



European Journal of Turkish Studies

Social Sciences on Contemporary Turkey

11 | 2010

Labor Movement in Turkey

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Kaan Agartan



Édition électronique

URL : <http://journals.openedition.org/ejts/4297>

DOI : 10.4000/ejts.4297

ISSN : 1773-0546

Éditeur

EJTS

Référence électronique

Kaan Agartan, « Turkey's accession to the European Union and the Turkish Labor Movement », *European Journal of Turkish Studies* [En ligne], 11 | 2010, mis en ligne le 06 octobre 2010, consulté le 16 février 2020. URL : <http://journals.openedition.org/ejts/4297> ; DOI : 10.4000/ejts.4297

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INTRODUCTION: GLOBALIZATION, REGIONALISM, AND LABOR*

- 1 Economic globalization has been eroding the boundaries of work as we know it. On the one hand, the rapid movement of capital destabilizes national economies and incites a competition that restricts the scope of employment-friendly macroeconomic policies at the national level. On the other hand, global-scale outsourcing activities by multinational companies (MNCs) lead to the demise of standard employment relationships, which reveal itself in atypical, unstable, and non-standard forms, as well as the informalization and feminization of work. Moreover, existing regulatory institutions of economic globalization, such as the IMF, the World Bank or the World Trade Organization, provide a very limited space for labor to defend its interests in the face of these structural changes.
- 2 As “globalization threatens established rights of labor through its undermining of state capacity to guarantee those rights,” (Tilly 1995: 4) the need for appending a “social clause” into global economic relations, in the attempt to solve what Munck (2002) calls “the Polanyian dilemma”, has become more pressing. As a result, trade unions almost everywhere in the world find themselves compelled to seek new ways to rebalance their relationship with capital and reconfigure themselves in response to the challenges of the new economic environment. Yet, the biggest challenge is that unions are organized within national territories, and lack the institutional capacity to mobilize effective collective action at the global level. The absence of instruments which would have conferred on labor the power to negotiate the terms of economic restructuring with the ‘authors’ of the global economic regime, constrains unions within the confines

of the nation-state as the sole site of struggle and negotiation. Recent strategies embracing novel practices and institutions, such as enterprise-level works councils which provide space for labor to participate in decision-making processes in a company (especially in the metal industry), or exploiting the opportunities available in some sectors (such as maritime) that, thanks to their very nature, allow better coordination and harmonization of labor's activities across borders, or undertaking global campaigns that aim to raise consumer consciousness to pressure corporations to assume their 'corporate social responsibility' (predominantly in the textile and apparel sectors) have produced, to date, but limited and isolated success stories.

- 3 As it becomes clear that the "envelope of nation-state to encapsulate state-capital-labor relations is no more adequate" (Munck 2002: 103), a new mode and conceptualization of social regulation of capital and market is necessary. "Regionalism" provides such an analytical concept to contemplate various dimensions of economic globalization. Indeed, a defining feature of globalization is the reemergence of the regional economy as a unit of economic development, as the latter provides significant advantages in terms of trade and investment location, and can mitigate the effects of market instability produced by globalization (Telo 2001a; Beeson 2007; Deacon *et al.* 2009). Moreover, regionalism is often believed to be a politically more viable option to tackle global problems, thanks to the "commonality of culture, history, homogeneity of social systems and values, convergence of political and security interests, and the character of domestic coalitions" between certain nations (Hurrell 1995: 56). In this respect, regionalism is not only a strong analytical tool for addressing, but also is an opportunity space for managing uncertainties which spring from global integration of markets, for it endows social actors (capital, labor, and the state) with resources for realizing their needs and competences.
- 4 It is the aim of this paper, then, to analyze developments in one such regional formation, the European Union (EU), regarding the possible ways of improving labor's conditions. The EU offers a good case for observing regional level developments and their impact on labor relations. In this complex process, novel European-level institutions (such as the European Trade Union Confederation, the European Works Councils, and the like) and practices (such as the Social Dialogue, the coordination of collective bargaining across borders, and the like) as well as other major developments (such as the Single Market and Monetary Union) produce complementary arrangements to the diverse national configurations of state, capital and labor relations.¹ Yet in time these new instruments and practices develop their own momentum and relative autonomy, which has immediate, as well as long-term, consequences for national systems and actors (Hoffmann *et al.* 2002: 46; Vos 2006: 316). What this implies for organized labor in the geography that spans the EU is that Europeanization offers a supranational economic and political space for trade unionism by providing a venue for organization and representation, as well as a new voice for demanding a novel forms of social regulation that prevent a "race to the bottom" (Dolvik 2002: 110).
- 5 Regionalism, needless to say, has been in circulation for a long time, particularly in the International Relations (IR) literature. While the idea of regional integration and cooperation dates back centuries, it gained a renewed interest especially in the post-Cold War period with the emergence of the EU, NAFTA, ASEAN, Mercosur and other regional organizations (for a short history of regionalism, see Fawcett 2008). In contrast

to earlier studies, which merely focused on political strategies, security and conflict containment concerns, and economic cooperation of nation-states in a bipolar interstate system (see especially Nye 1968; Cantori & Speigel 1970; Nye & Keohane 1972; Keohane & Nye 2001), new regionalism focuses more on recent patterns of international trade and foreign investment, and particularly on the emergence of new regulatory organizations, economic unions, trading blocs, and company strategies that involve region-wide mergers, outsourcing activities and alignments (Telo 2001b; Schulz *et al.* 2001). In addition to the economic emphasis, the literature also highlights the formation of complex networks of ideas, technology, knowledge and values, and the intensified diffusion of new forms of identity and political attitudes beyond territorial boundaries: a trend which facilitates the organization of like-minded groups across borders, leading to the strengthening of transnational civil society, social movements and common policy formulation (Hurrell 1995: 55; Hettne 2003; Farrell *et al.* 2005). In this vein, many studies began to focus on the role of regional organizations and transnational epistemic communities in promoting and facilitating various processes of democratization and convergence in different geographies (Whitehead 1996; Pevehouse 2005; Bearce & Bondanella 2007).

- 6 While the literature on regionalism usually regards labor as a passive (and often victimized) actor in the face of economic globalization, and underplays its potential to utilize regional space as a contested terrain (Strange 2002),² regional formations as sites of organization, negotiation and mobilization in fact offer a viable alternative to the abstract notion of 'global solidarity' in defending labor's rights and improving its situation vis-à-vis the global expansion of market relations. As the present study aims to demonstrate in the case of the EU, through creating new venues, practices and networks that avoid the extremes of protectionism, a regional-level organization of labor provides a more cohesive environment for voicing social justice demands and constraining the full commodification of labor.
- 7 In this regard, this study also contributes to the growing literature on "transnational activism and advocacy networks", which focuses on how professional groups, consumer organizations, epistemic communities, and other NGOs "argue, persuade, strategize, document, lobby, pressure and complain" to capture the world's attention on such issues as labor and human rights, gender justice, democratization, poverty, environmental concerns and the like (Keck & Sikkink 1998: viii; Khagram *et al.* 2002; Tarrow 2005; della Porta & Caiani 2009). This literature often focuses on how domestic actors, who can not find an outlet to voice their demands in the face of state repression, often seek allies with international organizations and join networks that put pressure on governments to change their repressive policies (Risse *et al.* 1999). As far as labor activism is concerned, these networks go beyond inter-union cooperation, and the problems they address are not necessarily limited to work-site issues or labor-management conflicts, since they create international information exchange forums which bring together union members as well as non-union workers, academics, and other social movement representatives such as religious or environment movements from different countries (Kidder 2002: 274-275). Despite its appeal, one notable shortcoming in this literature is that while it draws attention to such issues as decent work, fair trade, global compact, corporate governance, union feminism, erosion of labor standards, justice campaigns in support of workers in subcontractor sweatshops, and solidarity networks among workers of unions in different countries (Schmidt 2007), the role and impact of regionalism and the opportunities made available by existing

regional and international institutions for the benefit of transnational social activism are often undertheorized (Sikkink 2005). This paper addresses this shortcoming, and discusses EU regionalism as a potential opportunity structure for the collaboration and formation of solidarity between Turkish and European labor movements.

- 8 In what follows, I offer a brief discussion on the evolution of social and employment policy in the EU, and demonstrate how developments in this field endowed trade unions with new means to protect their interests. After probing into the EU-level developments, catalyzed both by the EU institutions and organized labor itself, I will turn to the Turkish labor movement and investigate the ways through which it benefits from the EU membership process as far as the improvement of working conditions, collective rights and freedoms is concerned. In other words, by focusing on the pressures from the official EU channels as well as on the intensified relations between the Turkish and European labor movements in the process of accession to the EU, the paper will highlight some of the positive spillover effects of the “Europeanization of industrial relations” on the Turkish labor movement.

I. THE EUROPEAN UNION AND THE WORLD OF LABOR

- 9 One may argue that in a political space such as the EU, where the existence of different labor relations systems create a fragmented structure, capital can always find a way to avoid regulations and controls by moving freely across borders. This results in further undermining the conditions of labor as member states strive to attract capital for investment (Streeck 1998). One has to admit that, considering the developments towards establishing a single market and a single currency, the EU has indeed been moving towards a more “efficient” model of capitalism. Although there is an obvious welfare state sacrifice for the sake of competitiveness, there have also been attempts in the EU to recalibrate the power asymmetry between capital and labor since the 1970s. In order to fully grasp this double process, it is necessary to reconsider the developments in the field of social policy in Europe. The analysis of these developments offers an opportunity to examine how regionalism can be beneficial for defending the interests of labor beyond national borders.

