

THE NOMINATION OF MARY SHEILA GALL TO BECOME CHAIRWOMAN OF THE CONSUMER PRODUCT SAFETY COMMISSION

Mr. BIDEN. Mr. President, I rise today to express my serious concerns about the President's nominee to Chair the Consumer Product Safety Commission, Mary Sheila Gall.

The Consumer Product Safety Commission was created nearly 30 years ago with the mission of protecting our families from consumer products that pose serious health or safety risks. The Commission serves as the consumer advocate for our Nation's children, protecting them from potentially dangerous, and in some cases deadly, products. In short, the Commission is charged with saving lives, and it has done so with great success over the past several years. This success is based primarily on the advocacy role that the Commission has assumed in fulfilling its duties for America's families and children. And it is Ms. Gall's apparent opposition to this advocacy role that has given me serious concerns about her nomination.

As a Commissioner for the past ten years, Ms. Gall has opposed reasonable attempts to review questionable products and implement common sense protections for consumers. Perhaps the most troubling example of this trend has been Ms. Gall's record on fire safety issues. Ms. Gall opposed a review of upholstered furniture flammability and small open flame ignition sources, such as matches, lighters, and candles. In opposing the review, she stated that ". . . the benefits from imposing a small open flame ignition standard on upholstered furniture are overestimated."

With all sincerity, I doubt that the brave men and women who risk their lives every day fighting house fires in Delaware and throughout the Nation would agree with that assessment. Nor would they agree with Ms. Gall's decision to walk away from fire safety standards for children's sleepwear. In 1996, Ms. Gall voted to weaken fire safety standards that required children's sleepwear to be made from flame-resistant fabrics. Ms. Gall joined another commissioner in exempting from this standard any sleepwear for children less than nine months old, and any sleepwear that is tight-fitting for children sizes 7-14. I support the original standard, which worked for more than two decades before it was weakened by the Commission. And I have cosponsored legislation with my former colleague from Delaware, Senator Bill Roth, that called on the Commission to restore the original standard that all children's sleepwear be flame-resistant.

But it's not just her record on children's sleepwear and fire safety issues that concerns me about Ms. Gall. She has turned her back on children and families on a number of occasions, rejecting moderate, common-sense warnings and improvements dealing with choking hazards, bunk bed slats, and

crib slats. In some of these cases, Ms. Gall has even opposed efforts to merely review questionable products, to mention nothing about imposing regulatory standards to correct any potentially dangerous problems. For instance, Ms. Gall opposed a safety review of baby walkers that, according to the Commission, were associated with 11 child deaths between 1989 and 1994, and as many as 28,000 child injuries in 1994, alone.

This safety review brought to light ways to produce walkers that were safer for children, which were then used by manufacturers to develop a voluntary standard for producing a safer product. This voluntary standard was applied within the industry, and a media campaign followed to educate parents about the new, safer walkers that were entering the marketplace. The Commission has estimated that since the review process took place in 1995, injuries related to baby walkers dropped nearly 60 percent for children under 15 months of age, from an estimated 20,100 injuries in 1995 to 8,800 in 1999.

These statistics are proof that the Commission's role as child advocate produces results. But if Ms. Gall had her way, we would not have had a review of baby walkers at all. And without this review, it is unlikely we would have had the important voluntary standards that have protected thousands of children. If Ms. Gall is unwilling to even take the first step in reviewing potentially dangerous products, I question whether we can expect her to fulfill the Commission's responsibility as the Nation's child advocate.

I do not make this decision to oppose Mary Sheila Gall's nomination lightly. I have long recognized that the President should generally be entitled to have an administration comprised of people of his choosing. While his selections should be given considerable deference, that power is nonetheless limited by the duty of the United States Senate to provide "advice and consent" to such appointments.

Throughout my tenure in the Senate, I have supported countless nominees for Cabinet and other high-level positions, including many with whom I have disagreed on certain policies. But I have also cast my vote against confirmation when I have become convinced that the nominee is not suitable to fill the role to which the person was nominated. I have reluctantly reached the conclusion that this is one such case. It is one thing to serve as a commissioner, as Ms. Gall has done these past ten years. But serving as chair of this important Commission is a very different role. As such, I strongly urge my colleagues on the Senate Commerce Committee to oppose Ms. Gall's nomination as Chairwoman of the Consumer Product Safety Commission. To put it simply, there is nothing less than children's lives at stake.

LOCAL LAW ENFORCEMENT ACT OF 2001

Mr. SMITH of Oregon. Mr. President, I rise today to speak about hate crimes legislation I introduced with Senator KENNEDY in March of this year. The Local Law Enforcement Act of 2001 would add new categories to current hate crimes legislation sending a signal that violence of any kind is unacceptable in our society.

I would like to describe a terrible crime that occurred July 8, 1994 in Reno, NV. A gay man, William Douglas Metz, 36, was stabbed to death. A self-proclaimed skinhead, Justin Suade Slotto, 21, was charged with murder. Slotto allegedly went to a park with the intent of assaulting gays.

