CITIZENSHIP BY INVITATION: THE CASE OF NATURALIZED SYRIANS IN TURKEY'S TERTIARY EDUCATION

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ABSTRACT

CITIZENSHIP BY INVITATION: THE CASE OF NATURALIZED SYRIANS IN TURKEY'S TERTIARY EDUCATION

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The government in Turkey announced in 2016 the start of a naturalization process targeting Syrians of an added value, including students in higher education. The goal of this research is to understand what drives a Syrian student to accept becoming a citizen of Turkey. The case study utilized a snowballing technique to interview Syrian students in tertiary education. The findings reveal a selective pragmatic reasoning embedded in participants' aim to secure a material benefit in the form of greater mobility within and in-and-out of Turkey. The results are illustrative since other Syrians nominated for Turkish citizenship, but with different socio-economic backgrounds, could forward a separate motive or even decline to become citizens of Turkey. Furthermore, while the government's merit-based approach of naturalizing Syrians might go beyond the ethno-cultural criteria of admission to Turkish citizenship, the policy is ethically controversial for overlooking millions of other Syrians who might be considered unsuitable for naturalization due to possessing lesser human capital.

Keywords: Naturalization, Citizenship, Syrians, Temporary Protection, Turkey.

ÖZ

DAVET YOLUYLA VATANDAŞLIK: TÜRKİYE'NİN YÜKSEKÖĞRETİMİNDE TÜRK VATANDAŞLIĞINA KABUL EDİLEN SURİYELİLERİN ÖRNEĞİ

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Türkiye hükümeti 2016 yılında yükseköğrenimdeki öğrenciler de dâhil olmak üzere katma değeri olan Suriyelileri vatandaşlığa alma sürecinin başlayacağını duyurdu. Bu araştırmanın amacı, hangi faktörlerin Suriyeli bir öğrenciyi Türkiye vatandaşlığını kabul etmesini sağladığını anlamaktır. Vaka çalışmasında yükseköğretimde eğitim gören Suriyeli öğrencilerle kartopu tekniği kullanılarak görüşmeler gerçekleştirilmiştir. Bulgular, katılımcıların Türkiye'ye giriş çıkışlarda daha fazla hareket kabiliyeti elde edebilme şeklinde maddi menfaat için seçici pragmatik bir akıl yürütmeyi izlediklerini ortaya koymaktadır. Sonuçlar, vatandaşlık için aday gösterilen ancak farklı sosyo-ekonomik geçmişi olan diğer Suriyelilerin Türkiye vatandaşı olmak için farklı bir neden ileri sürebilecekleri veya vatandaşlığı reddedebilecekleri için açıklayıcı niteliktedir. Ayrıca, hükümetin Suriyelileri vatandaşlığa alma konusundaki liyakate dayalı yaklaşımı Türk vatandaşlığına kabulü etnokültürel kriterlerinin ötesine geçebilirken, bu politika vatandaşlığa alınmaya uygun görülmeyebilecek milyonlarca Suriyeliyi görmezden geldiği için etik açıdan tartışmalıdır.

Anahtar Kelimeler: Vatandaşlığa Alma, Vatandaşlık, Suriyeliler, Geçici Koruma, Türkiye.

To my father.

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LIST OF ABBREVIATIONS

AKP	Justice and Development Party
CEAS	Common European Asylum System
CHP	Republican People's Party
CSU	Christian Democrat Union
DGMM	Directorate General of Migration Management
EU	European Union
EVD	Extended Voluntary Departure
FRiT	Facility for Refugees in Turkey
IOM	International Organization for Migration
ILO	International Labour Organization
LFIP	Law on Foreigners and International Protection
MHP	Nationalist Movement Party
MİT	National Intelligence Agency
MoNE	Ministry of National Education
NATO	North Atlantic Treaty Organization
OAU	Organization for African Unity
PDMM	Provincial Directorate of Migration Management
TP	Temporary Protection
TPD	Temporary Protection Directive
TPR	Temporary Protection Regulation
TPSAs	Temporary Protection or Stay Arrangements
UN	United Nations
UNHCR	United Nations High Commissioner for Refugees
UNPROFOR	United Nation Protection Force
WWII	World War II
YÖK	Council of Higher Education

CHAPTER 1

INTRODUCTION

Interest in citizenship has reignited during the last two decades. The interest stems from two interconnected convictions: the importance and changing nature of citizenship (Kivisto & Faist, 2007). The importance of citizenship roots in the national statist tradition of citizenship. The adherents of the said tradition argue that in today's globalized world, citizenship's outside boundaries are likely to stay coincident with the national state (Kymlica, 1999). The proponents of the counter tradition render the importance of citizenship meaningless because its prototype, which dates back to era of city-states, and even citizenship's traditional nature, have changed since its "boundaries has burst" (Heater, 1999). In line with the said line of thought, citizenship nowadays goes beyond citizens' rights and duties, and encapsulates peoples' opinions about citizenship's importance and nature (Kostakopoulo, 2008).

Today, mobility and migration are features of our globalized world. Relevantly, three particular alternatives emerged to accommodate new understandings of citizenship. The proponents of post-national citizenship argue national citizenship has declined (Jacobson, 1996) because immigrants enjoy deterritorialized social and economic membership through legal residence without the need for formal citizenship, mainly due to the international regime of human rights (Soysal, 1994). The advocates of transnational citizenship see in mobile societies beyond the borders of nation-states a reality because of international migration and the related interactions between the sending and receiving countries (Baubock, 1994). Finally, multicultural citizenship pays structural attention to diversity within the boundaries of a nation-state by addressing the inclusion of and recognition of minority rights (Parkeh, 2000). In relation to the aforementioned accounts of citizenship, Kostakopoulo (2008) argues all alternatives remain a matter of "national-state affairs" because fitting cultural differences and accommodating immigrants to full membership is achievable by:

> [R]econfiguring national citizenship; that is to say, by opening up existing arrangements, rather than by bring about real institutional change or developing new institutional designs.

The said reconfiguration occurs through the "cornerstone of the nation-state," which is naturalization "the process whereby a person is transformed from an alien guest to a citizen invested with the rights and privileges pertaining to indigenous subjects" (Kostakopoulo, 2008). The transformation requires aliens, or immigrants, to successfully pass the pipes of incorporation, namely assimilation, multiculturalism, and civic integration, before becoming citizens of the hosting country (Ager & Strang, 2004; Bosswick & Heckmann, 2006). Moreover, the transformation of immigrants bears a specific attention when the subjects of transformation are the forcibly displaced. As such, the naturalization of refugees is rather unique because "the state acknowledges a special duty to offer citizenship to persons who have been deprived of effective protection by another state (Goodman, 2010).

A recent and an ongoing example of naturalizing forcibly displaced immigrants is that of Syrians in Turkey. The civil demonstrations demanding, among other reforms, respect for human rights in 2011 faced state oppression and quickly escalated to bloodshed. Consequently, the upheaval uprooted millions of Syrians and pushed them to seek safety either as internally displaced peoples (IDPs) or externally, mostly in neighboring countries. Turkey among the latter hosts 3.7 million Syrians who are officially recognized as Foreigners under Temporary Protection. The Temporary Protection Regulation (TPR) provides Syrians with access to undisputable rights. Nevertheless, the legal parameters of TPR does not allow Syrians to march toward full membership of the Turkish state as citizens. However, the situation changed entirely during a speech in one hot Ramadan day in Kilis – a Turkish province adjacent to the Syrian border – where Turkey's top politician, President Recep Tayyip Erdoğan, stated: "among our [Syrian] brothers and sister are those who want to become citizens of the Republic of Turkey."

In the same speech, the President pointed out that the key stakeholder responsible for turning words into actions, the Ministry of Interior, has begun taking steps toward that

end (BBC, 2016a). A day after his preliminary remarks, President Erdoğan declared two reasons standing behind the decision. First, the move targets Syrians with "very high qualifications" whom could benefit Turkey and in reciprocity, the naturalization process would help Syrians step out of "inhumane living conditions" (BBC, 2016b). The second reason is Europe's attempt to attract skilled Syrians. Thus, one could infer the decision of naturalization equally aimed at keeping Syrians with a certain potential in Turkey.

The following days revealed further details. The selection of a Syrian depends on being clear of any relation to and connection with any sort of terrorism-related charges – a task for the National Intelligence Agency (MİT) to execute. Then, there is the condition of the selected individual's ability to "carry the Turkish citizenship in a moral sense" (Milliyet, 2016). Mentioning the subject of morals in relation to Syrians' naturalization echoes a civic republican understanding of citizenship, a concept discussed further in chapter two. What is more, the process of Syrians' naturalization in chapter 4 reveals that the selected Syrians has to provide a proof of clear judicial record – a document attesting to one's moral fitting into the Turkish citizenship.

The statement of President Erdoğan was not exclusive to Syrians as the process would include all immigrants who would be "enrichment to the country" and capable to "contribute to Turkey's scientific and technological infrastructure" (Milliyet, 2016). However, and in relation to Syrians, white and blue-collar professionals, the financially wealthy, and high profile Syrian opposition figures who might be under threat, occupied a priority in the naturalization process. Number wise, the decision envisioned naturalizing a total of 300,000 Syrians including an initial round of 30,000-40,000 Syrians. Lastly, the decision had been taken with the anticipation of generating negative perception about the process itself and about the selected Syrians. Thus, the government's response was to stress on the patriotic background of Syrians whose ancestors fought "shoulder-to-shoulder" with Turks as Ottoman soldiers in Çanakkale – the Aegean province where Turkey defeated its enemies in the early 20th century (Ibid).

The Turkish opposition parties forwarded mixed stances after President Erdoğan's statement. The head of the main opposition party, the Republican People's Party (CHP), supported the President's decision in targeting highly qualified Syrians as Kılıçdaroğlu said "I would not object [naturalizing Syrian] professors, athletes, artists, and entrepreneurs" (BBC, 2016b), but the opposition leader objected opening the door of naturalization to all Syrians as it would be a "large bite to digest" (Ibid). Another politician from CHP saw in naturalizing Syrians a pure political tool for the survival of one party, Justice and Development Party (AKP), based on ethnic and sectarian calculations. Furthermore, Bahçeli, the head of the Nationalist Movement Party (MHP), stated that "cheapening the Turkish citizenship by distributing it [left and right] would turn the country we inherited from our martyrs and ancestors into ethnic chaos and cauldron" (Ibid). In parallel to politicians, the citizens of Turkey object the idea of naturalizing Syrians. This opinion was voiced by 76.5 percent of surveyed Turks in 2019 – a 0.7 point increase from 2017 (Erdoğan, 2019).

Beyond political debates, the decision to naturalize Syrians in Turkey is an extreme makeover to the legal status of a selected few. Initially, Syrians had been welcomed in Turkey as the "brothers and sisters" (NTV, 2012) or the "guests" of Turkey and its citizens (Anadolu Ajans, 2013). The same "brothers and sisters" or "guests" then have been recognized as foreigners under temporary protection under the Law on Foreigners and International Protection (LFIP, 2013). Thereafter, and with President Erdoğan's decision, the final destination is full membership by granting a selected few the Turkish citizenship. While President Erdoğan explained why the process has been launched and who could be selected, the main focus of this research is to elaborate on why a selected Syrian, particularly a student in Turkey's higher education, would accept/refuse to submit a naturalization process. This research also sheds light on the process of the naturalization and the involved stakeholders, and highlights the associated roles of each stakeholder in the process's relevant stages.

As such, the main research question provides a bottom-up answer as a way to better understand the invitation to be a citizen – as any invitation could be either accepted or rejected.

In addition, this research refers to the naturalization process of Syrian students as an invitation for being exceptional to the view considering naturalization a "nationalising process" as embedded in both the ethno-national and civic-national identity constructs of a nation-state since the two constructs see the incorporation of immigrants a prerequisite to naturalization. Equally, the naturalization process of Syrian students is an invitation for being different to the contesting, but less powerful view considering "naturalization without nationalization" a possibility based on only a short residence requirement. Furthermore, the main research question has complementary sub-questions to shed light on other unknown elements of naturalizing Syrians, including the process itself, its requirements, and the involved stakeholders.

Next to where the naturalization of Syrians in Turkey fall in the debates concerning national identity, naturalization is a path to dual citizenship. This means dual citizens are "simultaneously citizens and foreigners (i.e., citizens of other states)" (Sejersen, 2008). This, in return, poses a question of loyalty to the nation state, which "normally functioned with an implicit zero-sum understanding of social/cultural/political belonging: either one is in, or out" (Vertovec, 2001). The inherent logic of inclusion and exclusion by the state (Isin, 2002) saw further reinforcement in the aftermath of 9/11, which led to greater control and "securitization of the inside" (Muller, 2004). However, there has been an expansion in the number of countries allowing dual citizenship. The change highlights the "increasing focus on individual rights" (Sejersen, 2008) and indicates implementing changes in the necessary legislation of the states to accommodate dual citizenship as a "practice…appropriately situated in in a human rights framework" (Spiro, 2010). Thus, one could argue that naturalization and the right to dual citizenship are reflections of the liberal order (Deudney & Ikenberry, 1999).

The findings of the research indicate naturalized Syrians accepted the invitation to become citizens of Turkey by stressing on a main individual right, the freedom of movement.

This freedom of movement pertains to the ability to travel within and in-and-out of Turkey. Moreover, participants chiefly attribute the justification to either the

impracticality of the Syrian passport and/or the requirement to obtain a travel permission – a mobility restriction imposed on Syrian under temporary protection in Turkey when one wants to travel within the country. In parallel, and due to the snowballing technique used to reach out participants, the reason to accept the invitation, including the remaining findings, demonstrate illustrative results. As a result, future research about Syrians' naturalization could reveal different motivations to accept the government's invitation based on the participants' socio-economic backgrounds. Yet the process of naturalization illustrated in chapter four is rather a representative finding as the stakeholders involved would arguably assume similar tasks even when individuals with different backgrounds would be incorporated into the citizenry.

Researching the answer to the main research question, and the other sub-questions, entailed following a qualitative research methodology as the research necessitated utilizing the method of case study (Leedy & Ormord, 2001). Next to finding the answer(s) to the main research question, implementing the case study method stems from the need to understand a process (Creswell, 2003), particularly, the process of naturalizing Syrian students in Turkey's tertiary education. Thus, the case study method had been implemented to learn "more about a little known or poorly understood situation" (Leedy & Ormord, 2001).

The case study engages only Syrians students in Turkey's higher education for two reasons. First, Syrian students fall under the umbrella of "enrichment" as previously stated by President Erdoğan. Second, Syrian students are the largest group of foreign students in Turkey's tertiary system: a fifth of the 185,001 foreign students in Turkey's higher education system are of Syrian origin (YÖK, 2019-20).

Moreover, the case study includes Syrian students whom either have been naturalized while studying and graduated, or are currently studying, have been invited to submit a naturalization application but the application is still under processing. In relation, the invitation to submit a naturalization application does not guarantee the applicant citizenship as the application of one Syrian student had been rejected at one point (see chapter 4). To understand why Syrian students accepted the invitation, a snowballing

technique through phone and face-to-face interviews in the summer of 2021 led a total of 18 semi-structured interviews with 14 male and 5 female Syrian students from universities in Ankara, İstanbul, Adana, Manisa, and Düzce.