Social and Employment Policy in the European Union

- 10 Up to the 1970s, social and employment policy was not considered a separate policy field in the European Economic Community but was rather subordinated to economic policies, as the majority of the member states had shied away from the idea of designing a comprehensive policy framework for employment and social issues on a European scale³ (Celik 2005). While the strong labor movements of the late 1960s and 1970s changed the balance of power between capital and labor in favor of the latter, and became an impetus towards a more qualified approach towards social policy in the member states, the strong ideological winds of neoliberalism in the 1980s heralded the collapse of the Keynesian era and the retreat of the nation state as the key provider of welfare provision. Consequently, and despite conflicting approaches to social policy, the Community adopted the European Single Act of 1987, which was an important step in the social policy field in terms of institutionalizing supranational decision-making processes at the European level. In December 1989, eleven heads of state (all but the

UK) adopted the “Community Charter of the Fundamental Social Rights of Workers”. The member countries later adopted an agreement on social policy which was annexed to the Social Protocol incorporated in the were directly related to employment issues and collective rights. Among these were the freedom of association and right to collective bargaining; information, consultation and participation of workers; rights to training; health and safety protection; protection of atypical workers; restrictions on working time; and the establishment of European Works Councils (EWCs) (Ramsay 1995: 99-100). Moreover, the Amsterdam Treaty was a crucial milestone in the EU integration process as the member states for the first time agreed to treat employment as a common European policy matter. Although each member was still autonomous in defining its employment policies, the expectation was that these individual approaches would be harmonized within a common European employment strategy.

- 11 Since then the EU legislation has focused on numerous employment-related issues, some of which include the regulation of the operation of labor markets, devising of sustainable and universal social protection systems, developing a well-functioning social dialogue among social partners, securing workers’ participation in decision-making processes, making employment creation a priority for the member states, guaranteeing decent and fair wages and living standards, providing equal opportunities for women and the disabled, and fighting against discrimination (EC 2002, Mabbett 2000: 251). In what follows, I highlight some of the most important steps taken by the EU that had a significant impact on conditions for European labor over the last two decades.
- 12 Maastricht Treaty in December 1991. As far as labor’s interests were concerned, the protocol was not only securing the rights of workers to health and better working conditions at the European level, but also promoting social dialogue, active employment policies, and social protection and fighting against social exclusion (Celik 2004: 33-36, Gülmez 2003: 34-35).
- 13 Adoption of the Community Social Charter and its incorporation into the Maastricht Treaty could not yet catalyze a vigorous move towards “Social Europe” until the 1997 Amsterdam Treaty, when the Social Charter and Social Policy Agreement were transferred into the Treaty of the European Community. Certain aspects of the Charter

European Social Dialogue

- 14 One fundamental element of the “European Social Model” is the inclusion of the representatives of labor and capital (“social partners”) in the process of policy initiation and formulation. As early as the 1980s, the discussions within the EU regarding the development of a European level industrial relations system were pointing in the direction of creating an environment for social dialogue between “strong and capable” social partners, and this dialogue in time evolved into a regulatory instrument to mediate employment relations and working conditions in Europe (Gold *et al.* 2007: 9). Accordingly, the Social Dialogue became part of the Social Policy Protocol, annexed to the Treaty of Maastricht, and later incorporated into the Treaty of 1997 which reaffirmed the role of social partners in the EU decision-making process and the adoption of legal instruments for the effective implementation of certain minimum rights for working people (Van Liemt 1998: 244).

- 15 Within this scheme, trade unions, along with employer organizations and other civil society organizations, not only gain the benefit of participating in policy-making processes on various issues, but they also take part in the formulation of legally or contractually binding EU-level directives across a variety of social and employment areas. In other words, social dialogue becomes crucial instrument for labor as it assigns unions a central role in the evolution of the EU's labor policy, and social partnership endows them with the right to be consulted on decision-making and legislation processes in their national settings as well as in the EU (Eurofound 2009).
- 16 It is hard to assess the concrete outcomes of bi-partite and tri-partite social dialogue at sectoral and cross-sectoral levels in terms of their direct impact on national and transnational employment relations, and especially on the enhancement of the bargaining power of European trade unions. That said, several European-level agreements implemented by directives (such as parental leave, part-time work, and fixed-term contracts) or by private agreements between management and labor (such as violence/harassment and work-related stress), as well as a number of practical initiatives undertaken by the social partners in various sectors (especially in regards to corporate social responsibility standards) are deemed favorable developments for workers of Europe as far as labor market policies and working conditions are concerned.
- 17 More concretely, the promotion of social dialogue by the European Union engendered positive outcomes in many member countries. In Ireland, for instance, joining the EU was among the most significant factors that catalyzed the improvement and effectiveness of the National Economic and Social Council, in which trade unions could negotiate government policies regarding public sector employment, wage levels, social benefits and the provision of public services (House & McGrath 2004: 45-46). Similar developments have taken place in late-joining member countries such as Spain, Italy, Greece and Portugal, where official platforms in which negotiations between the representatives of capital, labor and the state take place have traditionally been underdeveloped (Magone 2001). Especially in most Central and East European countries, where labor movements were historically weak, the European accession process forced governments to revive tripartite institutions in which unions could participate in the social and political reform process and bring their demands to the table. At the same time, thanks to the efforts by European Partners to promote the European Social Dialogue across the EU, these unions could strengthen their ties with the trade unions or union confederations of other EU nations as well as with supranational labor organizations such as the ETUC that endowed them with international support in their struggles for forcing governments to adopt measures in favor of labor's interests such as the fight against unemployment, improvement of working conditions, and adoption of the EU's Social Charter (Kubicek 2004: 155-156).
- 18 In the light of these developments, there is reason to believe that maintaining a steady social dialogue at national and European levels would result in favorable arrangements for the working populations of Europe, especially in issues such as information and consultation, working hours, workers' health and safety, vocational and professional training, and anti-discriminatory practices and fundamental rights (Itschert 2003: 138). Thanks to the new opportunity spaces made available by social dialogue, the number of social pacts that aim to resolve disputes over wages or social benefits increased in different sectors across Europe (Donaghey & Teague 2005). In this respect, despite its

weaknesses, Europe-wide social dialogue can be considered to have the potential to transpose national level collective bargaining practices to the European level through institutionalization of these pacts at sectoral level. In other words, the existence of more systematic and institutionalized forms of relationships between trade unions and employers' associations at the EU level can evolve into an embryonic form of a supranational European collective bargaining system (Schulten 2003; Eberwein *et al.* 2002). In this regard, developments in the social field in the EU breed expectations about the capacity of trade unions to extend their influence in tripartite negotiations and effectively shape employment relations in Europe.

European Works Councils

- 19 EWCs are bodies for employee representation and participation in MNCs operating across Europe. The establishment of EWCs in 1994 was aimed at developing a system of information sharing and consultation with employee representatives at the supranational level. The EWC directive obliges MNCs to establish EWCs to provide a venue for the representatives of employees and management to collaborate on the nature, composition, function and mode of operations and procedures affecting the enterprise and its workforce (Rigby 1999: 33).
- 20 The creation of EWCs as new institutions with regulatory powers that span over national borders makes them a cornerstone in the European employment system. They create a counterweight at the transnational level to the greater integration of capital by providing national unions a better knowledge of the situations in other countries, especially regarding wage levels and working conditions, and by offering a platform for establishing a common European trade union strategy among different national employment regimes. They also, as in the Czech Republic, become crucial venues for the representation of workers and employees who are not affiliated with any trade union (Koray & Celik 2007: 135). In that sense, the establishment of EWCs has not only promoted the mobilization of workplace employees but also contributed significantly to the transnationalization of the European labor movement by harmonizing trade union policies. In Telljohann *et al.*'s words: "an increasing number of 'participation-oriented EWCs' over time developed effective internal working, communication, and networking capacities. This enabled them to go beyond the information and consultation role stipulated in the EWC Directive by taking a joint European approach in negotiating European-level agreements on 'soft' issues, such as health and safety, equal opportunities, mobility and training, and data protection" (Telljohann *et al.* 2009: 57).⁴
- 21 All in all, although they have yet to fully realize their potential to strengthen workers' rights, EWCs provide European trade unions with the opportunity to compensate for their decline in their ability to counterweigh the increasing internationalization and Europeanization of capital. Trade unions find their coordination capabilities considerably enhanced, especially by working together to exchange experiences, discuss problems, and coordinate their demands through EWCs. In that sense, EWCs help to strengthen trade unions' and federations' hands in their relations with companies and the EU Commission (Eberwein *et al.* 2002: 32). They promote political action and cross-border cooperation among trade unions, especially in the coordination of collective bargaining processes. Indeed, optimistic interpretations regard EWCs as the facilitators of a potential evolution towards a European level

collective bargaining practice, which can be interpreted as an embryonic form of a multi-level European system of industrial relations (Telljohann *et al.* 2009: 20; Lecher *et al.* 2002; Muller & Platzer 2003).

