

Yeğen, Mesut

Research Report

Amidst refugee flows, irregular migration, and authoritarianism: The politics of citizenship in Turkey

SWP Comment, No. 62/2022

Provided in Cooperation with:

Stiftung Wissenschaft und Politik (SWP), German Institute for International and Security Affairs, Berlin

Suggested Citation: Yeğen, Mesut (2022) : Amidst refugee flows, irregular migration, and authoritarianism: The politics of citizenship in Turkey, SWP Comment, No. 62/2022, Stiftung Wissenschaft und Politik (SWP), Berlin, <https://doi.org/10.18449/2022C62>

This Version is available at:

<https://hdl.handle.net/10419/266585>

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SWP Comment

NO. 62 OCTOBER 2022

Amidst Refugee Flows, Irregular Migration, and Authoritarianism

The politics of citizenship in Turkey

Mesut Yeğen

With the background of the Syrian crisis, irregular migration, and authoritarianism – strengthened by the collapse of the Peace Process of the Turkish state with the Workers' Party of Kurdistan (PKK) in 2015 and the 2016 coup attempt – the Turkish government has amended the Citizenship Law, changed policies concerning refugees and irregular migrants, and re-designed access to basic citizenship rights in the last decade. Due to these amendments and changes, tens of thousands of Syrians have been awarded Turkish citizenship. A few millions of them are now settled in Turkey and exercising social and education rights without being Turkish citizens. This state of affairs contradicts previous Turkish policies for citizenship and supports the claims that the government under the Justice and Development Party (AKP) has been constructing a more Islamic and less secular Turkish nationhood. Concomitantly, the basic citizenship rights of Kurds and members of the Gulen community have been massively violated. This indicates that being Muslim or Turkish does not protect citizens from discrimination.

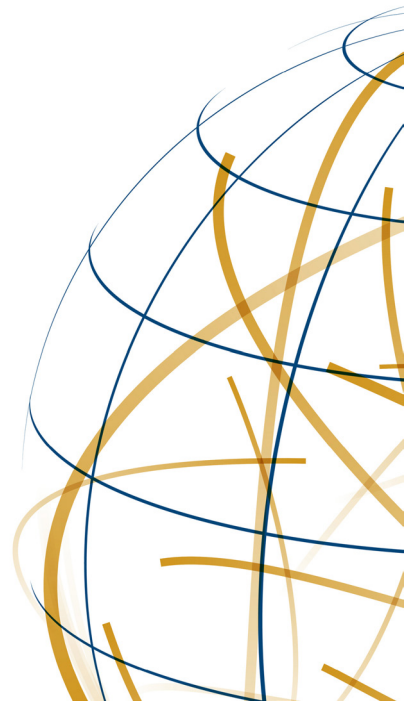
The move by the Turkish state to build a Turkish nation with the subjects of the Ottoman State was for a long time characterised by three main principles. Diminishing the number of Christians and Jews in Turkey was the first principle – pogroms and discrimination reduced the percentage of Christians and Jews from 2.5 per cent of the population in 1927 to 0.2 per cent today. The second principle was the Turkification of non-Turkish-speaking Muslim citizens, of whom the vast majority were Kurds. As a result of assimilationist practices in the past century, today, 63 per cent of Kurdish chil-

dren speak with their parents only or mostly in Turkish. The third principle was letting Turkish-speaking and non-Turkish-speaking Muslim subjects of the Ottoman State and their descendants in Europe to resettle in Turkey while not letting in those from non-European countries. Accordingly, whereas tens of thousands of former Ottoman subjects from the Balkans and Crimea who were deemed to be Turkish in terms of ancestry or culture were resettled in Turkey before the 1950s, the Kurds flowing from the Iranian border in the same period were expelled. Likewise, whereas more than

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300,000 Bulgarian citizens fleeing the Jivkov regime in 1989 were abruptly resettled in Turkey, Kurds escaping from the Saddam regime in 1991 were temporarily placed into camps near the border and sent back afterwards.

Turkish nation-building, which was established upon these three pillars, determined who would be included as Turkish citizens, who would be awarded refugee and temporary protection status, and who would be able to fully exercise the rights accorded with Turkish citizenship – but also who would not. Muslims from Europe who were deemed to be Turkish in terms of ancestry or culture were awarded Turkish citizenship, while the rest were not. Likewise, having signed the 1951 Geneva Refugee Convention in 1961 on the condition of geographical limitations, the Turkish state did not open its borders to refugees from the countries to the east and south of Turkey. Lastly, whereas Muslim Turkish citizens enjoyed all rights accorded with Turkish citizenship, non-Muslims citizens of Turkey were not able to exert these same rights as citizens when it came to property and equal treatment. Kurds and other non-Turkish Muslims, however, were only able to exercise their citizenship rights in full if they adopted Turkish culture.