I believe that government's first duty is to defend its citizens, to defend them against the harms that come out of hate. The Local Law Enforcement Enhancement Act of 2001 is now a symbol that can become substance. I believe that by passing this legislation, we can change hearts and minds as well.

ECONOMIC AND POLITICAL DIFFICULTIES IN TURKEY

Mr. SARBANES. Mr. President, as my colleagues are well aware, the people of Turkey, a NATO ally, are experiencing extremely serious economic and political difficulties.

On April 10, 2001, at the Bosphorous University in Istanbul, Turkey, our distinguished former colleague in the House of Representatives, the Honorable John Brademas, delivered a most thoughtful address, on this subject, "Democracy: Challenge to the New Turkey in the New Europe." Dr. Brademas' speech was sponsored by TESEV, the Turkish Economic and Social Studies Foundation. Its contents some four months later still resonate with timely wisdom and creative analysis.

A long-time and effective advocate of democracy and transparency, John Brademas served for 22 years, 1959-1981, in the House of Representatives from Indiana's Third District, the last four as House Majority Whip. He then became President of New York University, the Nation's largest private university, in which he served for 11 years, 1981-1992. He is now president emeritus.

Among Dr. Brademas' involvements include Chairman of the Board of the National Endowment for Democracy, NED, from 1993-2001, and founding director of the Center for Democracy and Reconciliation in Southeast Europe. Located in Thessalonike, Greece, the Center seeks to encourage peaceful and democratic development of the countries in that troubled region of Europe.

I believe that Members of the Senate and the House of Representatives and other interested citizens will read with interest Dr. Brademas' significant discussion of the challenge of creating a truly more open and democratic Turkey. I ask unanimous consent to print Dr. Brademas' address in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

DEMOCRACY: CHALLENGE FOR THE NEW  
TURKEY IN THE NEW EUROPE

I count it an honor to have been asked to Istanbul to address a forum sponsored by the Turkish Economic and Social Studies Foundation, and I thank my distinguished host, Ambassador Özdem Sanberk, Director of TESEV, for his gracious invitation even as I salute the invaluable work performed by TESEV in promoting the institutions of civil society and democracy in Turkey.

So that you will understand the perspective from which I speak, I hope you will permit me a few words of background.

In 1958, I was first elected to the Congress of the United States—the House of Representatives—where I served for 22 years.

During that time I was particularly active in writing legislation to assist schools, colleges and universities; libraries and museums; the arts and the humanities; and services for children, the elderly, the handicapped.

A Democrat, I was in 1980 defeated for reelection to Congress in Ronald Reagan's landslide victory over President Jimmy Carter and was shortly thereafter invited to become President of New York University, the largest private, or independent, university in our country, a position I held for eleven years.

If I were to sum up in one sentence what I sought to do at NYU during my service as President, it was to lead the transformation of what had been a regional-New York, New Jersey, Connecticut-commuter institution into a national and international residential research university.

And I think it's fair to say that that transformation took place, thanks in large part to philanthropic contributions from private individuals, corporations and foundations.

Although no longer a Member of Congress or university president, I continue to be active in a range of areas, only a few of which I shall mention.

By appointment of President Clinton in 1994, I am Chairman of the President's Committee on the Arts and the Humanities, a group of 40 persons, 27 from the private sector and 13 heads of government departments with some cultural program. Our purpose is to make recommendations to the President—and the country—for strengthening support for these two fields in the United States—and we have done so. Four years ago, then First Lady of the United States, and Honorary Chair of the Committee, Hillary Rodham Clinton, and I released Creative America, a report to the President with such recommendations.

Among them was that the United States give much more attention to the study of countries and cultures other than our own, including strengthening international cultural and scholarly exchanges. Only last Fall, I took part, at the invitation of the then President, Bill Clinton, in the White House Conference on Culture and Diplomacy, at which these ideas, and others, were discussed, and I have urged the new Secretary of State, Colin Powell, to consider ways of implementing them.

Several days ago, in Washington, I attended a meeting of the Advisory Board of Transparency International, the organization that combats corruption in international business transactions, to talk about how to expand the OECD Convention outlawing bribery of foreign public officials to include outlawing bribery of officials of political parties.

NATIONAL ENDOWMENT FOR DEMOCRACY

And last January I stepped down after eight years as Chairman of what is known in

the United States as the National Endowment for Democracy.

Since its founding in 1983, the National Endowment for Democracy, or NED, as we call it, has played a significant role in championing democracy throughout the world.

The purpose of NED is to promote democracy through grants to private organizations that work for free and fair elections, independent media, independent judiciary and the other components of a genuine democracy in countries that either do not enjoy it or where it is struggling to survive.

Two years ago, in New Delhi, India, I joined some 400 democratic activists, scholars of democracy and political leaders from over 85 countries brought together by NED for the inaugural Assembly of the World Movement for Democracy.