European Employment Strategy

- 22 Another development in the EU that potentially benefits trade unions and working populations in Europe is the launch of the “European Employment Strategy” (EES), which emerged from the Luxembourg Jobs Summit in 1997 (EEO 2009; Casey 2009²). The summit produced employment guidelines and a new policy instrument – the Open Method of Coordination – which aimed to develop active job creation policies by emphasizing employability, adaptability, equal opportunities, and entrepreneurship. The Lisbon Strategy adopted in the European Council meeting in 2000 called for greater efforts to reduce unemployment and set full employment as an overarching long-term goal for the new European economy, and recommended new or strengthened priorities such as skill development, mobility, and lifelong learning.
- 23 The principal goal of the EES is to promote policy coordination between member states to improve employment conditions and strengthen the role of the social partners. Indeed, in the EES, the participation of social partners at the European and national levels is considered crucial for the “governance” of the process. The EES provides some general guidelines that are required to be translated into respective National Action Plans. In this process, too, the participation of national social partners is expected in the design and implementation of employment policies. As such, the EES gives impetus to the creation of social pacts and the completion of bipartite or tripartite agreements on labor market and social security issues.
- 24 As far as the interests of the organized labor are concerned, the EES presents trade unions with the opportunity to find yet another space to voice their concerns and demands at the EU level, especially thanks to the European Trade Union Confederation’s (ETUC) involvement in the EES process, and especially by taking part in the EU Tripartite Social Summit to monitor its progress. In other words, the ways in which employment related issues are tackled by the EU institutions open new venues for trade unions to participate and influence the decision-making processes that affect the lives of workers in the European geography.
- 25 All in all, the above-mentioned employment-related institutions and practices within the EU have become a part of the large body of legislation which the candidate countries have to transpose into their national legislations. As the discussion on Turkey will demonstrate below, these encouraging developments regarding labor rights and freedoms have a spill-over effect on the conditions of working populations in these countries, thanks to the pressure from the EU institutions in the accession process. But before mapping out the ways in which these candidate countries find themselves compelled to improve the conditions of labor, it is also necessary to observe whether the European labor movement can successfully organize beyond national borders, gain certain opportunities and resources to restore its political credibility, and provide protection for workers against the detrimental consequences of economic globalization. For this purpose, in the next section, I probe the ways in which trade unions exploit opportunities that become available in the process of European integration.

Europeanization and Organized Labor

Coordination of Collective Bargaining at the European level

- 26 As the main instruments of monetary policy in member states have slowly shifted from the national to the European level with the establishment of the European Monetary Union (EMU), trade unions found themselves in need of supplementing their national-level struggles for wage policies and working conditions with more vigorous cooperation and coordination with unions in other European countries. Since neither the European Social Dialogue nor EWCs have been able, to date, to produce solid results in wage determination at the European level, the coordination of collective bargaining across borders became even more pressing for trade union.
- 27 European integration indeed provides trade unions with a new space for devising novel policies of cooperation at the regional, sectoral and European levels. By coordinating and harmonizing their strategies at these multiple levels, trade unions can define common bargaining positions and objectives and establish a common agenda to resist the downward pressures on national bargaining systems, wages and working conditions (Traxler *et al.* 2008: 222). For this purpose, many European industry federations have already begun to set up committees and working groups to develop common strategies on bargaining policy, accumulate information on the collective bargaining experiences of other nations in their sectors, and introduce communication and monitoring systems to share and evaluate progress. One such example is the European Metalworkers Federation's (EMF) initiatives in the early 1990s to develop a strategy between German and Austrian trade unions involving a system of information exchange, followed by the adoption of common minimum standards on working hours and vocational training. Following this cooperation, the EMF drew up a set of minimum standards to be included in the agreements with European employers during the implementation of EWCs. The EMF also introduced a 'European coordination rule', according to which the affiliated unions in all EU countries would target a wage policy of offsetting the rate of inflation and ensuring that workers' incomes retain a balanced participation in productivity gains. (Sisson *et al.* 2002: 10-11). Other European industry federations organized in such sectors as textiles, mining, chemical, energy, and finance also began experimenting with harmonizing their national negotiation strategies.
- 28 Whether the coordination of national collective bargaining policies by trade unions will transform itself into a robust EU-level collective bargaining mechanism is one of the most important questions to be explored in the coming years. On the one hand, the integration of markets might give rise to further fragmented, company-specific bargaining arrangements at the transnational level, which, in the last analysis, would cause the the existing national systems to deteriorate and reverse the achievements national unions have won after years of struggle (Crouch 2000; Martin 1999). On the other hand, the positive spillover effects of European integration might lead to a multi-level regulatory framework that includes a European dimension for collective bargaining through the creation of bargaining networks and the coordination of wage bargaining by trade unions and union federations at the European level (Traxler 2003; Sisson & Marginson 2005). While it is still too early to evaluate the outcome of the coordination of collective bargaining strategies, regional integration in the EU is still important for the new prospects and venues it offers to unions to develop fresh methods of transnational organization and cooperation.

European Trade Union Confederation

- 29 One such new venue of transnational organization is the European Trade Union Confederation (ETUC). The ETUC was established in 1973 to provide a trade union counterweight to the globalization and Europeanization of capital. Its birth raised optimism regarding the restoration of trade union power and confidence as a new vehicle for supranational labor activism. Especially after the official endorsement of the European Social Dialogue in the Maastrich Treaty, the ETUC became an important political force in protecting and defending workers' rights (Rigby 1999: 29; Compston & Greenwood 2001). Since then, the ETUC has become a privileged participant as a co-decision maker in negotiations on issues such as the EWC directive, parental leave, improvement of living and working conditions, health and safety, working time, atypical work, vocational training, and lifetime working which helped trade unions in their endeavor to harmonize labor regulations across Europe (Herod *et al.* 2003: 185).⁶
- 30 Until the mid 1990s, the ETUC's main policy was focusing on the expansion of the European Social Dialogue, and collective bargaining occupied a very limited place in this endeavor: there were no particular committees or working groups specifically and exclusively working on this issue. This has changed recently, as Schulten indicates (2003: 128), due to the fact that the ETUC became increasingly influenced by other European trade union organizations, and among them especially by the European Industry Federations (EIFs), for whom the fundamental issue had always been collective bargaining. Accordingly, the ETUC began to synchronize the strategies of national trade unions in order to promote EU-level action by adopting resolutions and publishing guidelines for the coordination of collective bargaining, which emphasized, among other things, that nominal wage increases should exceed inflation and be adjusted according to productivity increases (ETUC 2009b). These demands were addressed and met – if only partially – in recent employment strategies crafted by the EU Commission.
- 31 The ETUC regularly organizes demonstrations on the occasion of EU summits or important debates in the European Parliament. One of the biggest demonstrations took place when the services directive (or, the Bolkestein directive) was being discussed in the Parliament in 2006. The ETUC coordinated protest movements with the participation of tens of thousands of people in different parts of Europe. More importantly, ETUC could frame the common interests of trade unions from different member countries, including those of the unions of the then newly-admitted Central and East European countries, which regarded the European level trade union structure as a stronger mechanism to represent their interests at the national and EU levels (Gajewska 2008: 112-113).
- 32 There have always been concerns and criticisms regarding the ETUC's vision to become a part of a neo-corporatist structure through embracing the idea of Social Dialogue and "social market economy". Critics maintained that the ETUC was heavily reliant on the Commission's patronage, which permitted the former a very limited leeway for challenging policies and often ended up undermining the bargaining power of labor by harmonizing the interests of capital and the labor aristocracy (Dolvik & Visser 2001). While these criticisms have some merit, it is still crucial to regard the ETUC as a platform for the organization of labor that transcends traditional national boundaries. The ETUC's very existence opens up a space for transnationalization of the labor

movement in Europe vis-à-vis the transnationalization of capital. By advocating for trade union rights as a part of European industrial relations, pressuring the EU institutions for the inclusion of the EU Charter of Fundamental Rights into the future Constitution, and demanding high priority for key social objectives such as full employment, the ETUC has become an influential channel for the voices of workers and other popular groups to be heard in EU circles. In that sense, the ETUC stands as a successful case of a “regional response” to economic globalization by gaining a certain level of weight in the political governance of European supranationalism.

- 33 In summary, the discussion in this section demonstrates that the regional integration process in the EU has had positive effects on the European labor movement, first through the institutionalization of new practices and policies that protect and enhance labor rights and working conditions, and second, through the opportunity space it opens for the movement to harmonize, coordinate and transform its strategies to achieve a regional power status vis-à-vis the globalization of capital. In the following section, we will probe into how these dual developments have had a spillover effect on the Turkish labor movement in the course of Turkey's process of accession to the Union.

II. THE EUROPEAN UNION AND TURKISH LABOR MOVEMENT

- 34 While the European integration process brought about the above-mentioned opportunities as well as challenges for European labor, the enlargement process has had a significant impact on labor movements in candidate countries, including Turkey. On the one hand, since the accession criteria requires these countries to fully adopt the legal body of the EU (*acquis communautaire*), the candidates have to harmonize their existing labor laws and practices with those of the EU. Accordingly, the new opportunity space that becomes available to European organized labor in the integration process can thus be transposed to candidate countries, where labor often suffers severely from inadequate legislation and poor enforcement – which is particularly true for Turkey. On the other hand, the enlargement process enhances the intensity, extensiveness, rapidity and efficacy of communication channels established between trade unions in candidate countries and their European counterparts. In that sense, the expansion of the European space helps intensify relations between the trade unions of both sides.
- 35 In what follows, I briefly highlight several channels of influence on Turkey gained by EU institutions in the process of EU membership. Following that, I categorize the outcomes of these pressures broadly into two groups: the first group of developments includes the legislative changes to harmonize national laws and regulatory frameworks in line with the *acquis*, which eventually provide a more favorable environment for Turkish labor to voice its demands. The second group includes new institutional developments, such as the promotion of social dialogue by direct support from the EU Commission, which propel the emergence of new opportunities that Turkish organized labor can capitalize on. Following these remarks, I finally demonstrate the ways in which the accession process helps trade unions in Turkey to improve their solidarity with their European counterparts, and how these strengthened relations invigorate the Turkish labor movement in its effort to broaden labor rights and freedoms.