The research, however, has its limitations. To begin with, the sample is not representative of Syrian students whose number in Ankara alone is in excess of 900, one of the top five Turkish cities with the highest number of Syrian students in higher education (YÖK, 2019-2020). There is also a gender bias in the sample. Thus, the margin of error in the findings is broad. The other limitation is lacking a top-to-bottom point of view, which requires further research to incorporate the perspective of public stakeholders and policy designers in drawing a detailed and full picture of the selection and naturalization processes of Syrians in Turkey. Despite the aforementioned shortcomings, the findings contribute to an understudied aspect of forced migration studies that elaborates on the reason(s) driving the selected individuals' decision to accept the invitation for naturalization, the process of Syrians' naturalization, the tasks of and the stakeholder involved in the process, and the decision of the naturalized Syrians or the ones with in process application with regard to staying in Turkey or moving elsewhere.

This thesis consists of the following chapters. The second chapter looks at the literature concerning citizenship and taps on why the concept of citizenship regained importance in recent years. It also investigates the conceptualizations of citizenship in a globalized world. After exploring a wider discussion on citizenship at a global level, the chapter moves on to explore the details of two paradigms, namely the civic republican and liberal conceptions of citizenship, reflects on naturalization's legal adjustments and requirements by reviewing the typology of naturalization in 33 countries, and the means of immigrants' incorporation.

Thereafter, the third chapter dives into the displacement of Bosnians in the 1990s to Western European in the aftermath of Yugoslavia's political breakup. In particular, the second chapter juxtaposes the cases of Germany and Sweden as examples of opposite ends, especially with regard to policies of naturalizing Bosnians who had been recognized under temporary protection in the said countries' national temporary

protection regimes. The same chapter evaluates the reasons leading to the adoption of Temporary Protection Directive (TPD) by the European Union in 2001 as a consequence of displacement resulting from Yugoslavia's dissolution and why the bloc did not activate TPD even in 2015, a time of a "refugee crisis," and the bloc's preference to externalize protection responsibility to Turkey where millions of Syrians are registered under temporary protection.

The fourth chapter pays attention to Turkey's naturalization policy after the establishment of the Republic of Turkey, and the divergence between Turkey's civic-nationalist identify in theory and the practice of ethno-nationalist practices through Resettlement Act of 1932. The chapter taps on Turkey's reactionary policy to that of Germany naturalizing Turkish immigrants in the 1980s as a factor behind adapting the liberal understanding of dual citizenship in Turkey's citizenship law. The chapter then evaluates the case of Syrians' naturalization process by detailing the overall findings of 18 interviews with Syrian university graduates or students. Finally, the thesis concludes that naturalization by invitation signals a departure from prioritizing ethnicity in immigrants' incorporation to full membership by following a merit-based approach, particularly considering that Syrians' legal status in Turkey deprives them from the agency of applying to citizenship irrelevant to the number of years spent living in Turkey.

CHAPTER 2

LITRATURE REVIEW

The concept of citizenship has cycled through a journey over 2,750 years before arriving at its current and in effect understanding. This insinuates a difficulty to predict the way the concept could develop or change in the decades and centuries ahead. Equally necessary is then to stop at the apexes of the past to review the blueprints of the two main paradigms of citizenship, namely the civic republican and liberal models, in a chronological order, to highlight in broad brushstrokes, the central differences between the two conceptions. Thereafter, the chapter moves on to view one way of becoming a citizen, that is through naturalization, and offers the views of two trails of thought on whether naturalization is a "nationalising practice" as embedded in the ethno-and-civic understandings of nationalism, or whether naturalization "without nationalism" is possible – a more liberal idea connecting naturalization to fulfilling requirements of residency in the hosting country. Then, the chapter taps on the means of immigrants' incorporation into the hosting society, namely assimilation, multiculturalism, and civic integration, as prerequisite processes leading to naturalization. However, and before starting with all of the above, what is due is a quick view of the complexity of and the topics associate with the concept of citizenship.

2.1. Conceptualizations of citizenship

The concept of citizenship has in recent years attracted a renowned interest due to "escalation of political debates on nationality policies since the 1990s" (Bauböck et al., 2007), primarily stemming from living in a globalized world marked with interdependence weaved by international conventions, which norms have penetrated citizenship (Benhabib, 2004; Soysal, 1994). The interest in return shows that citizenship remains important and subject to change (Kivisto & Faist, 2007).

The point of change, at least substance wise, reveals itself in the title of Heater's 1999 book *What is Citizenship?* Thus, one could infer that there is no one agreed-upon definition of contemporary citizenship. Indeed, a quick review of what has been written demonstrates accounts discussing traditional citizenship (Bloemraad, 2004), multicultural citizenship (Delgado-Moreira, 2000), nested citizenship (Faist, 2000a) (Faist, 2000b), global citizenship (Falk, 1994), protective citizenship (Gilbertson & Singer, 2003), world citizenship (Heater, 2002), multiple citizenship (Held, 1995), environmental citizenship (Jelin, 2000), transnational citizenship (Johnston, 2001), cosmopolitan citizenship (Linklater, 1998), feminist citizenship (Lister, 1997), dual citizenship (Miller, 1991), flexible citizenship (Ong, 1999), intimate citizenship (Plummer, 2003), gendered citizenship (Seidman, 1999), post-national citizenship (Soysal, 1994), cultural citizenship (Stevenson, 1997), cyber-citizenship (Tambini, 1997), universal citizenship (Young, 1989), and multilayered citizenship (Yuval-Davis, 2000). What is more, and integral to contemporary citizenship is describing the concept at once to be "modern, diasporic, aboriginal, sexual, cosmopolitan, ecological, cultural, and radical" (Isin & Wood, 1999).

As seen, citizenship is a disputed contentious notion, and the relevant literature has grappled with attempts to define or at least delimit the concept's meaning. In addition, discussions about citizenship occur in relation to other contested concepts, most prominently in relation to national identity, with attempts of arriving at a recognition of a conceptual interplay between the two (Brown, 2000; Cesarani & Fulbrook, 1996; Fernández, 2005; Habermas, 1994; Koopmans et al., 2005; Miller, 2000; Oommen, 1997). In line with the said interplay, citizenship has the common view of representing a status of membership in a political polity in the form of a nation state (Faist et al., 2004; Faist, 2007(a); Faulks, 2000; Joppke, 2007a; Morje Howard, 2006). Moreover, viewing citizenship as a membership has implications with regard to who is a member. Consequently, raising the role of boundaries in drawing the line between who is and who is not a citizen "the citizenry of a nation-state […] is a membership association whose collective identity presupposes drawing lines between the included and the excluded" (Aleinikoff & Klusmeyer, 2000).

What is more, looking at citizenship as membership equates to fulfillment of obligations or duties entitlements to rights (Benhabib, 2005; Faulks, 2000). Traditionally, the notions of duties and rights under the concept of citizenship have developed under two main accounts, the civic republican and liberal conceptions of citizenship.

2.2. Civic republican citizenship

The civic republican conception of citizenship places emphasis on duties, or what one owes (Kostakopoulou, 2003). The emphasis in particular portrays citizens as political agents with the expectation of being active in public affairs. This participation shows one's civic duty and displays virtue by placing the community's common good over one's personal interests, and represents the normative substance of the civic republican citizenship (Dagger, 2002). As such, the notion of virtue had been the key focus of republican citizenship as stressed by its classic intellectuals (Aristotle, 1948; Cicero, 1959; Machiavelli, 1998; Rousseau, 1968).

Furthermore, the conception of the civic republican citizenship serves two purposes. The first is freedom, which occurs through the active and reciprocal civic virtue "liberty has more than one form. One of its forms [is political, which] consists in the interchange of ruling and being ruled" (Aristotle, 1948). The second purpose underpins the type of the state where freedom is viable; a republic. The desired republic, however, has essential characteristics acting as the guardians of the said purposes. One is a constitutional system of mixed ruling by "the one, by the few, and by the many." Hence, a system of checks and balances ensuring self-governing and preventing the appearance of a self-interested, arbitrary, and autocratic government (Dagger, 2002; Heater, 1999). The other characteristic relates to the size of the republic. The desired republic should be compact enough to nurture the growth of bonds – an endeavor only achievable where individuals "know one another's character" (Aristotle, 1948). Otherwise, in a large polity "the common good is sacrificed to a thousand considerations" (Montesquieu, 1949). In other words, a small republic has a style, a special feature, and the classic understanding considers the state and its citizens to be a community rather than a collection of individuals.

The glue of the community is what links a citizen to the state and to other fellow citizens. This linkage is Aristotle's concord – a notion founded on civic friendship, which unites the state and the citizens through intimacy and solidarity, and functions as a social benefit. In addition to being so, Aristotelian concord is both a vertical and a horizontal bond contributing to the foundations of the social unity and political agreement:

> [W]e say there is concord in a state when the citizens agree about their interests, adopt a policy unanimously, and proceed to carry it out … concord is … friendship between the citizens of a state, its province being the interests and concern of life (Aristotle, 1955).

In so far, one assumes that all citizens were equal to politically engage with the public affairs of the republic. The engagement, however, required someone to be of a certain economic status, particularly someone who owns property in the form of land. Unlike other forms of wealth, "investment in land gives the owner a tangible stake in the state, a vested interest therefore in its preservation and strength" (Heater, 1999).

In addition, the engagement in state's public affairs did not require someone to be only financially independent, but also someone who enjoyed the qualities of "temperance, that is, self-control, the avoidance of extremes; justice; courage, including patriotism; and wisdom, or prudence, including the capacity of judgement" (Heater, 2004). What is worthy of attention is the quality of patriotism, which occupies a special place as the duty of military training and service is crucial in the civic republican conception of citizenship. This is evident, for example, in Sparta's city-state model: "The whole system of legislation is directed to fostering only one part of goodness – goodness in war" (Aristotle, 1948). Similarly, Machiavelli (1998) placed equal stress on military training, which is critical for a stable state: "The security of all states is based on good military discipline, and …where it does not exist, there can neither be good laws nor anything else that is good."

In addition, the citizen's duty to take part in the state's affairs and be politically active represents the ethical dimension of the civic republican citizenship (Dagger, 2002).

Otherwise, the politically and publically inactive, private citizen is "good for nothing" (Thucydides, 1993).

In today's world, the importance of the said duty manifests itself in a number of countries around the world where voting is compulsory.[1] The early countries to codify a similar duty are Belgium, Argentina, and Australia. Besides, there are countries that even impose penalties on citizens who do not vote in elections (e.g., Australia, Argentina, and Turkey).[2] The proponents of compulsory voting argue that "if democracy is government by the people, presumably this includes all people, then it is every citizen's responsibility to elect their representatives" (IDEA, no date). This line of thought further argues that citizens' civic engagement in elections makes them "pay attention to things other than their own affairs" (quoted, Oldfield, 1990) and allows citizens to be "the nightmare of magistrates" and act as the watchdog over the government (Rousseau, 1968). On the other hand, the counter camp argues that the civic duty of voting is inconsistent "with the freedom associated with democracy" since voting "is not an intrinsic obligation and the enforcement of the law would be an infringement of the citizens' freedom associated with democratic elections" (IDEA, no date). In the case of immigrants and participation in the political sphere, research shows that naturalization is more likely to stem immigrants' engagement in elections (Just & Anderson, 2012; Leal, 2002; Wong, 2000) and that the wish to take role in politics even motivates naturalization (Leal, 2002; Kahanec & Tosun, 2009). The findings of this research tell that political participation did not prioritize the naturalization decision of the participants.

[1] In Turkey, the amount of penalty is 22 Turkish Liras, but not implemented. Sözcü. (2019). "Is there a penalty for not voting? How much is the penalty for not voting in the June 23 elections?" https://www.sozcu.com.tr/2019/gundem/oy-kullanmamanin-cezasi-var-mi-23-haziran-secimlerinde-oy-kullanmama-cezasi-ne-kadar-5192779/

[2] For the whole list of countries, see IDEA https://www.idea.int/data-tools/data/voter-turnout/compulsory-voting. For another source, see Brookings Institute. (2020). https://www.brookings.edu/wp-content/uploads/2020/07/Br_LIFT_Every_Voice_final.pdf

However, the research findings also suggest that the voting preference of naturalized Syrians who participated in elections (n=5) did so out of a moral obligation and as a payback to the ruling government for its policies toward Syrians in Turkey.

Going back to the republican conception of citizenship, the discussed duties, including the personal traits, are a bundle of characteristics of the civic republican conception of citizenship that render a citizen as a virtuous one. The latter, however, is a product of training in two areas; education and religion. The importance of education from an early age echoed in the thoughts of Plato "what we have in mind is education from childhood in *virtue*, a training which produces keen desire to become a perfect citizen who knows how to rule and be ruled as justice demands" (Plato, 1970). Moreover, the task of education belongs to the state (Aristotle, 1948). In parallel, the second source of training to raise and mold virtuous citizens stems from religion. In connection to this point, intellectuals of the republican model differed on whether it is the divine or the earthly (civil) religion that plays a role in the making of good citizens. For example, Tocqueville (1968) saw civic goodness in Christianity whereas Rousseau (1968), in his Social Contract, advocated for civil religion for he labeled Christianity as "bizarre" and the clergy as "politically dangerous."

In so far, the above first looked into what constitutes the republican conception of citizenship and its purposes; then identified who is a republican citizen; after that unfolded the means formulating a virtuous republican citizen. Lastly, no conception is immune from flaws and so is the case with civic republican citizenship. One of the most powerful criticism against the conception is lacking space for "difference" since:

> [T]he ideal of civic republic…excludes women and other groups defined as different, because its rational and universal statues derives only from its opposition to affectivity, particularity, and the body…(Young, 1990).

Another account of criticism is the difficulty to apply the model of civic republican citizenship and its virtues in large republics, namely in nation-states (Dagger, 2002). One proposed and in effect solution is confederation (Montesquieu, 1949) and another solution was that of Robespierre who forwarded in 18th century France a more radical vision by "supplementing virtue with propagandist use of terror" to create a nation of

virtuous citizens "virtue without which terror is squalidly repressive, terror without which virtue lies disarmed" (quoted, Rude, 1975). Fortunately, it was the French Revolution and its consequences that opened the door for an alternative and less demanding conception of citizenship.

2.3. Liberal citizenship

The French Revolution established the moderate principle and practice of citizenship in a nation-state (Heater, 1999), but the roots of liberal citizenship, which places its normative weight behind rights and individuals' inclinations to practice them, trace back to Britain and the United States where the fight for liberties emerged centuries before the events of 18th century France. In 13th century Britain, a group of English noblemen wrote a charter constituting a fundamental guarantee of rights and privileges against King John. The charter was the Magna Carta through which the noblemen sought to protect their rights and properties in a feudal system. The King affixed his seal to the document, but the agreement lasted only for 10 weeks after Pope Innocent III revoked the charter (U.S. National Archives). While the charter entered cycles of activation and deactivation, the idea and the product could count as the first attempts of pursuing a rights-based approach under a subject-monarchy system.

Fast forwarding to the 17th century, Britain experienced the Eleven Year Tyranny – a result of King Charles I dissolving the English Parliament and ruling by decree from 1629 to 1640. The great rebellion then followed (1642-1651) as a period marked with several wars between proponents of monarchy and rebellious parliamentarians. At the time, debates on rights echoed in the English Parliament and engulfed the rights of the common individuals, namely the right to vote, in what could be considered a more progressive step unlike the Magna Carta's aim of protecting the rights of the elites. Indeed, General Rainborough in 1647 stated:

> I think that the poorest he that is in England has a life as the greatest he…and I do think that the poorest man in England is not at all bound in a strict sense to that government that he has not had a voice to put himself under (quoted, Wootton, 1986).