Syrians in Turkey: Open borders and legal and societal membership

In the first years of the Syrian crisis, the Turkish state pursued an open-door policy and placed Syrian refugees into camps close to the border. Later, Syrians were given temporary protection status and allowed to disperse across Turkey. As of today, Turkey houses some 3.7 million Syrians.

The awarding of temporary protection status gave Syrians in Turkey formal access to some basic rights, such as the right to free health care and education, rights that had been legally reserved for Turkish citizens up until then. Likewise, while Syrians

have mainly become a part of the informal economy in Turkey, many have joined the formal economy, thanks to the enactment of the new law on work permits. As of 2020, 62,369 Syrians were given work permits, and there is at least one Syrian owner for every 15,159 workplaces.

Endowing Syrians with temporary protection status and access to basic rights such as free education, health care, and the right to work has made them part of the social and economic life in Turkey. As the regularly repeated opinion poll Syrians Barometer 2020 shows, 98 per cent of around four million Syrians in Turkey are settled outside of camps, and 90 per cent of them live in cities all around Turkey. Moreover, the barometer notes that 650,000 babies from Syrian parents were born in Turkey, 770,000 Syrian kids are students at the primary or high school level, and some 35,000 of them are university students. In addition, more than one million Syrians are part of the workforce. Consequently, fewer and fewer Syrians are willing to return to Syria. The rate of those who are not considering going back increased from 17 per cent in 2017 to 78 per cent in 2020.

However, this does not mean that the Turks welcome the Syrians and that the Syrians' future in Turkey is secure. Instead, as the Syrians Barometer 2020 shows, Turkish citizens' level of distance towards Syrians in the country is considerably high. On a scale from feeling very distant (-1) to very close (+1), the social distance of Turks towards Syrians ranks -0.42, while that of Syrians towards Turks ranks +0.71. This is confirmed by the fact that 82 per cent of Turkish citizens want the Syrians to be sent back right away or once Syria becomes secure. Also, the fact that many Syrian individuals and a few neighbourhoods populated by Syrians have recently been attacked by mobs in different parts of Turkey reveals that the societal exclusion of the Syrian refugees contradicts their burgeoning formal membership in the social and economic life of Turkey. Opinion polls point out that fewer Turks are willing to share their neighbourhoods and cities with the Syrians.

The increase in the Turkish public's discontent with the presence of Syrians in Turkey – and the fact that this discontent is also increasingly shared by President Tayyip Erdoğan's constituency – has rendered the Syrians' situation and future in Turkey quite fragile. Having realised that the growing level of public discontent with the Syrians is one of the factors that would diminish his chances of winning the elections in 2023, Erdoğan has already announced that one million of the Syrians in Turkey are to be resettled in the Syrian territories controlled by Turkey. Likewise, it was announced by the Minister of Internal Affairs that the Syrians would no longer be permitted to settle freely in Turkey. The share of Syrians in a given town or neighbourhood will not be allowed to exceed 20 per cent of the population.

Despite the growing level of public discontent regarding the presence of Syrians in Turkey, 200,950 Syrians have acquired Turkish citizenship, and hence become formal members of the Turkish nation. This was made possible by the 2016 amendments to the Citizenship Law. The amendments authorised the Council of Ministers (later the president) to award Turkish citizenship under exceptional conditions to those who bring a certain amount of capital to the country and “to those who stay in the country legally and have already contributed and/or have the potential to contribute to the Turkish society in the fields of science, economy, social life, sports, culture and arts”. Since these amendments were introduced, about 5 per cent of those Syrians who took refuge in Turkey have acquired Turkish citizenship.

The legal adjustments as well as the policies implemented by the Turkish government regarding Syrian refugees show that significant shifts have taken place. These shifts include both granting citizenship and offering the possibility to reside on Turkish territory.

That almost four million Syrians have been awarded temporary protection status indicates that the Turkish state's dictum of not awarding asylum to refugees who do

not come from Europe is no longer fully in place. Moreover, the fact that four million Syrians now have access to free education and free health care shows that basic rights which were reserved only for Turkish citizens are no longer exclusive to Turkish citizens. Similarly, the fact that Turkish citizenship was acquired by 200,950 Syrians means that access to Turkish citizenship is no longer a privilege just for those who are deemed to be Turkish in terms of ancestry and culture, as it had been since the founding of the Republic. Instead, Turkish citizenship is now open to neighbouring Sunni Muslims who are deemed to have the potential to contribute to Turkish society. In other words, being a Sunni Muslim and having a certain amount of economic or cultural capital are the new qualifications being embraced to acquire Turkish citizenship.