Pressure from the European Union

Official Channels

- 36 Turkey was officially admitted to candidacy for full membership in the EU at the Helsinki meeting of the European Council in December 1999. In the wake of this decision, a pre-accession strategy was put into effect for preparing Turkey for the accession negotiations. This strategy included, among other things, the preparation of annually published Regular Progress Reports by the European Commission, Accession Partnership Documents by the European Council, and the adoption of the Negotiation Framework in 2005, when negotiations for full membership were given an official start.⁷
- 37 Issues related to working life and labor rights occupied a significant place in this rugged preparation process for Turkey's membership. The EU regarded labor-related subjects as immediate priorities to be addressed by Turkey, and pressured successive governments to take action in the short-term to fully comply with the Copenhagen Criteria.⁸ Indeed, since the first *Regular Report* issued by the European Commission in 1998, the EU included several labor-related issues under the 'political criteria' section of these reports, reproaching Turkey for the lack of or insufficient progress.⁹ Although some modest developments, in such fields as child labor, gender equality, social inclusion, health and safety at work, and the fight against discrimination, could be achieved as a result of the pressure from the EU, the fact that Turkey still fell short of reaching the EU and ILO standards, and could make no noteworthy improvement in the full exercise of "collective" labor rights – such as the rights to organizing, collective bargaining, and strike – continued to be a constant source of concern and complaint voiced by the EU. Especially the two conditions – that a trade union has to represent at least 50 percent of workers within a company and 10 percent of all workers within the relevant sector nationwide – that have prevailed in the legislation regulating trade unions and collective bargaining since 1980, as well as the cumbersome procedures for workers and employees to enroll in trade unions, kept hanging like the sword of Damocles over Turkey's head in its negotiations for full membership.
- 38 In addition to these Regular Progress Reports issued by the Commission, the *Accession Partnership Documents* adopted by the European Council have also brought forward several issues related to working life and labor rights. The recurring theme in all of the four documents produced since 2001 was that Turkey had to "ensure that full trade union rights are respected in line with EU standards and the relevant ILO Conventions, in particular as regards the right to organize, the right to strike and the right to bargain collectively." Moreover, the Council required Turkey, as a short-term priority, to "establish conditions for an effective social dialogue, inter alia, by abolishing restrictive provisions on trade union activities and ensuring respect for trade union rights," and "support social partners' capacity building efforts, in particular with a view to their future role in the elaboration and implementation of employment and social policy, notably through autonomous social dialogue".¹⁰
- 39 The EU also bluntly asserted in the *Negotiation Framework*, which was accepted in October 2005, that the negotiations could proceed on the condition that Turkey sufficiently met the political criteria, which included the improvement of labor-related issues mentioned above.¹¹ Finally, the *Screening Report* on Chapter 19 of the *acquis*

(“Social Policy and Employment”), which was finalized in September 2006, reiterated the assessments in the previous documents, and provided a roadmap for Turkey to tackle the shortcomings in the fields of labor law, health and safety at work, social dialogue, union rights, employment policy, social inclusion, anti-discrimination, and equal opportunities.¹² The Commission indicated in the report that Turkey had not made sufficient progress to begin the negotiations for this Chapter, and that the negotiations could only be opened provided that two conditions were satisfied: First, trade union rights had to be brought in line with the EU Standards and applicable ILO Conventions which required Turkey to eliminate the existing restrictions in the existing legislation. Second, Turkey was also required to prepare a National Action Plan that could serve as a roadmap for the transposition, implementation and enforcement of the *acquis*. This roadmap included providing a calendar, defining financial and human resources to be utilized, and identifying the concerned institutions and social partners.¹³

Civil Society Initiatives

- 40 In addition to these official channels of pressure on Turkey for improving the labor standards in the country, economic and social civil society actors in the EU also became more active in promoting cooperation with their Turkish counterparts. For this purpose, civil society organizations in the EU began to intensify their relations with their Turkish counterparts through organizing joint workshops and conferences to help the latter enhance their capacity to adapt and contribute to European social dialogue mechanisms and overcome the bottlenecks in Turkey regarding labor issues. These initiatives could sometimes bear fruit through the formation of new non-governmental institutional channels.
- 41 One such channel is the *EU-Turkey Joint Consultative Committee (JCC)*, which was created by the European Economic and Social Committee in 1995.¹⁴ The primary goals of the Committee are to help the members of civil society organizations in Turkey become acquainted with the process of European Social Dialogue, and “foster public debate and awareness in Turkey about EU membership rights and obligations and to facilitate the process of institution-building and the consolidation of civil society organizations” (EESC n.d.).
- 42 Trade union rights and other labor-related issues became a major issue for the JCC since 2004. The Committee relentlessly addressed labor rights violations in Turkey and called in numerous joint declarations for an urgent action to improve the existing legislation in consultation with the social partners.¹⁵ In this respect, the EU-TR JCC served as a strong civil initiative from the European side that helped strengthen the hands of the Turkish trade unions in their efforts to make their demands regarding labor issues heard by the Turkish government and the EU. Indeed, being aware of the fact that the European Social and Economic Committee had a strong influence on the Commission in the membership process of candidate countries, the Turkish government began to take these demands more seriously and address the issues raised by the Committee (TÜRK-İş Dergisi 2005).

Financial Support from the EU

- 43 The EU process not only pressured, through official and non-governmental actors, Turkish governments to improve working conditions and labor rights, but it also supplied financial support for Turkey to meet the priorities declared in the Accession Partnership documents. Since 2001, the pre-accession assistance program, like its counterparts that were available to previous candidates, dispensed funds and technical support for developing mechanisms and institutions to strengthen the regulatory infrastructure needed to implement and enforce the *acquis* (EC 2004: 7-10). It was expected that this assistance would help Turkey to better address the requirements of the Copenhagen political criteria, help conform the country's legislation to the *acquis*, and promote economic and social cohesion, especially by targeting underdeveloped provincial regions.¹⁶
- 44 One of the components of EU assistance is Human Resources Development. Officially, the projects under this component aimed at "supporting the transition to a knowledge-based economy capable of sustainable economic growth with more and better jobs and social cohesion." For this purpose, the Ministry of Labor and Social Security (MoLSS) prepared an action program which addressed issues such as health and safety at work, active labor market strategies, the fight against child labor, improvement of social dialogue, gender equality at work, vocational training and education, enhancing the institutional capacity of employment related agencies, defining flexible work in line with EU requirements, and employability of the disabled.¹⁷

Effects of the Pressure

National Action Programs, Legislative Changes, and Other Projects

- 45 In response to the pressures from both the official EU channels and European civil society organizations, successive Turkish governments adopted programs to improve the conditions of working life. The most important and comprehensive of these programs are the *National Programs (NPs)*.¹⁸ One striking fact is that in the face of persistent pressure from the EU, Turkey had to move up the priority of "trade union rights" from a medium term goal merely mentioned in the "Freedom of Association, Peaceful Assembly, and Civil Society" section under Political Criteria of the first NP (NP 2001: 22), to a separate section in the revised NP in 2008, still under Political Criteria, but this time with a stronger emphasis on the urgency of the efforts for harmonizing existing legislation on the issues of collective agreement, strike, lock-out and other labor rights (NP 2008: 11). Additionally, in the Social Policy and Employment chapter of all three NPs the Turkish government provided a detailed outline and timeframe for steps to be taken in order to adapt the national legislation to the *acquis*. Even more importantly, in the 2008 National Action Program, Turkey proposed to create the conditions for an effective social dialogue at all levels by adopting new legislation to eliminate restrictive provisions on trade union activities. For this purpose, the program indicated that the government would draft new legislation regarding the amending of the Law on Trade Unions (No. 2821), the Law on Collective Labor Agreement, Strike and Lock-out (No. 2822), and the Law on Civil Servants' Trade Unions (No. 4688), to ensure that the existing legislation complies with the ILO Conventions No. 87, No. 98 and No. 151, as well as with the revised European Social Charter. Especially the current status of

the two laws (2821 and 2822), which impose significant restrictions on workers' organization, trade union activities, and union eligibility for collective bargaining, has been a matter of concern constantly brought up in almost all official EU documents that addressed the conditions of working life in Turkey.¹⁹