In the same century, Hobbes published his book, which is commonly known as Leviathan. In his work, Hobbes ascribed to each individual in a state of nature, that is the condition with no government, the natural liberty to preserve one's self, or what Hobbes describes as "the right of nature." Hobbes's view on the liberty of self-preservation stems from considering the state of nature as the state of war (Carmichael, 1990).

Unlike Hobbes, the state of nature according to Locke is based on mutual security. In the late 17th century, Locke released his *Two Treaties of Civil Government*. He expressed his theory of natural rights as everyone has the free and equal right "to preserve…his life, liberty, and estate" (Locke, 1962). His words laid foundations to 18th century post-revolution citizens' rights as articulated in the American Declaration of Independence in 1776 "life, liberty and the pursuit of happiness," and in the French Declaration of Rights of Man and the Citizen in 1789 "liberty, property, security, and resistance to oppression." Furthermore, the two documents portrayed a range of citizens' legal rights such as freedom of speech, equality before the law, presumption of innocence, and trial by jury (Articles 3-11 in the French Declaration and Articles 1, 5-9 in the Bill of Rights). What is noteworthy is the common word *property* – a defining feature of liberal citizenship, at least at the onset, and resembles the case in republican conception as a requirement to practice the political right of voting. In England, for example, the voting right belonged to property owners "I do not place this right upon the inhabitants, but upon freeholders, the freeholders are the proper owners of the Country" (quoted, Dickinson, 1977).

Across the Atlantic, the right to vote, in Virginia, for example, accorded to men who "owned 50 acres without a house or 25 acres with a house at least 12 feet square" (Heater, 2004). The nowadays American States was at the time one of thirteen British Empire colonies in Northern America.

The habitants of the colonies were mostly Irish and Scottish forcibly displaced migrants who fled religious persecution during the Elven Year Tyranny when England was aiming to restore the Catholic Church to pre-reformation status. In the colonies, practicing citizenship varied from one settlement to another, but shared common

characteristics such as local assemblies authoring laws, conducting elections frequently with suffrage mostly exercised by males, and encouraging civic participation in the form of community service at the county and town levels (Heater, 2004). The forcibly displaced European immigrants inhabiting the colonies succeeded in the struggle against the British Crown, gained independence, and ratified the American constitution in 1789. Hence, converting to American citizens. The Bill of Rights, the collective name of the ten constitutional amendments, announced the rights and liberties of the American citizens. Nevertheless, each state placed unique parameters around the right to vote. Pennsylvania, for example, offered a more progressive grounds for voting compared to the said case of Virginia:

> [E]very freemen of the full age of twenty-one years, having resided in this State for the space of one whole year next before the day of election for Representatives, and paid public taxes during that time, shall enjoy the right of an elector (quoted, Morison, 1929).

The aforementioned developments focusing on citizens' rights, or what one receives (Kostakopoulou, 2003), distinguishes liberal citizenship from its republican predecessor, since the former separates a citizen's public and private worlds. Interpreted differently, the individual remains an individual in the liberal conception of citizenship and is free to pursue self-interests. The notion of individualism implies that participation in public affairs relies on the citizen's inclination, decreases duties to other citizens, and reduces the sense of the state's organic existence, which connects individuals to it and to other citizens (Heater, 1999). The state's role in return is protecting one's rights, or according to Locke, the state is a mere "nightwatchman."

The emphasis of the liberal conception on individualism is what draws criticism from the republican conception of citizenship for weakening civic bonds and undermining self-government (Barber, 1984; Pettit, 1997; Sandel, 1982; Sullivan, 1986).

Another criticism to liberal citizenship is considering politics a form of economic activity or a market place. Hence, the "market theories of political exchange which reduce the citizen to a 'consumer' or 'customer' are not so much amoral – although they are that too – as trivial: *a reductio ad absurdum*" (Selbourne, 1994). In doing so,

the construct of civic bonds shifts by turning the virtuous citizens from being the peer-bonded and politically active ones to ones whose self-interests are above the community's common good. Thus, making the point that the ethic of capitalism and the ethic of citizenship are incompatible:

> [I]f citizenship is perceived as a set of rights to protect the individual *qua* consumer against some of the problems exposed by a private or privatized economy, then the need to preserve and improve the core rights of real citizenship will be lost at sight (Heater, 1999).

In other words, "it is clear that in the twentieth century, citizenship and the capitalist class system have been at war" (Marshall & Bottomore, 1992). Marshall, a British historian who turned sociologist, forwarded two main ideas on liberal citizenship. The first was that the inherent equality of citizenship can coexist with the inequality of class division "the inequality of the social class system may be acceptable provided the equality of citizenship is recognized" (p. 6). The second was that citizenship rights have historically developed as a bundle. According to the British scholar, civil (legal) rights, including the right to work, emerged in the 18th century; political rights in the 19th century; and social rights, that is the right to education and health, in the 20th century:

> The civil element is composed of the rights necessary for individual freedom – liberty of the person, freedom of speech, thought and faith, the right to own property and to conclude valid contracts, and the right of justice…By the political element I mean the right to participate in the exercise of political power, as a member of a body invested with political authority or as an elector of the members of such as body…By the Social element I mean the whole range from the right to share to the full in the social heritage and to live the life of a civilised being according to standards prevailing in the society (p. 8).

In particular, Marshall's focus was on the impact of citizenship on social rights and social (in)equality. Preciously, his concern was the egalitarian (civil) principle of citizenship and the development of socially non-egalitarian capitalism:

> The extension of the social services is not primarily a means of equalising income…What matters is…an

> equalisation between the more and the less fortunate at all levels…Equality of status is more important than equality of income (p.33).

Marshall's work attracted criticisms for his "his triad of rights was too simplistic." (Heater, 1999).[3] On the account of Marshall's study being too simplistic, critics stress ignoring the difference between entitlements – formal rights that citizens should have – and provisions, or substantive rights that citizens authorized to enjoy. Marshall, it seems, was more interested in substantive citizenship. As such, Marshall was rather interested in "what citizens could expect in the way of rights" than in formal citizenship or "who had the right to be citizens" (Ibid) a particular matter of controversy concerning immigration and immigrants.

2.4. A way to be a citizen

Either account of citizenship has so far illustrated that "the world found nothing sacred in the abstract nakedness of being human" (Arendt, 1951). The political theorist argued individuals must be more than mere human beings to have rights; humans must be members of a political community and only then one can enjoy enforceable rights to education, to work, to vote…etc. Therefore, Arendt declared that before one can enjoy any civil, political, or social rights, one must first possess the right to be a citizen or at least membership to some kind of organized political community. If the right to be a citizen is the one right that makes enjoyment of all specific rights possible, then citizenship is "right to have rights" (Ibid). Her argument about the "right to have rights" has much to say to our contemporary world, especially after WWII, as international law safeguards everyone's right to citizenship (Article 15, Universal Declaration of Human Rights).

In practice, however, the right to citizenship materializes through state enactments in three main ways. This includes two automatic ways: *jus sanguinis* means citizenship by inheritance or citizenship by blood – one obtains the citizenship of one's parents, and *jus soli* means citizenship by territory – one obtains the citizenship of the land where one was born. The third way is citizenship through acquirement or

[3] For a different categorization of criticisms, see Faulks, 1998.

naturalization (Klusmeyer, 2000). Needless to say, the implementation of the three means vary from one state to another. As such, Hansen (2000b) argues that "national citizenship should be judged against two standards: the way in which it is granted automatically and the means by which it is acquired."

Evidently, all of the three means of becoming a citizen take place in a state, and the latter could be defined as the "possession of sovereignty over a territory and its people" (Flint, 2016; Weber, 1972). Relevant to this work is contextualizing sovereignty as forwarded by Brown (2010) to be a "peculiar border concept, not only demarking the boundaries of an entity but through this demarcation setting terms and organizing the space both inside and outside the entity." This framework entails that within the borders of a sovereign state, legal, political, and social constructs and interactions occur (Buchanan & Moore, 2003). Thus, the state possesses the power over the decisions about inclusion to and exclusion from citizenship. In contemplating immigration and citizenship, Castles (1999) highlights "access to citizenship" as one of the central issues as "the rules governing the extent to which immigrants and their children can formally become members of the national political community." What is relevant then becomes is the way with which states articulates citizenship as a membership in a political community. The articulation occurs through policies and there are "three primary means" of becoming a citizen: birth in a state's territory, descent, and naturalization (Klusmeyer, 2000). It is the mean of naturalization that is of relevance to this research. In connection, naturalization articulates:

> [W]here the boundaries of political membership of the state lie between outsiders and insiders and the pathways and processes through which these boundaries can be metaphorically crossed (Mclver, 2009).

In other words, naturalization is "the process whereby a person is transformed from an alien guest to a citizen invested with the rights and privileges pertaining to indigenous subjects" (Kostakopoulou, 2003). Moreover, naturalization is the "rite of passage" for being the sieve through which the "disloyal" and "untrustworthy" sift from becoming full members (Hammar, 1990).

Language wise, the meaning of naturalization since the 16th century is "to confer the rights of a national on especially: to admit to citizenship."[4] From a state's perspective, naturalization is "the politics of becoming." For being so, naturalization is essentially a "nationalising practice" associated with the expectation of aliens, new settlers, newcomers, or the new arrivals "to accept national law and the public culture, to assimilate into the dominant culture, to think and act like a national" (Kostakopoulou, 2003). The political scientist further demonstrates that the proof of naturalization as "nationalising practice" exists in both pockets of national identity constructs; ethnic nationalism, which finds premise in "common ancestry, culture, language, religion, traditions, and race" as distinguishing features of unity; and in civic nationalism, which unlike the previous construct, sees in "living on a common territory, belief in common political principles, possession of state citizenship, representation by a common set of political institutions and desire to or consent to be part of the nation" (Shulman, 2004) – because naturalization in both constructs is about "identification" rather than "citizensisation" (Kostakopoulou, 2003). In other words, Kohn's (1944; 1982) "liberal, civic Western" and "illiberal, ethnic Easter" division is "false dualism" and "does not match to historical or theoretical scrutiny" (Kostakopoulou, 2003; Kuzio, 2002). Therefore, immigrants through the process of naturalization turn to "ethnics" (Portes & Rumbaut, 1996) in imagined communities (Anderson, 2006). Needless to say, and as Glazer (1954) argues, immigrants' previous ethnic identity is a reactionary element to the context of reception and treatment in host countries – a subject demonstrated under "one's self-definition" in chapter four.

[4] Merriam-Webster https://www.merriam-webster.com/dictionary/naturalize

A counter argument, however, says "naturalization without nationalism" is possible when the right to naturalize, based on residency qualification, as an agency of request is in the hands of the immigrants. Otherwise, naturalization as a "nationalising practice" deprives immigrants from the freedom of choice. This is what Baubock (1997) refers to as "optional naturalization." In return, ethno-nationalists contest saying that a similar approach hinders the shared conception of national identity, the community's blueprint of cultural identity (Mill, 1974). In parallel, civic-nationalists equally contest Baubock's idea on the grounds that optional naturalization hampers the community's overall integration for diffusing its identity (Glazer, 1999). In summarizing both accounts, and in response to Baubock, Kostakopoulou (2003) argues that because:

> [N]aturalisation is a symbol of nationhood and a medium for the integration of the political community, any attempt to squeeze the ethnic element out of it, by confining naturalisation requirements to a simple residency qualification is bound to generate reactions.

What is more, admission to citizenship through naturalization entails a process to become a full member of a political community – an imagined one (Anderson, 1999). The process of naturalization, however, is "not natural at all but requires legal regulation" (Goodman, 2010). In relation, a typology of naturalization demonstrates eleven requirements, which include residency, allegiance to Crown/Parliament/Constitution, citizenship ceremony, good character/sufficient income, absence of criminal record, ideology, knowledge of society, acceptance of dual citizenship, language classes, and citizenship classes (Kostakopoulou, 2003). Usually, the requirements find bases in libertarian, republican, and communitarian models (Schuck, 1994). In reality nevertheless, the models "often overlap and may be interwoven in such a way as to create a plural paradigm that is tension ridden" (Kostakopoulou, 2003) who also concludes by saying the core requirements across the three models are the requirements of residency and absence of criminal record.

Similarly, Goodman (2010) arrives at the like conclusion after examining the naturalization processes in 33 countries. The residency based naturalization is also known as the "ordinary naturalization" and the political scientist says it is so for highlighting "the general requirements of acquisition for outsiders" and for being "the most prevalent form of acquisition after birth" but not "the most frequent" way of naturalization. In her study, Goodman equally demonstrates that the duration of residence ranges from as short as three years in Belgium to as long as twelve years in Switzerland. However, a number of countries demand immigrants to be holders of a permanent residency as "a condition for the qualifying period of residence for citizenship" (p. 11). Let alone obtaining citizenship, there is a number of countries, such as Norway for example, where the requirements of "language skills and country knowledge" are preconditions to obtain the permanent residency itself (van Oers et al., 2010). Next to the requirement of residence, the criteria of "prior citizenship renunciation, absence of criminal record, financial sufficiency and health condition, language skills, knowledge of country, good character, and integration" are requirements, with various weights across studied countries, for the naturalization process (Goodman, 2010).

The process of naturalization as a mean of citizenship acquisition is open for refugees recognized under 1951 Convention as well. However, there are a number of differences weaved with naturalizing refugees. First, the requirements of ordinary naturalization are usually lower for refugees. This could be related to the reason that when a state naturalizes a refugee, "the state acknowledges a special duty to offer citizenship to persons who have been deprived of effective protection by another state." The second difference is stressing, albeit with differences in enforcing the practice, on renouncing previous citizenship of the refugee (Goodman, 2010).

Next to scholars "talking about" citizenship (Leitner & Ehrkamp, 2006), immigrants develop their own sense of citizenship (Birkvad, 2019). In the particular case of naturalization, selectivity tends to drive immigrants decision to naturalize based on "strategic," "instrumental," (Harpaz & Mateos, 2018), and "pragmatic" grounds (Mavroudi, 2008).

As such, immigrants through naturalization opt for acquiring full-fledged rights (e.g., mobility as demonstrated in the case study findings) that are otherwise denied or limited before gaining full membership (see chapter four). In addition, seeking the said rights could occur either without growing sentiments and attachment to national identity and belonging (Brettell, 2006; Gálvez, 2013; Gilbertson & Singer, 2003; Golash-Boza, 2016; Leuchter, 2014), or could materialize while growing symbolic and emotional connections to national identity and belonging to the hosting country (Erdal, Doeland, & Tellander, 2018; Pogonyi ,2018; Fein & Straughn, 2014).

Beyond that, the subject of naturalization, and the ultimate end of becoming a citizen finds intimate linkage to universal human rights (Turner, 2013). In relation, the Universal Declaration of Human Rights states that "[e]veryone has the right to leave any country, including his own, and to return to his country" (Article 13) and "[e]veryone has the right to seek and to enjoy in other countries asylum from persecution" (Article 14). The Declaration entered into effect after, and as a result of, the Second World War. Since then, cross-border mobility resulted in new understandings of citizenship. The literature with regard offers three main concepts. The first contends that the era of national citizenship has passed and replaced by a new model of citizenship that emphasizes de-territorialized individual rights – a post-national citizenship. The universal human rights system, according to proponents of post-national citizenship, blurs the rights of national citizens and the resident foreigners in a state (Soysal, 1994). Nevertheless, the mobility of individuals goes hand in hand with transferring non-tangible assets such as cultures. Hence, arriving at the second concept, which is transnational citizenship. The transnationality establishes linkages and creates connections across the borders of countries of origins and receiving countries. As a result, transnational citizens forge multiple sources of belonging and plant roots in more than one territory or nation (Bauböck, 1994). Lastly, the arrival of individuals from different backgrounds adds new elements to the receiving country and injects diversity into the society.

