founded.”<sup>66</sup>

TUSKON continues to offer support to Turkey’s EU membership prospect, and in 2012, the fifth year of the establishment of their Brussels representative, TUSKON initiated a meeting entitled "Time to Face Economic Realities: Difficulties and Expectations for the European Union and Turkey“. This initiative brought together significant actors of the EU-Turkey relations, including: Chief negotiator Ali Babacan; Vice President of the European Commission Olli Rein; Commissioner for Enlargement Stefan Füle; and members of the EP and businessmen.

In this meeting, Rizanur Meral, pronounced TUSKON’s strong support for the ongoing process:

“We did not lose our belief in standards and norms of the EU. We still struggle to realize the reforms in accordance to them”

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<sup>66</sup>TUSKON website, < <http://www.tuskon.org/?p=temsilcilik&cl=temsil&l=bruksel>> [Accessed June 1, 2012]

However, he claimed EU member states' experiencing financial crises have handicapped Turkey's accession to the EU:

"Turkey realized successful reforms and this cannot be ignored just some of the EU member states are experiencing domestic problems. Along with financial crises, public debt problems of the EU member states make Turkey's EU membership difficult. In return, these lead to negative (wrong) perception of the EU in Turkish public opinion."

However, Meral also provided counter claims against this perception within his speech, indicating that the EU is still Turkey's biggest trade partner. By doing so, he claimed that if Turkey wants to triple its volume of trade, this objective can only be attained through enhancing relations to the EU by the same level. Meral stated that the EU project (of Turkey) is highly significant and cannot be dismantled, added that in the line of their position, TUSKON have decided to open up a representative office in Brussels. He also mentioned that civil society should take responsibility and support the executive on EU issues: "Within this regard civil society organizations have big responsibilities."<sup>67</sup>

Prior to 2011, TUSKON's primary focus was on the economic relations between the EU and Turkey. As a confederation, TUSKON represents various business associations, with their argumentations mainly addressing the easy access of Turkish businesses to the European markets, thus demanding the smooth accession of Turkey to the EU that will bring deeper integration between their markets. However, in 2012 TUSKON started to direct its attention to the "politics of the EU and Turkey relations"

### **6.1.2 The EU Funding**

Turkish business interest groups have special units within their organizational structure to attract EU funding. In many instances, they are able to attract a large scale of EU funds, and their interest in EU funding is increasing despite the EU accession process of Turkey having stalled.

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<sup>67</sup> HÜRSIAD website, "Hürsiad üyeleri TUSKON Brüksel ofisi acilisinda.", Last Modified December, 3 2009.<<http://www.hursiad.com/faaliyetler/haberler/121-huersad-ueyeler-tuskon-brueksel-ofs-aciliinda>> [Accessed May 17, 2012]

The high relevance of EU funding and their strong organizational capacities enable business interest groups to manage large scale projects addressing Turkey's alignment with the acquis. On the other hand, through executing EU-funded projects, business interest groups are able to socialize their members and sub-units with the EU acquis-related subjects, educating them in their application and implementation of EU projects. In this respect, EU funding represents an opportunity for business interest groups to enhance their expertise in the EU field, spread through their strong network base. EU funding schemes open to them bring business associations closer to their counterparts in Europe, connecting employer-employee associations to facilitate social dialogue at the national level and enabling associations to channel information to their constituencies at the sub-national level.

TOBB is a recipient of the EU funding, having extensively instrumentalized it to build capacities of corporate world and local chambers. For example, TOBB executed the Turkish Chamber Development Programme (TCDP) for two terms with EU funds, with this program aimed at the establishment of sustainable partnerships between selected chambers from Turkey and the EU. 10 partnerships connected selected chambers from Turkey with those from the EU, and they implemented joint pilot projects with an emphasis on the introduction of new, innovative services within the Turkish chambers. In 2011, TOBB was granted the funding scheme of the IPA Human Resources Development Component to initiate a new project aimed at increasing the adaptability of employers and employees of SMEs in relatively less developed provinces of Turkey through lifelong learning. The project includes the establishment of Training Support and Coordination Centers trainings at 5 chambers, and along with initiating study visits for employers, employees and organizations of workshops to introduce them the best practices of lifelong learning. Another project funded by the EU is the EU-Turkey Chambers Forum (ETCF) project, started in 2007 and implemented in two phases by the Association of European Chambers of Commerce and Industry (EUROCHAMBRES), in cooperation with TOBB. This project is signified by TOBB, and the expected contributions of the project have been determined as follows:

(1) ETCF will strengthen the mutual knowledge, dialogue and long-term co-operation between the Turkish Chambers and their counterparts in the EU as members of civil society, thus promoting the integration of EU and Turkish business communities; (2) ETCF will enable, in particular, Turkish chambers to follow the legislative changes in Turkey in line with adoption to the so-called EU *acquis communautaire* in order to facilitate the effective implementation of this acquis. Being aware of the major legislative issues, the Turkish chambers will be able to actively participate in the accession negotiations through, in



particular, the preparation of impact analysis and position papers; and (3) ETCF will enhance the abilities of Turkish chambers to design and generate value-added services to their members by benchmarking with their European counterparts and benefiting from their know-how.

The Chambers towards Acquis Support and Business Ethic (CASE) project was part of the EU's 2006 Business Support Programme, targeting chambers in Bulgaria, Romania and Turkey. This program developed the previous experience of the Chambers Accession Programme Eastern Europe (CAPE), implemented in CEECs for three years during 2000-2004, prior to EU accession. The main premise of these projects is assisting business community in the adoption and implementation of the *acquis communautaire*.

TUSKON occasionally provides seminars and workshops for their member associations on the thereof EU projects and their management. In this sense, TUSKON acts as an education center in channeling information and expertise through experts, academic and public servants to SMEs operating in Anatolia, with their program helping SMEs to socialize with the EU norms and criteria.

The Turkish Confederation of Employer Associations (TİSK) and the Confederation of Turkish Trade Unions (TÜRK-İŞ) have initiated the "TİSK and TÜRK-İŞ Efficiency Enhancement in Training and Employment Pilot Project" as of 20 April 2005 (completed on 19 April 2006), within the framework of the Strengthening the Vocational Education and Training System in Turkey Project (SVET Project) financed by the EU. This project not only provided social partners the opportunity to strengthen linkages between the education and employment in Turkey, but also initiated efficient and effective functioning of social dialogue. This is the first joint project work undertaken by the Worker-Employer Confederations.

In 2007, TİSK received another EU grant under the framework of the EU-funded "Strengthening Social Dialogue for Innovation and Change in Turkey" program implemented by the Turkish Ministry of Labor and Social Security. TİSK started a social dialogue project entitled "Building a Model of Bipartite Social Dialogue for Effective Implementation of the Labor Law" with HAK-İŞ (HAK-İŞ Trade Union Confederation), enabling the largest employer and employee confederations to contribute towards efficiently implementing Turkish Labor Law No: 4857, thus enhancing social dialogue at the confederations level, member associations level, and directly between employers and employees at the enterprise level.

KAGİDER is recipient of EU funding, and the projects they have conducted have in many instances aimed at furthering ongoing Europeanization and facilitating the reform process. In 2010-2011, with support of the EU they conducted a project targeted increasing awareness of the EU's positive impact on the legal framework concerning women's rights in Turkey. Another project of KAGİDER (2006- 2007) entitled "Women project on the way to the EU", realized with the support of the EU, aimed at the empowerment of women, enhancing their participation in EU negotiations and forming a network that raises concerns of women in gender equality in the EU realm and beyond. Their most recent project is focused on "the European women entrepreneurs mentoring network".

In 2005, TÜGİAD decided to establish an EU projects department to contribute to the efficient use of EU funding schemes within the accession process. They prepared an education workshop on EU funding, including methodology of EU project preparation and project management. They wanted to include the organizations attending this program to take part in EU-funded projects either under TÜGİAD's headship or as a partner.

### **6.1.3 Transnational Exchanges**

Although the presence of Turkish business interest groups in Brussels is striking, their interest in representing at the European level is a recent phenomenon. Until the late 1980s, no business interest groups except TOBB were represented in Brussels, with established business interest groups already having affiliations to the various organizations at the transnational level. TÜSİAD and TİSK have been members of UNICE since 1988, when Turkey applied for the EU membership. TÜSİAD also became part of BIAC (Business and Industry Advisory Council of the OECD) and UMCE (Union of Mediterranean Confederations of Enterprises) in the same year. TİSK have instrumentalized their membership in the European Business Confederation (BUSINESSEUROPE) for nearly 30 years as an opportunity to defend national interests regarding the EU at the highest level.

The peak points of the EU-Turkey relations customs union decision, the Helsinki decision on Turkey's candidacy and the opening accession negotiations accelerated the presence of Turkish business groups in relevant outlets. However, the stalled EU accession process did not keep them away from transnational exchanges. To the contrary, Turkish business interest

groups intervened in the process, struggling to solve issues hindering the development of Turkey's accession process.

TÜSİAD established its first representative office in Brussels (the headquarters of the EU) following the EU-Turkey customs union decision in 1995, with the explicit aim of contributing to strengthening Turkey-EU relations. Their representative in Brussels keeps TÜSİAD connected to the European institutions, and they are able to convey their position with regard to the EU harmonization process with possible solutions and future agendas. TÜSİAD's Brussels representative office claims to represent Turkish business interests before European institutions. This office acts as a contact point for the Turkish business sector and Turkey, and in this respect, Turkish business is united in Brussels. One clear indicator is that the Brussels representation office of TÜSİAD acts as the representative of TİSK and KAGİDER, thus enabling them to feed the business sector with information produced at the European level.

Turkish Business interest groups produce effective policies to address the EU's agenda towards Turkey. In 2005, the EU initiated its policy on civil society dialogue in order to overcome the prejudices towards Turkey's membership. Following this initiative, Turkish business conducted projects to address issues slowing down the accession of Turkey to the EU. Evidently, Turkish business interest groups do not simply follow the acquis-related development and adoption processes, but also invest their time and energy in addressing the cultural facets of the EU-Turkey relations inherent within the historical background and socio-economic aspects.

When the accession negotiations started in 2005, TÜSİAD formed a Country Communication Committee with German and French working groups to contribute to the constructive communication strategy targeting European public opinion. They also established a "Country Communication Fund" in 2005, in order to finance the work of the Country Communication Committee. This committee conducted various projects and targeted opinion leaders, media representatives of Germany, France and Brussels. According to its intensive report, TÜSİAD was assessed as an example contributing to the image of Turkey in its process towards EU membership. Between 2005 and 2008, 19 thematic media visits of European journalists and correspondents from France, Germany and Brussels were initiated and funded. On the other hand, experts or members from TÜSİAD had meetings (20 events) with European media representatives in Brussels, Paris and Berlin during this period, introducing Turkey to the public of EU member states by providing information on its economic, political and socio-cultural structure (40-45). Finally, round-table meetings (7 in

total) were initiated in the European capitals seminars, with academics, journalists, NGO activists combining to discuss and produce alternative visions on Turkey's accession process to the EU.<sup>68</sup>

The EU Department of TOBB has developed communication strategy targeted at EU member states and EU institutions, with this strategy involving the formation of the Business Councils with the EU member states, and regular meetings with governments of EU member countries and EU institutions. TOBB engages in cooperation with TAIX (Technical Assistance and Information Exchange instrument), initiated by the Directorate-General Enlargement of the European Commission. This instrument supports TOBB in organizing seminars and workshops for the business community and public sector representatives in Turkey, addressing issues regarding the approximation, application and enforcement of EU legislation. Past seminars and workshops have addressed issues including Vocational Education and Training, Women Entrepreneurship, Service Directive, Late Payments, Pollution Prevention, Maritime Trade, Standardization, Construction Materials Directive, Road Transport and Infrastructure, etc.