However, given that 47,000 out of 200,950 Syrians who have acquired Turkish citizenship are Turcomans of Syria, it is understood that Turkishness in terms of descent or culture is still significant for acquiring Turkish citizenship. Since Syrians with temporary protection status cannot apply for Turkish citizenship – and instead the Turkish government awards Turkish citizenship to individuals on the basis of an interview and information provided by the bureaucracy about them – the government is entitled to be very selective, if not arbitrary in awarding citizenship.

Afghans: “Ghosts” of the Turkish economy

Aside from a small group of Afghan citizens of Turkic (Uzbek and Kirgiz) origin who were awarded Turkish citizenship in 1982, there are two main groups of Afghan citizens in Turkey at present: the asylum seekers and irregular migrants. Living in a few camps in different parts of the country, 22,000 Afghans are reported to be waiting for the results of their applications for asylum in a Western country. They do not enjoy work or travel permits and they cannot benefit from the rights that have been granted

to Syrians under temporary protection. The number of irregular migrants from Afghanistan, on the other hand, is speculated to be between 300,000 and 1.5 million. Whereas President Erdoğan claims that there are only 300,000 Afghan irregular migrants in Turkey, the leader of the anti-immigrant and nationalist Victory Party (ZP), Ümit Özdağ, alleges that Afghans in Turkey number 1.5 million. Kemal Kılıçdaroğlu, the leader of the secular-nationalist Republican People's Party (CHP), on the other hand, gives the number of 1 million. Given that the official number of Afghan irregular migrants who have been captured by security forces since 2017 is around 500,000, the real number must be more than what the President suggests.

Most irregular Afghan migrants are young males whose main aim is to work in Turkey to save a small amount of capital to use in their home country. As uneducated young males, they usually work in manual per diem jobs and do mostly unwanted jobs such as garbage collection. As such, they are among the lowest-paid workers in the informal economy in Turkey. To avoid the risk of being deported, they live undocumented and invisible lives, leading to them being correctly called the “ghosts of Istanbul”.

Irregular Afghan migrants are somehow condoned by the security forces on the borders and by the police in the cities. Recently, videos showing irregular migrants easily crossing the borders have been released. Afghan workers waiting for per diem jobs and hoping to be picked by Turkish employers have become part of economic life in Istanbul. However, although Turkish authorities somehow condone them crossing borders and staying in Turkey, irregular Afghan migrants are paperless and denied work permits and access to basic services. In other words, although Turkish borders are open to Afghans, Turkish citizenship, legal access to the country, and the rights accorded with citizenship are not.

Moreover, Afghan migrants' chances to reap the benefits of their stay in Turkey vary depending on their ethnic origins. Afghan migrants of Pashtun origin have

their own very limited networks and have only weak connections with Turkish society. However, those of Uzbek and Turkmen origin have established networks in Turkey. Using their advantage of learning Turkish easily, Afghans of Uzbek or Turkmen origin are able to find more descent and better-paid jobs. Moreover, they seem to be treated better by the police.

Turkey's tolerance of irregular Afghan migrants' invisible presence hints to the Turkish economy's need for cheap and undocumented labour. The growth of the Turkish economy in the last decade and the rise of Turkey as a geopolitical power in the region are pointed to as the reasons for the country's tolerance of this invisible presence of irregular migrants from Afghanistan and elsewhere.

To sum up, Turkish borders are now being opened to Afghans, another non-European group. However, this does not allow them to acquire Turkish citizenship or to gain at least some of the rights it entails.

Kurds: Inclusion to exclusion

Whereas the Turkish state dealt with irregular migration from Syria by making Turkish citizenship more inclusive and citizenship rights more accessible, it did the opposite to tackle the Kurdish question. This accounts in particular for the time after the negotiations between the PKK and the Turkish state (also known as the Peace Process or the Resolution Process), which collapsed in 2015. Since then, the Turkish state has been engaged with the Kurdish conflict by means of discrimination and massive violations of basic civil, cultural, and political rights, among other things. Although Kurdish citizens had from time to time been subject to massive levels of discrimination in the past, they were in principal treated as prospective Turks, that is, as those who could use citizenship rights in full when they became ready to assimilate into Turkish society. Moreover, Turkish citizens of Kurdish origin were awarded

some basic cultural rights in the 2000s after Turkey's application for accession to the European Union was approved and following the mentioned Resolution Process between 2009 and 2015. Since 2015, however, many of the cultural rights that the Kurds had gained only recently have in practice been suspended. And a number of basic civil and political rights of those Kurds who support the pro-Kurdish Peoples' Democratic Party (HDP) are being massively violated.