- 46 Several legislative changes took place since Turkey was recognized as a candidate for membership. In this regard, the adoption of a new law that regulated the issues of unionization of civil servants (No. 4688) and of the law on the Establishment and Functioning of the Economic and Social Council (No. 4641) in 2001, as well as the enactment of a new Labor Law (No. 4857) in 2003, should be mentioned. In addition, numerous laws and bylaws came into force to bring the existing legislation in line with the EU directives, especially in the fields of labor law (including new regulations on annual paid leave, working times, the Wage Guarantee Fund to protect employees in cases of bankruptcy, child and adolescent labor, the obligations of employers to inform and consult employees, part-time employment, fixed-term contracts), occupational health and safety, combating discrimination, and equal opportunities for men and women (MoLSS, n.d.). Turkey also promised to take steps in the fields of employment policy, the European Social Fund, social inclusion, social protection, reducing the scope of informal economy and undeclared work, prevention of child labor, and parental leave, as these issues were often mentioned in the Regular Reports (NP 2008).
- 47 Other than these legislative changes, several projects have been initiated to meet the main goals of the European Employment Strategy, which include women's participation in the labor market, employment of young people, enhanced investment in human capital, raising employment rates at all levels of education, and ensuring better functioning and coordination between labor market mechanisms and social protection institutions to facilitate the employability and social integration of disadvantaged persons. One important endeavor in this regard is the preparation of a Joint Assessment Paper of Employment Policy Priorities (JAP). Since 2003, Turkish authorities have been working on drafting JAP, which is expected to provide a general picture of the employment situation in Turkey and highlight challenges and priorities to guide employment and labor market reforms. One of the key priorities addressed in the JAP is to ensure that wage developments, the wage formation system and tax-benefit systems are employment-friendly. Moreover, in line with the European Employment Strategy, the employment policy in Turkey is geared towards promoting a more proactive and preventive approach to employment in order to reinforce social cohesion and inclusion, promote equal opportunities, modernize labor markets, and ensure the availability of resources for human capital investment and social infrastructure (Kintzele 2003).

Social Dialogue

- 48 In addition to above-mentioned developments, the government took several steps to enhance social dialogue between the government, employers, workers and other civil society organizations.
- 49 The weakness of social dialogue in the Turkish context is well-documented (for a recent assessment, see Koray and Çelik 2007). Despite the existence of numerous mechanisms and institutions²⁰ that serve as official communication channels between government authorities and civil organizations, these channels are plagued with serious shortcomings as far as a genuine, constructive social dialogue is concerned. The lack of

culture of cooperation between the government and civil organizations gave way to a more centralized dialogue process in which decisions are made in a top-down fashion and non-governmental elements are allowed a very limited space to voice their demands and articulate their interests (Parissaki & Vega 2008: 34).

- 50 Moreover, bi- and tri-partite social dialogue mechanisms are significantly undeveloped at the local, sectoral and enterprise levels.²¹ Moreover, social partners remain too weak to establish a healthy dialogue for various reasons: the existence of a large informal sector; a widespread family-based business structure which discourages workers from joining unions to defend their common interests; a heavily centralized administrative system which makes social partners dependent on the government for taking measures and developing strategies; and a lack of awareness among social partners about EU legislation and trends in the field of social policy and employment (*ibid*).
- 51 In the new labor law adopted in 2003, the importance of social dialogue was emphasized, and national-, regional-, and sectoral-level mechanisms were envisaged to further enhance and improve existing social dialogue practices. Especially with the establishment of the Tripartite Consultation Board, it became an obligatory task for the Ministry of Labor and Social Security (MoLSS) to consult representatives of workers and employers about issues concerning working life. More importantly, the revitalization of the *Economic and Social Council* (ESC) in 2001, which was first established in 1995 as a part of the effort to join the EU, should be regarded as the most important institutional development in the field of social policy as far as the trade unions' possible influence on economic and social policies is concerned.²² Although it is designed as a consultative body to achieve the objective of establishing social reconciliation and cooperation in the planning process of social and economic policies, its structural deficiencies, especially the predominant position of the government, continue to undermine its role as an efficient and productive consultative organ.
- 52 While the EU regarded the re-establishment of the ESC favorably as a useful forum for consulting social actors to discuss economic and social policy, it also emphasized the fact that the Council did not form an adequate basis for an autonomous tripartite social dialogue. In successive Progress Reports since 2001, the Commission called for more amendments in the law in order to create a more efficacious venue for consultation of employers and trade unions organizations, especially on labor issues. It was clear in these reports, as well as other official documents, that the development of free and genuine social dialogue was deemed by the EU a necessary step for Turkey to broaden the scope of trade union rights and freedoms, especially to eliminate restrictive provisions relating to the right to strike and to collective bargaining. Moreover, the Commission emphasized the importance of developing and strengthening bipartite social dialogue (especially in the private sector), and underscored the necessity of enhancing the social partners' capacity to assume the roles they would play in the future at EU level. For this purpose, the Progress Reports urged the private sector, public authorities and social partners to show their commitments to social dialogue and take necessary measures to remove obstacles (EC 2003: 89; EC 2004: 112).
- 53 In order to address these criticisms, at the March 2005 meeting of the ESC there was a renewed effort to address the structural deficiencies of the organization. ESC members reached a consensus on drafting a new founding statute for the organization which aimed to reduce the weight of the government while social groups – not necessarily limited to the representatives of workers and employers – could find more venues to

voice their demands. Moreover, it was agreed that the Council met at least four times a year, and that representatives of each member social organization in the ESC would become the chair and vice-chair in rotation. This way, it was aimed that the ESC would assume a more constructive role in establishing and strengthening social dialogue (Koray & Çelik 2007: 402-405). Yet, at the time of writing, this draft legislation is still pending.

- 54 Finally, the government also undertook several social dialogue projects, often supported by the EU, as a part of the effort to enhance social dialogue in Turkey. One of these projects, “Strengthening Social Dialogue for Innovation and Change in Turkey”, aimed at facilitating the process of legislative alignment in the field of 'Social Policy and Employment' and strengthening active and autonomous bi- and tri-partite social dialogue by enhancing the institutional capacity of social partners and public authorities (Treasury 2006). To this end, the project undertook several tasks: creating databases and measurable indicators to adequately monitor the development of social dialogue; setting up thematic work groups with representatives from the MoLSS, trade unions and employers' organizations;²³ and disbursing grants to civil society organizations to support innovative activities that would focus on the development of social dialogue on issues such as working conditions, flexible employment, capacity development for social partners, different forms of employee representation, social dialogue in the public sector, youth employment, poverty alleviation, and social inclusion (Treasury 2006; SDMWG 2007).
- 55 All in all, important steps have been taken by the government as a response to the mounting pressure from the EU for labor rights and freedoms in Turkey. Undoubtedly, these developments were the aspirations of organized labor in Turkey for decades. At this critical juncture, these aspirations overlapped with the requirements of EU membership. I will discuss the possible implications of these developments in the final section of this paper, yet at this point it is necessary to underline that the introduction of legal changes and institutionalization of practices such as the social dialogue have begun to change the ways through which state-labor-capital relations take place. While new laws and regulations create a new legal environment in which workers can enjoy new rights and protections, they also find themselves in a more favorable situation to more powerfully – and effectively – voice their demands. In the following section, we will see how the EU process helps Turkish trade unions realize this potential not only through pressing for change in the legal and institutional environment, but also through making available new communication and solidarity channels with the European labor movement.

A New Life for the Labor Movement in Turkey

New Opportunities

- 56 One can observe that despite having adopted in the past nuanced views on Turkey's membership to the EU, Turkish trade union confederations seem to be converging in their support for the EU accession process to the extent that the process contributes to the improvement of working conditions, employment security, and labor rights and freedoms in Turkey.²⁴ Regardless of their past and present ideological orientations, confederations and many of their constituent unions began to utilize the newly available opportunities more vigorously. For instance, trade union confederations

could find the opportunity to establish more intense contacts with the government and employer representatives during regular meetings at the ESC or the Tripartite Consultation Board, which conferred them more space to participate in the policy formulation processes. In addition to having their voices heard in these settings, trade unions and confederations intensified relations with employers by utilizing bi-partite social dialogue mechanisms. In such areas as vocational training, technological upgrading, environmental issues, elimination of child labor, effective implementation of labor laws, health and safety at the workplace, and, in some instances, wage related issues, representatives of trade unions and employers began to develop and benefit from new communication and negotiation channels (SDMWG 2007). As mentioned above, EU financial support for enhancing and institutionalizing these social dialogue initiatives bore fruit as projects carried out jointly by the unions, employer organizations and public authorities. In these projects, significant steps were taken to utilize and institutionalize social dialogue mechanisms and devise communication channels between the parties in resolving such issues as improving working conditions for women,²⁵ the effective implementation of labor laws,²⁶ consultation with and informing of workers,²⁷ vocational training, and fighting unemployment.