TOBB is one of the founding members of the Turkish Research and Business Organizations (TURBO), which was established in Brussels in 2004 as public-private partnership. TURBO has the objective of assisting Turkish participants, including public research institutions and the small and medium sized enterprises (SMEs), in the Framework Programme (FP) as part of European Union's RTD and private sector/enterprise-oriented programs within the framework of the EU Lisbon Strategy. TURBO provides information, communication, consultancy and training services, and conducting lobbying activities in Brussels on behalf of Turkish participants in the Framework Programme (FP), including public research institutions and small and medium sized enterprises (SMEs). Moreover, TURBO facilitates meetings between National Contact Points (NCPs) and their European counterparts.

As data shows, established business interest groups founded before the 1980s have gradually incorporated EU affairs into their agendas and interests, in a process developed parallel to the EU-Turkey relations. Furthermore, new generation business interest groups founded after the 1980s have also followed the approaches of their older counterparts.

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<sup>68</sup> Data compiled from TUSIAD Website. [http://www.TUSIAD.org/\\_rsc/shared/file/TUSIADo1.pdf](http://www.TUSIAD.org/_rsc/shared/file/TUSIADo1.pdf)

KAGİDER have also conducted communication projects, targeting three Turkey-skeptical countries: Germany, France and Austria. These projects mainly brought together women from Turkey and European states, initiating discussion of commonalities regarding the problems they are facing. Moreover, KAGİDER has also invited European women to Turkey, bringing them together in different platforms with Turkish businesswomen. As stated by Sevand, these projects aimed to show different images of Turkish women in Europe to change the skeptical perceptions on Turkey's prospective accession to the EU.

New generation business interest groups have followed the strategies of those long-established. They were founded during the period when EU- Turkey relations lost their momentum. It was accordingly somewhat expected that they would lose their interests, however on the contrary, they have also acted as ambassadors of Turkey and been involved in promotion activities in the EU level in order to overcome existing problems. KAGİDER was founded in 2008 and opened its EU- Brussels representative office on 4th March of the same year. KAGİDER instrumentalize their Brussels office in playing an effective role in forming a health communication between Turkey and the EU, contributing to lobbying activities at the European level:

“Brussels office of KAGİDER strengthens its own position in international realm and on the other hand this representation is a significant actor of Turkey's foreign policy”.

KAGİDER aims at sustainable dialogue with several European institutions, continued lobbying and also has activities to change perceptions both in the national and European contexts. Despite its short history, KAGİDER has been able to extend its network base through membership in prominent organizations, including the European Women's Lobby (EWL), women associations in Europe, the International Alliance for Women (TIAW), the Association of Organizations of Mediterranean Businesswomen (AFAEMME) and the Balkan Women's Coalition.

In a similar vein, TUSKON exemplify their representative office in Brussels as a communication bridge connecting Turkish businessman and decision-makers of the EU in the country's transformation process. They consider having this office a significant step for Turkish entrepreneurs to gain a global trade perspective; furthermore they indicate their representative office helping to provide stimulating and effective information for the Turkish business sector.

“... Brussels has become center of diplomacy and bureaucracy and in near future it will act as more effective actor in respect of world economy and politics...TUSKON aims to have closer relations with European states through the representative office in Brussels. We have opportunity to get information on the EU politics from first sources and inform our members. On the other hand, TUSKON has become a significant actor for representation of interests of Turkish business in Brussels and to influence decision making processes of the EU institutional mechanisms.”<sup>69</sup>

In many instances, the Brussels representative of TUSKON hosted actors taking part in EU-Turkey relations, and in return, TUSKON’s proactive action in Brussels is welcomed by these significant figures. In his visit to TUSKON in 2011, Stefan Füle underlined that TUSKON plays a significant role in the economic relations between the EU and Turkey. In this meeting, Füle pointed out three ways in which TUSKON positively contributes to the process: (1) Füle stated both parties are disappointed about the current situation (the slow pace of the accession), but they also agreed to work hard to overcome the problems block the process. In that respect, Füle appreciated strong engagement of TUSKON with the process; (2) Füle highlighted importance of the public support of Turkey to the EU process and thanked TUSKON for their engagement; and (3) Regarding political reforms, Füle mentioned TUSKON’s contribution to the new constitution making process.<sup>70</sup>

TUSKON engages in activities aiming to positively change perceptions of Turkey. Prior to 2011, TUSKON had the primary focus on the economic relations between the EU and Turkey. As a confederation, TUSKON represents various businessmen associations and their argumentations mainly addressing the easy access of Turkish businessman to the European markets, and thus demanded the smooth accession of Turkey to the EU that will bring deeper integration between their markets. In their meeting with members of the Friends of Turkey group of the EP, Meral emphasized the main purpose of Turkish businessmen as discovering new markets and promoting Turkey as part of the global economy. In this sense, European markets are prior. <sup>71</sup> However, TUSKON started to direct their attention to the “politics of the EU and Turkey relations” in 2012, perceiving such misperceptions not only as the handicap blocking the accession of Turkey but also their further integration to European markets. They have close connections to the largest informal group in the EP, Friends of Turkey in

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<sup>69</sup> TUSKON website, <<http://www.tuskon.org/?p=content&cl=kurumsal&i=4>> [Accessed June 1, 2012]

<sup>70</sup> Zaman, “Stefan Füle: AB ve Türkiye’nin ilişkileri sağlam bir temele oturuyor.” <<http://www.zaman.com.tr/haber.do?haberno=1091910&keyfield=5455534B4F4E>> [Accessed May, 17 2012]

<sup>71</sup> ABHaber, “AP'deki Türkiye Dostları Grubu'nun Türkiye temasları” <<http://www.abhaber.com/haber.php?id=32328>> [Accessed May, 17 2012]

the European Parliament, collaborating for discussions and meetings organized both at the domestic and European level to address misperceptions blocking the smooth accession of Turkey to the EU.

TUSKON cooperated with the Friends of Turkey<sup>72</sup> group of the EP to organize a special program addressing the new constitution-making process of Turkey. The meeting entitled “The new constitution in Turkey” provided the opportunity to discuss individual rights and liberties and the transition from totalitarian regime to democracy in two plenary sessions, with the attendance of experts, stakeholders and prominent academics who are part of the EU-Turkey relations. In his speech, the general secretary of TUSKON mentioned that their organization does not just address their activities for entrepreneurs, but they also offer support to Turkey’s accession to the EU process and adopt an active role in the constitution-making process. Regarding their views on the prospective constitution, this time he addressed the EU norms and political criterion instating that Turkish constitution should be in line with the political conditionality. Moreover, by 2012, TUSKON had not only reached the supporters of the Turkish accession but also attempted to change discourse of the rejectionists. Meral stated:

“Greens, liberals and socialists have been always interested in [Turkey]. We are closer to the Christian Democrats who could not understand the Turkey’s situation. Now, we see positive responses. We have hosted many members of the EP in Turkey and initiated their meeting with the executive, PM, economy administration and even if with the primary opposition party. We struggled to solve the issues block Turkey’s EU membership.”<sup>73</sup>

The president of TÜGİAD claimed to see three types of groups of people in Europe: the first group know Turkey and the potential of Turkish people very well, and can assess the future of the Europe with Turkey; the second group is not so knowledgeable, but has no prejudices and therefore listen accordingly; and the third group has no information and does not want to get to know Turkey because of their prejudices, so they do not listen. TÜGİAD is

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<sup>72</sup>Friends of Turkey is an informal group created during a session of the European Parliament in Strasbourg. This group was founded by MEPs from the European People's Party (EPP), Progressive Alliance of Socialists and Democrats (S&D), Alliance of Liberals and Democrats for Europe (ALDE), European Greens (Greens), European Free Alliance (EFA) and the European Conservatives and Reformists (ECR). 76 MEPs have already joined.

<sup>73</sup> Zaman, “Avrupa Birliği'nden kolay vize sinyali”. Last Modified May 18, 2012. <<http://www.zaman.com.tr/haber.do?haberno=1289433>> [Accessed May 23, 2012]

willing to take initiative to communicate the positive contributions and opportunities that Turkey's accession may bring.<sup>74</sup>

Turkish business associations have initiated different policy approaches at the transnational level to overcome the accession fatigue of Turkey. On the other hand, business associations currently demonstrate joint action to overcome the visa requirements of Turkish citizens, which have various negative consequences on the business sector. They target transnational actors and bridge the concerns of the business sector and Turkish citizens in general.

The EU's measures to liberalize its visa requirements for the countries that are expected to join the Union are regarded as part of its foreign policy tool and incentive package to boost the reform process within its borders (Özler 2012). In the Turkish case, 'the accession fatigue' have decoupled with the non-existing incentives to liberalize the visa. The visa-free travel to the Europe discussion in Turkey became particularly vocal when the EU lifted visa restrictions with Serbia, Montenegro and Macedonia, countries that have not accession state status. On the other hand, Turkey, whose accession status was granted in 2005, was not offered visa exemption or the lifting of any restrictions. The heavy visa requirements not only affect trade between the EU and Turkey, but also maintain the psychological barrier separating Turkish and Europeans. For many people, visa procedures are 'humiliating, unnecessary and bad for businesses'<sup>75</sup>. The arguments and demands on the visa-free Europe for Turkey are not backed with the pace of EU-Turkey relations or the EU's attitude towards other countries. The law of the EU-Turkey relations, which dates back to the 1963 Ankara agreement<sup>76</sup>, provides justifications for the argumentations of business interest groups. The Additional Protocol of the Ankara Agreement came into force in 1973, introducing new clauses with regards to the right of establishment and freedom to provide services to the parties in its Article 41/1. This close prohibited the visa requirements of Turkish citizens for a

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<sup>74</sup> AB Vizyonu, "Türkiyesiz bir AB hayali kuranlara TÜGIAD'dan mesaj". Last modified November 26. 2009. <http://www.abvizyonu.com/ekonomi/turkiyesiz-bir-ab-hayali-ile-kendini-avutanlara-tugiaddan-mesaj.html> [Accessed May 23, 2012]

Yeni Haber, "Tügiad'lilar Avrupalı genç sendikacılarla buluşuyorlar." <http://www.yenihaber.be/go.php?go=30c0100&do=details&return=summary&pg=70> [Accessed May 23, 2012]

<sup>75</sup> Siebert, T. The National. "Turkey hopes for EU breakthrough on 'humiliating' visa barriers". Last modified May 7, 2011  
<<http://www.thenational.ae/news/world/europe/turkey-hopes-for-eu-breakthrough-on-humiliating-visa-barriers>> [Accessed, May 22, 2012]

<sup>76</sup>The Agreement Creating an Association between the Republic of Turkey and the European Economic Community



number of EU Member States; an interpretation also made by the European Court of Justice on 19th February 2009 in the famous Soysal judgment. Several lawsuits in different EU countries followed this judgment, with courts' rulings supporting the rights of the free movement of Turkish citizens in Europe.