The establishment of this World Movement is inspired by the conviction that interaction among like-minded practitioners and academics on an international scale is crucial in the new era of global economics and instant communications. The Movement, we hope, can help democrats the world over respond to the challenges of globalization.

Indeed, last November, Ambassador Sanberk and I were together in Sao Paulo, Brazil, for the Second Assembly of the World Movement for Democracy.

CENTER FOR DEMOCRACY AND RECONCILIATION  
IN SOUTHEAST EUROPE

And I have been involved in yet another initiative related to strengthening free and democratic political institutions. Four years ago, a small group of persons, chiefly from the Balkans, decided to create what we call the Center for Democracy and Reconciliation in Southeast Europe. The Center officially opened its offices one year ago in the city of Thessaloniki, birthplace, as you all know, of the great founder of the Turkish Republic, Mustafa Kemal Atatürk. I was pleased that my friend, the distinguished Turkish business leader, Mr. Sarik Tara, was with us on that occasion.

The Center is dedicated to building networks among individuals and groups working for the democratic and peaceful development of Southeast Europe.

Chairman of the Board is a respected American diplomat, Matthew Nimetz, who was Under Secretary of State with Cyrus Vance and is Special Envoy for United Nations Secretary-General Kofi Annan to mediate between Athens and Skopje. The Center's Board is composed overwhelmingly of leaders from throughout Southeast Europe, including Mr. Osman Kavala and Dr. Seljuk Erez of Turkey. Ambassador Nimetz and I are the only two Americans on the Board.

Although the Center is administratively headquartered in Salonika, which, with excellent transportation and communications facilities, is easily accessible from throughout the region, the activities of the Center are carried out in the several countries of Southeast Europe.

Last September, the Board of the Center met here in Istanbul where Mr. Tara and other Turkish leaders graciously received us.

Indeed, I arrived in Istanbul only last Sunday after a meeting of the Center's Board this past weekend in Thessaloniki. We had originally planned to gather in Skopje but you will understand why we changed the venue!

What are we doing at the Center? Here are some of our current projects:

JOINT HISTORY PROJECT

The Center's inaugural program is a "Joint History Project," which brings together professors of Balkan history from throughout the region to discuss ways in which history is used to influence political and social relations in Southeast Europe. The scholars seek

to produce more constructive, less nationalistic, history textbooks and thereby ultimately enhance the understanding of, and respect for, the peoples of the region for each other—a daunting challenge, we realize!

For it is evident in the Balkans that how history is taught can powerfully shape the attitudes of people toward those different from themselves. Even as the violence plaguing this region has roots in nationalist, religious and ethnic prejudices, cultivated, in many cases, by and based on distortions of histories, the accurate teaching of history can be crucial in promoting tolerance and peace.

An Academic Committee, established by the Joint History Project, encourages exchange among scholars in participating educational institutions. We on the Center Board hope the Committee will establish a network among academics in Southeast Europe as counterweight to existing nationalist groups within each country. So far we have organized two seminars for young scholars and another two are being arranged.

The Center's History Project has also begun to work with the Stability Pact for Southeastern Europe, initiated by the European Union and supported by the United States and other non-EU countries in Europe. The mission of the Pact is to extend democracy and prosperity to all the peoples of Southeast Europe. So far, the participating governments have pledged \$2.4 billion for the initiative.

I must also cite the Center's Young Parliamentarians Project which, through a series of seminars, enables young MPs from Southeast Europe to join parliamentarians from Western Europe and the European Parliament as well as professionals, economists and journalists to discuss issues of urgent and continuing concern in the region.

The Center last year conducted four seminars on such subjects as the workings of parliamentary democracy, the relationship between politics and the media, the operation of a free market economy, and the organization of political parties.

This year, in another project, the Center is sponsoring seminars on reconciliation in the former Yugoslavia. Serbs and Croats have already met in Belgrade and will meet again next month in Zagreb. And representatives of the other peoples of the former Yugoslavia will soon meet.

All the projects I have cited promote, by creating cross-border contacts and stimulating dialogue, the economic, social and political development of the Balkans. Our goal, to reiterate, is to encourage vibrant networks of individuals and groups with common interests and experiences.

I hope I have made clear, from what I have told you, that in my own career, as a Member of Congress, university president and participant in a range of pro bono organizations, I have been deeply devoted to the causes of democracy, free and open political institutions and encouraging knowledge of and respect for peoples of different cultures and traditions.

Against this background, I want now to talk with you about the great challenge, as I see it, facing what I call "the new Turkey in the new Europe"—and that challenge is democracy.

So that you can better understand my viewpoint, I must tell you one other factor in my own experience that I believe relevant to my comments.

GREECE, CYPRUS, AND TURKEY

As some of you know, my late father was born in Greece, in Kalamata, in the Peloponnese. My late mother was of Anglo-Saxon ancestry.

I was the first native-born American of Greek origin elected to the Congress of the

United States, and I am proud of my Hellenic heritage.