In a similar environment, the need for accommodating civil, political, and social inclusivity rises to safeguard the rights of the minorities and demonstrate tolerance through multicultural citizenship (Kymlicka, 1995; Parekh, 2000).

Concerning the notion of boundaries and the subject of mobility, many countries in Western Europe turned to heterogonous societies – Germany, for example, declared itself a country of immigration in 1979. The like of declarations meant greater ethnic and cultural diversity. In connection, Soininen (1999) argued that the task at hand then becomes responding to the "challenge of developing a view of membership that is relevant for multi-ethnic and multicultural societies." As such, a number of scholars studied the link between diversity and citizenship (Benhabib, 2004; Joppke & Lukes, 1999; Kymlicka, 1995; Kymlicka & Norman, 2000); the influence of migration on citizenship (Aleinikoff & Klusmeyer, 2000; Castles & Miller, 2003; Favell, 1998; Hansen, 2000(a)); and the changes taking place in citizenship policy concerning dual citizenship or naturalization (Faist, 2007(b); Faist & Kivisto, 2007). In a collective takeaway, the aforementioned accounts see one way or another in citizenship an identity representing inclusivity, particularly in liberal and pluralist societies, and a tool safeguarding the passage of marginalized groups to all public domains on equal foot as citizens.

What have been mentioned led some to argue that new arrivals challenge the national citizenship not only for inducing new cultural elements to the existing one, embedded in the arrival of immigrants' heritage, but most importantly because the state's control of the borders has significantly diminished (Carens, 1987). The counter argument says, however, that post-national, transnational, and multicultural citizenships evolve still around states because "human rights are thus not disconnected from ties to the state: deterritorialized human beings may not be territorially bound citizens, but they are territorially bound residents" (Kostakopoulou, 2008). In addition, it is the same states that put into play means of incorporation to bring the newcomers, one way or another, closer to the blueprints of the society in the destination county. In relation, the dominant view suggests the end of similar means would be the acquisition of the new country's citizenship (Ager & Strang, 2004; Bosswick & Heckmann, 2006).

2.5. Means of incorporation

The types of movements across borders fall under dichotomies to categorize groups and differences (e.g., skilled-unskilled, temporary-permanent, voluntary-forced).

Nevertheless, the boundaries between the dichotomies blur in a spectrum of experiences (Castles, De Haas & Miller, 2014). The focus of the thesis pertains to the voluntary-forced dichotomy. Yet constructing a clear-cut distinction is rather difficult "from an empirical, and consequently, analytical, point of view, even if labelling for the sake of migration management upholds the notion" (Carling, 2017; Crawley & Skleparis, 2017). However, making the distinction is critical since labelling serves not only a descriptive purpose, but also explains "the complex and often disjunctive impacts of humanitarian intervention" (Zetter, 2007).[5] In relation, the 1951 Convention Relating to the Status of Refugees, for example, and as the name suggests, recognizes individuals fleeing persecution (see Section 1, Article 1). In other words, a key part of the discursive significance of identifying people as refugees, vis-à-vis other migrant categories, indicates the way with which they will be treated. In terms of treatment, the Convention states:

> Contracting States shall as far as possible facilitate the assimilation and naturalization of refugees. They shall in particular make every effort to expedite naturalization proceedings and to reduce as far as possible the charges and costs of such proceedings (Article 34).

The word "assimilation" in the Convention pertains to incorporating refugees into the "economic, social, and cultural life of [the hosting] country" (Robinson, 1954). What is more, the order of the words "assimilation" and "naturalization" is not arbitrary as the former, as a mean of incorporation, leads to the latter. However, assimilation is not the only mean of incorporation. Yet starting with assimilation as a form of incorporation is historically acceptable as the following section demonstrates.

2.5.1 Assimilation

Around the end of the 20th century, Nathan Glazer, an American sociologist, raised a question as an essay title "Is Assimilation Dead?" Glazer's answer was no, but the aim of the question was to say that assimilation had worn out "assimilation today is not a

[5] For the power of normative labelling, see Ottonelli and Torresi (2013).

popular term" (1993). What is relevant then is to look at what assimilation is and why did assimilation lose its popularity.

The concept of assimilation, as a scientific way to study immigration, traces to the Chicago School of Sociology in the early years of the 20th century. The first brick of conceptualizing assimilation is that of Park and Burgess's who, in 1921, forwarded the conception as "a process of interpenetration and fusion in which persons and groups acquire the memories, sentiments, and attitudes of other persons or groups, and, by sharing their experience and history, are incorporated with them in a common cultural life" (Park & Burgess, 1969). The authors considered assimilation a process "due to prolonged contact" (p.741) and an endeavor in a race-relations cycle "contact, competition, accommodation, and eventually assimilation" (pp. 361-362). In detail, authors view assimilation as the dissolution of one culture into another, or as "the fusion of cultures" (p. 737-741) – implying a dominant-subservient cultures in a society.

Indeed, Gordon views the dominant culture of the society to be "the cultural patterns" of the "middle-class …, largely, white Protestant, Anglo-Saxon origin" (1964, p.72). Like Park and Burgess, contact is essential in Gordon's view since assimilation occurs through "meeting people" (p. 60-61), but unlike Park and Burgess, Gordon forwarded a multidimensional framework of assimilation. He rests his view on the notion that assimilation composes of:

> [C]ultural (acculturation), structural, marital (amalgamation), identificational, attitude receptional (absence of prejudice), behavioral receptional (absence of discrimination), and civic (absence of value and power conflict) variations.

The components are interrelated, but do not always coincide. For being so, Gordon considers the necessary steppingstone of assimilation to be acculturation – a one-way, and indefinite adoption of the Anglo-Saxon values. Newcomers wise, Gordon sees acculturation as an adjusting measure of immigrants (p. 77). On the other hand, full assimilation takes place when minority groups enter the social structure, or the "social cliques, clubs, and institutions of the core society at the primary group level." This is

the so called structural assimilation and *"once structural assimilation has occurred…all of other types of assimilation will naturally follow"* (pp. 80-81, in italics originally). Ironically, Gordon considers structural assimilation undesirable as it is a forced adjustment and may lead to exclusion (p. 77).

One, however, should not overlook a key word in Gordon's framework, acculturation, as there is due to be paid for the similarities and differences between acculturation and assimilation. In relation, Teske and Nelson (1974) compared and contrasted the two conceptions and said that acculturation and assimilation are (1) "separate and distinct processes," (2) found that occurrence of acculturation is independent from assimilation, (3) indicated that interchangeability wise, acculturation is "necessary, though not sufficient, condition of assimilation," and (4) stressed that "the extent to which acculturation must occur before assimilation begins is indefinite" (p. 16).

Peddling back to Gordon's multi-dimensions of assimilation and Park and Burgess's cycle, the two works appear static as the element of duration seems absent. To address the time gap, Gans (1973), building on Warner and Srole (1945), asserted an element of continuity and forwarded the "straight-line" or generational assimilation. Accordingly, Gans sees assimilation as a process unfolding in a sequence of generational steps; each new generation is an agent of change representing, on average, a new level of adaptation to the host society. Thus, taking a step farther from the ethnic "ground zero," that is the community and culture established by the immigrants, and a step closer to more complete assimilation (Lieberson, 1973).

The works of Parker and Burgess, and Gordon are the classical or canonical theories of assimilation upon which recent refinements find basis. For example, Alba and Nye (1997) say assimilation is "the decline, and at its endpoint the disappearance, of an ethnic/racial distinction and the cultural and social differences that expresses it." In a revised definition, Alba and Nye (2003) forward assimilation as "the decline of an ethnic distinction and its corollary cultural and social differences." There is also Brubaker (2001) who, for example, distinguishes between two meanings of assimilation. In the general and abstract way, assimilation is a "matter of degree" as it "designates *a direction of change*, not a particular *degree of similarity."* In this sense,

assimilation is “the process of becoming similar, or of making similar or treating as similar.” On the other hand, and in the specific and organic meaning, assimilation stresses on “the end state” and “is a matter of either/or, not of degree.” Accordingly, assimilation “implies complete absorption.”

Either way, assimilation has been associated with a number of downfalls and the following could testify to Glazer’s question as to why assimilation has lost its reputation at the turn of the 21st century. To begin with, assimilation is a melting pot of differences. Indeed, Garces-Mascarenas and Penninx (2016) consider assimilation to be “more or less linear process in which immigrants were supposed to change almost completely to merge with the mainstream culture and society.” In connection, the authors criticize assimilation as a conception of incorporation for being presumptuous and assuming all states are homogeneous. In addition, authors argue the mono-view disregards structural inequalities, like discrimination in the labor market, and overlooking the need for actors (e.g., state, civil society, and ethnic communities) to induce the desired change. Similarly, and concerning the point of discrimination, Threadgold and Court (2005) say assimilation is individualistic for ignoring xenophobia in the hosting culture.

Another account criticizes the works on assimilation produced during the first half of the 20th century for consolidating assimilation and mobility as if the two “were virtually the same thing” (Kasinitz, Mollenkopf & Waters, 2005). On this note, Gans (2007) stated “acculturation and assimilation operate separately from mobility.”

This being the case, and when considering Gans definition of mobility as “the move to a higher or lower level of income, wealth, education, employment status and standard of living” and social mobility as “the movement to a higher or lower class or status position” (Ibid, p. 154), Chin (2005) demonstrates that immigrants could economically prosper or suffer without giving up ethnic cultural practices.

Lastly, one more account of criticism argues assimilation’s one-sided process devaluates other cultures and languages, presupposes that newcomers receive equal treatment by the hosting society, and holds a disregard for the importance of family

and community (Castles et al., 2005). In relation, Bosswick and Heckmann (2006) argue that assimilation's affiliation with "ethnocentrism, cultural suppression and often with the use of violence to force minorities to conform" could only be understood through drawing parallels to the rise of nationalism in the 20th century. In connection to naturalization, the legacy of nationalism persists in naturalization tests as a prerequisite for naturalization in several European countries, as the section on civic integration will demonstrate, and sees in assimilation a way of installing unified national values among immigrants (Hampshire, 2011). What is more, and from a civic republican understanding of citizenship, assimilating to host society in a one-sided way equates to surrendering individual self-interests necessary for prevalence of the collective common good.

Assimilation, nevertheless, is by no means bound only to immigrants when applying the concept to minority groups as seen in calling for preserving regional languages and cultures in several European countries (Keating, 1996); demanding for recognition of indigenous people in, for example, Latin America (Kymlicka, 1995); in the movement of Black Power (Howe, 1998); and in non-binary sexual prides (Johnston, 1973).

Recalling Glazer's question, "Is Assimilation Dead?" the accounts above could stand as a blueprint to what Glazer and Moynihan stated "the point about the melting pot is that it did not happen." Later research abandoned the emphasis on the end notion of absorption by the "core culture" and instead stressed on considering multiple reference populations.

Correspondingly, opening the way for segmented forms of assimilation (Neckerman et al., 1999: Waters, 1994; Zhou, 1997). Perhaps what best describes the said shift is Glazer's (1997) book title "We Are All Multiculturalists Now." This comes to show that diversity in the nation-state is a reality and requires policies to safeguard socio-cultural heterogeneity by offering spaces where the newcomers incorporate without having to give up immigrants' previous identities.

2.5.2 Multiculturalism

The shift toward multiculturalism began gradually after WWII. Embedded in the revolution of human rights (Kymlicka, 2007), multiculturalism could be broadly attributed to three types of struggles in the second half of the 20th century:

> [S]truggle for decolonization (1948-1965), the struggle against racial segregation and discrimination, initiated and exemplified by the Africa-American civil rights movement (1955-1965), and the struggle for minority rights in the 1960s (Kymlicka, 2010).

Then, and for being the "rejection of assimilation" (Bosswick & Heckmann, 2006), multiculturalism recognizes diversity beyond the nation-state's mono-constructs of culture and religion. Put differently, multiculturalism is "the state of a society or the world in which there exists numerous distinct ethnic and cultural groups seen to be politically relevant." (Ivison, 2015). The political relevance of diversity finds emphasis in Pennix's point of view who considers multiculturalism as "a set of normative notions" regarding the political formulation of a pluralistic society.

Integral to multiculturalism is viewing the concept as particular to Western societies (Brubaker, 2001; Castles, 2002; Joppke, 2004) where three patterns of multiculturalism emerged to fortify indigenous people (e.g., Aboriginals in Canada); allow autonomy of groups at the sub-national level (e.g., Catalans in Spain); and to extend multicultural citizenship for immigrant groups (Kymlicka, 2010). From the multicultural patterns one could understand that multiculturalism is equally "a program or policy promoting such a society" (Ivison, 2015).

In relation, and relevant to multicultural citizenship for immigrant groups, Castles et al (2013) argue that multicultural policies promoting a diverse society materialize in the state support for ethnic institutions and educational centers, and in provisions of exemption from certain law requirements concerning religious and cultural minorities. In other words, the state forms of support are "positive rights" and the latter exemptions are "negative rights" (Solano, 2018).

Dwelling further into the same subject, Kymlicka and Banting (2006) expanded what counts to be a state's multicultural citizenship policy under three categories (see Table 1). The first category indicates "celebration of multiculturalism," and consists of three policy indicators (e.g., constitutional, legislative, or parliamentary affirmation of multiculturalism). The second category represents reduction of "legal constraints on diversity" with two policy indicators reflecting and enshrining the said diversity (e.g., allowance of dual citizenship). Lastly, the third category represents "forms of active support for immigrant communities and individuals" and consists of three policy indicators, which places the state's financial capabilities behind its policies to bring diversity into effect (e.g., funding of bilingual education or mother tongue instruction). Altogether, the categories and the indicators create a kind of dashboard against which states could be both measured and ranked. As result, states could be classified to have as either strong, modest, or weak multiculturalism. Accordingly, a state adopting 6 policies would be a country with "strong multiculturalism policies," a state adopting 2 to 6 policies would be one with "modest multiculturalism policies," and a state with two or less policies is a country with "weak multiculturalism policies." On this note, Joppke (2001) differentiates between explicit multicultural citizenship, as an official state program, and implicit multicultural citizenship where engulfing diversity exists without official ink on paper.

In relation to strong, or explicit, multiculturalism citizenship, a leading example is Canada. The North American country kicked off officially with multiculturalism in 1971 with its policy of "multiculturalism within a bilingual framework" (quoted, Kymlicka, 1998) with the intention of preserving "the cultural freedom of all individuals and provide recognition of the cultural contributions of diverse ethnic groups to Canadian society" (Multiculturalism Policy, 1971). Thereafter, the government's policy had been affirmed by legislation, which offered an integrative model for the society as a whole by acknowledging multiculturalism "as a fundamental characteristic of Canadian society with an integral role in shaping Canada's future" (Canadian Multiculturalism Act, 1988).

At heart, the Act addressed the "the francophone national minority of Quebec" (Joppke, 2001) and the "Asian, African, and Middle Eastern immigrants' concerns of employment, housing, education, and antidiscrimination" (Fleras & Elliot, 1992).