Heavy visa requirements are burdensome for Turkish businessmen (Özler 2012: 124). They exemplify a common problem by saying 'we can send our product but we can't go with it'.<sup>77</sup> Business interest associations have not only raised their voice, but have also applied significant efforts to politicize the visa exemption issue by communicating their concerns and the positions of all relevant actors to European officials, including state officials, scholars and citizens.

TÜSİAD activates its transnational linkages at the EU level to raise business interest groups concerns about the visa issue. In a meeting organized by Friends of Turkey in the EP, President of the TÜSİAD Ümit Boyner claimed that visa requirements have negative consequences on the daily lives of Turkish citizens and businesses. On the other hand, she takes the lifting visa requirements as way of boosting EU-Turkey relations again.<sup>78</sup>

TOBB's has adopted a similar position on visa requirements, having taken a leading role in pressurizing EU officials. They have initiated a project with IKV, and activated a "The Visa Hotline Project" carried out between January 2010 and June 2011, which also received the support of the European Citizen Action Service (ECAS). The striking samples of the complaints were included in a research booklet entitled "Visa Policy of Member States and the EU towards Turkish Nationals after Soysal", which was also initiated by TOBB. Such initiatives draw the attention of the public and other decision-makers to the visa exemption issue.

New-generation business associations have also problematized visa requirements for Turkish citizens, investing time in solving the issue for the benefit of Turkish citizens and businesses. TUSKON acts as a negotiator to reach the visa exemption for Turkish citizens, and particularly businessmen. Following TUSKON's five years of struggles on this issue, in 2012 the European Council included its agenda to discuss possible visa exemptions for businessmen, journalists, doctors, artists and sportsman. The Head of TUSKON stated they

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<sup>77</sup> Businessmen in general problematize the visa issue this way.

<sup>78</sup> Milliyet, "TÜSİAD'dan AB'ye çağrı: Vize sorununu çöz:" Last modified March 6, 2012 <<http://ekonomi.milliyet.com.tr/TÜSİAD-dan-ab-ye-cagri-vize-sorununu-coz/ekonomi/ekonomidetay/06.03.2012/1511997/default.htm>> [Accessed May, 22 2012]

consider such signals from their contact channels and said, “We told them, if this is not going to happen please do not give any promises because in this case public support (belief) to the EU diminishes.” Meral pointed out three arguments as to why visa exceptions are for everyone’s benefit and cannot lead to further problems: (1) based on the phenomenon of the return migration of Turks, he argued there is no possibility of flow people from Turkey to Europe if visas are abolished; (2) he cited the example of the abolishment visas between Russia and Turkey as a best practice, which furthered trade relations and increased the number of flights; and (3) third, Meral focused on the demographic deadlock of Europe and its aging population, suggesting that Turkey will support the economy of Europe with its dynamic, educated young population.

TÜĞİAD collaborates with the Akdeniz University in Turkey in working on a project entitled “Europe without visa”, lobbying for visa exemption. They bring legal justifications and engage in lobbying activities against the EU members’ unjustified visa applications for Turkish citizens. TÜĞİAD has organized panel meetings and press conferences within the context of “The legal rights of Turkish businessmen at European level”, and perceive the visa obligation a problem as blocking the commercial, social and cultural relations between the EU and Turkey. Moreover, as the representative of business interests, they indicated that visas cause a significant bureaucratic burden, difficulties in time management, a waste of time and also financial burden. The legal basis for their argumentation is supported by the prominent scholars’ work assessing the content of association agreement (Ankara). They took this agenda concerning visa exemptions to the European politics level, communicating their discourse through the sharing of reports, position papers and brochures. In this case, they took support of the YES, and in various platforms highlighted that this issue is the EU’s most significant justice exam in its history.

#### **6.1.4 Participatory Mechanisms**

The introduction and reinforcement of the participatory mechanism allowing interventions of the economic interest groups in EU-Turkey relations have been an issue since such relations were developed. The 27th article of the EEC-Turkey Association Agreement, signed in 1963, proposes the establishment of cooperation between the Economic and Social Committee and relevant institutions of Turkey. The decision of the EC/Turkey Association Council of 9 November 1992 highlighted this clause.

Different types of participatory mechanism were established when EU-Turkey relations entered a different phase following the establishment of the Customs Union in 1995, which has been regarded as strengthening the interdependence between socio-economic actors of the EU and Turkey. The formation of the EU/Turkey Joint Consultative Committee on 16 November 1995 signaled the systemization of the dialogue and cooperation between relevant actors. The EU accession process has strengthened the social dialogue mechanisms through the Economic Social Council (ESC) in Turkey, established in 1995, and its position was consolidated with law passed in 2001. The ESC is headed by the prime minister and comprises 39 members, 15 of which are representatives of government. The EU highlights the establishment of the ESC as a significant step clearly indicating Turkey's adoption of the Unions' norms and policies, and particularly mechanisms of European Social Model.

The European Economic and Social Committee also created the EU-Turkey Joint Consultative Committee (JCC) in 1995, promoting dialogue between the economic and social actors of civil society. JCC is composed of 18 members from the EESC and 18 representatives of Turkish civil society, functioning as a body preparing recommendations to the relevant institutions influencing the pace of EU-Turkey relations, including the Turkish government, the EU-Turkey Association Council, European parliament and the European Commission. JCC has enabled the involvement of the organized civil society in the accession negotiation process. On the other hand, JCC is a model for Turkish government that illustrates the ways in which the process of consultation takes place within the EU, with the established mechanisms ensuring civil society participation and dialogue.

In comparison to civil society organizations representing diffuse interests, those involving specific interests, including business interest groups and trade unions, are well-off concerning access to the JCC, which is an institutionalized participatory mechanism introduced for the organized civil society. However, path-dependent issues also block the effectiveness of such a mechanism. Primarily, the negotiation and implementation process of the CU, which paved way to the establishment of JCC, did not include the participation of business interest groups. The political scenery of the mid-1990s was no different to the 1980s in terms of depoliticized politics with the evident hierarchical superiority of the state over non-state actors. Business interest groups were not consulted during the negotiation of the CU, and they could learn about what they were facing after the CU came into force. This process was managed by the Ministry of Foreign Affairs and the State Planning organization, although the latter had initiations to collect the positions of relevant actors. Ill-informed business interest groups were reluctant to welcome the whole content of the CU and its possible returns, with sector-

specific opposition pressurizing the state to protect them from its negative returns. Scholars consider this as the continuation of the rent-seeking behavior of actors inherent in Turkish politics and unexpectedly accelerated with the introduction of neo-liberal policies (Eder 2004).

Until 2001, the ESC met on an irregular basis by the decrees issued by previous governments. Each government established this institution in their terms, and the ESC was only institutionalized with its own law in 2001. Prior to this initiative, the ESC was unable to gather without decrees of the previous governments, with this process thus eroding the legitimacy and stability of the institution. Furthermore, the composition of the ESC also underlines the strength of the state over interest groups representing organized civil society, and it is headed either by the prime minister or a political authority assigned by him, thus widely questioning the independency and impartiality of this institution. Although the institutional basis for social dialogue is in place, and there have not been argumentations raised against establishment of the ESC at the discourse level, the implementation process undermines the effectiveness of the ESC and delegitimizes the institution in the eyes of its participating actors. The same also applies to the JCC, given its selective composition. The member list representing the Turkish side includes prominent and long-established business interest group. The new established business interest groups cannot find a place in ESC and JCC. As a recent example, KAGİDER became one of the members of the EU-Turkey Joint Consultative Committee in 2008, contributing to the meeting by making presentations on the situation of women in Turkey.

### **6.1.5 Conclusion: Loyal Promoters of Europeanization Process**

Among the civil society actors in Turkey, business associations remain pro-EU organizations. European affairs and Turkey's prospective EU membership have been on their agenda for some years, with the data emphasizing that their positions are being shaped according to their economic interests. For business associations, a rational calculation of the prospective benefits of EU membership outweighs Turkey remaining outside of the EU. The establishment of the free market economy and limiting state intervention in the Turkish economy, thus strengthening their positions, represent the primary interests leading to their pro-EU discourses.

Business associations have made the cost-benefit calculation of Turkey's possible EU membership for their constituencies, and have taken the pro-EU position concerning Turkey's

bid. Their strong position has been followed by changes in their organizational structuring, including new sections on EU affairs with the employment of EU experts and the opening of new representative offices, connecting them to the European public sphere and politics. Their standpoints and discourses over EU-Turkey relations have been shaped in accordance with the pace of EU-Turkey relations. In order to maintain their favorable positions and determine the direction of Europeanization, they have diversified their discourses on EU-Turkey relations and updated their positions over time. Their focus areas have been the economic indicators, particularly before completion of the Customs Union; however in the 1990s, when the EU set the Copenhagen criterion to grant Turkey candidacy status and open up accession negotiations, business associations started to include “politics of the EU-Turkey relations” within their agendas.

Turkish business associations have served like ambassadors of Turkey abroad, even when EU-Turkey relations slowed down. Contrary to the NGOs, the critical phases of EU-Turkey relations did not diminish their interest in the Europeanization process. They have lobbied for smooth Turkish accession to the EU, initiating communication projects targeting the European public changing their negative perception of Turkey. Their Brussels office has served as a contact point for every stakeholder involved in EU-Turkey relations, and these were the venues where Eurocrats occasionally met with high rank Turkish bureaucrats. The long established ones already had a contact person or a representative office in Brussels, and over time they have strengthened bases there. New generation business associations established in early 2000s opened representative offices in Brussels right at the beginning of their foundation, as a sign of their strong commitment to the EU vision of Turkey.

The long-established business associations are recipients of EU funding schemes that target the capacity building of their member organizations, and the exchange of information between European counterparts and acquis-related activities. Business associations function as consultant organizations for their members regarding the EU funding schemes.

Business associations have stressed the economic and political factors that connect the EU with Turkey, arguing that the EU and Turkey are connected at the economy level and are indispensable trade partners. In the political realm, they have stressed Turkey’s compliance to the democratic conditionality. Furthermore, they have developed instrumental argumentations referring to the EU’s demographical imbalance, and Turkey’s potential to solve this deadlock via its skilled, young population. With such discourses, they have tried to convince the Eurocrats, European public and their European counterparts to provide support to Turkey’s

EU bid. At the domestic level, they have also pursued similar discourse to show their strong support and keep the process on track and on the agendas of relevant stakeholders.

Currently, both long-established and new generation business associations are applying great efforts to bring solutions to the visa exemption issue, which is regarded as the psychological barrier handicapping-Turkey relations. They have systematically worked in this area to find a solution to visa liberalization for the benefit of Turkish citizens.

## **6. 2 Trade Union Confederations**

This section discusses the extent and ways in which trade unions have committed to promoting the norms, ideas and standards posed upon Turkey by the EU. In order to review roles of trade unions in Europeanization process, largest trade union confederations namely The Confederation of Turkish Trade Unions (TÜRK-İŞ), The Confederation of Revolutionary Labour Unions (DİSK) and The Confederation of Righteous Trade Unions, are selected to be analyzed.<sup>79</sup>

By their nature of interests, trade unions represent identifiable constituencies like business associations. However, the history of the development of civil society in Turkey indicates that unlike business interest groups, trade unions have not been able to form steady relations with the state, with trade union confederations suffering from the dominant state phenomenon in Turkey. They could only find access to decision-making as long as the state offered access points and introduced a legal framework. Moreover, the state was also unable to provide equal treatment for each trade union, rather positively discriminating or sponsoring those that do not challenge the state's authority.