In 1967, however, when a group of colonels carried out a coup in Greece, established a military dictatorship, later throwing out the young King, I voiced strong opposition to their action.

I refused to visit Greece during the seven years the colonels ruled, refused invitations to the Greek Embassy in Washington and testified in Congress against sending U.S. military aid to Greece.

My view was that as Greece was a member of NATO, established to defend democracy, freedom and the rule of law, of all of which goals the colonels were enemies, I had as a matter of principle to oppose sending arms from my own country to the country of my father's birth.

In like fashion, when in 1974, the colonels attempted to overthrow Archbishop Makarios, the President of Cyprus, triggering their own downfall and sparking two invasions by Turkish armed forces, equipped with weapons supplied by the United States, I protested the Turkish action, again on grounds of principle.

For the Turkish invasion violated U.S. legal restrictions on the use of American arms, namely, that they could be utilized solely for defensive purposes.

Because American law mandated that violation of such restrictions would bring an immediate termination of any further arms to the violating country and because Secretary of State Kissinger willfully refused to enforce the law, we in Congress did so by legislating an arms embargo on Turkey.

I can also tell you that when my colleagues in Congress and I who called on Kissinger in the summer of 1974 to press him to take the action required by law, we reminded him that the reason President Nixon, who had just resigned, was constrained to do so was that he had failed to respect the laws of the land and the Constitution of the United States.

So even as I opposed U.S. military aid to Greece in 1967 on grounds of principle, I opposed U.S. arms to Turkey in 1974 on grounds of principle. You may not agree with my viewpoint on either matter but I want you to understand it!

#### A NEW DEMOCRATIC TURKEY?

Yet I would not be here today if I did not believe in the prospect of a new, democratic Turkey, belonging to the new Europe, a member of the European Union and a continuing ally of the United States.

I am well aware that Turkey is now confronted with a profound financial and economic crisis, "the most severe economic crisis of its history," the Chairman of TÜSIAD, Mr. Tunca Özihlan, told a group of us in New York City last month at a meeting with members of the Turkish Industrialists' and Businessmen's Association. It is a crisis that reaches all parts of the nation.

If I have one thesis to advance tonight, it is this: That the combination of three factors make this moment one of great opportunity for fundamental reform of the Turkish political system and significant advance in the quality of life of the Turkish people.

The first factor is the economic crisis. The distinguished Turkish economist, Mr. Kemal Dervis, has, as you know, been charged with recommending structural reforms essential if Turkey is to win assistance from the International Monetary Fund, the United States and other actors in the international financial community.

Most obvious in this respect is the situation of Turkish banks, widely understood to be afflicted by corrupt links with the nation's political parties.

The second factor that can drive fundamental reform in Turkey and bring the coun-

try into the modern world is Turkey's candidacy for accession to the European Union.

Beyond the economic crisis and Turkish candidacy for entry into Europe, there is a third factor that can make this the time to start building a new Turkey in the new Europe.

I speak of the rising engagement in pressing for democracy of the leaders of Turkish business and industry, of your universities, of the media, and leaders of the other institutions of what we call civil society.

So where are we now?

#### TURKEY AND THE EUROPEAN UNION

First, we can be encouraged by the approval last month by the Turkish cabinet of the National Program for Adoption to the Acquis of the European Union, or NPPA.

In my view, Turkish leaders of all parties should agree to confront the problems resolution of which is necessary to Turkish entry into Europe.

And if Turkish responses are only cosmetic, as Günter Verheugen, the European Commissioner in charge of enlargement, has made clear, the candidacy will fail. Verheugen has reminded Turkish leaders that the European Council in December 1999 in Helsinki stated, "Turkey is a candidate state destined to join the Union on the basis of the same criteria as applied to the other candidate states."

I add that Turkey should deal with these obstacles not solely to meet the so-called Copenhagen requirements for EU membership but also because such action will be in the interest of the people of Turkey.

What has impressed me greatly as I prepared for this visit to Istanbul is the deep commitment of so many Turkish leaders, especially in business and industry and in the universities, to the economic and political reform of this great country.

What are the requirements Turkey must meet to enter Europe?

Let me here remind you of the eloquent words of TESEV's respected Director, Özdem Sanberk, only a few weeks ago ("It's Not the Economy, Stupid!" Turkish Daily News, February 28, 2001).

Commenting on the clash last February between Prime Minister Bulent Ecevit and President Ahmet Necdet Sezer, Ambassador Sanberk said: "... You cannot reform the economy root and branch without an equally radical reform of the political system. ...

"... [O]nly comprehensive political reform can create the stability ... required for long-term economic success."

The Ambassador then criticized the Government's failure to undertake radical structural reform, to "plug the leaks in the state-owned banks, through which billions of dollars of public money have poured. ... No crackdown on corruption in the highest places. No lifting of cultural restrictions on freedom of expression. No reform of the Political Parties Law, which might transform our parties into something more useful than closed clubs dominated by their leaders. No serious effort to change a constitution which does not meet the needs of the age. ...