The first wave of massive violations of the rights of Turkey's Kurds was implemented during the so-called trench wars, that is, during the clashes between the security forces and the PKK militants in urban settings in 2015 and 2016. When the trench wars, which took the lives of 1,378 militants of the outlawed PKK and 976 security force members, ended in April 2016, 408 civilians had been killed, 355,000 civilians had fled their homes, several neighbourhoods had been bulldozed, and hundreds of thousands of civilians had been displaced. This massive violation of the right to life and shelter was followed by the violation of basic political rights. Fifteen HDP deputies, including two chairpersons of the party, were jailed in November 2016, and the seats of five HDP parliamentary deputies were revoked. Moreover, 94 of 102 mayors of the Democratic Regions Party (DBP) – the sister party of the HDP in the Kurdish region – were replaced by state-appointed trustees, and 75 co-mayors and acting co-mayors were imprisoned. In the same vein, state-appointed trustees replaced 32 of 65 legally elected HDP mayors, and 23 HDP co-mayors were jailed after the most recent local elections in 2018. To these incidents should be added the fact that thousands of HDP members are now in jail and that the police constantly harass HDP constituents during their public events. More recently, the chief prosecutor of the Supreme Court of Appeals filed a lawsuit for the closure of the HDP.

In the field of cultural rights, on the other hand, there has been a major backslide since 2015. State-appointed trustees in Kurdish towns shut down bilingual kindergartens and replaced bilingual Kurdish-

Turkish road signs with Turkish-only signs. More recently, the Turkish police prevented street musicians from singing in Kurdish, and local governors cancelled the concerts of famous Kurdish singers, indicating that the Kurdish question has been re-securitised again.

The violation of basic civil, cultural, and political rights of pro-HDP Kurds since 2015 shows that Turkish citizenship has recently become less inclusive, if not exclusionary, in the case of politically active Kurds.

Gülen community: The new “enemy within”

Turkish citizenship has become exclusionary also in the case of members of the so-called Gülen community. Named after the cleric Fethullah Gülen, who has been living in the United States since 1999, the well-organised and yet opaque Gülen community was best known for the schools it ran in many countries, including Turkey. For many years, the Gülen community acted as an ally of the ruling AKP, particularly in the realms of state bureaucracy. However, it was classified as a terrorist organisation and called FETÖ (Fethullah Gülen Terror Organisation) following the 15 July 2016 coup attempt, as the coup was headed and conducted mainly by army officers affiliated with the Gülen community. The coup attempt was followed by a wholesale purge targeting all those who were, allegedly, affiliated with the community. In addition to those who were sentenced to imprisonment with the accusation of being involved in the coup or for being a member of FETÖ, thousands of officers and civil servants were fired, thousands of others were tried, many universities were shut down with their properties being seized, and countless companies and their properties were confiscated during the two-years-long state of emergency following the coup.

It is understood from the figures announced by the Defence Minister, Hulusi Akar, that 20,077 army officers were fired and the military ranks of 1,243 retired

officers were revoked. The number of public servants dismissed from their bureaucratic posts through executive decrees in due course was 130,000, according to Amnesty International reports. Also, 15 universities were shut down, leading to 2,000 academics losing their jobs and 64,000 students being transferred to other universities. In the same vein, 234,419 citizens' passports were cancelled, 204 media institutions were shut down, and 1,289 companies were confiscated and their properties sold to other parties. However, of those public servants and academics who were purged, many were leftists and the Kurds, indicating that the government used the coup attempt as a pretext to rid the bureaucracy not only of those who were allegedly affiliated with the Gulen community, but also of opponents in general. Meanwhile, many opponents of leftists and the Kurds as well as those who feared accusations of being Gulen community members fled the country. Much of this purging and confiscation was implemented by virtue of emergency decrees, which cannot be taken to the Supreme Court. In other words, some very basic rights of a large group of Turkish citizens were violated on the basis of emergency rule, that is, on the basis of a grey zone of the law.