In the background of the history of trade union activity in Turkey, one can note that this pathway is not linear and is marked by a pathologic crisis of politics that has not enabled smooth civil society and state collaboration. Democratic consolidation in Turkey was several times interrupted by military coups, which also challenged the development of trade unionism.

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<sup>79</sup> Interview with TÜRK-İŞ representative, Ankara, March 17 2011

Interview with DISK representative, Istanbul, May 25 2011

Interview with HAK-İŞ representative, Ankara, April 12 2011

Against this background, Turkey's candidacy to the EU and accession process has offered a new set of opportunities to improve state-labor relations at the domestic level, including the conditionality introducing new discourses and norms on how this relation should be regulated. Furthermore, the nature of the political arrangement of the EU indirectly connects trade unions in Turkey to their counterparts at the transnational level, and the EU could also directly offer funding options to them. Finally, the conditionality itself could facilitate foundations of new participatory mechanisms for trade unions.

### **6.2.1 Salience of Europeanization and Organizational Changes**

The history of trade union activity in Turkey can be traced back to the late Ottoman period, with the first labor activity emerging in the factories located in Istanbul. Compared to European labor movement, this represents a rather late development, with associations for workers first founded in the 1870s, yet operated as charity-based associations.

The development of trade union activity and labor movements in the Republican era illustrates the inherent problems of civil society development in Turkey (see Chapter IV). The early Republic did not tolerate any political establishment pursuing interests that did not serve the mission and vision of the new state, and therefore the class-based labor movement was not permitted since trade unionism could work against the economic and political agenda of the new republic. The 1936 labor law banned trade unions for employers and workers, with the 1938 law of associations banning associations from pursuing family, community, religious or any class interests. In 1950, the ruling party changed and the Democrat party (DP) came into power. Against their liberal agenda, they retained the existing interest intermediation context and 'coopted trade unionism through centralization' by sponsoring labor union activity. The TÜRK-İŞ was founded in 1952 under the initiation of the government, placing itself above party-politics and concentrating on 'bread and butter' issues. According to Cizre-Sakallioglu (1992), contrary to its heir the Republican People's Party (RPP), the DP used 'legalizing, regulating and depoliticizing role of the state' as a method to integrate labor unions and the working class into political system, rather than referring to the ideological foundations of the state.

The 1960 coup and following 1961 constitution envisaged the democratic setting and pluralistic ways of interest representation, with the 1963 Labour Code legalizing strikes,

lockouts, and collective bargaining. Consequently, labour movements and trade unionism could develop independently during 1961-1970.

TÜRK-İŞ maintained its exclusive position and was able to take part in decision-making processes, using lobbying and negotiation to advance workers' claims. TÜRK-İŞ was able to sit next to state officials and find access to decision-making bodies where major employers' associations could participate.

The hegemonic position of TÜRK-İŞ was also critically assessed by its members, with their dissatisfactions coming to the surface when former members of TÜRK-İŞ founded the DİSK in 1967. Against TÜRK-İŞ's 'above politics' orientation, DİSK brought politics back in terms of trade unionism, introducing class-based trade unionism.

The political fragmentation and ideological polarization marked the politics of the 1970s, with the dominance of TÜRK-İŞ challenged by the emergence of new trade unions, with affiliations to political parties, and increasing competition. In 1970, the Confederation of Nationalist Trade Unions (MİSK) was founded and followed the National Action Party. HAK-İŞ was founded in 1976, and had ideological connections to the religiously-oriented Nationalist Salvation Party (NSP).

Industrial relations in Turkey reflected the high level of ideological polarization in politics and trade union confederations, with major divisions and cleavages within society (Sural 2007: 144). The 1980 Military coup was an intervention in all kind of political activity, with trade union activity accordingly banned. However, military authority was selective in terms of their decision, with extreme ideological polarization and street violence seen as a product of extreme right- and left-oriented groups. Trade Unions categorically fell under these categories, and were subsequently also blamed. The leftist-oriented Marxist the Confederation of Progressive Trade Unions of Turkey (DİSK) and extreme right-oriented Nationalist Trade Union Confederation (MİSK) were banned, with their leaders arrested. Furthermore, DİSK was closed by the military court in 1981, only reopened and their leaders acquitted in 1991. However, the Centrist TÜRK-İŞ (Turkish Trade Union Confederation) was not banned, and HAK-İŞ was also permitted to continue their activities.

However, military authority banned all kind of strikes and suspended collective bargaining processes. Under the leadership of Özal, the military regime and Motherland Party governments pursued a neo-liberal agenda, with their policies curtailing trade union rights in Turkey. The 1983 Trade Union Law (no. 2821) and Collective bargaining, Strike and Lock-Out law (no. 2822) regulating trade union activity restricted the establishment of new trade unions. During the 1990s, the Turkish economy experienced a series of economic crisis, and



consequently trade union activity of this period was mobilized against declines in wages, privatizations and government policies curtailing unionization. In the 2000s, alongside trade unions also began to concentrate on the social security reform agenda.

In the meantime, the background progress of the EU-Turkey relations offered a new political opportunity for trade unions, with the salience of Europeanization changing over time for all cases under examination. Contrary to the all the cases studied before, trade unions used to act as EU-rejectionists.

TÜRK-İŞ has been part of ETUC since 1988 and was supportive of Turkey's application to EU membership in 1989. Contrary to their ETUC membership and positive opinion on prospective EU membership, TÜRK-İŞ started to develop anti-European discourses from 1995 onwards. Between 1995 and 2002, TÜRK-İŞ raised their negative attitudes towards the EU and membership conditionality, with one reason being their position against the EU's demands on increasing privatization. In 2001, TÜRK-İŞ published a very critical report on the EU's demands on Cyprus, Armenian genocide claims, minorities-separatism, the Aegean issue, Patrics, Clergy schools and IMF programs, aiming to highlight the EU's imperialist objectives on Turkey. Moreover, TÜRK-İŞ has developed anti-European trade unions discourses and considers them agents of European imperialism. Consequently, collaboration with ETUC would act against the interests of Turkey (Visier 2009: 105). Furthermore, TÜRK-İŞ did not participate in the Turkey-EU Trade Unions Coordination Commission established by other prominent trade unions.

After change in presidency in 2004, hard-liners lost their power in TÜRK-İŞ and the new president Salih Kılıç adopted pro-EU stances and pronounced their support to Turkey's EU membership bid. Following such changes in their discourse, TÜRK-İŞ gone into organizational restructuring, with its EU affairs department opening. Moreover, TÜRK-İŞ has also engaged in the Turkey- EU Trade Unions Coordination Commission.

After 2005, TÜRK-İŞ started to evaluate the EU accession process of Turkey from a wider perspective, with issues on employment and social policy constituting a more significant role in their agenda regarding the Europeanization process. In their organizational structure they made change aftermath accession negotiations started and opened an EU affairs department within their International department.<sup>80</sup>

DİSK is a leftist-oriented group, which became part of the ETUC in 1985 and represents the first trade union confederation to have representative in Brussels. DİSK supports the EU

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<sup>80</sup> See, <http://www.turkis.org.tr/index.snet?wapp=euRelations>[retrieved on 7.11.2012]

membership of Turkey, highlighting its prospective benefits for the working class and labor relations in Turkey.

On the other hand, their open support is accompanied suspicion concerning Europe and the EU project itself from the leftist ideology:

The interviewee confirmed DİSK's relevant suspicions:

“...In congress reports of DİSK, You can find very harsh criticisms against the EU's competitive internal structure and ideas claim the EU serves imperialism interests.”

However, contrary to TÜRK-İŞ, DİSK have not suddenly abandon their critiques, and they use their critical perspective in a constructive way. DİSK maintains its critical stance against the EU, however the interviewee confirmed that DİSK still believes prospective EU membership will develop social rights in Turkey. Moreover, the interviewee did not frame their perspective on the EU merely in terms of EU-Turkey relations, but made reference to workers of Europe and their willingness to take their side.

“...We did not soften our critical perspective against the EU. We follow the process closely.”

“... EU is an ongoing project. In Europe, there are different orientations and voices. There is a wing supports common army for the EU, struggles to increase competition and struggles to expel migrants. We cannot accept such perspectives. We object them. On the other hand, the EU offers a common space for the nations who used to fight with each other fifty years ago. Borders were abolished; there is freedom of travel for everyone including workers. Another wing envisages a union where social rights are fully protected. There is also such Europe... It is an ongoing battle about ‘more competitive Europe’ or ‘more respective Europe to social rights’... We take side. We are in cooperation with the second group. We are in cooperation with workers of the union against ‘bosses’ of Europe...”

From its foundations until the early 1990s, HAK-İŞ held a negative perception of the EU and publicly voiced their anti-European discourse. However, similar to TÜRK-İŞ and DİSK, there have been changes in HAK-İŞ's attitude towards the EU.

The interviewee also supports such a change in HAK-İŞ's perspectives, highlighting the completion of Customs Union as a turning point for the confederation:

“Our confederation went through a change process. Until 1995, we followed mainstream discourses of the center-right [onlar ortak biz pazar]<sup>81</sup>. After customs union, we took a critical approach.”

HAK-İŞ publicized their explicit support for the EU in its 19th general assembly. Duran and Yildirim (2005) stated this was an unexpected change, since HAK-İŞ had long explicitly stated being against the EU membership of Turkey. They explained such a change by referring to changes in the attitudes of Islamists towards the EU in the aftermath of the 28 February process. On 28 February 1997, the National Security Council meeting enforced the 1997 military memorandum and led to the resignation of Prime Minister Necmettin Erbakan of the Welfare Party, which had an Islamist orientation. Duran and Yildirim (2005: 235) argue this was a turning point for Islamists, reaching the conclusion that the Turkish political system doesn't not allow any Islamist modification. In advocating for the democratization of the Turkish political system, the EU became appealing for Islamists, and they thus abandoned their anti-Europeanization discourses.

In the organizational structure of HAK-İŞ, the accumulation of EU expertise and educating their affiliates on EU topics have become priorities of the confederation. Additionally, an EU affairs department has been established with the aim of making necessary preparations in meeting the EU *acquis* within the accession process.

## 6.2.2 The EU funding

EU projects generally address trade unions' aims of enhancing their role in social dialogue, increasing cooperation among trade unions in the domestic context and facilitate their interactions with European trade unions.

In 2001, one of the components of the Civil Society Development program funded by the EU was 'Trade Union Dialogue', which held the objective of: “establishment of the National Integration Commission (NTUCEI) as a tool to create and sustain a more harmonious relationship among the Trade Union confederations in Turkey, and between them and their EU counterparts”. Alongside increasing the cohesiveness of Trade Unions in Turkey and producing a common front to share their experiences, this component also aimed to feed

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<sup>81</sup> When Greece made its application to European Economic Community (EEC) in 1977, Turkey did not show an initiative. Bülent Ecevit (prime minister of 40<sup>th</sup> government) claimed in EEC (also known as Common market), ‘Europeans will be *common* but Turkey will remain as the *market*’. [Onlar ortak biz Pazar] slogan was also pronounced widely by Euro-sceptics in different time frames. After completion of Customs Union, again critical voices used this slogan.

regular exchanges between Turkish Trade Union Confederations and their European counterparts, in a project implemented by the ETUC. In this respect, trade unions in Turkey could be informed on the roles of trade unions in EU member states in governing European economic and social integration.