"... The problems that lie at the root of Turkey's current difficulties are political, not economic and political reform can solve them. ..."

#### LEADERSHIP OF TÜSIAD

I find encouragement, too, at the positions taken by the leadership of TÜSIAD, Turkey's major business and industrial organization.

Indeed, only a few days ago, in New York City, I had the privilege of meeting several members of TÜSIAD, including its distinguished chairman, Mr. Özihlan.

I said then, and repeat here, that I have been deeply impressed by the high quality of

the reports published by TÜSIAD and by the obvious commitment of so many leaders of Turkish business and industry to the principles of democracy and human rights, freedom of enterprise, freedom of belief and opinion.

As Muharrem Kayhan, President of TÜSIAD's High Advisory Council, who was also in New York last month, has said, "The requisites of EU membership are exactly what Turkey needs. ...

"... TÜSIAD believes that fully adopting the Copenhagen Criteria will benefit our country. We think that the fears expressed about the possible damages Turkey might suffer if its special conditions are not taken into account are exaggerated.

TÜSIAD ... consistently calls for a thoroughgoing political reform for quite a long time. We firmly believe that unless we change Turkey's political system, efforts to modernize our economy will be in vain. To that end we join the President of the Republic Ahmet Necdet Sezer, in calling for a reform of the constitution and the rewriting of the Political Parties Law and the Electoral Law." (TÜSIAD)

This commitment to democracy, freedom of opinion, free market economy, a pluralistic society, clean politics, social development and the rule of law is, I have observed, one that runs through TÜSIAD's several studies and reports directed to the problems that face Turkey.

Not only does TÜSIAD call for action to meet the Copenhagen criteria but do does a wide range of scholars, analysts and officials from Turkey itself as well as from other countries.

Deputy Prime Minister Mesut Yilmaz last month, in speaking of the cabinet approval of the NPPA, said that Turkey must give top priority to ensuring freedom of speech, cracking down on torture, reviewing the death penalty and offering more freedom of organization for trade unions.

So what else must be done for Turkish entry into Europe?

The European Union has also called on Turkey to grant full cultural rights to all minorities, including allowing Turkish citizens to speak whatever language they like. After all, millions of the over 65 million people of this country speak Kurdish. Why is it not possible to respond to their desire for a degree of cultural freedom?

I was present in New York City when your Foreign Minister, Ismail Cem, and the Greek Foreign Minister, George Papandreou, were both honored at a dinner, a symbol of a rapprochement between Turkey and Greece in recent months triggered by the response in each country to earthquakes in the other.

#### THE CYPRUS ISSUE

Here again, I have been impressed by how both Turkish and Greek business leaders seem to be able to communicate effectively with each other, yet another example of the significant contribution that institutions of civil society can make to encouraging peaceful resolution of conflict in this troubled part of the world.

And, of course, Europe wants to see progress in resolving the thorny issue of Cyprus. With respect to Cyprus, I could make an entire speech tonight but I won't!

Let me say that it must be obvious that both Greek and Turkish Cypriots perceive a problem of security, both are unhappy with the present situation and both would like to improve their political and economic conditions by entering the European Union. Turkish Cypriots, moreover, have an acute economic problem, with less than a fifth of the \$17,000 per capita GDP annually of the Greek Cypriots.

Clearly Turkish Cypriots would be the net beneficiaries of entry into Europe but this

gain will come only if Cyprus is admitted as a single federal state, bi-zonal and bi-communal.

Accordingly, if Turkish Cypriots are not to continue to be left behind, economically and politically, the only sound answer is for Turkey and the Turkish Cypriots to accept the United Nations Security Council resolutions calling for such a settlement.

For as *The Economist* has written, Cyprus represents "the main block of Turkey's hope of joining the European Union in the near future."

I turn to another matter that is clearly of concern to the European Union, the role of the armed forces in the political system of Turkey.

Now, of course, for decades, the principal link between the United States and Turkey has been strategic, specifically, military. In light of the geographical location of Turkey, the size of its armed forces and its population, such a relationship should not be surprising. Turkey is a major actor on nearly every issue of importance to the United States in this part of the world, including NATO, the Balkans, the Aegean, Iraqi, sanctions, relations with the states of the former Soviet Union, turmoil in the Middle East and transit routes for Central Asian oil and gas.

#### THE ROLE OF THE MILITARY IN TURKISH POLITICS

Yet it must be obvious to any thoughtful observer that of particular importance in opening the doors to Europe for Turkey is that steps be taken to curb the influence of the military in politics.

I am certainly aware of the respect and admiration the Turkish people have always had for their armed forces. Nonetheless, any serious student of the place of the military in Turkish life learns very quickly that its role extends far beyond defense of the security of the Republic.

Here, rather than using my own words, let me cite those of a distinguished Turkish journalist, Cengiz Candar:

"Unlike Western armies, the Turkish military is politically autonomous and can operate outside the constitutional authority of democratically elected governments. It can influence the government both directly and indirectly, controlling politicians according to its own ideas and maxims. . . .