- 57 Trade unions and confederations also organized conferences, workshops and other types of meetings for their members and the general public to raise awareness on the potentials of the EU membership process for the improvement of labor rights and freedoms in Turkey. These conferences became important venues for the Turkish unionists to meet and exchange ideas with political party representatives, government officials and employer representatives, as well as unionists and officials from Europe, to discuss important matters, including European social models, labor laws, trade union rights, occupational health, and gender equality at work.²⁸ Also, as part of this endeavor, numerous books and other print material were published – including translations of European texts into Turkish – to draw attention to different dimensions of the EU accession process and possible membership. These topics included labor law, European Social Dialogue, trade union rights, social exclusion, gender equality, occupation health.²⁹

Strengthening Solidarity with the European Labor Movement

- 58 The EU process also opened up a new space for trade unions to enhance their international relations and solidarity with labor organizations in Europe. This way, existing venues of struggle for the improvement of working conditions and labor freedoms in Turkey have been supplemented with the support from European trade unions. It is interesting to observe that numerous trade unions in Turkey, regardless of their ideological orientation or their parent confederations' position on the EU, seem to be a part of this growing trend of intensified relations and exchanges with European labor organizations. Today, a considerable number of unions maintain contacts with their European counterparts in one way or another. They often participate in the regular meetings of the European industry federation with which they are affiliated. In numerous sectors, but especially in chemicals, petroleum, textiles, and metal, Turkish trade unions either initiate or participate in joint workshops, education seminars and conferences, which bring together trade unionists and experts from different countries to focus on important themes in the European Industrial Relations system.³⁰ Themes such as effective utilization of social dialogue mechanisms, union strategies in

industrial relations, free movement of labor, international solidarity among unions, unionization of public employees, consequences of privatization, and others are often pursued in these meetings.³¹ Moreover, trade unionists and experts from European industry federations often make presentations to share experiences about the development of social policy in the EU or about the activities undertaken by labor organizations in Europe.³² Also, trade unionists from Turkey pay visits to European trade unions in order to observe and gather information about their activities.³³ Thanks to all these new venues, Turkish unions could find the opportunity to inform their European counterparts about the labor situation in Turkey in terms of restrictions on organization, collective bargaining, striking, and other issues related to trade union rights and freedoms.³⁴

- 59 More importantly, European trade unions and sector federations have become more involved in industrial conflicts in Turkey and offered their support to Turkish unions in strikes and other activities.³⁵ Particularly in those globally connected sectors, including textiles, maritime, chemicals, petroleum and metal sectors, more intensified cooperation between Turkish and European trade unions can be observed. Unions organized in the above-mentioned industrial sectors in Turkey often inform their European counterparts and their parent European industrial federations about ongoing industrial conflicts with their employers, who are often subsidiaries of a parent multinational company headquartered in one of the EU member countries.³⁶ When they receive these complaints, trade unions organized in these companies begin pressuring their employers to become actively involved in resolving the conflicts in Turkey, which are often settled in terms favorable to the Turkish workers.³⁷ In other instances, trade unions in Turkey often appeal to their parent European industrial federation to exert pressure on the Turkish government as well as on the EU officials to pay particular attention in the negotiation process to the issues of trade union rights and freedoms, unfair dismissals of workers who are denied fair legal procedures, and harassment and arrest of unionists, as well as other social and democratic rights.³⁸
- 60 Finally, trade union confederations in Turkey further developed their relationships with the ETUC, which has always showed its support for Turkey's membership in the EU and carried the voice of the labor movement in Turkey to the EU.³⁹ In addition to supporting union activities in Turkey, the ETUC has also played a significant role in facilitating the relations between Turkish trade union confederations and their counterparts in the EU member states. It has actively been taking part in the organization of workshops and conferences to support trade unions in preparing for their prospective roles when Turkey becomes a member of the EU. Moreover, the ETUC initiated the establishment of the "EU-Turkey Trade Union Coordination Commission" which assumes responsibility for providing the Turkish trade union confederations with information and documentation about the EU, the European labor movement, and the activities of other social partners that operate at the EU level. By providing this technical assistance, the Coordination Commission helps the Turkish labor movement to become well-informed and more effective in the formulation of social and economic policies and labor legislation in the process of EU accession. For this purpose, the Commission has organized meetings and published numerous books and other educational materials for the use of Turkish unionists.⁴⁰
- 61 As a part of its effort not only to extend the cooperation between workers' organizations at the national and confederal level between Turkey and the EU, but also

to help both Turkish and European workers overcome their prejudices against each other, the ETUC has recently initiated a big, long-term project, “Civil Society Dialogue: Bringing Together Workers From Turkey and European Union Through A Shared Culture”, which brought together three trade union confederations in Turkey with fifteen European confederations (member of six European industry federations). The project, which is funded by the EU and still ongoing at the time of writing, aims to strengthen relations between the trade unions of Turkey and trade unions of EU member states “with a view to ensure a better knowledge and understanding of one another, and an awareness of the opportunities and challenges of future enlargement.”

⁴¹ In order to fulfill its objective of “bringing together workers from different backgrounds and cultures and with different lives, with the aim of enabling them to understand each other”, conferences and educational seminars (both in Turkey and European countries) are organized with the expectation of participation by almost a thousand participants, who are primarily members of trade unions organized in several occupational sectors – both in Turkey and Europe – including education, health, local administrations, energy, office workers, metalworkers, food, textiles, transport.⁴²

- 62 All in all, trade unions and confederations in Turkey began to enjoy significantly enhanced union activity and robust cooperation with the European labor movement in the process of accession to the EU. At all levels – union, federation, confederation – the Turkish labor movement could establish new channels of solidarity with organized labor in the EU member states, especially as the Turkish economy became more enmeshed with the European regional economy in the last two decades and the labor conditions in Turkey began to be a matter of concern for European labor. In this regard, the membership process and intensified relations with the EU opened up new possibilities for organized labor in Turkey, which gave the latter novel channels to express its demands at an international platform and use this platform to pressure the Turkish government to take the necessary steps to improve working conditions, union rights and other collective freedoms.

DISCUSSION

- 63 This paper aimed to highlight new developments with regard to employment, working conditions, and the implementation of workers’ collective rights and freedoms in the EU, and focused on Turkey’s membership process to illustrate possible positive implications of these developments on candidate countries. It did not, however, attempt to survey the ever-growing literature which regards social policy as a “stepchild” of European integration and argues that it is currently losing its importance as a policy priority in the EU. Nor did the paper problematize the issue of whether the emerging neo-corporatist structure in Europe, which embraces “social dialogue” as its primary vehicle for achieving the “Social Europe” ideal, indeed pacifies the labor movement and takes away its previous achievements in regards to rights, freedoms and bargaining power.
- 64 These skeptical assessments echo some of the developments in Turkey, too. For instance, although legal changes in the field of labor have clearly improved working conditions and expanded the sphere of rights of workers individually (in areas such as occupational health, safety, information and consultation, unemployment insurance schemes, etc.), it is still too early to evaluate these legal changes and social dialogue

projects in terms of their impact on wage levels, union membership, and other collective rights. The fact that it is hard to come up with solid evidence as to whether these unions have found new bargaining power through their “dialogues” feeds suspicions about the usefulness of importing EU laws and practices into the domain of Turkish labor.

- 65 Along similar lines, the observation that the overwhelming majority of social dialogue projects supported by EU grants have been undertaken by the government-friendly HAK-İş confederation and its member unions also provokes criticism of the EU process. HAK-İş's position is not surprising and can partly be explained by the fact that, both of them being moderate Islamists, the organic ties between the ruling AKP government and HAK-İş confederation contribute to the calm nature of current industrial relations in Turkey. In accordance with the transformation of the Islamist movement in Turkey (from a position radically rejecting modernization and Europeanization as the source of all evil to the Islamic community, to embracing these processes as a strong impetus for human rights, freedom of thought and expression, and the institutionalization of democratic values in Turkey), HAK-İş, too, has become a strong supporter of the EU, and saw no harm in benefiting from newly available opportunities from the EU side. On the other side of the coin, since its foundation, HAK-İş has adopted a particular view on worker-employer relationship which emphasized “cooperation” and “common interests” rather than “conflict” (Kilic 2005). This stance resonated well with the emphasis by the EU on “social dialogue”, although HAK-İş has often preferred to adhere to the most “domesticated” interpretation of social dialogue in its encounters with the government and employers. In the face of these developments, many observers – understandably – raised their eyebrows to the HAK-İş's enthusiasm in embracing social dialogue mechanisms and receiving the lion's share of EU grants disbursed through government mechanisms, and questioned the overall effectiveness of the EU process on the Turkish labor movement as a whole.
- 66 Although these observations and assessments do offer valuable – and sometimes accurate – insights about the complicated course of the Europeanization of industrial relations and its impact on the Turkish labor movement, they do not necessarily contradict the picture depicted in this article. In other words, in those countries such as Turkey, where the labor movement considerably suffers from the inability to defend workers' rights and freedoms, the prospect of EU membership offers new venues and instruments to strengthen the position of labor vis-à-vis the strong state and globalized capital. True, the power of unions depends on many other variables, but one can extrapolate from the experiences of European trade unions that the availability of new institutional channels and institutionalization of practices transcend industrial relations as we know them and opens up a new space for a continuous struggle in which unions can fight for workers' interests. While it is the responsibility of unions to devise new methods and strategies, the new spaces and instruments available to them are also important in themselves.
- 67 As the examples in this paper demonstrate, Turkish trade unions with opposing views on Turkey's membership to the EU began to benefit from the legal changes (which could be carried out thanks to the pressure from various official EU institutions and civil society organizations) and from vigorous interaction with their European counterparts in the accession process. Even more importantly, the membership process has provided a significant motivation to the Turkish labor movement to overcome its

internal cleavages, ideological divisions and disarray that have so long plagued it. Thanks to the prospect of membership, unions affiliated with different – and deeply hostile – confederations began to establish closer ties in joint projects, seminars, workshops and other activities, which are often organized either by the EU institutions or by trade unions and confederations in Europe.⁴³ In several sectors, one can not help but observe the nucleus of a more intensified cooperation on such critical matters as organization in the workplace, which is often a major source of conflict and division between different trade unions.⁴⁴ Whether this and other forms of union collaboration that cut across ideological rifts can move beyond discrete anecdotal events, and point to the evolution of a more stable, permanent and institutionalized set of relations in the highly fragmented labor movement is yet to be seen. However, as the number of these instances increases, and as they are more propped up by legal changes that offer a more favorable environment for working life and labor activism, it is highly likely that the outcome will strengthen the hand of the Turkish labor movement in its effort to improve the rights, freedoms, and livelihoods of working populations.

