

STELLINGEN
Immigration Law and Policy:
The EU Acquis and Its Impact on the Turkish Legal Order
Türkan Ertuna Lagrand, 22 January 2010

1. On the one hand, the Turkish admission law and policy is very reminiscent of the Ottoman tradition of having open borders for anyone who wanted to enter; on the other hand, the restrictive rules on the residence of foreigners bear the symptoms of another era of Turkish history, one that corresponds to the foundation of the new Turkish Republic, when 'nation-building' was a primary concern.
2. The distinction between a citizen and a foreigner is very sharp in Turkish law, practice and mentality, which constitutes a complete contrast to the principles laid down in the Tampere European Council on approximating the legal status of third-country nationals to that of Member States' nationals.
3. The Turkish experience with the 'suitcase trade' - which is the small scale trading activity engaged mostly by nationals of Russia, the Ukraine, Georgia, Azerbaijan, Romania, Moldova and the Central Asian Republics characterized by the frequent visits into Turkey of the people engaged in this trade - can serve as an example for the EU of how circular migration movements can be managed.
4. The passport-free travel arrangements between Turkey and Syria and Iran for citizens of the relevant countries living in border areas can be adjusted to the local border traffic regime as established by the EU, as a result of which the historical arrangements would not have to be completely abandoned.
5. As long as the EU refrains from explicitly stating the end result of the accession negotiations, there is not much incentive for Turkey, to reroute its policies, such as issuing visas at border gates, which are economically beneficial for the country and which contribute to maintaining social and cultural ties with regions surrounding Turkey.

6. Full membership is the only acceptable result at the end of the Turkish accession process as 'privileged partnership' is what Turkey already has.

7. "People often see themselves in terms of whichever one of their allegiances is most under attack. When someone feels that his language is despised, his religion ridiculed and his culture disparaged, he is likely to react by flaunting the signs of his difference."

Amin Maalouf

8. The negative image cultivated by the Dutch media and politics of the 'Moroccan youth' is an attempt to safeguard the illusion of equality and to conceal the social problems faced by the economically disadvantaged classes of the Dutch society by externalizing a certain group, which is an integral part of that very society. (This thought is inspired by Noam Chomsky's suggestion that in the United States, class disparities are portrayed as racial differences by breaking down statistics about quality of life, life expectancy, etc. only by race.)

9. "In certain relations between enemies, there is too much emotion-too many psychological complications. Without trying to deal with them first, a graceful and systematic diplomatic effort will not take place. Certain specific and limited international problems can be dealt with and modified and non-violent coexistence between groups with different identities can be established by using psychoanalytically informed insights and techniques."

Vamik Volkan

10. Migration has woven the cultures, traditions and ways of life of millions of people from numerous different backgrounds into one profoundly complex ensemble which is the Turkish culture. The richness of the Turkish culture does not emanate from the ethnic purity of the Turkish people, but from the fact that the Turkish people are a unique blend of the Central Asian, Balkan, Caucasian and Middle Eastern ethnicities.

11. Bruce Dickinson's 'Friday Rock Show' is the best programme ever made for radio.