"The National Security Council is the institution that really runs the country. . . ."

". . . [T]he military has become the power behind the scenes that runs Turkish politics.

". . . The military is able to intervene at will in politics, not only determining who can form governments, but actually exercising a veto over who can contest elections. . . ." ("Redefining Turkey's Political Center," *Journal of Democracy*, October 1999, Vol. 10, No. 4)

A powerful analysis of the role of the military in Turkish politics is to be found in an essay published last December in the influential journal *Foreign Affairs* by Eric Rouleau, French Ambassador to Turkey from 1988 to 1992. ("Turkey's Dream of Democracy," *Foreign Affairs*, Vol 79, No. 6, November/December 2000)

Said Rouleau, commenting on Turkey's candidacy for the EU, "Turkey today stands at a crossroads," and explains that "The [1999] Helsinki decision [of the EU] called on Turkey, like all other EU membership candidates, to comply with the . . . Copenhagen rules [requiring] EU hopefuls to build Western-style democratic institutions guaranteeing the rule of law, individual rights, and the protection of minorities. Indeed, the EU's eastern and central European candidates adopted most of the Copenhagen norms on their own, before even knocking at the doors of the union."

Rouleau then asserts that the Copenhagen criteria "represent more than simple reforms; they mean the virtual dismantling of Turkey's entire state system . . . which places the armed forces at the very heart of political life. Whether Turkey will choose to change . . . a centuries-old culture and . . . practices ingrained for decades—and whether the army will let it—remains uncertain. Even EU membership, the ultimate incentive, may not be enough to convince the Turkish military to relinquish its hold on the jugular of the modern Turkish state."

Rouleau then describes the ways in which the National Security Council (NSC) operates and notes the objections of the EU to the military's budgeting, its ownership of industries, its own court system and, above all, the military's dominance over civilian authority.

Concludes Rouleau: "Turkey's EU candidacy has crystallized the way in which two very different visions of the country are now facing off. . . . On the one side stands the Turkey of . . . the 'Kemalist republicans,' those who see the military as the infallible interpreter of Atatürk's legacy and the sole guardian of the nation and the state. . . .

"On the other side stand . . . the 'Kemalist democrats' . . . proud of the revolution carried out by the founder of the republic eight decades ago, but at the same time . . . believe that the regime should adapt to modernity and Western norms. This group includes intellectuals . . . business circles . . . and . . . Kurds and Islamists hopeful that Brussels will ensure that their legitimate rights are recognized and guaranteed."

#### TÜSIAD FOR DEMOCRATIC REFORM

What, I must tell you, seems to me a particularly significant statement about the place of the military is the following sentence, under the heading, "Democratization and the Reform Process in Turkey," in the document prepared for the visit of the TÜSIAD Board of Directors to Washington, DC, and New York last month ("TÜSIAD Views on Various Issues"):

"8. National Security Council (NSC) should be eliminated as a constructional body and its sphere of activity be restricted to national defense."

While one group of TÜSIAD leaders was in the U.S., speaking in Paris at the same time at a panel sponsored by *Le Monde*, was Dr. Erkut Yucaoglu, former TÜSIAD Chairman. Here are his words:

". . . TÜSIAD has been in the forefront of the struggle for political reform in Turkey. . . . Our report on democratization challenged the most sacred tenets of the existing order in the country, be it freedom of expression of all sorts, the role of the National Security Council, or private broadcasting in all languages, or the political parties law. We have consistently defended the integration with the EU and called for a speedy implementation of the Copenhagen criteria without reference to Turkey's special conditions. . . .

". . . It is no secret . . . that the Turkish political system as it is presently functioning is in a crisis, perhaps a terminal one. The political parties have lost the confidence of the public a long time ago. . . .

"By now, every thinking person in Turkey knows that if the country wishes to fulfill its own promise of greatness and become prosperous, the political system must change. . . ."

Dr. Yucaoglu went on to praise the President of the Republic as "a national leader" who enjoys "the support of an overwhelming percentage of the population, who is committed to Turkey's European vocation. Mr. Sezer stands for the rule of law, civilian supremacy, anti-corruption, integration with

the globalizing world and perhaps most important, for an unfettered democracy. . . ."

Now I am aware that I have spoken to you very candidly about the challenges—and opportunities—Turkey faces as your country moves into the 21st century.

You will observe, however, that most of the voices I have cited that are pressing for reform in Turkey are Turkish!

I certainly don't want to suggest that we in the United States have a perfect political system. As you know, far too few of our eligible citizens bother to vote, and the scramble for money to finance our political campaigns is an ongoing threat to the integrity of American democracy. Even now, Congress is acting on measures to reform campaign financing.

Moreover, as you are all aware, the Presidential election in my country last year was finally determined by our Supreme Court in a decision that has caused leaders of both our Democratic and Republican Parties to call for reform of our election laws.