- 68 One should, of course, be cautious not to suggest that these favorable developments observed in the candidate countries are the natural outcome of the EU accession process, and that they would have inevitably come about no matter how the process had unfolded. True, the prospect of membership and the accession process make new options available for organized labor to make its voice heard and to struggle for its demands. Yet, it is only when trade unions and confederations vigorously embrace these newly available institutions, legal schemes, and practices that they can formulate novel strategies of struggle and pressure governments and employers for the improvement of labor conditions. In this regard, the EU membership process is no silver bullet that is going to solve all the problems workers face, but it only provides the labor movements of candidate countries a new site with novel tools and strategy options through which they can claim their rights. If utilized wisely, such an interaction between the national and supranational levels of organized labor may contribute to the restoring of the legitimacy, credibility and strength of trade unions as societal actors in Turkey, and can compensate for their loss by reinvigorating their political power through supranational connections.

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NOTES

*. Social Policy Forum, Bogazici University, Istanbul. The author would like to thank Brian Mello and the anonymous reviewer from EJTS for their valuable comments on the earlier version of this paper.

1. "Europeanization of Industrial Relations", which focuses primarily on the changing relations of state, capital and labor at the European level, has emerged as a young yet robust field in the European Industrial Relations literature. For an overview, see Agartan 2007.

2. A notable exception is Finbow (2006).

3. For an overview of the evolution of employment policy in the EU, see Gold (2009).

4. Indeed the growing number of EWCs established in MNCs in Europe began to bear fruit through *European Framework Agreements* (EFAs) between the employees and management of these MNCs. These joint texts cover a wide variety of issues (company restructuring, social dialogue, health and safety, human resources management, sub-contracting, fundamental rights, equal opportunities, training, and the line) and can have multiple signatories (trade unions, EWCs, European industry federations). EWCs particularly assume significant responsibilities in the implementation or monitoring of these agreements (Leonard *et al.* 2007: 62-63)

5. For an overview of the evolution of the EES.

6. Currently, the ETUC has in membership 82 National Trade Union Confederations from 36 European countries, as well as 12 European industry federations, making a total of 60 million members. In addition, ETUC coordinates the activities of the 44 IRTUCs (Interregional Trade Union Councils), which organize trade union cooperation at a cross-border level (ETUC 2009a).

7. For the official history of EU-Turkey relations, see http://ec.europa.eu/enlargement/candidate-countries/turkey/eu_turkey_relations_en.htm (Accessed: September 19, 2009).

8. According to the political criteria adopted by the Copenhagen Council in 1993, “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.”
9. This long list of issues included: the limited scope of the revised Labor Law; restrictions on setting up trade unions; not ratifying several ILO conventions and the revised European Social Charter, especially those relating to right to organize, collective bargaining, and strike; insufficient progress in fighting against child labor; and the deficient structure and functioning of the Economic and Social Council that diminishes the representation of the interests of labor and other civil society organizations to create the conditions for a genuine social dialogue. The reports were critical for the slow progress in other areas, too, including occupational health; organization of working time and part-time work; equal treatment of men and women at workplace; promoting workers’ participation and information/consultation at the company level; setting up unemployment insurance schemes; development of bi-partite social dialogue at enterprise level; promoting social inclusion; developing a national employment strategy in line with that of the European Employment Strategy; and transposing the directives regarding European Works Councils and European Company Statute. Regular Progress Reports can be reached at: <http://www.abgs.gov.tr/index.php?p=123&l=2> (Accessed: September 19, 2009)
10. Accession Partnership Documents can be reached at: <http://www.abgs.gov.tr/index.php?p=123&l=2> (Accessed: September 19, 2009).
11. The Negotiation Framework is available at: <http://www.abgs.gov.tr/index.php?p=123&l=2> (Accessed: September 19, 2009).
12. The Screening Report for chapter 19 is available at: <http://www.abgs.gov.tr/index.php?p=84&l=1> (Accessed: September 19, 2009).
13. Interview with A. Ercan Su, expert, E.U. Coordination Department, Ministry of Labor and Social Security, July 2, 2009.
14. The members of the Turkish side of the Committee include TOBB (The Union of Chambers and Commodity Exchanges of Turkey), TİSK (Turkish Confederation of Employer Associations), TÜRK-İŞ (Confederation of Turkish Trade Unions), HAK-İŞ (The Confederation of Turkish Real Trade Unions), KAMUSEN (Turkish Confederation of Public Workers’ Associations), TZOB (Union of Turkish Chambers of Agriculture), and TESK (The Confederation of Turkish Tradesmen and Craftsmen).
15. For instance, in a joint report issued following a meeting in Paris on 18-19 November 2008, The JCC stated that the existing laws that regulate issues concerning trade unions, collective bargaining, strike and lock-out, and the unionization of public employees were not adequate to meet the ILO standards or EU membership requirements, and urged for urgent and resolute steps in the improvement of trade union rights (JCC 2008).
16. In 2008 alone, some 540 million Euros have been earmarked for the Instrument for Pre-accession Assistance, a newly designed financial assistance instrument for pre-accession aid which brought all pre-accession support into one single instrument (EC 2008).
17. Especially significant among the projects related to employment and human resources development was the “Strengthening of Social Dialogue” project, administered by the Ministry of Labor and Social Security (MoLSS) in 2006. See “Accession Negotiations: Chapter 19 Social Policy and Employment,” Secretariat General for EU Affairs, Available at: <http://www.abgs.gov.tr/index.php?p=84&l=1> (Accessed: September 19, 2009). Details of this project will be discussed below.
18. National Action Programs are available at: <http://www.abgs.gov.tr/index.php?p=194&l=2> (Accessed: September 19, 2009).
19. To tackle this issue, MoLSS initiated the process of drafting a new bill to amend the existing laws in 2003. Following the preparatory work completed by the Scientific Committee in 2004, a

draft text was introduced to the representatives of employers and of workers in the Tripartite Advisory Council meeting in 2007. In April 2008, after long negotiations, all the three parties reached a consensus on the finalized draft, which envisaged significant improvements in the existing legislation, such as revoking the notary requirement for initiation and termination of trade union membership, reducing the thresholds for unions to be eligible for collective bargaining and agreement, reducing the number of sectors, and making it more difficult for governments to postpone strikes. The draft bill was sent to the National Assembly to be finalized in the form of a new act to amend the existing laws. However, for reasons which remain a mystery to date, the Council of Ministers never brought the bill to the Assembly for a vote. Instead, a group of representatives in the National Assembly (all of whom were members of the ruling party) submitted a proposal for amending the existing laws, which was, however, different than the text on which a consensus was reached during the 2008 negotiations. The failure of the government in carrying the process further was strongly criticized by the Turkey-EU Joint Consultative Committee in its 2008 meeting (JCC 2008). At the time of writing, no further negotiations were being held between the government and the representatives of workers and employers, and the draft legislation is still pending.

20. Some of these institutions include the Labor Council, Economic and Social Council, Tripartite Consultation Board, Minimum Wage Committee, Supreme Arbitration Board, Unemployment Insurance Fund Management Board, High Consultation Board of Social Security, Employment Board, Apprenticeship and Vocational Training Board, Consumer Council, and Labor Market Information and Consultation Board.

21. For instance, the current legislation significantly limits the role and competence of trade unions and confederations at the sectoral level. Trade unions cannot engage in collective bargaining at sectoral level: only confederations of trade unions have the right to negotiate collectively at national level with the government (Oke & Güray 2007: 4). One exception to this is that some forms of employer-worker dialogue and cooperation have been taking place over the past decade regarding vocational education, occupational health and safety and training in some industries, such as construction, metalworking, cement, glass, and textile (SDMWG 2007: 36-38).

22. When first established, 14 out of 23 members of the ESC were public officials (ministers, undersecretaries, etc.) whereas workers were represented only by two members and employers were represented by five members (Çetik & Akkaya 1999: 221). As a result of the unstable political environment in Turkey during the 1990s, the ESC's composition changed each time a new government took office (Koray & Çelik 2007: 402-405).

23. Thanks to regular and intense meetings, the members of these groups could not only to learn from the experiences of European countries, relate these experiences to the Turkish case, and formulate joint opinions and policy proposals on several issues, but also experienced an opportunity to embrace the culture of cooperation through these social dialogue exercises.

24. The historical trajectory of changing ideological positions taken by Turkish trade union confederations in regards to Turkey's membership has been studied extensively. See especially Doğan (2003), Yıldırım & Haslak (2007), Yıldırım *et al.* (2008) and Alemdar (2009).

25. Especially important in this regard is the "Improving the Working Conditions of Women Working in the Textile Sector through Social Dialogue" Project carried out by Öz-İplik Is (Real Trade Union for Workers in Weaving, Knitting and Garment Industry) in 2006-2007. See <http://www.oziplikis.org.tr/tr/proje/>

26. In 2006-2007, a joint project conducted by the employers' union (TISK) and HAK-İŞ aimed to develop bi-partite social dialogue mechanisms that brought employers and workers in selected cities to oversee the successful implementation of labor law (HAK-İŞ nd: 9-16).

