

UNITY IN DIVERSITY? THE CHALLENGE OF DIVERSITY FOR THE EUROPEAN POLITICAL IDENTITY AND DEMOCRATIC GOVERNANCE: TURKISH MEMBERSHIP AS THE ULTIMATE TEST CASE

Sanem Baykal*

Abstract

The current enlargement is, arguably, the most comprehensive and ambitious project of the European integration so far, which presents both challenges and opportunities. It will increase the divergences in the EU and might have deleterious effects on the problems of democratic deficit and belonging, as the increased diversity and varying arrangements of governance will intensify the problem of legitimacy and lack of a European public space or collective political identity. The Post-Nice constitutionalization process can be regarded as an effort in strengthening the legitimate, democratic and efficient governance in the Union to overcome the detrimental implications of enlargement and pursue the overall aim of deepening integration.

*The European Union's quest for democratic and legitimate governance and an appropriately defined collective identity and boundaries did not start with the current enlargement process. The Union's search for its *finalité politique* and collective identity, however, will be the determinant factor as regards its final decision on Turkey's membership, its historical "significant other".*

This study argues that rather than the size and economic, political and social problems of the country, its factual or perceived divergent identity will influence the course of Turkey-EU relations. In this regard, the impact of enlargement on European democratic governance and collective identity is analyzed with a view to highlight Turkey's "special case" status. Here an analysis of Turkey's impact on European governance from a democracy/legitimacy vs. efficiency perspective is undertaken. In that context, various approaches to conceptions of "collective political identity" and "constitutionalisation" in the EU are examined with a special emphasis on "constitutional patriotism", "constitutional tolerance", "pluralism/particularism" in order to determine the consequences of each option for a viable integration between Turkey and Europe.

Thick or thin, exclusive or inclusive, based on common "European" or universal values, the forging of a "collective political identity" for the European Union to increase its normative and democratic legitimacy will prove to be a challenging task. The main challenge for the Union, however, will be to strike a balance between diversity/dynamism/plurality on the one hand, and unity/cohesion/solidarity on the other, while aspiring to become a normative civilian power and a sufficiently democratic and efficient system of governance. In conclusion, the paper claims that the only normative and viable identity for the Union is to be a 'legal, institutional, procedural, project and objectives-based, open ended "EU" identity', "an EU way of doing things", whether

* Hauser Research Scholar and Emile Noël Fellow (2004-2005). PhD, Assistant Professor in European Union Law, Ankara University Law School (Turkey), baykal@law.ankara.edu.tr.

Turkey becomes a member or not. Membership is a political decision that should be based on what the candidate brings to the table, rather than its “identity”.