As discussed above, trade unions have experienced changes in their attitudes towards the Europeanization process, eventually adopting pro-EU membership discourses. Their negative perceptions deterred them from apply to any EU funding sources; for instance, the largest trade union confederation TÜRK-İŞ opted out of the MEDA project governed by the ETUC. By the time TÜRK-İŞ abandoned their anti- European stance and took a pragmatic approach, they began to increasingly engage in EU-funded projects.

This observation is also relevant for the cases of HAK- İŞ, who have also attached greater significance to extracting EU funds after dropping their anti-European discourses. Agartan explains (2010: 17-18) how HAK-İŞ suddenly extracted a significant amount of EU funding. His first explanation is that HAK-İŞ is a government-friendly trade union confederation and has strong ties to the ruling AKP government:

“... [HAK-İŞ]...receiving the lion’s share of EU grants disbursed through government mechanisms.”  
(Agartan 2010: 17)

Further, he refers to the change in HAK-İŞ’s mindset and their associating of the EU with ‘sources of democratization and modernization and freedom of thoughts and expression’. They decided to support Europeanization and thus saw no harm in receiving EU funds (Agartan 2010: 18).

The HAK-İŞ representative also signified EU funding, stating they have received such funds to contribute towards meeting the EU acquis standards, adding that EU funding has supported new types of collaborations at different levels:

“We receive EU funds to address its standards. We conducted many projects and this is not a coincidence... We want to contribute to a field... We want to contribute to meeting the standards (of the EU)... Projects help us to form new ways of interactions in different levels such as partnerships in local level and with governmental level and partnerships in the EU level.”

For DİSK, conducting EU-funded projects has very recently gained significance. The Representative of DİSK stated that they design and engage in projects in cooperation with ETUC, and can see the positive impact created by such projects. In 1999, DİSK designed a project with ETUC and applied to the EC for funding, and were granted 150,000 euros from

the MEDA democracy budget. The project was entitled ‘Union rights for enabling democracy and economy’, and aimed to transfer the experiences of European trade unions to candidate countries, establishing a committee to assess the practical consequences of the violation of union rights in Turkey. Moreover, it aimed to increase awareness of workers in union rights by conducting workshops in different cities, and DISK also conducted a nationwide survey and shared the results of the report in an international symposium in 1999. Another awareness raising project of DİSK, called ‘Human rights for all’, was funded by EIDHR, whereby union members received training on human rights issues and in turn trained ten more members in their city (Alemdar 2009: 16).

The EU-funded "Civil Society Dialogue: bringing together workers from Turkey"<sup>82</sup> and “the European Union through a shared culture of work”, or shortly known as ‘Workers Together’ project, enabled mutual exchanges of experiences between 1,411 trade union representatives from Turkey and 342 representatives from the EU through workshops, seminars and meetings held during 2008-2010. With a budget of over 3 million Euros, this project is the first large scale initiative to promote cooperation and a shared culture between trade unions. This project was only an attempt to enhance dialogue between trade unionists from Europe and Turkey, but has also indirectly facilitated dialogue among the trade union confederations of Turkey. The Steering Committee was composed of the representatives of ETUC and from its members from Turkey, including TÜRK-İŞ, HAK-İŞ and DİSK.

EU-funded projects also intend to enhance social dialogue by supporting projects to bring employers and employee organizations together. For example, HAK-İŞ and the Turkish Confederation of Employer Associations (TİSK) concluded a joint social dialogue project on “Building a Model of Bipartite Social Dialogue for Effective Implementation of the Labour Law” under the framework of the EU-funded “Strengthening Social Dialogue for Innovation and Change in Turkey”. This project enabled the largest employers and employees’ confederations to contribute efficiently to implementing Turkish Labor Law No: 4857, thus enhancing social dialogue at the confederations level, member associations level and directly between employers and employees at the enterprise level.<sup>83</sup>

A further example is the project initiated by TÜRK-İŞ and TİSK ,known as "TİSK and TÜRK-İŞ Efficiency Enhancement in Training and Employment Pilot Project", as of April

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<sup>82</sup> Project Document, [http://ec.europa.eu/enlargement/fiche\\_projet/document/TR%2006%2004%2004%20CSD-%20ETUC.pdf](http://ec.europa.eu/enlargement/fiche_projet/document/TR%2006%2004%2004%20CSD-%20ETUC.pdf), [retrieved on 24.11.2012]

<sup>83</sup> TISK Website: <http://www.tisk.org.tr/journal.asp?sbj=detail&id=2576&dil=en> [retrieved on 22.11.2012]

20th, 2005 (and completed in 19 April 2006) in the framework of the Strengthening the Vocational Education and Training System in Turkey Project (SVET Project) financed by EU.<sup>84</sup> This project not only provided social partners the opportunity to strengthen linkages between education and employment in Turkey, but also initiated efficient and effective functioning of social dialogue. This project is the first joint project work undertaken by the worker-employer confederations.

### 6.2.3 Transnational Exchanges

Trade Union confederations' presence in Brussels has increased over time, with DİSK the first trade union confederation to become a member of the ETUC. However, the interviewee terms DİSK's membership as honorary in the 1980s. After the military coup, members of DİSK went to Europe and received support from the ETUC, from which they were able to continue their activity, even being allowed an office in the building of the ETUC. This represented symbolic support from the ETUC to trade union activity suspended in Turkey, and when the ETUC began to accept affiliates from non-EU countries, DİSK became a formal member in 1985.

The representative of DİSK signified their relation to the ETUC:

“We have a position in the EU even Turkish government could not reach. We are member of ETUC...ETUC is officially part of the EU and it engages in decision-making processes. We are part of the executive committee and take part in different organs of ETUC.”

The representative also highlighted how DİSK can stay connected to the processes in the EU through their membership to the ETUC:

“DİSK manages its relations to Europe and the EU in coordination with ETUC. We are attached to the ongoing discussions... We communicate with other European trade unions and higher bodies... We want to continue to have good relations to trade unions in Europe regardless Turkey is part of the EU or not.”

On the other hand, DİSK has close connections to socialists and democrats in the EP, with the interviewee stating that DİSK informs them frequently.

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<sup>84</sup> TISK Projects Website, [http://projeler.tisk.org.tr/megep\\_en.asp?id=4](http://projeler.tisk.org.tr/megep_en.asp?id=4) [retrieved on 25.11.2012]

The interviewee also stressed the visits of other actors to DİSK outside of trade union network:

“Group from EP, academics, university students visits DİSK. Some says, DİSK is now like tomb. They visit us to get objective information about Turkey...They think we are right source to get information on work life in Turkey and social rights and situation of trade unions. They check reliability of official data though our data.”

The representative of HAK-İŞ exemplified their relations to the ETUC, claiming their active membership as a sign of their non-conventional relation to the EU. However, in the 1990s Hak-Iş had different priorities, was and were interested in cooperating with the labor confederations of the Muslim world, failing at an attempt to establish an international labor confederation with possible affiliates from Pakistan, Iran and Central Asian countries. In 1993, HAK-İŞ made application to become a member of ICFTU (International Confederation of Free Trade Unions) and the ETUC, and was accepted in 1997. ICTFU and ETUC took into consideration critiques of DİSK and TÜRK-İŞ against the charter of HAK-İŞ, which did not include secularism and democracy. HAK-İŞ made changes in their charter in their 18th and 19th assemblies, including such norms to become a member of ICFTU and ETUC.

The representative of TÜRK-İŞ also signifies their relation to ETUC and stated this platform is becoming increasingly important venue to share experiences of European labour organizations and to get informed on the directives that are interest of TÜRK-İŞ.

## **6.2.4 Participatory Mechanisms**

The EU acquis on employment and social policy and Copenhagen political criteria on freedom of association assess whether administrative and legal structures in Turkey are compatible with the EU. The EU regular reports' assessments on labor law and social dialogue mechanisms clearly state that current legislation in Turkey still falls short of EU standards and ILO conventions, and that there is generally limited progress in the field of social dialogue.

Turkey has been under strong structural pressure from the EU to realize the institutionalization of social actors' effective participation within political structures. The EC has always paid great attention to developing contacts with social partners and civil society,

with one such achievement being the Joint Consultative Committee (JCC) established between the European Economic and Social Committee (EESC) and Turkey after the Customs Union came into force in 1995. Having signed up to the customs union in 1995, the Economic and Social Council (ESC) was also established but did not get full legal status until 2001. The JCC meets twice annually, and includes eighteen representatives of social and economic groups from Turkey, with the same number of ESC members. The JCC carries the purpose of promoting dialogue and cooperation between economic and social interest groups, contributing to dialogue between civil societies.

These developments exemplify that there have been significant developments in the field of social policy in the Turkish context. The establishment of national ESC was an important step to institutionalize the social dialogue and bring Turkish legislation closer to EU standards. However, social partners find that such mechanisms simply exist on paper, widely claiming that they have failed to offer effective social dialogue at the national level.

After ESC took legal status, under AKP government several ESC meetings were held. However, composition of ESC and the dominant position of the government was being widely criticized by the EESC and found inadequate in terms of its application in EU documents. The opinion of EESC on 'EU-Turkey relations with a view to the European Council of December 2004' highlighted the potential importance of the ESC for Turkey under the heading of democracy and discussed its potential to 'reinforce the democratic process in the area of decision-making on major economic and social issues through meaningful consultations of the most representative interest groups by the Government.' The EESC had also an extensive assessment on the composition and performance of the ESC and brought criticism against government's dominant position. Current situation of ESC was described as a talking shop where meetings and discussions do not produce and conclusive solutions; which deters social actors to take part and give a compromise (The European Economic and Social Committee 2004: 6).

Interviews conducted with representatives of prominent trade union confederations in 2012 indicate since mid 2000s there is no change in the quality and effectiveness of social dialogue mechanism.



The representative of DİSK finds the contributions of trade unions to the accession process rather limited, suggesting that from his own experience indicate there is almost no progress in their field:

“DİSK contributes to the EC’s progress reports. Six years ago, I had to prepare an information note on the regular EU progress report on Turkey. I was new here so I consulted my colleague. He gave me report from prior years and said change some sentences and date, then you can send... We write reports with theme ‘there is no change’”

In comparison to other policy changes, the employment and social policy field remain very slow according to the DİSK representative, because the state is very reluctant to take the necessary steps:

“In some issue areas the change is so rapid. Reform process in the field of trade, taxing, goes so fast. Social rights, rights of workers do not move forward easily... Employment and Social policy is also one of the fields show no progress – it is stuck. There is condition to opening of chapter 19. Labour law 2821 and 2822 should be revised in accordance to ILO convention. Since 2005, Turkey give promises to the EU, EC and UN. However, no word was changed... There is no progress for 6-7 years. Today there is tripartite consultative meeting with agenda labor law. DİSK prepares draft law. There are draft laws full of library but these are not taken into account. We speak out our concerns, protest it. Our concerns are not taken into account... It is not technical but political issue. It is about political initiative. I think it is not that difficult to compare ILO conventions with Turkish legislation and then take necessary action to narrow down the misfit”

“There are no periods of meetings. Sometime there is meeting three times per week, sometimes there is no scheduled meeting for six months. We can attend meetings everyday if they propose”

DİSK claimed that social dialogue mechanisms are not serving their purposes in public, and subsequently they have decided not to attend meetings of ESC and JCC since 2008.

“DİSK stopped attending ESC and JCC meetings in 2006. President of DİSK used to serve as co-chairman of JCC. Our oral or written contributions in these platforms were not taken into account.”