27. As a part of the "Strengthening Social Dialogue for Innovation and Change in Turkey" Project in 2006, workers and officials in the Municipality of Konya, local branches of Employment Agency and Ministry of National Education, and several civil society organizations jointly carried out a

tri-partite social dialogue project which aimed to develop worker consultation and information mechanisms within the municipality, in an attempt to create a prototype for the implementation of the European Works Councils Directive in Turkey (HAK-İş nd: 19-28)

28. One such conference, titled “European Social Model and Trade Union Rights in the Process of EU-Turkey Negotiations”, was organized by Belediye-İş (the union of municipality workers) in September 2005.

29. Books published under the “Adaptation to the EU” series by Belediye-is trade union are of particular importance in this regard. See, Selamoğlu & Lordoğlu (2006), Koray & Çelik (2007), Gülmez (2006, 2009), Ertürk (2008).

30. For instance, Belediye-İş, Petrol-İş (Petroleum, Chemicals, and Rubber Industry Workers' Union of Turkey) and Oz-Iplik Is have actively participated these activities over the past decade.

31. For instance, Petrol-is and Kristal-is (Glass, Cement, Ceramic and Soil Industry Workers' Union of Turkey) unions participated the “Cooperation in Chemical and related industries in regards to industrial relations and social dialogue” workshop, organized by the Confederation of Bulgarian Chemical and Industrial Workers, and the Federation of Bulgarian Chemical Industry Workers, in April 2008 in Sofia. Similarly, in June 2008, KESK (Confederation of Public Employees Trade Unions) hosted an international conference on “The role of social partners and industrial relations on the privatization of public services and enterprises”, attended by the Italian Confederation of Trade Unions (CISL), SindNova (Italy), The Confederation of Labor Podkrepa (Bulgaria), and the Confederation of Independent Trade Unions in Bulgaria.

32. The activities of the European Mine, Chemicals, and Energy Workers' Federation (EMCEF) are particularly noteworthy in this respect. Turkish trade unions which are members of this federation (especially Petrol-İş, Tes-İş, Kristal-İş, and Lastik-İş) have often benefited from the joint programs, seminars and workshops organized by the federation.

33. Oz Iplik-Is participated in an education seminar organized by ETUF:TCL (European Trade Union Federation of Textiles, Clothing and Leather) in Bucharest in 2007, where trade unions from Greece, Bulgaria and Romania shared their own experiences as former candidates to the EU. In another instance, Oz-iplik Is attended a meeting in Barcelona in May 2008, when ETUF:TCL convened member unions to share their experiences in issues such as wage setting, working hours, training and flexible working (Interview with Pinar Pehlivanoğlu, international relations expert, Oz-İplik Is Union, June 30, 2009, Ankara).

34. For instance, in the 2005 ETUC Annual Meeting, trade union confederations from Turkey were brought together in a separate meeting with European industry federations where they could discuss in detail the problems the labor movement faces in Turkey (Interview with Zeynep Ekin Aklar, international relations expert, KESK, July 1, 2009, Ankara).

35. For instance, in May 2006, IG Metall supported TEKSİF (Textile, Knitting and Clothing Industry Workers' Union of Turkey) in the strike against the dismissal of their members and demanding collective agreement in the Turkish subcontractors of an American textile firm. See “Paxar İşçisine Uluslararası Destek,” *Sendika.org*, 26 May 2006.

36. Support from the European Textile Workers Federation and other trade unions for the dismissed textile workers (because of joining the Teksif Union) in DESA and MENDERES TEKSTİL companies in 2009 should be particularly mentioned. See “Menderes Tekstil İşçisinden Eylem”, *Cumhuriyet*, 18 September 2008

37. Indeed, this form of cooperation has recently become a very effective strategy, especially in the textile sector which most Turkish companies serve as subsidiaries of bigger textile companies in Europe (Interview with Sedat Kaya, International Relations Expert, Teksif, June 25, 2009, Istanbul).

38. For instance, the president of EMCEF (European Mine, Chemical and Energy workers' Federation) sent a letter in June 2006 to the State Minister responsible for the EU Affairs, in which he demanded that the Turkish government immediately undertook the necessary legal

alignment with the EU *acquis* on the problematic issues of removing the restrictions regarding unionization, collective bargaining, right to strike and other union rights, and bringing the existing legislation in line with the requirements of the ILO and European Social Charter. Interview with Riza Kose, International Relations Expert, Petrol-is, June 25, 2009. Similarly, in 2005, and later in 2007, KESK could mobilize its European and other international partners on the issue of the closure of Egitim-Sen, a member trade union of teachers and other education workers, on the grounds that Egitim Sen refused to remove from its founding statute the statement "...the defense [of the right] of individuals to receive education in their mother tongue", which was claimed to be against the Turkish Constitution. ICFTU (International Confederation of Free Trade Unions), ETUC and Olli Rehn (EU Enlargement Commissioner) sent letters to the President, Prime Minister and other members of the Council of Ministers in Turkey, to protest the trial, and demanded immediate action to strictly adhere to international and European labor and trade union rights (KESK 2008; ETUC 2008). More recently, in May 2009, in response to the call from KESK, EPSU (European Public Servants' Union) and ETUC separately appealed to Olli Rehn and the President of Turkey indicating their concerns about the twenty-four detained trade unionists (KESK 2009).

39. For instance, in November 2004, the secretary general of the ETUC visited the prime minister, and demanded that the government take the necessary steps to raise democratic standards for ensuring full compliance with the EU *acquis* and to bring the existing legislation into line with ILO conventions and the European Social Charter by recognizing the main rights of trade unions and associated fundamental freedoms. See "AB'den 'sendikal haklara dikkat' uyarısı" *Radikal*, 3 November 2004. Similarly, in 2009, when negotiations on the "Social Policy and Employment" chapter were about to begin, the ETUC sent a letter to Olli Rehn, drawing attention on the necessity of pushing Turkey to take steps in removing the existing restrictions on trade union rights, including right to strike and collective bargaining, and on the unionization of public employees. See "AB Türkiye'deki sendikal hakları takibe aldı," *Time Turk*, 3 Nisan 2009.

40. See especially Gülmez (2003), Okcan (2003), Yıldız (2003). The Commission has also been very active in translating books and pamphlets published by the European Trade Union Institute (ETUI). See Jacobsen *et al.* (2006), Vogel (2004), ETUI (2005).

41. "Aims", Civil Society Dialogue Project Website, http://workers-together.org/index.php?option=com_content&task=view&id=12&Itemid=33 (Accessed: November 3, 2009).

42. "Training Seminars," Civil Society Dialogue Project Website, http://workers-together.org/index.php?option=com_content&task=view&id=20&Itemid=30 (Accessed: November 3, 2009).

43. As an example, four Turkish trade unions of different confederations organized in the textile sector jointly attended a series of meetings jointly organized in 2008 by the ETUF:TCL, Euratex (The European Apparel and Textile Organization), and Cotance (The Confederation of National Associations of Tanners and Dressers of the European Community) in order to enhance the capacity in sectoral social dialogue between textile trade unions in the newly admitted or candidate countries. In order to improve the working conditions in the sector, these four Turkish unions came together to form a taskforce ("social dialogue committee") and drafted an action plan that addressed issues of informal sector, unfair competition, and vocational training, and presented this plan to the rest of the participants of these meetings (Interview with Pinar Pehlivanoglu).

44. One such example can be given from the textile sector. Four trade union confederations, TÜRJ-İŞ, HAK-İŞ, DISK, and KESK, joined by the Trade Union Association of Germany (DGB), signed a joint declaration in April 2008 in which they expressed their willingness to cooperate for improving the standards of working conditions and trade union rights in the process of Turkey's accession to the EU (Interview with Zeynep Ekin Aklar). In another instance, on 28 January 2008, four Turkish trade unions - members of rival trade union confederations - organized in the textile sector reached an agreement among themselves. According to this compact, the four

unions agreed to cooperate – rather than compete – in organizing in their sector. Receiving the support of the European Commission and of the European federation organized in the textile industry (ETUF-TCL), the four unions divided the enterprises they wished to organize in and pledged to cooperate in solidarity for two years and not interfere with each others' organizing activities (Interview with Pinar Pehlivanoglu; Interview with Sedat Kaya).

RÉSUMÉS

This article argues that regionalism carries an important potential to transform the environment in which organized labor struggles to improve the rights, freedoms and livelihoods of working populations. By examining developments in the social and employment policy fields in the European Union (EU) and the emergence of new supra-national venues of communication and cooperation for labor organizations at the national and European levels, the paper focuses on the experiences of organized labor in Turkey in the process of attempting to join the EU. It maintains that the emergence of organic ties with EU-level organizations and institutions during the course of the EU accession process has had a deep impact on the ways which Turkish trade unions transformed and strengthened their political agendas, organizational capacities, and mobilization strategies. The paper concludes that strengthening the interactions between national and supranational levels of organized labor may help restore the legitimacy, credibility and strength of trade unions as societal actors in Turkey, and can compensate for their previous decline by reinvigorating their political power through supranational connections.

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Keywords : European Union, Turkey, social and employment policies, trade unions

AUTEUR

KAAN AGARTAN

Ph.D., visiting fellow at *Social Policy Forum*, Bogazici University, Istanbul. Teaches part-time in Social Science Program at Providence College (USA). E-mail: kagartan@providence.edu