This massive violation of the rights of a huge group of citizens deemed to be affiliated with a terrorist organisation indicates that the Turkish state reacted to the 2016 coup attempt by discriminating against a particular group of people. Thus, Turkish citizenship has become exclusionary, also in the case of another group of citizens: the Gulen community. That the Gulen community is made up of (Sunni) Muslims of (mainly) Turkish origin makes this exclusion particularly significant. It basically shows — contra common sense assumptions — that Turkish citizenship can be exclusionary, not only towards those of non-Muslim or non-Turkish origin, but also those of Turkish or Muslim origin. It is true that the Turkish state had mistreated citizens with strong attachments to Islam, especially in the first few decades of the

Republic. But no Islamic community had been perceived as an “enemy within” in Turkey in the past. The Gulen community is the first Sunni-Turkish community whose top echelon is accused of being traitors and treated as if they were enemies within.

What has changed with Turkish citizenship and nationhood?

The politics of citizenship in Turkey in the last decade shows that there have been significant changes in terms of who is included as a Turkish citizen, to whom the Turkish borders would be open, and who would be free from discrimination in being granted all the rights accorded with Turkish citizenship. That more than 200,000 Syrians are now Turkish citizens indicates that the (massive) acquisition of Turkish citizenship is no longer a privilege of the Muslim subjects of the Ottoman State and their descendants from Europe. That almost four million Syrians have been given temporary protection, on the other hand, shows that the Turkish state's principle of not opening its borders to non-European refugees has faded away. The permanent violation of basic civil, cultural, and political rights of pro-HDP Kurds shows that Turkish citizenship is now less inclusive towards Kurds. It also shows that some basic civil rights of alleged members of the Gulen community are being massively violated, which indicates that being a citizen with a Sunni-Muslim Turkish identity does not save one from being exposed to discrimination.

The same changes also show that the second and third principles of nation-building in Turkey are now somehow diluted. That the Turkish government has not embarked on a massive Turkification of Syrians shows that the principle of the Turkification of non-Turkish-speaking Muslims in Turkey is not being implemented strictly.

Overall, changes in citizenship and their repercussions for Turkish nationhood are in accord with the thesis that the AKP government has been crafting a more Islamic and less secular Turkish identity.

Outlook

The Turkish governments' amendments to the Citizenship Law and the changes in citizenship policies in the last ten years have also engendered important consequences, such as having a more ethnically diverse demography, the informal economy being overly populated by non-citizens, conflicts between citizens and non-citizens, and massive violations of the basic rights of citizens. These consequences have paved the way for brand new social and political problems in Turkey. Turkey is now facing problems such as the presence of a community of non-citizens disintegrated with the main society, popular discontent arising from sharing resources with "foreigners", migration becoming a new driver for political competition, and the alienation of two large groups of citizens: Kurds and Gülenists.

Aiming to reduce the current levels of popular discontent and win the elections in 2023, President Erdoğan may embark on deploying massive numbers of Syrian refugees into Turkish-controlled Syrian territories to reinforce the Turkish state's demographic engineering efforts of the last few years. Erdoğan may try to resettle the "surplus" of Syrian refugees in Turkey into the Syrian territories bordering Turkey so as to dilute the presence of Kurds there. Should this happen, the Turkish state's presence in Syria may become even more consolidated.

However, given that the Syrian refugees and Afghan irregular migrants have become an integral part of the formal and informal economies in Turkey, any large-scale policy change in this field may upset those sectors of the economy that rely on the use of cheap labour provided by the refugees and irregular migrants. Hence, squeezed between the demands of Turkish citizens and those of the economy, the Turkish government will possibly deploy a group of Syrians into Syria and "deport" a group of Afghans to give the impression

to the Turkish public that refugees and irregular migrants are being sent without upsetting the balance of the Turkish economy.

Having realised that political alienation of the Turkish Kurds may pave the way for his defeat in the 2023 elections, Erdoğan may resume pursuing a kind of reformist policy with regard to the Kurdish question.

As there is not much time left until the elections, Erdoğan will most probably allow the voice of imprisoned PKK leader Abdullah Öcalan to be heard to make the Kurdish electorate think that the resumption of a reformist policy regarding the Kurdish question is on the way.

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SWP

Stiftung Wissenschaft und Politik
German Institute for
International and
Security Affairs

Ludwigkirchplatz 3–4
10719 Berlin
Telephone +49 30 880 07-0
Fax +49 30 880 07-100
www.swp-berlin.org
swp@swp-berlin.org

ISSN (Print) 1861-1761
ISSN (Online) 2747-5107
DOI: 10.18449/2022C62

Mesut Yeğen was IPC-Stiftung Mercator Fellow at the Centre for Applied Turkish Studies (CATS) at SWP.

The Centre for Applied Turkey Studies (CATS) is funded by Stiftung Mercator and the German Federal Foreign Office.