I have noted that the election of President Sezer seems to be regarded by Turkish champions of democracy as a great victory. Like the leaders of TESEV and TSIAD, I have also been impressed by President Sezer's commitment to the rule of law and to rooting out corruption, and by all accounts, President Sezer has won the confidence of over 80% of the citizens of Turkey.

I have said that the combination of the current economic crisis, Turkish candidacy for entry into the European Union and the increasing influence of the leaders of civil society make this a moment of extraordinary opportunity for the people of Turkey.

So now let me say some words about civil society.

#### CIVIL SOCIETY AND DEMOCRACY

What do we mean by the term?

Civil society is the space that exists between, on the one hand, the state—government—and, on the other, individual citizens. This space is where citizens act with one another through non-governmental organizations (NGOs), foundations, and independent media

For as I am sure you will agree the state cannot—and should not—in any country do everything.

Indeed, I believe it significant that last year German Chancellor Gerhard Schröder, as you know, a Social Democrat, declared:

"One of the great illusions of Social Democratic policies has been the idea that 'more state' guarantees more justice. However, providing or even extending the 'classical' means of state intervention—law, power, and money—can no longer be considered sufficient solutions for a society where movement 'has become as important as regulation' (Alain Touraine). . . ."

Added Schröder, "Subsidiarity, giving responsibility back to those who are willing and capable of assuming this responsibility, should not be understood as a gift from the state, but, rather, as a socio-political necessity." ("The Civil Society Redefining the Responsibilities of State and Society," *Die neue Gesellschaft*, No. 4, April, 2000, Frankfurt.)

For the health of democracy, then, we must strengthen the institutions of civil society.

#### FOUNDATIONS IN TURKEY

What is the state of civil society in Turkey today, on non-governmental organizations, or as we say, NGOs?

Now I do not pretend to be an expert on NGOs in Turkey. But I understand that there are some 75,000 private associations registered in Turkey including more than 10,000 nonprofit foundations. Some foundations make charitable donations to NGOs and individuals; others are so-called "operating foundations" which provide social services and

support education and research. ("Human Rights and Turkey's Future in Europe," by Aslan Gunduz, Orbis, Vol. 45, No. 1, Winter 2001, p. 16.)

Of these 10,000 foundations, nearly half were started in only the last 30 years.

Of course, Turkey has a long history of philanthropic foundations. During the Ottoman Empire, many of the services the state now provides, in health care, education and city-planning, were financed by foundations. (Davut Aydin, unpublished book chapter.)

I am sure that you here can tell me how NGOs gained a new prominence in Turkey through their effective relief work after the earthquake.

But you also know that NGOs have often faced intense scrutiny, and sometimes harassment, from the government. So I cannot emphasize enough the importance of philanthropic support from the business community in sponsoring NGO activities.

Last year, by the way, I delivered a speech in Athens in which I sharply criticized the Greek law that imposes a 20% tax on philanthropic contributions, reduced by half in the December 2000 budget but still an anomaly in a land that gave us the word philanthropy.

I hope that Turkish law will include further incentives to create foundations and expand the services they provide.

#### NATIONAL ENDOWMENT FOR DEMOCRACY IN TURKEY

I can also tell you that the National Endowment for Democracy, which, as I have said, I chaired for several years, has supported several non-governmental organizations in Turkey. I'll say something about a few to illustrate the kinds of civil society groups—and their activities—that contribute to a strong democracy:

First, I note that the Center for the Research of Societal Problems, (TOSAM), founded by Professor Dogu Ergil, has been a NED grantee since 1997.

An NGO called the Foundation for Research of Societal Problems (TOSAV) was established in 1996 to explore possible solutions to the Kurdish issue. After TOSAV published a Document of Mutual Understanding on possible peaceful solutions, TOSAV's founders were brought to trial at State Security Court and the document was banned.

To continue their work, TOSAV members established TOSAM, which produces Democracy Radio, broadcasting bi-weekly programs on such themes as democracies and minorities, the role of the media in a democracy, and the relationship between central and local government.

The Helsinki citizens' Assembly—Turkey (HCA—Turkey) has been a NED grantee since 1997.

Founded in 1990, HCA is an international coalition that works for the democratic integration of Europe and on conflict resolution in the Caucasus and the Middle East. HCA—Turkey was established by jurists, human rights activists, mayors, trade unionists, journalists, writers and academics.

HCA brings together representatives of civil society organizations from different cities, legal experts, academics and representatives of municipalities to develop and advocate an agenda for reform of the law governing NGOs in Turkey.

Women Living Under Muslim Law—Turkey (SLUML—Turkey) has been a recipient of NED grants since 1995. Founded in December 1993, this NGO provides information and advice to women's organizations throughout the country. WLUM—Turkey sponsors a project to train social workers, psychologists and teachers from community centers throughout Turkey in conducting legal literacy group sessions for women.

An active civil society, then, provides a check on a powerful state. For in a genuine

democracy, non-governmental associations have the responsibility of keeping a close eye on the operations of government. So you and I know that if governments, in order to discourage or eliminate criticism, seek to crush free and independent newspapers, radio and television, or to control NGOs, democracy will be gravely weakened.