In addition, the practice of multiculturalism in Canada further materializes in several policies, namely in incorporating multiculturalism into school curricula (Council of Ministers of Education of Canada, 2008); ensuring ethnic inclusion public media mandates or media licensing (CRTC, 2009); safeguarding dress code freedom (Bouchard & Taylor, 2008); allowing dual citizenship (CIC, 2009); supporting ethnic group activities (Biles, 2008; Sadiq, 2004); partially financing bilingual education and/or mother-tongue instruction (Canadian Heritage, 2009); and lastly, protecting immigrants from discrimination (Canadian Human Rights Act, 1985). To articulate the overall Canadian example, Justin Trudeau, the Canadian Prime Minister, told the New York Times in 2015 that Canada is the "first postnational country." (Peckmezian, 2015).

As for the modest, or implicit, multiculturalism citizenship, the case of the Netherlands is rather interesting. To being with, and unlike the Canadian example, Dutch multiculturalism policies are not for the society as a whole. Rather, the policies target only immigrants. Indeed, the Dutch government acknowledged its diverse racial and ethnic fabric and formulated a minority's policy recognizing eight official minorities for 'emancipation' within state-supported ethnic parallel societies (Wetenschappelijke Raad voor het Regeringsbeleid, 1979) – a reminiscent of the 'pillar' tradition of the religiously and ethnically divided Dutch society (Lijphart, 1968). The policy aimed to target political and social exclusion by organizing minorities in groups to address causes of exclusion. Thus, the Netherlands approach was once dubbed as the "most multicultural of all European immigrant policies" (Joppke, 2001). The Dutch policy, however, faced serious challenges. First, the idea of grouping minorities proved inadequate as immigrants' socioeconomic marginalization persisted. Second, accommodating the needs of each group separately, particularly after the influx of asylum seekers during the 1990s turned impractical (Ibid).

The answer to the said consequences, which acclaimed the title of 'multicultural drama' (Scheffer, 2000), was the 1998 Law on the Civic Integration of Newcomers – a yearlong course of language skills, civic education, and preparation for the labor market (Joppke, 2007b).

While there is no constitutional, legislative or parliamentary affirmation of multiculturalism in the Netherlands (Entzinger, 2006); the government allows for the incorporation of multiculturalism in educational curricula, but in an unequal and decreasing fashion (Leeman & Reid 2006, Rijkschroeff et al., 2005); permits partial ethnic inclusion in public media mandate or media licensing (Mira Media, 2010); has some, but erratic dress code freedom (BBC, 2006; Verhaar & Saharso, 2004); de facto permitted dual citizenship (Howard, 2005); limited support for ethnic group activities (van Hamersveld & Bína, 2008); no funding for bilingual education or mother-tongue instruction (Rijkschroeff et al., 2005); and lastly, no affirmative protection of immigrants from discrimination (Commissie Gelijke Behandeling, 2004). In sum, Kaya (2009) describes the said Dutch experience with diversity and its ramifications as a journey from multiculturalism to assimilation.[6]

Similar to the Dutch case, multiculturalism faced decline, retreat or crisis in the U.K. (Back et al., 2002; Hansen, 2007; Vertovec, 2005), Australia (Ang & Stratton, 2001), and even in Canada (Wong et al., 2005). In the case of Europe, the decline, retreat, or crisis could be related to racism, discrimination, and xenophobia (Bowen, 2007; Vertovec & Wessendorf, 2010). Overall, accommodating diversity through multiculturalism policies beginning in the 1970s slowed down in the 1990s and even took a back a seat (Castles et al., 2005). The argument here is twofold. First, critics of multiculturalism demonstrate Yugoslavia's dissolution as a negative example of ethnic and cultural diversity – Chapter 3 taps on the associated consequences. Second, multiculturalism, as a mean of immigrants' incorporation, increased, according to critics, societies' diversity and thus weakened national culture and reducing personal loyalty (Goodhart, 2004).

[6] For another account on the decline of multiculturalism in the Netherlands, see Entzinger (2003).

In response, the states wanted to retake control by subjecting the new arrivals to incorporation courses and tests and this is the focus of the following section.

2.5.3. Civic integration

The origin of the civic integration concept is Dutch and appeared as the first of its kind as a law in 1998 in the Netherlands (Joppke, 2017). The replicas of the "Dutch Model" (Michalowski, 2004) then appeared in other European countries (Goodman, 2014). What is more, the term "civic integration" suggests two elements. The "civic" element "signals integration into society's mainstream institutions, especially the labour market" (Bernard, 1973; Joppke, 2017). In another explanation, "civic" is the "acquisition of citizen-like skills" (Goodman & Wright, 2015). In parallel, the element of "integration" originated around the time when the conceptualization of assimilation was waning in the 1960s of the 20th century and multiculturalism was becoming the alternative. Unlike assimilation, see section 2.5.1 above, integration is "less demanding" for "allowing space for the retention of cultural differences in the private domain" (Kostakopoulou, 2010). On this point, integration, as a mean of incorporating immigrants, is a continuation of European countries' response to diversity (Blommaert & Verschueren, 1998; Threadgold & Court, 2005; Vasta, 2009) and a reflection of the ongoing struggle engulfing the notions of nation-states, egalitarian liberal western democracies, and multiculturalism (Favell, 2013; Castles et al., 2002).

The scholarly work on integration agrees on nothing but on the many definitions of what integration is about (Threadgold & Court, 2005). Moreover, Kuhlman (1991) say "[d]efinitions of integration are sketchy or altogether absent." In addition, Robinson (1998) argues that integration is a vague and chaotic concept. Placement wise, Bulcha (1988) says that integration is a middle ground between marginalization and assimilation. A similar view places integration conceptually somewhere between segregation, Bulcha's marginalization, and assimilation because integration varies from assimilation in degree rather than kind (Kuhlman, 1991).

Therefore, Castles et al (2002) say the meanings of integration "vary from country to country, change over time, and depend on the interests, values and perspectives of the

people concerned." However, Robinson (1998) argues that integration applies to refugee context to which Ager and Strang (2008) agree. Even then, the questions to ask are "integration to what and by whom" and the answer to which is the policies and practices put in place in the destination or receiving state (Castles et al., 2002; Favell, 2003; Threadgold & Court, 2005).

Moreover, integration is similar to assimilation in being a process, but unlike the one-way direction of assimilation, integration is a two-way process incorporating the society of the receiving country and immigrants who engage in a reciprocal process of "live and let live" (Bulcha, 1988). The reciprocity is about coexistence while "sharing the same resources," whether economic or social, "with no greater mutual conflict than that which exists within the host community" (Harrell-Bond, 1986). Yet similar to assimilation, integration is multidimensional and composes of structural, cultural, interactive, and identificational integration processes (Bosswick & Heckmann, 2006; Heckmann & Schnapper, 2003). Duration wise, Heckmann (2005) argues that integration is ever lasting two-way process for integration is "a generations lasting process of inclusion and acceptance of migrants in the core institutions, relations and statuses of the receiving society."

Furthermore, Favell (2001) describes the notion of integration as a "disparate range of state policies, laws, local initiatives, and societal dispositions – which could be implemented by many agencies at many levels – comes to be thought of as a single nation-state's overall strategy or policy of integration." Altogether, the conceptualization of civic integration aims at melting immigration control and immigrants' incorporation under one umbrella (Joppke, 2017).

According to Kostakopoulou (2010), the details surrounding the appearance of civic integration in Europe after the 1990s finds root in the position of the right wing which saw in societies' increase of heterogeneity (Baubock et al., 2006; Baubock et al., 2007) a springboard to the emergence of ethnic enclaves in the larger one (Vertovec, 1995).

This parallelism was like "sleepwalking…to segregation" (Philips, 2005). Therefore, Anderson's "imagined communities" felt the heat of diffusion since the commonalities of a homogenous culture and the associated unified loyalty were under threat.

Hence, "questions of identity were reframed within a disciplinary context that required migrants to show commitment by attending classes and taking exams and to meet increasingly restrictive conditions in order to be part of the host society and the citizenry" (Kostakopoulou, 2010). On this note, if civic means the "acquisition of citizen-like skills" in reframing identities, now as much as in the 19th century, continues to run on two assumptions. One assumes integration "necessary for societies survival" and hence answering the question of "why integration?" The other one is about the said society, which remains presumed to be "coherent, unified and homogenous" and thus addressing the inquiry of "integration into what?" (Ibid).

In practice, civic integration is in effect in several European countries since 1997 (Goodman & Wright, 2015).[7] Considering that civic integration is a "national policy," countries differ in policy goals and in policy instruments (Joppke, 2017). Indeed, Michalowski (2011) looked into citizenship tests of Austria, Germany, the Netherlands, the U.K., and USA, and found that Austria and Germany tests, countries with ethno-nationalist constructs of citizenship, evolve around "liberal legal and political norms" whereas the Netherlands, known for multicultural reputation, "put in place a test around sociocultural norms."[8] In other words, the findings reflects two principled positions about civic integration tests for citizenship. One says that similar tests are hurdles on the path of immigrants to citizenship (Klekowski von Koppenfels, 2010) or attempts encouraging cultural assimilation by representing thick understanding of what constitutes national identity (Orgad, 2010). The counter argument to this this line of thought differs. The counter argument says civic

[7] The countries are Ireland, Sweden, Belgium, Portugal, Spain, Finland, Luxembourg, Greece, Italy, Great Britain, France, Austria, Germany, Netherlands, and Denmark.

[8] For a greater sample of countries, see Integration Systems Compared 2010 https://ec.europa.eu/migrant-integration/librarydoc/integration-systems-compared-2010. For Scandinavia countries, see Borevi et al., (2017).

integration tests are examples of political liberalism (Fermin, 2001) for "enhancing capacity" of immigrants to benefit from the European welfare state (Joppke, 2010).

Looking at the contents of the tests, the five countries could be divided into two camps – a camp of countries including USA, Austria, and Germany whose naturalization tests focus on the subjects of politics, history, and geography, and a second camp consisting of the Netherlands and the UK whose tests ask questions about the subjects of politics, history, geography, economy and public goods and services, and traditions and public norms. Diving into the details of subcategories, the tests in four out of 5 countries pay great attention to countries' political system democracy and rights. In contrast, the test in the Netherlands focuses instead on the subcategory of health. In addition, the tests in Austria, the UK and USA have no questions pertaining to "what is good," that is "the existence of a moral consensus on a certain issue in the respective country" (Joppke, 2010). On the other hand, the test in Germany has one question on "what is good," but "one-fifth of all items from the Dutch test guidelines relate to what is good." In conclusion, Michalowski (2011) argues that "the content of citizenship tests is not liberal or assimilationist per se," but one could argue the tests implemented in the Netherlands has a moral content whereas a similar aim does not exist in the tests of the other four countries. Impact wise in a different set of studied countries, Goodman and Wright (2015) studied the effect of civic integration tests on immigrants' socio-economic and political outcomes and arrived at the conclusion that civic integration tests are "symbolic" rather than "functional" and that "requirements serve a meaningful gate-keeping role, while simultaneously repositioning the state closer to immigrant lives."

The revive of civic integration in Western European countries in the late 1990s, a time when enthusiasm about multiculturalism was fading, has linkage to what occurred in the early 1990s in the aftermath of Yugoslavia political breakup, which resulted in a new wave of asylum seekers looking for havens of protection from the horrors of bloodshed and ethnic cleansing in Yugoslavia (Bringa, 1995; Hudson & Bowman, 2004). At the time, the European countries addressed the en masse arrival of forcibly displaced migrants from Yugoslavia through ad hoc national policies of temporary protection (TP). The responses, however, offered a pretext to the birth of Temporary

Protection Directive (TPD) – an EU-wide legislative mechanism that may be implemented in the event of mass arrival of displaced people from outside the bloc (Council Directive 2001/55/EC).

The following chapter provides an overview of Yugoslavia's breakup, the associated consequences, particularly with regard to the forced displacement of millions of people, mostly Bosnians, look at two country examples, namely that of Germany and Sweden, to comparatively highlight the policy similarities and differences, especially with regard to paths toward naturalization, or the lack thereof, the emergence and development of TPD, which entered into effect in 2001, offers potential reasons behind inactivating the Directive following the masses of asylum seekers as a result of the so called Arab Spring in 2010, and juxtaposes the case in Europe to that in Turkey where 3.6 million Syrians are registered under temporary protection and whose naturalizing process is, least to say, exceptional in nature.

CHAPTER 3

TEMPORARY PROTECTION AND NATURALIZAION

Temporary Protection (TP) of asylum seekers and refugees is not a recent concept. The Organization for African Unity (OAU), for example, adopted the Convention on the Specific Aspects of Refugees Problems in Africa in 1969, and the Convention, including a codification of TP, entered into effect in 1974 (UNHCR, 1974). In particular, Paragraph 5 under Article II indicates:

> Where a refugee has not received the right to reside in any country of asylum, he may be granted temporary residence in any country of asylum in which he first presented himself as a refugee pending arrangement for his resettlement in accordance with the preceding paragraph.

Equally, the concept of TP had been promoted as a response to the mass displacement of asylum seekers and refugees in Southeast Asia during the 1970s and early 1980s. During the same period, the concept of TP attracted attention as a potential response to the uprooting of people due to the civil wars in Central America (Martin, 1988). In the case of the United States, the Extended Voluntary Departure (EVD) was in place as temporary asylum granted to groups from the same country (e.g., Cubans in 1960, Chileans between 1971 until 1977, and Nicaraguans in 1979) "until the situation in the home country – be it a civil war or a natural disaster - has improved" (Blanke 2003). Thereafter, EVD laid foundation to Temporary Protected Status (TPS) in the US (Coutin, 2011) and remains in effect for the nationals of a dozen countries.[9] Elsewhere, and after the guest-worker programs halted, Europe started witnessing a gradual increases in the number of asylum seekers.

[9] This includes Myanmar, El Salvador, Haiti, Honduras, Nepal, Nicaragua, Somalia, South Sudan, Sudan, Syria, Venezuela, and Yemen. U.S. Citizenship and Immigration Services. Temporary Protected Status https://www.uscis.gov/humanitarian/temporary-protected-status

In the beginning of the 1970s, the average annual number of asylum claims was around 13,000. The number reached 46,000 in the early 1980s and jumped to 157,000 by the end of the 1980s (Koo, 2016). Response wise, European states enacted a number of policies, such as imposing a visa restriction as a prerequisite to entry to curb down the entry of asylum seekers (Kjaerum, 1994). However, the arrival of asylum seekers continued (UNHCR, 1997) and by the early 1990s, the scene changed completely when the EU received as many as 674,000 asylum claims from the former citizens of Yugoslavia, predominantly from Bosnia (UNHCR, 2001).

The breakup of Yugoslavia saw the birth of several new states and the disintegration went hand in hand with bloodshed. In relation, the first conflict was the Croatian civil war (1991-1995). The United Nation (UN) responded by sending its Protection Force, (UNPROFOR), to facilitate demilitarization and to act as a monitor on the ground (UN, 1996). The second conflict was the Bosnian civil war (1992-1995). The UN extended UNPROFOR mandate to operate in Bosnia in order to protect ethnic Muslims, but the mission catastrophically failed in Srebrenica (Crossette, 1999). Consequently, the North Atlantic Treaty Organization (NATO) intervened and Dayton Peace Agreement was signed in late 1995.