In a press conference, head of DİSK Süleyman Çelebi emphasized that ‘ESC is not an instrument to approve policies of government and a consultative committee just on paper’ and summarized point-by-point why ESC is an inefficient institution and therefore why DİSK wanted to opt out of the social mechanism institutionalized in the EU accession period<sup>85</sup>:

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<sup>85</sup> See, DİSK Website <http://www.disk.org.tr/default.asp?Page=Content&ContentId=457> [Accessed 25.11.2012]

1. ESC has to meet every three months, however this time the ESC meeting was held after 19 months.
2. The agenda was set in accordance with the needs of the government.
3. The government decides the participants.
4. Interested social actors were not invited, they were left outside.
5. The agenda was set for symbolic meeting on purpose, which does not allow discussion between social partners.

Despite DİSK having opted out social dialogue mechanisms, they can remain involved in indirect ways, as exemplified by the representative:

“Before JCC meetings, representatives of European trade unions or employers’ associations visit DİSK to be informed on DİSK’s position. After the JCC meeting, they come back to inform us on the meeting.”

The DİSK representative perceives the positive impact of the EU on civil society density, yet however questions the participation of civil society in decision-making processes:

“In Turkey, the increase in number of associations and number of volunteers is evident. We can see the positive impact of the EU. But, through civil society citizens cannot have a say in the politics.”

According to the interviewee, the main reason is the government’s protective measures against any societal force challenging their authority.

“Government keep eye on non-governmental actors and do not want them to act out of control.”

Furthermore, the interviewee also claimed that the government has formed special relations to some NGOs, take their views into account and accordingly meeting the ‘consultation’ requirements of their papers:

“There are some associations around. Their views are taken into account. I call them satellite NGOs. These were founded and/or supported by affiliates or supporters of governments. They are invited to pseudo- consultative organs. It is a thrown game. (the blind leading the blind)”

The interviewee also perceives the implications of the government’s attitude towards civil society on governing the EU accession process:

“Last year, I attended a meeting convened by ministry of EU affairs. Civil society representatives were invited to overview EU accession process of Turkey. We attended section on education. First presentation

was on how can youth organizations can make us of the EU funds. 'Suited up' 'youngs' were very eager to listen this presentation. Then Q&A session started but the written questions were sent to the chair of the session. If it was about participation of youth, young people should speak about their real problems like we cannot find scholarship, housing or university entrance examination etc...Those invited to this meeting were not invited to talk. I was first to send a note to chair. First, we came for civil society dialogue, can't we talk. Second, why are there many polices around? Meeting was in a five star hotel, there were strict measures against possible protest for chief negotiator. Almost, [security] took man-to-man tactic: There were two polices per students. Then audience raised their variety of issues concerning youth. Proceeding of this meeting included none of these issues. It was prepared before. This is an example, but it is applicable to every case... Such gatherings are non-functional."

The HAK-İŞ representative labeled the government's attempts to facilitate participatory mechanisms as shallow:

"We are not satisfied and happy with the ongoing negotiation process. Social dialogue is not effective. Negotiation process goes one way. Justice and Development party turned [negotiation process] into a monologue. Civil Society participation in the accession process is not ensured. In screening processes, they invite representatives of civil society, tell them what they have done, and then say bye. There are few non-functional gatherings. For instance, there is a meeting for discussing the national program of Turkey. The agenda of the meeting is very broad and there are no procedural criteria."

He exemplifies this by sharing his observation on the way government officials invite civil society representatives to meetings:

"...In every two years Ministry of EU affairs and chief negotiator Egemen Bagis invites civil society representatives. They get contact information from the department of Turkish national police. They send one page fax to every organization and it starts with 'dear civil society representative'. They do not know whom are they sending the fax, they do not check if organizations receive it. They can say we invite everyone but it is not the case."

The Representative of HAK-İŞ considers a wider perspective, bringing criticism against Turkey's general approach towards the EU affairs and claiming that Turkey cannot understand how EU works:

"Turkey could not understand the EU. The EU accession process cannot be handled with daily basis politics... You can manage your relations to NATO like that. You can send one high-rank official [to NATO meeting] representing Turkey. It is an intergovernmental institution. Turkey approaches to the EU with such a classical Turkish politics attitude. The EU is not like that, it is union of standards...You cannot say [EU-Turkey relations] over when Merkel has negative perspective. But also relations will not

develop right away when Sarkozy says yes... EU has its own institutions, organizations. You should understand how it works. Many factors work together.”

TÜRK-İŞ representative’s observation is in the same line of prior accounts. In general, they are not satisfied with the way of the accession process is governed in Turkish case. Interviewee claimed employment and social policy and social dialogue is not seriously dealt by the state. In addition, contrary to accounts DİSK and

HAK-İŞ representatives, he gave equal weight to the slowed down and handicapped EU-Turkey relations and its consequences on this situation.

### **6.2.5 Conclusion: Shifting from being opponents to acting almost-promoters of Europeanization**

In compare with employers’ associations, the relation of trade unions to the EU accession process show different attributes. First of all, labor–state relations in Turkey have not proceeded as smoothly as employer associations’ relation to the state. At the national level, the labor movement lacks institutional safeguards and sometimes also legitimacy. Accordingly, the Europeanization process offers trade unions in Turkey a variety of sources and mechanisms that can help to reestablish the institutional setting and regain their legitimate positions in politics.

A further difference is that trade unions used to be sole EU-rejectionists in the early phases of the EU-Turkey relations. Some business associations have voiced their concerns against the establishment of the Customs Union, but their negative perceptions have not developed into a concrete policy statement or position. In the cases of all trade unions, they have developed anti-EU discourses to differing degrees.

However, EU-Turkey relations notably advanced after the completion of Customs Union (CU) and the accession negotiations started in 2005, with trade unions adopting a less skeptical perspective concerning the Europeanization process. The first factor explaining this change is that relations have evidently accelerated, with the prospective gains of trade unions from the future membership of Turkey becoming more concrete (especially after accession negotiations started in 2005). This is because when the relations advanced as such, even trade unions have been able to gain benefit from greater opportunities. Second, there have been

changes in their organizational structuring, with Europhiles coming into their top management. This is also related to the decreasing degree of ideological polarization in trade union activity in the 1990s, compared to the previous decade. Third, the content of the conditionality in terms of aspects related to social rights and employment became a concrete receipt and they evidently used them to push state for further reform in these fields. This is different to the perspectives of NGOs (except environmental organizations), which find conditionality on their policy realm to be weak, incomplete or ineffectively applied within EU countries. On the other hand, despite the strong push of the EU, there is relatively slow progress in the employment and social policy field. Contrary to NGOs, trade unions have not (predominantly) problematized the slow progress in EU-Turkey relations, but rather emphasize the Turkish state's reluctance to make necessary reforms and its struggle to achieve the standards set by the EU conditionality. They still find the EU anchor significant in pushing Turkey to meet EU standards and ILO conventions. Furthermore, thanks to EU-funded projects, it is becoming customary for trade unions to collaborate with their European counterparts in a systematic way. Exchanges at the transnational level represent a means to compensate their lack of access to social dialogue mechanisms at the domestic level. Such mechanisms enhanced their attachments to ongoing Europeanization process.

In summary, trade unions can be regarded as former opponents of Europeanization, yet after having adopted pro-EU discourses, the available opportunity structure has become very relevant for them. In return, they have started to make use of the opportunities to a greater extent, with their engagement in transnational exchanges and EU-funded projects pushing them to act as promoters of the Europeanization process.

## **CHAPTER 7 CONCLUSION AND DISCUSSION**

Turkey is one of the accession states where democracy is nascent and civil society–state clashes and ideological polarization inherent, with EU-Turkey relations remaining problematic. This context has thus provided interesting a background to understand whether and to what extent domestic context filters the EU impact.

This research intended to explore the EU impact on the civil society of accession states, determining the conditions under which the EU could socialize agents of civil society with European norms and criteria, accordingly activating them to safeguard the accession process.

Empowerment mechanisms for non-state actors constitute either the EU's direct or indirect interventions on the political opportunity structure of accession states. The EU can directly change law and regulations of a national system through conditionality, thus providing non-state actors with access points. Second, the EU can empower non-state actors by funding them. In indirect terms, the European ideas and norms can reach non-state actors, and the nature of the EU's political arrangement can provide them access points at the transnational level.

This study is based on the assumption that the EU's impact on civil society is differential. To highlight possible outcomes, I discussed a typology showing different ways in which non-state actors' positions vis-à-vis consider the opportunity structure posed by the Europeanisation process. There were four ideal types: promoters, users and opponents of Europeanization, and those disconnected. Differentiation between promoters and users of Europeanisation process indicate the divergent roles carried by civil society in democratic societies. Promoters are envisaged as the constituent partner in the governance of Europeanisation, forming cooperative relations with the state. By contrast, users function as the watchdog of the process, remaining distant from the decision-makers. This typology and theoretical discussion does not propose that civil society should promote Europeanization and that being 'promoter' is the best solution. However, this group in the typology satisfies the ideal model of civil society in accession states suggested in EU policy papers and regulations.

Given the lack of a homogenous response to the EU, the concern of this study was to emphasize the variance and thus form casual explanations. Conditions in the domestic context filter the EU impact.

Differentiations on type of interests not only enabled to group cases, but also to hypothesize assumptions in different levels. Comparing divergent modes of Europeanization of different type of interests allowed referring their organizational logics (micro-level), positioning vis-à-vis state (meso-level) and stances towards fluctuations in credibility of accession process (macro-level).

Evidence from the qualitative interviews conducted with representatives of NGOs from four policy fields, business interest groups, trade union confederations and experts provided plausible explanations to understand why the EU's impact is differential, and in some cases uneven and ambiguous

## 7.1 Theoretical Reflections on Empirical Evidences

This study dealt with Europeanization literature, with scholars agreeing there is no theory of it. Besides, the literature does not originally address accession countries and studies non-state actors. However, this study has attempted to apply top-down approaches to Europeanization research to understand the conditions under which an accession country's non-state actors act as 'change agents' or 'norm-entrepreneurs' to facilitate Europeanization at the national level.

The EU's civil society policy towards accession states is proven to be instrumental. Chapter III discussed the relation of the EU's civil societies within current EU member states, beyond its borders and in countries that will be part of the EU. The case study on Turkey highlighted that the EU increasingly addresses the significance of input of civil society to accession processes, ensuring the legitimacy of the EU-recipient state relation that is hierarchical by nature. The participation of civil society in governing the accession process is a solution to counter-balance the over-powerful executives in accession countries. If civil society provides their support, the reform process can be fastened with the strong pro-reform coalition at the domestic level.

The Turkish context has also offered extraordinary variables, with the problematic state-society relations historically marking Turkish politics. Accordingly, civil society in Turkey has been in the search of options to protect themselves from the dominancy of the state, with the EU representing something of a lifesaver for them.

In the Turkish context, non-state actors are rational and engage in the cost-benefit calculation in their every step, with their pre-determined identities and political choices guiding their behaviors and preferences. Their organizational attributes (being capable of undertaking costs of changing opportunity structure) and position in domestic political setting (relation to the state) can effect such cost-benefit calculations.