#### EDUCATION CRUCIAL TO FUTURE OF TURKEY

It will not surprise you, given my history in Congress and as a university president, that I believe a key ingredient of civil society, fundamental to the success of democracy and a modern economy, is education.

Certainly, education is crucial to the future of Turkey, where 30% of the population is below the age of 15! ("EU-Turkey Relationship: Less Rhetoric, More Challenges," by Bahadır Kalegasi, Private View, No. 9, Autumn 2000, p. 22.)

Although I am a strong champion of both state and private support of education, I must note the growth in recent years of private universities in Turkey. As one who helped raise nearly \$1 billion in private funds for New York University, I am impressed that several of your private universities have been founded with the generous support of Turkish business leaders. I think here particularly of Bilkent University, Sabanci University and Koc University.

I add that I have myself accepted the invitation of one of Turkey's outstanding business leaders, Mr. Rahmi Koc, to serve on the Board of Friends of Koc University, an American foundation chaired by the respected Turkish-American founder of Atlantic Records, and a good friend, Mr. Ahmet Ertegun, even as I have agreed to serve on the Board of Anatolia College in Thessaloniki. And I am pleased that these two institutions are cooperating in a joint training program.

These universities also make an important contribution to emerging civil society in Turkey. Founded through acts of philanthropy and charging tuition fees, they teach students that there can be institutions, independent of the state, serving social needs.

And as I speak of universities, let me say that while it is imperative that the United States and Turkey maintain their strategic alliance, I would very much like to see our relationships broadened to include expanded educational and cultural links. For most Americans, even educated ones, don't know very much about Turkish history or culture.

I shall add that in respect of another important question affecting U.S. policy toward Turkey, Turkish relations with Greece, I have for several years now proposed that Turkish universities establish departments of Greek studies and Greek universities create department of Turkish studies, the better for each society to understand the other.

As I conclude his talk, I realize that I have certainly not covered every subject relevant to my central thesis. I have not attempted to be exhaustive; I hope I have been instructive.

#### HISTORIC OPPORTUNITY FOR DEMOCRACY IN TURKEY

My thesis is straightforward. It is that there are three powerful developments that, it seems to me, provide an historic opportunity for genuine democratic advance in Turkey.

The first is the economic and financial crisis that your country is now facing.

The second is Turkey's application for membership in the European Union.

And the third is rising importance of the institutions of civil society in Turkish life.

I have drawn particular attention to the movement for democratic change—for freedom of expression, a free market economy and reform of the political system—pressed by the business leaders of Turkey, like those at TESEV and TUSIAD.

Although the friends of Turkey in my own country and elsewhere will do what we can to encourage reform, for your great country to become a vigorous and vibrant democracy is, in the final analysis, up to the people of Turkey.

#### REMEMBERING THE BIG THOMPSON FLOOD

Mr. ALLARD. Mr. President, I rise today to honor those who lost their lives, as well as those who survived, Colorado's Big Thompson Flood of 1976. Twenty-five years ago today more than one foot of rain fell in a matter of hours, creating a flash flood in Big Thompson Canyon which killed 144 people and caused over \$30 million in property damage. We remember those who died in this natural disaster, and also the survivors who had to rebuild their lives, working as a community to start over again. Today, outside of my hometown of Loveland, Colorado, 1,000 survivors of this tragedy will gather to commemorate the Big Thompson Flood. Though I cannot be with them in this ceremony, my thoughts and prayers are with them and I speak on the Senate floor today as a tribute to this special event.

I ask unanimous consent that the following letter, which I wrote for the commemoration ceremony of the Big Thompson Canyon Flood of 1976, be printed in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

Greetings to the families and friends of the victims of the Big Thompson Canyon Flood

As we look back twenty-five years ago today we remember the shock and devastation that took place in this canyon. Joan and I arrived just after the crest from the Big Thompson flood had passed through Loveland and were astounded by the destruction. At the time I was a county health officer and I had a number of clients up the canyon ravaged by the flash flood who had animals at my hospital. I was devastated by the tragedies which affected our community.

Since that time the people of the communities in the canyon have worked together to rebuild their lives and their property. We have heard of many sad stories and yet, many stories of kindness and concern for others through the years.

Today, as survivors, families and friends congregate to commemorate the Big Thompson Canyon flood, my thoughts and prayers are with you. The bronze sculpture dedicated today will permanently honor those who died in the flood and I will enter this letter into the CONGRESSIONAL RECORD as a tribute to all those affected by the Big Thompson Canyon Flood on July 31, 1976.

Joan's and my thoughts are with you as we remember the people who lost their lives and also those who survived this flood and recreated their lives.

Sincerely,  
Wayne Allard

#### STOP TRADING AND AIDING THE BURMESE MILITARY JUNTA

Mr. HARKIN. Mr. President, once in awhile, the world is confronted with a national government so extreme in its violation of basic human rights and