One result of the war in Bosnia was uprooting millions and one estimate puts the number close to three million displaced Bosnians (Young, 2001). While violence raged in Eastern Europe, a political and economic body emerged in Western Europe known as the European Union. The representatives of 12 European Community Member States signed Maastricht Treaty in early 1992 and the Treaty entered into effect in late 1993 (European Commission, 1992). According to Maastricht Treaty, the EU enjoys specific powers: “exercise governance through the institutions of the European Communities, formulate common foreign and security policies, and ensure cooperation in field of justice and home affairs.” Under the latter pillar, the EU, among other responsibilities, has to develop “common actions with regard to areas of crossings over the bloc’s external border, illegal migration, and common asylum policy” (European Parliament, 2021).

One challenge facing the bloc was asylum seekers fleeing former Yugoslavia. The United Nations High Commissioner for Refugees (UNHCR) indicated that the total number of filed asylum applications in the EU for 1992 was 674,000 (UNHCR, 2001). The EU had no harmonized common asylum and refugee policy as a unified response to the arrival of asylum seekers. However, corresponding to changes brought by Amsterdam Treaty in 1999 requiring the EU to produce a temporary protection instrument by 2004, especially after the bloc's experience with asylum seekers from former Yugoslavia in the 1990s, the EU agreed upon the Temporary Protection Directive in 2001.

Nevertheless, and prior to adopting a harmonized asylum policy at the EU level, the response of the Member States varied in relation to the arrival of Bosnians. In principle, the varying responses could be attributed to the way with which the states interpreted the head of UNHCR's speech in Geneva where in 1992 Ogata stated "admission and protection, at least on a temporary basis, should be given without discrimination to all those who need it" (UNHCR, 1992) – the key words being "at least." The different interpretations of Ogata's "at least" could be seen in the policies of two countries: Germany and Sweden.

3.1. Bosnians under TP in Germany

It has been mentioned that 670,000 asylum seekers, predominantly from Bosnia, fled former Yugoslavia and sought safety in neighboring Western European countries. Germany, among the latter, was the largest host country with 320,000 registered asylum seekers from Bosnia (Valenta & Ramet, 2011). Initially, Germany rejected many asylum applications of Bosnians claiming that only government persecution validates one's claim to international protection (UNHCR, 1993). In detail, the argument was if an asylum applicant cannot demonstrate fear of particular and individual persecution at the hands of a state, escaping widespread violence committed by none-state groups does not qualify the applicant for asylum under 1951 Convention (Franz, 2010).

In addition, tightening asylum procedures in Germany could be related to identifying false asylum applications submitted by economic migrants in the years leading up prior to the conflict in Yugoslavia (Koser & Black, 1999); facing an economic downturn and an increase in labor supply (Frank, 2009); attracting ethnic Germans from former blocks of the Soviet Union upon the collapse of the latter (Woodward, 1995); and admitting several thousands of Slovenes and Croatians who already fled violence upon the Slovenian and Croatian secessions (Stets, 1992).

Germany's stance on Bosnian asylum seekers attracted international criticism from UNHCR (Kinzer, 1992) and from neighboring Austria, which alleged that Germany's tight borders were causing an increase in asylum requests on its territory. Germany equally faced internal criticism, mainly from church and pro-immigrant advocacy groups (Hageboutros, 2016). In response to the pressure, Germany progressively opened its borders to Bosnians, prioritizing most vulnerable groups, the sick and wounded, as well as "Bosnians with network support in Germany" (Stets, 1992). While the said actions shielded Germany from external criticism, the German Parliament was working on a constitutional change that would prevent forcibly displaced individuals arriving to Germany indirectly from claiming asylum under the 1951 Convention. Hence, rendering Bosnians ineligible and subjecting them to deportation (Halibronner, 1994). The alternative was offering Bosnians temporary protection (Franz, 2010). In other words, Germany, and many other European countries that opted for temporary protection, did so "to limit the scope and accessibility of the 1951 Convention for Bosnian refugees" (Ibid). In extending TP for Bosnians, Germany decreased the state's financial commitment, which otherwise would have been granted in full to asylum seekers under 1951 Convention (Franz, 2005). On the other hand, Germany appealed to public opinion and international condemnation by providing Bosnians basic rights. The said rights, nevertheless, rather limited. This was the case with regard to accessing the labor market and education. Similarly, being subject to TP meant having no or restricted access to integration measures. However, Bosnians under TP had same access to social aid as Germans (Barslund et al., 2017).

Furthermore, Bosnians in Germany under TP enjoyed two types of permits (Koser & Black, 1999). The Dudlung, or toleration permit, according to one Bosnian is "a

permanent state of suffering" as its holders were prohibited from working and from accessing education, but its holders were under "legal suspension of deportation" (Schneider, 2013). The aufenthaltsbefungis, or temporary residence, permit allowed its holders limited movement and were assigned to locations designated by the federal government (Lohre, 2009; Luebben, 2003). Consequently, and in conjunction with the absence of government-sponsored incentives for economic and social integration, Bosnians hoovered on the periphery of the German society leading "lives of near-invisibility […] separated from the mainstream in hostels, socializing at their own coffeehouses, reading their own newspapers in their own language" (Walsh, 1995). What is more, there were scarce prospects of naturalizing Bosnians, chiefly because at the time jus sanguine was the principle in Germany's nationality law (Munz & Ulrich, 1999). Interpreted differently, the opportunity to become a German, until the turn of the 21st century, was limited to individuals born to German parents who were of German ancestry. This policy, known as *Abstammungsprinzip*, was one of "the most restrictive and exclusionary in Western Europe" (Nathans, 2004).

While in limbo, the second half of the 1990s brought new developments for Bosnians in Germany. Dayton Accord was signed in 1995. Interpreted as the end of the civil war in Bosnia, the German federal and state ministers of the interior announced that the 320,000 Bosnians should begin to return beginning of October 1996 (Cowell, 1996). It is worth recalling that Germany has a decentralized governance system. Therefore, each German state, or Lander, had the freedom to set up its own timeline for repatriation (Bagshaw, 1997). While UNHCR declared that conditions in Bosnia remain unripe for repatriation, the southern German state of Bavaria, a traditional stronghold for the conservative Christian Social Union (CSU), started deporting Bosnians as per the ministers' decision. In opposite to what the state of Bavaria pursued, German states under the liberal Social Democrats, where the majority of Bosnians lived (Eggleston, 1996), argued that return should be gradual and should be implemented in "moderation" since many Bosnians "cannot yet return to their homes" (Walker, 2011).

In relation, Walsh (1992) argued cooperation between pro-immigrant groups and local churches influenced the decision of the said German states and managed to slowdown

Bosnians' repatriation. If to look at the effect of the influence in delaying the deportation process, it took 9 years for 75 percent of Bosnians to repatriate (Valenta & Ramet, 2011). Moreover, the persistence and insistence of Germany on its policy of Bosnians' deportation went hand in hand with negative spillover, especially in the country of origin. Deported Bosnians created minority enclaves in Bosnia and Herzegovina and increased the internally displaced population in the country. Together, the two factors hampered progress toward the war-torn country's rehabilitation and stabilizing aims (Franz, 2010).

3.2. Bosnians under TP in Sweden

The above example of Germany offers a country case linking TP duration with seize of circumstances and conditions uprooting asylum seekers from the country of origin. In Sweden, on the other hand, Ogata's "at least" unfolded in offering TP as a springboard to a long-term residence, and eventual naturalization. A number of European countries followed a similar approach, but among the first to implement the like policy was Sweden. The latter was among the top five hosting countries of Bosnian asylum seekers during the 1990s of the 20th century – Sweden, with 58,700 Bosnian asylum seekers, ranked third after Germany and Austria (Valenta & Ramet, 2011).

At the onset of Bosnians' arrival in the country, the Swedish government considered three options. First, remain neutral, do nothing, and await developments in Bosnia; second, grant TP to Bosnians; and finally, maintain Sweden's traditional policy of offering permanent residencies to asylum seekers (Appelqvist, 2000). Relevantly, two factors influenced the government's way forward. The first was Otaga's statement in 1992. Indeed, and much like Germany, Sweden's initial response to the arrival of Bosnian asylum seekers was to offer TP. Thereafter, the government debated the consequences associated with the decision in terms of limiting Bosnians' integration and excluding them from various benefits.

This was in parallel to the dim outlook surrounding the situation in Bosnia (Appelqvist, 2000), indicating a long-term conflict and the need to respond accordingly. Therefore,

in June 1993, and in a blanket decision with a consensus across the political spectrum, Sweden granted most of Bosnian asylum seekers permanent residencies "on humanitarian grounds" (Ibid). Together with family reunions, the number of Bosnians with permanent residencies was 70,000 – a record number for the Nordic country – who were mostly young and well educated (Eastmond, 1998).

The change in Bosnians' legal status expanded the scope of benefits. As such, the shift toward issuing permanent residency cards provided Bosnian with unrestricted access to the labor market, which was made easier by subsidized employment, and education. The change in legal status also permitted Bosnians to benefit from local integration courses in their regions of residency, such as language skills development and building professional abilities. Lastly, Bosnians with permanent residency permits were eligible for social assistance in the same way Swedes were (Barslund et al., 2017). Next to Sweden, other European countries followed suit albeit at different stages. The Netherlands, for example, implemented a similar approach and granted Bosnians permanent residencies at an early stage, whereas Austria and Denmark did so after Dayton Accords in 1995. Put in a comparative context by looking at Bosnians' outcomes in the four European countries, results demonstrate an overall positive outcomes in the labor market and tertiary education of Bosnians in the said countries (Ibid).

What is more, the legal status generating a sense of settlement combined with positive integration in Sweden, Bosnians' prospects of repatriation dwindled. This is best seen in the number of Bosnian repatriates a decade after signing Dayton Accords: only 1,900 out of the initial 58,700 Bosnians in Sweden returned between 1996 and 2005 (Valenta & Ramet, 2011). In relation, Olovsson (2007) studied what affected Bosnians' decision to repatriate and concluded that high level of education positively affects the decision to return to the country of origin. However, and considering that only 3 percent of Bosnians returned from Sweden, Olovsson argued that "the probability of outmigration is strongly reduced by the level of integration."

Beyond integration, the arrival of Bosnians in the 1990s added a new element to an already heterogeneous Swedish society – Sweden officially announced itself a

multicultural country in 1975 (Castles, 2002). However, this multiculturalism needed to be enshrined in who could become a citizen of Sweden. The issue of naturalization sparked discussions to the point where everyone could reach the point of being at an equal par in terms of rights and duties. This attitude of full inclusivity turned into reality at the turn of the 21st century when the 2001 Act on Swedish Citizenship entered into force – otherwise idle since 1950. The Act, in essence, aimed at "making it easier to gain Swedish citizenship" (Mclver, 2010). The ease of obtaining the Swedish citizenship could be seen through several points reflecting the liberal attitude toward immigrants and refugees. The Act fully supports dual citizenship without imposing any obligation for new citizens to take an oath of allegiance; consists of no definition of who is a Swedish citizen nor elaborates on what is citizenship; and does not require language skills – the latter particularly considered "fair" because "some groups of people would have trouble learning a new language" (Bernitz & Bernitz, 2007).

According to the Act, there are three modes of acquiring Swedish citizenship: automatically, by notification, and by application or naturalization. The last mode is what is relevant to this research and in connection, the Act clarifies the needed requirements for an alien to "apply for and be granted Swedish citizenship (be naturalised)" if the alien:

> 1) has provided proof of his or her identity; 2) has reached the age of eighteen; 3) holds a permanent Swedish residence permit; 4) has been domiciled in Sweden a) for the previous two years in the case of Danish, Finnish, Icelandic or Norwegian citizens, b) for the previous four years in the case of a stateless person or one who is considered to be a refugee under Chapter 3, Section 2 of the Aliens Act (1989:529), c) for the previous five years for other aliens; and 5) has led and can be expected to lead a respectable life (Swedish Citizenship Act 2001, section 11).

The rather flexible citizenship requirements embracing multiculturalism saw over 50,000 Bosnians becoming dual citizens by 2008 (Pregled stanja, 2008).

The examples of Germany and Sweden, at least during the first year of hosting Bosnians, demonstrate that TP, as a national response, could be implemented as either

a tool of protection for the duration of conflict in the country of origin or as a launching pad to a long term integration of the hosted vulnerable groups. Nevertheless, the arrival of asylum seekers from Bosnia showed that there was a need for an EU policy response for if and when the history repeats itself, primarily since the dissolution of Yugoslavia continued after Dayton Accords. In 1999, Albanian-ethnic Kosovars sought independence from Serbia. The conflict between the Serbian government and Kosovars, and the bombing of NATO, triggered a new wave of displacement as 1.4 million Kosovars were estimated to be as internally displaced and asylum seekers (USCRI, 1999). In details, the conditions in Kosovo uprooted and forced 203,160 Kosovars to file for asylum in Europe (UNHCR, 1999).

3.3. EU asylum system and the Temporary Protection Directive

The unfolding events in the aftermath of Yugoslavia's dissolution posed the first test for the newly founded EU in terms of extending protection to asylum seekers. According to what has been shown so far, the challenge at hand was about the en masse arrival of asylum seekers. Therefore, the EU began developing its Common European Asylum System (CEAS) – a system of harmonized law applicable across all EU member states. The progress, however, was rather slow, primarily due to lack of consensus between EU member states on an agreeable foundation. The differences concerned to the definition of what constitutes temporary protection; the definition of mass migration, specifically as to what constitutes large numbers and the associated negative effects; the method of activating and terminating temporary protection; the nature of solidarity among member states and whether solidarity in burden sharing was about financial compensation or actual accommodation of persons of concern; and the obligations of member states toward persons under temporary protection as in the right to submit an asylum application, access the labor market, and granting residence permits (Beirens et al., 2016).

What also fueled the differences was the issue of freedom of movement within the EU as entitled by EU Schengen Rules, which required EU member states to remove border controls between themselves (EU Official Journal, 2016). Hence, if her original claim was denied, the worry was that the same individual might file repeated asylum claims

in various member states. As a result, it was necessary to manage, reduce, and eliminate multiple asylum claims. One step toward addressing the said loophole was the Dublin Regulations. The principle rule was, and still is, to discourage and prevent multiple asylum applications, which, at the time, acted as “a pull factor for the arrival of asylum seekers” (Blake, 2001). The Dublin Regulations, in essence, dictate that an asylum seeker must file his or her claim in the first EU nation of entry (Regulation 604/2013) – a requirement that places greater responsibility on the shoulders of periphery EU member states (Blake, 2001). Following that, and to put the preceding events into context for asylum seekers, EU member states signed the Amsterdam Treaty in 1997, with the intention of providing a solid and coherent legal foundation for the establishment of the Common European Asylum System. (Kerber, 1999). Thereafter, the Dublin Regulations were legally integrated into EU law by the Amsterdam Treaty (van Der Klaauw, 2001). Furthermore, the Amsterdam Treaty obligated EU institutions to create an EU-wide temporary protection mechanism. (Koo, 2016). Indeed, the Amsterdam Treaty's amendments went into force in 1999, with the Temporary Protection Directive being the first order of business (TPD).

The TPD's formation in 2001 was and continues to be contentious. On the one hand, the UNHCR endorsed the Directive, viewing it as a novel method for EU member states to recognize a humanitarian duty to protect vulnerable people escaping violence. (Gibney, 2000). On the other hand, there was no EU set of obligations on the form and scope of protection. Instead, each state implemented its own arrangements, or agreed to disagree on a common denominator on “burden sharing” (Kerber, 1999) Thus, the major source of worry revolved about states utilizing TPD to avoid commitments under the 1951 Convention (Fitzpatrick, 2000).