When they presume the prospective benefits to outweigh the cost of adaptations, it is more likely that non-state actors will act as agents of Europeanization. For the agents carrying specific interests, as was hypothesized, they can more likely develop new roles, values or interests. First, they have identifiable constituencies and can thus adopt a position on behalf of their members and produce single policy positions. Moreover, they are able to voice their support to the EU accession process and willingness to take part in governing the

Europeanization. Apart from publishing coherent policy papers address facilitating the Europeanisation, there have been changes in their organizational structure, e.g. they have employed EU experts, introduced new units and opened new branches.

For Turkish Business associations, the presumed prospective benefits of Europeanization from the accession process outweigh the costs of adaptations. Therefore, they have made the necessary changes in their organizational structuring, producing policy papers advocating that ‘Turkey should be part of the EU’.

On the other hand, available data shows that business interest groups arrived at this point after some years had passed. Their case offers an alternative explanation to discuss when and how agents change their state of mind, start to perceive the significance of the process, internalize new identities, and considering conforming to conditionality as the right thing to do. In other words, a switch from using the Europeanization process to promoting it should form part of the discussion.

I argue that the ‘repetitive usages of Europeanisation’ can be part of the explanation. Business associations used to use European norms and ideas to protect their influence area from state interference at the national level. Moreover, they wanted to make use of the trade potential in Europe, with their strong relations with European counterparts, federations and EU institutions and presence in Brussels making them knowledgeable about European affairs. Over time, they have developed more visionary perspectives than every other actor, including the executive, and are therefore one step ahead of the government in Turkey. For instance, they could develop their recipes on how to further democratization efforts in Turkey to meet the Copenhagen criteria. As a recent example, they actively searched options on the visa-exemption issue to raise attention to the issue and lobbied effectively to facilitate change favoring the interests of Turkish citizens. However, I should note that the interviews have also hinted that business associations are reluctant when they have to sacrifice their interests in some policy areas, including environment or social policy and environment. To date, none have developed Euro-rejectionists behavior yet, however this should be studied further in the future, especially when charting environmental progress.

Case studies on Trade Union Confederations also offered observations on how and in what ways specific interest groups have changed their relations to the Europeanization processes over time. They were EU rejectionists (in differing levels) in the early phases of the EU-Turkey relations. Over time, they have developed pro-EU discourses either due to changes in



their organizational management, or in the Turkish political scenery and the advancement in EU-Turkey relations. They have become particularly united under the assumption that the EU membership can enhance social and employment policies in Turkey, and such changes in perspectives are reflected in their organizational structuring and policy positions. They have started to use the Europeanization process to protect themselves from the domination of the strong state, and to facilitate better conditions for workers.

The ideational positioning of Trade Union Confederations and Business associations have not been challenged by fluctuations in EU-Turkey relations, with the EU still significant for actors from these two groups, but for different reasons. Trade Union Confederations are mostly losing motivation due to the slow progress in the Social Policy and Employment chapter, which has nothing to do with the slow pace of EU-Turkey relations. In this sense, trade union confederations blame the government, rather than the EU side. On the other hand, business associations have retained their attachment to the Europeanisation process, working harder than any other actor to fix problems. Therefore, promoting Europeanization has become part of their organizational mission.

In the Turkish context, the well-embeddedness of specific interests to their policy networks is debatable. Business interest groups and partially trade unions can find access points in governing the Europeanisation process. Contrary to NGOs, there has been participatory mechanisms targeting specific interest groups, however they have remained ineffective. The EU accession process has aimed to make established mechanisms effective, and also to facilitate the establishment of new formal venues to systematize their access. However, the success of such initiatives is very limited, with the double-standards of government evident in their selective granting of access to specific interest groups. Some state that these are symbolic establishments and offer last-minute discussions on the issues already set by the executive. In some cases, the double-standards of government have deterred the participation of some groups, which have subsequently opted out. These cases depict configurations of power in the domestic context in explaining the impact of the EU on interest intermediation and constellations at the domestic level.

Another conclusion drawn from the analysis of economic interest groups is that business interest groups and trade unions have become 'well-embedded' at the transnational level, with stable relations to their European counterparts and a striking presence in Brussels. This situation counter-balances their lack of connectedness to interest mediation mechanisms that

do not work effectively in the domestic setting. Business associations' Brussels representation works akin to an embassy of Turkey abroad. They are willing to pressurize EU officials to fasten EU- Turkey relations. In the case of trade unions confederations, through their ETUC membership they feel like they are already member of EU.

Economic interests have also enjoy the benefits of pursuing specific interests, since they can relate themselves to the organized interest groups that have already established themselves at the EU level. However, NGOs, for instance, cannot be easily organized at the EU level.

Non-state actors in Turkey also adopt an instrumental perspective of the Europeanization process, primarily perceiving the impact of the EU or any international actor as a possible source of support to counterweigh the power of the strong state phenomenon in Turkey (widely discussed in Chapter IV). For NGOs the EU remain as the 'legitimizer' and 'fund-giver'. NGOs use the Europeanisation process to strengthen the support base for their issues and their bargaining position in the national realm. Economic interest groups in Turkey have struggled to find solutions to facilitate EU-Turkey relations, whereas NGOs have already given up.

In my analysis, I have argued that the willingness of actors and their ideational framings are more important factors than capacity-related argumentations. This is partially true, with their organizational logic explaining their being reluctant. It is evident that they claim diffuse interests; hence it is not that easy and convenient for them to adopt a single position over the Europeanisation process. Most importantly, in some cases they indicated that it is not right to show their support to any political arrangement, since this is contradictory to their reason of existences. Case studies have showed the ideational positioning explained better than capacity-related argumentations. For instance, education and youth organizations do not relate themselves to the ongoing accession process, despite their capacities being greater than any other NGOs. On the other hand, changes in organizational priorities and structure explain their disengagement. In the case of ÇEKÜL, experts working on environmental issues and following EU legislation left the organization, and the cultural heritage theme has gained significance. Following such changes plus the negative experiences with EU-funded projects, the significance of the Europeanization and engagement in the accession process has diminished for them.

On the other hand, the data proves that NGOs lack capacity, which explains their being users of Europeanisation. NGOs are newcomers in politics and policy-making, and moreover, apart from their legitimacy-related concerns, they also lack resources. This is evident since I included organizations in the sampling that are more likely to participate in governing the accession process of Turkey. They are well-known ones, which are organized at the national level. However, they lack resources, are not visible in Brussels, and encounter problems in their application to EU funds and their execution of EU projects. Some of them claimed that things would be very different if their organization had stronger capacities.

A further observation concerning NGOs is that they are increasingly less ‘using Europeanisation’. The EU is a fading star for NGOs, with EU-Turkey relations suffering from fluctuations in relations. Critical voices are dominating the NGO scene, and they are increasingly unwilling to use the Europeanization process. However, other relevant norm-producers or fund-givers are gaining significance raising critiques against the content of the EU acquis and the way it is applied at different levels. Difficulties in the accession process have had negative consequences on the attitude formation of non-state actors, with their instrumental perspective rendering them vulnerable to any fluctuations in the EU and Turkey relations.

Human rights and women’s NGOs have repeatedly pronounced that the EU is no longer relevant for Turkey and for them, and are critical about the content of the conditionality applied in their fields, which they sometimes find inadequate or inappropriate for the Turkish context. In some cases, they also perceive it unjust after comparing applications in European countries with the conditionality posed for Turkey. Moreover, the slow pace of EU-Turkey relations has negative consequences on their perceptions on Europeanisation.

NGOs accept the new context in crises, remaining still and seeking other options. NGOs are generally less willing to refer to norms, ideas and policy recipes emanating from the Europeanization process to support their issues and concerns at the domestic level. Every NGO compensates the declining significance of the Europeanization in different ways, for example, women’s organizations stick to the UN and mechanisms like CEDAW, and the public and especially the media supports women issues at the domestic level. Education and youth organizations enjoy the comfort of pursuing fair, legitimate and widely accepted objectives by society, thus their larger membership bases and relatively balanced relations with the state somewhat diminish the salience of the Europeanization process for them. For

human rights organizations, the salience of Europeanisation has drastically diminished since they could not get what they wanted. Among NGOs, organizations from the environmental policy realm are those still expecting that the Europeanization process can cure environmental problems in Turkey. However, they also suffer from unhealthy state-society relations. To compensate their lack of participation in accession process, they activate their transnational exchanges and try to place pressure on the state indirect ways.

Besides, the Turkish state is unwilling to cooperate with non-state actors, who cannot find outlets to participate in governing the accession process. For NGOs, none of the interviewees could speak about their positive experiences. However, they can see some improvements, such as widely stating that their concerns became visible. In addition, the data supports the increase of the number of associations, foundations and volunteers. However, there is no legal framework regulating state-NGO interaction in any phases of policy-making. Second, NGOs are newcomers to politics and want to be independent of state intervention, producing alternative information to contest state policies. In this respect, environmental organizations are exceptional, as they have a longer history and employ experts used to public service. Additionally, similar to business associations and trade unions, in some cases the state voluntarily interacts with them to make use of their expertise.

Contrary to economic interest groups, NGOs do not have strong transnational exchanges, generally forming relations with their counterparts on an ad-hoc basis. When the Europeanisation process is salient for NGOs, they engage in transnational exchanges in a systematic way. Environmental organizations have collaborations at the EU level, using their connections to influence the accession process. When the significance of Europeanization is diminishing, NGOs do not demonstrate effort to be part of certain networks and federations. There is also the option to further connections at the domestic level, and in this respect NGOs occasionally get together with Eurocrats or representatives of their European counterparts in Turkey, and can provide them alternative information. Although this represents a cheap, easy and convenient option to raise their voices, such relations are not systematic and tend to keep NGOs outside formal venues. They offer alternative reports that can contradict official data and discourses, and can thus widen the distance between NGOs and the government.

To conclude for NGOs, the impact of the EU opportunity structure is limited. First, they already have an instrumental perspective towards the Europeanization process. Second, problematic state-society relations at the domestic level do not allow them to take active part

in the process. Third, instable EU-Turkey relations fail to motivate them, rather acting as a deterrent. Consequently, their costs of adaptation are very high. Their usages of Europeanization of NGOs are even diminishing, so in the near future it is less likely that they can act as promoters.

The EU's policy choices also somewhat feed and reinforce different conditions applying to non-state actors, with the implications of EU support differing among non-state actors, particularly its policy towards civil society feeding differences in organizational logics. In a way, the system reproduces itself again: NGOs are newcomers to politics in Turkey, and they remain laggard, with their critical perspectives and lack of capacity rendering them incapable of engaging in governing the EU accession process. For NGOs, empowerment mechanisms to date have addressed their organizational deficiencies, and lack of cross-policy fields and networks, etc. These interventions have supported 'watchdog' functions of the NGOs. In governing the accession, they do not have an insider position, rather they check the progress from the outside, providing alternative information and warning both the EU and Turkish side. Interviewees also state that adopting this equally distant position is legitimate, since their organizational logic should be critical of every type of power holder. Consequently, if the EU wanted to activate them to review the ongoing process, with empowerment mechanisms and changes in the law of associations the EU to date have succeeded. On the other hand, the EU has specifically addressed the lack of consultation mechanisms and law regulates state-society interaction in Turkey in recent years. It appears that future efforts will also further address strengthening participatory mechanisms.