Nonetheless, and despite the differences, it has come to be acknowledged that temporary protection is an acceptable policy reaction to mass forced displacement, and TPD, to borrow from (Kerber, 1999), has certain elements.

3.4. Elements of TPD

The TPD is “exceptional” procedure with a purpose to “establish minimum standards for giving temporary protection in the event of a mass influx of displaced persons from third countries who are unable to return to their country of origin” (see Article 1). In relation, TPD could be understood to provide protection for groups as it is contested that the 1951 Convention is limited to individual protection. Hence, UNHCR (1993) referring to TPD as “flexible and pragmatic means of affording needed protection to large numbers of people fleeing human rights abuses and armed conflict in their country of origin, who might otherwise have overwhelmed asylum procedures.” Surprisingly, there is no specific figure or method for determining the “mass influx” threshold. (Arenas, 2005). While being the case, one of the reasons behind UNHCR support for TPD in Europe was avoiding collapse in member states' asylum systems as a result of the arrival of asylum seekers in large numbers. (Kerber, 1999). Interestingly, Fitzpatrick (2000) points to the lack of a similar pressure on member states' asylum systems even at the height of arrival in 1992-3.

In this regard, the wide term of “mass influx” is advantageous for serving as a catch-all for diverse inflows. At the same time, the rather ambiguous notion has adverse repercussions for generating a blank area with no signs of what constitutes a “mass inflow,” and submits the idea to “strict interpretation.” (Beirens et al., 2016). As such, the authority to establish the existence of mass influx lies in the hands of the European Council after securing a qualified majority (Council Directive 2001/55/EC). As a result, it is argued that the choice to activate TPD is political rather than legal. (Peers, 2011). However, the EU Council has also to “examine any request by a Member State” submitted to the Council to activate TPD (Article 4). Consequently, the procedure bears the positive feature of allowing a “case-by-case assessment and provision of immediate protection.”

On the negative side, following the said procedure is “cumbersome and lengthy,” bears the feature of “monopoly of the Commission” to propose TPD’s activations, and offers “limited details on the procedures to request/examine activation of TPD” (Beirens et al., 2016).

Moreover, TPD features the obligation to act in "spirit of Community solidarity" (Article 25). The goal is for EU member states to share the duty of sheltering the displaced under TP through physical distribution and financial solidarity. However, the obligation "lacks judicial force beyond a requirement to consider burden sharing…as there is no obligation to declare a minimum capacity vis-à-vis criteria" (Koo 2016). In other words, "member states are under no commitment to accept any burden" (Ibid). Thus, Kjaerum (1994) argues that TPD is no paradigm shift in protection of forcibly displaced migrants.

While there is uncertainty and lack of clarity surrounding the concept of "mass inflow," TPD is quite explicit on who counts "displaced individuals." Article 2(c) says displaced people are persons "who have fled areas of armed conflict or endemic violence" or persons "at serious risk of, or who have been the victims of, systematic or generalised violations of their human rights." The article emphasizes that TPD is a group-protection mechanism. However, one worry with TPD is that it serves as an alternative to the 1951 Convention's asylum procedure. In this regard, TPD does not invalidate the premise of protection under the Geneva Convention by requiring access to conventional asylum proceedings, albeit processing the claim may be stopped during the period in which TPD is in force. (Article 17). In addition to ensuring the right to asylum, TPD extends a slew of other rights to its beneficiaries, including the right to a resident permit and access to necessary visas, the right to work (though not necessarily with equal priority as EU citizens), access to housing, welfare, healthcare, and means of subsistence, access to education, family reunification rules, and measures for unaccompanied minors (Articles 8-16).

Integral to TPD is its defining element, which is the notion of temporality. The important question is then asking what is temporary: the term of the mechanism (the Directive offers temporary protection for one year, with the option of extension for two years), or the duration of the protection dependent on the conditions in the country of origin, or both.

This is critical in determining how TPD comports with the principle of non-refoulement, which states that no one should be returned to a country where they would face torture, cruel or humiliating treatment or punishment, or other irreparable harm, as enshrined in international refugee law. Relevantly, UNHCR states in its Guidelines on Temporary Protection or Stay Arrangements (TPSAs) that Temporary Protection/Stay is "as an emergency response to the large-scale movement of asylum-seekers, providing immediate protection from refoulement and basic minimum treatment" (UNHCR, 2014) Thus, insinuating the Convention deals with individual rather than collective asylum applications. Legally speaking, and unlike other human rights treaties, the Convention has no general clause for derogation. However, Edward (2012) argues that Articles 8 and 9 of the Convention provide for derogation. Thus, "temporary protection in mass influx situations is now an accepted feature of the Convention regime" What is more, Durieux and McAdams (2004) even argue for the incorporation of a derogation clause in the Convention as a "valuable breathing space" for states facing mass migration and as a "prelude to full, albeit gradual, implementation of the Convention's standards."

There are two competing conceptions in relation to the thorny question of TPD's feature of temporality. The first contends that TP is an exception to standard international refugee law, implying eventual repatriation of asylum seekers to their country of origin as has been demonstrated in Germany's above example. In particular, the receiving or destination country's policies, notably its control agenda, impact the anticipation of return once the protection term expires. Thus, temporary protection works as "a bar to the possibility of permanent resettlement being considered as a durable solution to flight: 'solution' is understood in terms of repatriation alone" (Gibney, 2000).

The point of attraction to states here is twofold: the ability to meet international humanitarian commitments while maintaining ultimate border control – a message to remind and convince the public that what is committed to is just temporary protection (Fitzpatrick, 2000; Hansen, 2000(c)). Accordingly, the conception is about the situation in the country of origin and lasts "only for the duration of the risk that forces [people] to seek refuge" (Gibney, 2000).

Moreover, this conception runs on the assumption "that the refugees will only be living in [the state of asylum] for a relatively short period, and certainly shorter than what is normally anticipated in a refugee situation" (Kjaerum, 1994). What fed the assumption, at least at the time, was the trust in international community ability to resolve conflicts in quickly:

> [O]ne of the principal reasons for applying the term 'temporary' to protection given to persons fleeing conflicts or acute crises in their country of origin is the expectation – or at least the hope – that international efforts to resolve the crisis will, within a fairly short period, produce results that will enable the refugees to exercise their right to return home in safety (quoted, Durieux, 2014).

What is more, and concerning the expectation of return, Recital 13 of the TPD indicates "[g]iven the exceptional character of the provisions established by this Directive in order to deal with a mass influx or imminent mass influx of displaced persons from third countries who are unable to return to their country of origin, the protection should be of limited duration." Equally, Recital 19 states:

> [P]rovision should be made for principles and measures governing the return to the country of origin and the measures to be taken by Member States in respect of persons whose temporary protection has ended.

The Directive equally stresses on voluntary return:

> [T]he Member States shall take the measures necessary to make possible the voluntary return of persons enjoying temporary protection or whose temporary protection has ended. The Member States shall ensure that the provisions governing voluntary return of persons

> enjoying temporary protection facilitate their return with respect for human dignity (Article 21).

However, the Directive precludes a state from putting in motion forced return if it would violate its international humanitarian obligations:

> In cases of enforced return, Member States shall consider any compelling humanitarian reasons which may make return impossible or unreasonable in specific cases (Article 22(2)).

The second and alternative conception looks at the repatriation of asylum seekers under TP to the country of origin as one possible solution – Sweden's aforementioned example. This conception is about the duration of the mechanism and, unlike the first conception, has no fixation on an end result. On the contrary, this school of thought sees TP as a springboard to a long-term solution. Indeed, Fitzpatrick (2000) describes TP "as a short-term strategy to secure the immediate physical safety of refugees and a way station to more durable protection." In relation, this line of thought relies on the fact that most of EU member states did not compel repatriation and that the majority of Bosnian asylum seekers stayed in hosting countries (Koser et al., 1998). Furthermore, TPD articulates that states that at the end of the temporary protection period "general laws on protection apply." In other words, while access to asylum procedures could be delayed, the access cannot be denied "[p]ersons enjoying temporary protection must be able to lodge an application for asylum at any time" (Article 17(1)) and:

> [T]he examination of any asylum application not processed before the end of the period of temporary protection shall be completed after the end of that period (Article 17(2)).

Agreeing upon and adopting TPD at the EU level has to be reflected in the provisions of member states for TPD to be considered as a unified response when and if activated. In this connection, a study undertaken by the Odysseus Academic Network in 2007 revealed that since TPD entered into effect at the EU-level in 2001, only a minority of member states, five to be exact, namely, Cyprus, Germany, Hungary, Poland, and the United Kingdom, had fully "transposed" the directives of the European Commission

in relation to asylum and immigration (Odysseus Academic Network, 2007). The remaining member states had difficulties with a number of TPD provisions. The study's findings revealed that four member states depended on ad hoc governmental measures to award and terminate TP rather than establishing provisions in national legislation enabling the EU Council to introduce TP (Article 5); five member states had failed to comply with the need to produce an intelligible document justifying the offer of temporary protection. (Article 9); in steps contemplating voluntary repatriation, seven member states made no mention of human dignity (Article 21); there was no mention of the permission of the person subject to residency transfer from one member state to another in eleven member states (Article 26(1)), and nine member states had no basis to grant temporary protection for the transferred person (Article 26(4)); and the national legislation of eight member states increased the exclusion from temporary protection (Article 28). In conclusion the study found that the erroneous or partial transfer of TPD provisions into the national laws of member states could lead to possible "delay in the provision of temporary protection due to requirements in some [member states] for the adoption of hoc governmental decision" and "[d]iscrepancies in the rights granted to beneficiaries, which may prove an obstacle in the redistribution of beneficiaries across the EU" (Odysseus Academic Network, 2007).

The experience of the EU with asylum in the 1990s showed that TPD established "the binding legal obligation of temporary asylum" (Arenas, 2005) and that TPD stands as a model of protection, which the EU can "take off the shelf" and implement in the case of a mass influx crisis (Peers, 2011). Conveniently, demonstrations and protests, otherwise known as the Arab Spring, unfolded in several Middle East and North African (MENA) countries over a decade ago.

The series resulted in either political change (e.g., Tunisia) or no change in the status quo (e.g., Jordan) (Robinson, 2020). However, there are countries where the push for political change unleashed state repression, such as in Syria, transforming the scene into a civil war, which later morphed into a proxy war. Under the like of the conditions, the developments triggered large-scale forced displacement. Consequently, the uprooted sought safety as either internally displaced people (IDPs) or as asylum seekers elsewhere, including in neighboring countries or in Europe. A decade and a

half since the enactment of TPD, the EU experienced what has been acknowledged as the largest migration and humanitarian crisis in Europe for decades, with around 1.2 million recorded first-time asylum claims in 2015, namely from Syria, Afghanistan, Iraq, Nigeria, and Eritrea (Eurostat, no date). The majority of the asylum seekers in 2015 fled war and persecution (UNHCR, 2015). The recent EU experience initiated calls for activating TPD to assist in addressing the mass arrival of asylum seekers (Chatty & Orchard, 2014; Orchard & Miller, 2014). The calls, however, fell on the European Commission and EU member states' deaf ears (Beirens et al., 2016). Hence, it is necessary to stop at the criteria necessitating the activation of TPD and highlighting the reasons that kept the Directive inactive at a time when the number of arrivals in 2015 was two times higher than that in the 1990s.

The European Commission, according to TPD, proposes activating the Directive in response to a member state proposal. Nonetheless, a proposal of this nature must be considered and accepted by the Council with a qualified majority vote. (Recital 14 and Article 15). As a result, the Commission is the only body with the authority to make a comparable proposal and assess which groups would benefit from TP (Arenas, 2005). The requirement of arrival en masse is essential to activation. The Directive contextualizes the said inflow as the:

> [A]rrival in the Community of a large number of displaced persons, who come from a specific country or geographical area, whether their arrival in the Community was spontaneous or aided, for example through an evacuation programme (Article 2(d)).

In addition, the mass arrival should be substantial enough to create an "inadequate absorption or response capacity in host States, particularly during the emergency phase" or the "individual asylum procedures, where they exist, which are unable to deal with assessment of such large numbers" (UNHCR, 2004). Hence, As a result, the second criteria is large inflow, which causes a backlog in national asylum systems. Here, İneli-Ciğer (2016) argues that "[n]othing in the Directive suggests that asylum capacities of all Member States should be unable to absorb the flow for a mass influx situation to exist." She further adds:

> [This] means when national asylum system of one or more Member States is overburdened due to arrival of large number of displaced persons, the Temporary Protection Directive can still be activated.

Indeed, there is evidence that the recent arrival of asylum seekers in Greece and Italy has generated major concerns about the adequacy and capability of the respective nations' national asylum systems. (Tarakhel v. Switzerland; Sharifi and Others v. Italy and Greece).

Instead of activating TPD in response to shortcomings in frontline nations' asylum procedures, the EU chose to respond with a relocation mechanism to relieve the load on periphery member states. (Koo, 2016). The mechanism saw light in two phases. In May 2015, the EU decided to relocate 40,000 asylum seekers from Greece and Italy (European Commission, 2015a). However, the arrival of asylum seekers to the said member states continued. Therefore, the EU in September of the same year raised the number by another 120,000 slots, making the total number of asylum seekers to be relocated 160,000 (European Commission, 2015b). Important to note though the two decisions were temporary as the two mechanism expired in September 2017 (EU Official Journal, 2015). The EU Commission asserted that obligations of member states could go beyond the designated date of relocation. However, by March 2018, only 33,846 asylum seekers had been relocated from Italy and Greece (European Commission, 2019). It is worthwhile mentioning that keeping TPD inactive is not unique to the situation in 2015 since TPD never had been activated (Chatty & Orchard, 2014).

Looking at the reasons for the case of 2015, İneli-Ciğer (2016) forwarded one reason to be "the difficulty in securing a qualified majority vote in the Council in the face of an influx situation which only seriously affects a limited number of Member States." As for a second reason, she reasoned that inactivation of TPD concerns the "belief shared by many Member States that activation of the Directive may create a 'pull factor' for migrants seeking entry to the EU." Furthermore, Genç and Öner (2019) argue that the EU decided to keep TPD inactive due to "responsibility and burden sharing concerns," indicating "a crisis of fundamental principles in European

integration." Last but not least, the EU disfavored activating TPD in 2015 for it "would have been a way station to regular asylum within in the EU." Instead, the EU opted to keep the arrivals out of the bloc, mainly in Turkey because it was "one of the major places of departure to the EU" (Koo, 2016).

3.5. The case in 2015 onward

The number of arrivals to the EU through the bloc's eastern Mediterranean route, the Aegean Sea, was 856,723 in 2015. Together with arrivals over land, the number reached 861,630 (UNHCR, 2015).

Nationality wise, Syrians composed around half of the arrivals to EU shores (IOM, 2015). Comparatively, the total number or arrivals over sea and land borders in 2014 was 43,318. The spike in the number of people crossing in 2015 triggered alarm bells in the EU and necessitated getting into dialogue and cooperation with the main country of departure to Europe. Turkey at the time was hosting 2.2 million Syrians and had already spent 8 billion US Dollars to look after them (European Commission, 2015c). The EU and Turkey agreed on ad referenda Joint Action Plan, which consisted of two elements under which each side had several roles to fulfill (EU Commission, 2015d).

The first element was "supporting Syrians under temporary protection and their Turkish hosting communities." In this regard, the EU's intended role was to provide funding to assist Turkey in hosting Syrians based on "comprehensive joint needs assessment," offer immediate humanitarian aid to Turkey so that the Turkish government can fulfill the pressing needs of Syrians.