In the case of business associations, they volunteered to act as 'norm-entrepreneurs' or 'change-agents' through a cost-benefit calculation of prospective EU membership. For them, the EU has offered different types of empowerment solutions that do not address their organizational empowerment, but rather aim to support their efforts to further Europeanization in Turkey. The EU funding granted for business associations in Turkey allows them to monitor EU norms and policies, transferring refined knowledge to their sub-units or governmental institutions. Moreover, it also supports interaction between business associations, so that 'common fronts' can more easily prevail.

This research aimed to understand and elaborate on why EU impact on civil society can lead to unexpected results. In Turkish context, in macro and meso levels, there are two systemic problems endanger civil society policy of EU in Turkey. First, EU- Turkey relations

is in crisis. Second, in national context civil society and state relations is still troublesome, cost of adaptation for civil society is quite high. Case studies show that EU empowerment mechanism on civil society in accession states can bring successful results (promoters) if Europeanisation is salient for recipients. Resource based explanations are still applicable since, organizations which find salience of Europeanisation invest in their organizational capacity. In return, actors that take EU and its mechanism into their locus of organization can extract more resources (in terms of funding or access points in different levels). Their greater empowerments make them more motivated to give input into governing the accession process. In return, state officials cannot ignore their greater capacity and potential to bring in governing EU accession process. From EU perspective they also become better candidates to be supported. This cycle illustrates mode of adaptations of Economic interest groups. For NGOs, this cycle cannot function since their organizational logics make them vulnerable to any fluctuations in EU- Turkey relations and their relation to state is very problematic.

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## APPENDIX A

### Guiding questions for the interview

1. What is the legal status of the organization?

2. How many paid staff does your organization employ?
3. How many unpaid/volunteer staff does your organization employ?
4. What is the geographical scope of your organization?
  - Local/regional
  - National
  - Transnational
  - Other
5. How many members does your organization have?
6. What is the amount of funds at the organization's disposal on a yearly basis?  
How do you have this funding? (State aid, sponsorship, donations, foreign donations, membership fee, service revenue)
7. Could you please elaborate on the core values/identity of organization, and the organization's public representation of its ideology and what it stands for?
8. This organization;
  - Represents .....
  - Is being supported by .....
  - Is opposing.....
9. What is the position of your organization towards the European Union?
  - Strongly Eurosceptic
  - Eurosceptic
  - Mostly Eurosceptic
  - Mostly pro-European, but not on all issues
  - Pro-European
  - Strongly Pro-European
  - Neutral
  - None of these

Please state why do you think (ORGNAME) is ....., if possible by referring to examples.

10. How do you draw grant funds or financial resources?
11. Do you draw grants, financial resources or gain expert information from the EU? If relevant, from which EU programs and sources?
12. Has the type and extent of these sources (financial sources or expert information) changed as a result of the granting candidacy or with the accession period?
13. Does your interest group have some type of special department (experts) focusing on acquiring resources (*fundraising*)?
14. Do you cooperate with some other partner (in the Turkey or the EU) that specializes in this area?
15. Is EU priority opportunity structure when your organization looks for funding?
16. Has the organizational structure changed?
17. Has the territory you are working in expanded (from local level to regional, national, European, multi-national)?
18. Have new specialized units appeared?
19. Do you recruit experts?
20. Does the organization have representation in Brussels?
21. How does your organization keep itself and the constituency well-informed on EU issues?
  - Conducting research on EU topics
  - Official documentation
  - Press releases
  - Translations of EU reports
  - Independent research reports
  - Updating web pages
  - Scanning media
  - Consulting experts

22. Are these changes directly related to the EU's offering candidacy/accession status to Turkey? Are these changes an adaptation to new conditions or opportunities? What would you say is the main reason for this change?
23. Are these changes instead more of a reaction to other changes in the world and in Europe (the phenomenon of globalization of the economy – everything is becoming international, competition and specialization is increasing,) that do not relate directly EU accession process?
24. Do you perceive the EU environment as an opportunity and providing new instruments to achieve interest groups' goals?
25. Are intensive and cooperative relations with EU partners a significant instrument for influencing events on the domestic level ?
26. Is the EU level a substitute for the national level to accomplish your targets?
27. Is the national level a substitute for the EU level when it is not possible or efficient to lobby at EU level for achieving your objectives?
28. Which specific decisions made at EU level restricts or promotes your appeal to opportunities at EU level? (e.g. Opening up chapters, EU funds, EU progress reports, screening process)
29. To what extent does your institution's perspective/position comply with EU political conditionality (related chapters)? Are these criteria relevant to you?
30. How do you assess the associational legal reforms made in the EU accession process?
31. In what ways does your organization try to exert influence at EU level? Which EU institutions are more relevant for you? Do you think is it easier to approach /influence them?
32. In what ways does your organization try to exert influence in the EU accession process at the national level?
33. Do you provide political, legal, technical, economic policy information to any EU institutions (or relevant institutions at domestic context)?
34. Does your organization take part in EU projects? If relevant, how?
35. Is your organization a member in European federations? If relevant, in which federations?
36. Do you have some established form of relations with national institutions? Do you provide technical, political, economic information to them via official or unofficial linkages?
37. To what extent is your position at domestic level a factor that restricts/promotes your appeal to the European level opportunity structure?
38. In the accession process, do you communicate more/less with relevant institutions in Turkey than before?
39. In your negotiations (with relevant institutions of the Turkey) how often do you use as an argument "this is the way things are done in the EU"?
40. Do you point out how the EU usually handles it?
41. Has your activity in the area of legislation become more intense since these periods (*proposed laws and regulations, their consultation, and review*)?
42. Do you think that there is more of an opportunity to affect the relevant institutions of the Turkey in this process?
43. Overall, how do you assess the impact of ongoing EU accession process on capabilities of your organization?
44. Do you present your policy position publically at the stage of strategic decisions (such as opening up new chapters in accession negotiations)?
45. Whom do you present? Do you prefer targeting larger audiences or engaged actors?
46. Do you exchange policy relevant information with relevant public authorities through informal or formal networks in political processes?
47. In what ways does your organization try to exert influence at the EU level? Which EU institutions are more relevant for you? Do you think is it easier to approach /influence them?

- European Commission
- European Parliament
- Council of Ministers
- Council of the European Union
- European Court of Justice
- European Presidency

- European umbrella organizations
  - European media
  - Europe's Political leaders
  - European political parties
48. In which ways does your organization try to exert influence in EU accession process at the national level?
- Association Council
  - Association Committee
  - Joint Parliamentary Commission
  - Joint Consultative Committee
  - Secretariat General for European Union Affairs
  - Undersecretariat of Foreign Trade EU Executive Board
  - Related Ministries
  - Grand National Assembly of Turkey
  - Turkish media
  - Turkey's political leaders
  - Turkish political parties
49. Do you provide political, legal, technical, economic policy information to any EU institutions (or relevant institutions at domestic context)?
- Often
  - Sometimes
  - Seldom
  - Never
50. Overall, how do you assess the impact of the ongoing EU accession process on the capabilities of your organization?

## APPENDIX B

### Coding Rules

Category	Definition	Example statements - sub-codes	Coding rules
<b>Organizational / High Saliency of Europeanization</b>	Organizations find the Europeanization process relevant and are supportive.	<p>We are pro- EU.</p> <p>We support the accession process.</p> <p>This is a platform where members perceive themselves as EU citizens.</p>	<b>Code when organization affirms their positive stances and/ or have a policy paper addressing Europeanization process in a supportive way.</b>
<b>Organizational / Low Saliency of Europeanization</b>	Organizations find Europeanization process relevant but they are neutral and/or critical.	<p>We don't have a specific attitude or position towards the EU issues</p> <p>There are double standards in application of the conditionality.</p> <p>We do not think EU policies right in every case.</p> <p>Accession process works just in top-down logic.</p> <p>EU pursues not just democratic enhancement but pursue economic goals.</p> <p>EU membership is not in our agenda.</p>	<b>Code when organizations find the process relevant but they decide to stay neutral with critical stances.</b>
<b>Organizational / no saliency of Europeanization</b>	Organizations find Europeanization process irrelevant.		<b>Code when organizations do not have any position regarding EU accession process.</b>
<b>Organizational/ Anti - Europeanization</b>	Organizations have a negative stance against Europeanization process.		<b>Code when organizations affirm their negative stances against Europeanization process in public.</b>



<b>Organizational / high capacity</b>	Organizations employ EU experts and/or change their organizational structure		
<b>Organizational / Low capacity</b>	Organizations do not employ EU experts and/or change their organizational structure	There is no specialization in our organization.  We do not have a representative in Brussels.	
<b>EU Funding / high impact</b>	Organizations are able to draw greater amount of EU funds and execute projects to increase quality of the accession.		<b>Code when organizations executed EU- funded projects to contribute to the accession process in different ways. The budget of the project is higher, and project is applied with many stakeholders.</b>
<b>EU funding / no or marginal impact</b>	Organizations encounter problems either in their application or execution of EU projects.	EU funding schemes do not match purposes.  Externalities of the EU funding are high.  Other funding sources are gaining significance.  There are strict procedures to get EU funding.  We are suspicious of funds.  It is very difficult to get funding.  Sustainability of the EU funds is low.  Projects supports to narrow the misfit.  It empowers NGOs.  It helps us to follow rules	<b>Code when organizations state negative consequences of the EU funding and/ or their negative perceptions on the application process. There can be some marginal improvements mainly address their organizational structuring.</b>

		of project management.	
<b>Transnational Exchanges/ high impact</b>	Organizations activate their transnational networks to raise the quality of the accession process.	<p>We are branch of an international organization in Turkey.</p> <p>We organized a conference in EP.</p> <p>We send our reports to DG Environment.</p> <p>We have memberships in European networks, federations.</p>	<b>Code when organizations affirm their memberships in European networks, federations and/or form sustainable relations to European Institutions to influence the accession process.</b>
<b>Transnational Exchanges/ no or marginal impact</b>	Organizations either do not engage in transnational exchanges in the EU level or their presence is rather symbolic.	<p>We do not have any membership in transnational networks.</p> <p>We cannot reach Brussels.</p> <p>We could only reach Brussels through help of larger associations.</p> <p>We do not pursue systematic lobbying activities.</p> <p>We do not have organic relations but on ad hoc basis, we attend meeting or get together with European counterparts.</p>	<b>Code when organizations cannot specify their relations to any European network / federation or institution.</b>
<b>Participatory Mechanisms / high impact</b>	Organizations can find durable and sustainable access points in national political setting.		<b>Code when organizations can find multiple access points in national level to have their say in accession process.</b>
<b>Participatory</b>	Organizations cannot find	Consultations are brand	<b>Code when</b>

<p><b>Mechanisms / no or marginal impact</b></p>	<p>durable and sustainable access points in national political setting.</p>	<p>new.</p> <p>There is lack of sustainability.</p> <p>There is lack of interest in cooperation.</p> <p>State–civil society relations are not regulated.</p> <p>Impact of NGOs is underrated.</p> <p>Push of the conditionality has legitimized NGOs in the eyes of public and state.</p> <p>Reforms on law of associations liberalized enabling environment of civil society.</p> <p>NGOs are seen as alternative information sources.</p> <p>NGOs can involve in policy adoption processes on ad hoc basis.</p>	<p><b>organizations state problems block civil society participation in accession process and some improvements that can be explained through the top-down impact of the EU (marginal impact).</b></p>
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## **DECLARATION**

I hereby certify that I have written this thesis without any unauthorized assistance. No other sources than those stated in the list of references were used. All quotations from and references to other texts are appropriately cited.

Sezin Dereci

30. 11. 2012