Finally, continue to help other neighboring nations hosting Syrians and IDPs within Syria to "weaken push factors" compelling Syrians to head toward Turkey. In exchange, Turkey's responsibility under the first element was to properly execute the Law on Foreigners and International Protection (LFIP) by registering and documenting them in the country "on a compulsory basis to build a stronger migration management strategy and system," and carry on with efforts to facilitate Syrians' access to education, health and employment services while in Turkey. In this context, the LFIP is Turkey's "first ever asylum law" (UNHCR-Turkey), which was adopted

in 2013 and entered into effect in 2014, and under which Syrians status of temporary protection finds root under Article 91 (LFIP).

The goal of Turkey's Temporary Protection Regulation (TPR) is to offer immediate protection to persons who have been forcefully uprooted and are unable to return to their countries of origin, as well as those who have arrived or crossed the Turkish borders in large numbers, and "whose international protection requests cannot be taken under individual assessment" (Article 1). Similar to the EU's TPD, the TPR in Turkey also does not forward a clear definition of what constitutes a "mass influx" (paragraph j, Article 2), but unlike TPD, TPR does not state duration for protection. Yet TPR abides by the principle of non-refoulement (paragraph 1, Article 6). What is more, it is the Council of Ministers that has the authorization to, among other things, determine who benefits from TPR (subparagraph a); the beginning and duration of TPR (subparagraph b); and whether to extend or terminate TPR (subparagraph c) (paragraph1, Article 6). The responsibility of registering individuals under TPR is that of the Directorate General of Migration Management (paragraph 1, Article 21) and the governorates shall issue the identification documents (paragraph 1, Article 22). Individuals registered under TPR enjoy the right to remain in Turkey, but IDs issued under TPR do no equate to a residence permit, its holders have no right to shift to long-term residency, and the duration of stay in Turkey under TPR "shall not be taken into consideration when calculating the total term of residence permit durations and shall not entitle its holder to apply for Turkish citizenship" (Article 25).
Nevertheless, beneficiaries of TPR enjoy the right to access health services free of charge (Article 27); education services (Article 28); labor market (Article 29); social assistance and services (Article 30); and enjoy free of charge interpretation services (Article 31). Lastly, TPR details the prospects of family reunification (Article 49) and aspects of voluntary repatriation (Article 42).

Peddling back to the Joint Action Plan, the second element was "strengthening cooperation to prevent irregular migration." The bloc sought to increase awareness about the dangers of irregular migration, highlight the possibilities of lawfully entering the EU, strengthen the Turkish coast guard's capabilities to combat people trafficking

organizations, and increase cooperation between the EU member states and Turkey in organizing "joint return and reintegration measures."

The bloc through the second element also aimed to support Budapest Process, otherwise known as the Silk Routes Partnership for Migration, for better migration management, facilitate exchange of information between the bloc and Turkey about people smuggling networks, and step up financial support to Turkey to develop "a well-functioning asylum, migration, visa and integrated border management system in line with the EU-Turkey visa dialogue" (IOM, 2013). In parallel, Turkey intended to upgrade the capacity of its coast guard, enhancing the body's interception abilities, collaborate with Greece and Bulgaria to reduce land crossings, expedite readmission procedures for migrants whose asylum applications were denied or intercepted while crossing the Aegean toward Europe, and ensure the completion of initiated asylum procedures "vis-à-vis the countries representing an important source of illegal migration for Turkey and the EU," combat people smuggling networks, and amplify information exchange with the bloc's coast guard and representatives of EU member states in Turkey (Joint Action Plan, 2015).

In late November of the same year, the EU and Turkey activated the Joint Action Plan (EU Commission, 2015c). The two parties produced three implementation progress reports. According to the third and final one, the crossings over the Aegean had sharply declined during the first two months of 2016 with a total of 117,937 compared to 258,780 during the last two months of 2015 (EU Commission, 2016a).

The mutual intention and ultimate goal of the two sides was to "to break the business model of the smugglers and to offer migrants an alternative to putting their lives at risk." This put in play further elements to the Joint Action Plan. To summarize, the added elements stated Turkey readmits every migrants who arrives at the Greek Islands over the Aegean, the EU resettles a Syrian in return of every Syrian returned from the Greek Islands, Turkey does what is necessary to prevent sea and land irregular crossings to the EU, the EU activates "Voluntary Humanitarian Admission Scheme" once crossings over the Aegean are either "ending" or have declined "substantially and sustainably," the EU expedites visa-free travel for citizens of Turkey once "all

benchmarks have been met," and the EU commits to support Turkey with a total of six billion Euros under the Facility for Refugees in Turkey (FRiT).

Next to the aforementioned, the EU and Turkey agreed to improve the Customs Union Agreement, reaffirmed commitment to revive Turkey's accession process to the EU, and finally the EU would assist Turkey in any "joint endeavor" to enhance conditions in Syria, particularly in areas next to the Turkey's border, so that the population on both sides live in a greater safety (EU Commission, 2016b). The aforementioned points are the skeleton of the so called "EU-Turkey Statement." For what it is worth, the Statement has attracted several accounts of criticism, mainly for sending a message saying "protection for refugees can be commodified, outsourced, and deflected" (HRW, 2016), inability to solve the "refugee crisis" and its implementation entailing "breach of the principle of *non-refoulement*" (Arribas, 2016 originally in italic), and being an "abject failure" for falling to protect the rights of asylum seekers and refugees (Amnesty International, 2021).

The Statement, next to several other developments that occurred in Turkey, render 2016 as a turning point for the hosting country and the hosted vulnerable population. In early 2016, the Turkish government introduced visa requirements for several nationalities, including Syrians, arriving to Turkey from third countries through the sea or the air to curb further advancement to Europe (Hürriyet Daily News, 2016). Further in relation to border crossings from Syria, the Turkish government began constructing a wall for national security purposes (Anadolu Agency, 2015).

The initial wall was supposed to cover only a strip of 8 kilometers, but by late 2016 the wall had already stretched over 200 kilometers and the aim was to seal off the entire 900 kilometers long border with Syria to curb border crossings and combat smuggling (Weise, 2016). In other words, the visa restriction and the border wall announced the termination of Turkey's 2011 open door policy for Syrians fleeing the war.

The same year saw expansion in the bundle of rights foreigners under temporary protection, or Syrians, enjoy while in Turkey. The regulation allowing Syrians to

formally enter the Turkish labor market entered into effect in January 2016. The regulation, however, is rather controversial as there are a number of hurdles ascribing difficulty to Syrians' formal employment.

The agency to hire a foreigner under temporary protection formally is in the hands of the employer if a Syrian is seeking wage employment; a Syrian could formally work only in the province of her registration; workplaces with less than ten employees can hire only one worker under temporary protection; once hired, the formally employed Syrian must be paid at least the minimum wage; and finally, workers in seasonal agriculture or livestock could work informally upon obtaining an exemption from the province's governor (Work Permit Regulation, Law No. 6458). It could be argued that the regulation aimed to level the playfield in the Turkish labor between the host community members and Syrians. However, a recent estimate suggests the number of Syrians working informally to be at 813,000 (ILO, 2020), whereas the number of formally working Syrians was 132,497 without specifying whether the number of work permits issued to wageworkers or to business owners (UNHCR, 2020).

Next to the right to work formally, and in the years up to 2016, Syrians in Turkey enjoyed access to two undisputed rights. The first is the access to education. In order to facilitate Syrians entry to Turkey's public education system, the Ministry of National Education adopted a regulation on "Secondary Education Institutions," which was published in the official gazette in 2013 (MoNE, 2013).

In particular, Article 29 of the regulation addresses the issue of "foreign students' registration." In a follow up step, the Ministry in 2014 lifted the requirements of having a residency for the enrollment of Syrian students to schools under the auspices of the Ministry of National Education (MoNE, 2014). The second is the access to public health system and it is free of charge. Altogether, Syrians in Turkey, being recognized under temporary protection, and access to education, health, and the labor market is what Baban et al (2017) calls "negotiated citizenship rights." In other words, Syrians with the bundle of rights they enjoy are denizens – a term used by Hammar (1989) to refer to long-term residents with many rights of citizenship, but not the right to vote.

The introduction of the said policies in Turkey occurred over a number of years. The belated responses had led some Syrians to consider pursuing life elsewhere, particularly in Europe. Indeed, a survey conducted with a sample of 1,245 Syrians on Greek Islands revealed that 43 percent of interviewed Syrians had a university level education.

The same survey included 582 Syrians who crossed to the Islands from Turkey of whom 504 were undocumented. However, 55 percent of surveyed Syrians stated staying either less than a month or one to three months in a third country before arriving to Greece. As for why Syrians left the transit country or the first country of asylum, 58 percent of Syrians stated "lack of employment opportunities" (UNHCR, 2015b). Another survey in January 2016 with a sample of 222 Syrians show that 29 percent of respondents had a university degree and 25 percent of respondents spent more than 6 months in Turkey. In relation as to why Syrians left the countries of residence after leaving Syria, 41 percent stated the reason to be "[j]ob adequate to their skills, meets basic living expenses, avoid exploitation" (UNHCR, 2016).

The education profile of Syrians, whether the ones who transited through or left Turkey, combined with the cited reasons to reach Europe, and considering UNHCR's view of Syrians protracted refugee situation (UNHCR, 2014b), led the government in Turkey to create an attraction, a magnet to keep Syrians of a certain education profile in the country.

Indeed, the magnet was turning Syrians to citizens of Turkey. The importance of such a step could be unpacked through several lenses. Currently, Turkey hosts 3.7 million Syrians under TP.[10] The number of Syrians in the schooling age (5-17) is almost 1.2 million or close to one-third of the total Syrian population in Turkey. Looking at the number of Syrian students by education levels, the number of registered students decreases the higher the education level. In other words, there is a greater discrepancy between the total number of Syrian at a certain age bracket corresponding to an education level and the number of registered students in school at that age and level.

[10] Ministry of the Interior, Directorate General of Migration Management, Temporary Protection https://www.goc.gov.tr/gecici-koruma5638, last accessed 24 Aug 2021

Detailing the discrepancy, the total number of Syrians in the age cohort corresponding to primary education is 442,817 of whom 80 percent are registered. Similarly, the ratio is 79 percent for secondary school students, but drops to 40 percent for registered students at high school level (MoNE, 2021). The decline bears two interpretations. First, a structural problem in the need of increasing the number of schools to accommodate Syrians students (Hürriyet, 2019). Second, dropping out of secondary school to make ends meet.

The aforementioned situation of Syrian students, particularly after secondary school, entails that less students would transition to higher education in the future. Thus, holding on to the ones who are in or graduated from Turkey's tertiary education is crucial not only because the "university educated ones already left to Europe," (CNN Türk, 2018) but also because Syrian students in Turkey's higher education prefer staying in Turkey instead of leaving to a third country with an aspiration of becoming citizens of Turkey (Erdoğan et al., 2017). Furthermore, the desired qualities of the "functional migrant," according to the perception of the citizens of Turkey of the ideal migrant, evolves around one's education, language, and professional skills (Konda, 2016). Yet there seem to be disapproval among Turks to even naturalize educated Syrians or the even the ones who speak Turkish (Erdoğan, 2019). Needless to say, the government carried on with its plan about naturalizing Syrians.

To do so, the citizenship law in Turkey was amended to accommodate the endeavor – a move occurred before in the Citizenship Law to correspond to the naturalization of Turkish emigrants predominantly in Germany.

CHPATER 4

CITIZENSHIP IN TURKEY

The establishment of the Republic of Turkey in 1923 took off with a civic, or territorial, understanding of what constitutes Turkey's national identity. As such, belonging to Turkey, or being a Turk, entailed and embraced being a citizen without regard to origin, race, religion, or language. This understanding existed in Article 88 of the 1924 constitution (Constitutional Court) and remains to be the case in the current constitution. The following years, however, saw divergence between the definition and the substance of Turkish citizenship, mostly through the state's Turkification practices (Aktar, 1996). Thus, the surface of Turkey's national identity was civic, but its reality reflected a "racist-ethnic" implementation (Parla, 1992). This reality translated into a policy aiming to "create a country speaking with one language, thinking in the same way and sharing the same sentiment" (quoted, Ülker, 2008). The vehicle to arrive at the said goals was the Settlement Law of 1934.

The Settlement Law of 1934 (Law No. 2510) aimed to harmonize the population of the newly established Republic of Turkey. This included dividing the country into tiers of settlement, three in particular, based on one's language skills and closeness to Turkish culture in terms of ethnicity. The first tier included the people who spoke Turkish and were of Turkish culture and ethnicity, the second tier was for the ones whose assimilation into the Turkish culture was required, and the third tier was left uninhabited due to spatial, cultural, and security reasons as stated in Article 2 of the Settlement Law (Official Gazette, 1934). In other words, dividing the country to settlement and assimilation zones is what Ülker (2008) refers to as "geographical nationalization." Next to homogenizing the population, Aslan (2007) argues that the aim of the state's Turkification policy was to expedite social mobility and change economic hierarchy in favor of Sunni Muslim Turks.

The Settlement Law entered into force during the interwar war period. Looking at the constructs of Turkey's national identity during that time through naturalization and denaturalization policies, Çağaptay (2003) argues that "despite the rise of ethnic nationalism, not ethnicity but the legacy of the millet system and ethno religious identities shaped Turkey's citizenship policies in the interwar period."

The same law equally taps on two concepts that are relevant to Turkish citizenship studies. The first concept pertains to who is an immigrant. In this regard, the Law of 1934 (No. 2510) defines a migrant as someone of a Turkish origin with a connection to Turkish culture, and who comes to Turkey with the intention of settlement – a definition engulfing individual or collective migrants. Moreover, the Council of Ministers decides who and which countries possess a connection to Turkish culture. Hence, one could argue that the dynamics of inclusion and exclusion possess a degree of arbitrariness. The second concept defines those who knock on the doors of Turkey involuntarily. Accordingly, a refugee is the one who seeks sanctuary in Turkey for a temporary residence due to necessity. Moreover, a refugee with the intention to settle in Turkey, after informing the government about where one resides, receives the treatment of a migrant (Article 3) with the exception of ones with "no connection to Turkish culture," "anarchists," "spies," "nomadic gypsies," and "ones who were expelled from Turkey" (Article 4). Thus, one could infer that the two articles represent who and under what conditions qualifies one to be a Turk or a citizen (Law No. 2510).

The blueprints of who counts to be Turk, according to the 1924 Constitution, remained intact until the Constitution of 1961 when the word "citizen" first emerged and later, the words "Turkish citizens" surfaced in the Constitution of 1982 (Bayır, 2016). In relation, Türkmen (2018) argues that utilizing the word "Turk" instead of "citizen" includes two purposes. First, for the "protection and promotion of nationalist values" and second to "to make a subtle or not so subtle distinction between who is Turk and who is a Turkish citizen." However, using "Turks" and "Turkish citizens" interchangeably, she argues, aimed to "shut down the doors against diversity claims." Similarly, Kaya (2014) demonstrates that the Turkish state generally followed a "discursive" discourse to ethnic and religious diversity.

Furthermore, the criteria of who is a migrant and who is a refugee, and hence who could be a citizen, as indicated in the Settlement Law of 1934, are still effectual even after adopting a new Law on Settlement in 2006. Thus, İçduygu et al (2009) argued that the said criteria facilitates and expedites the inclusion of individuals with a certain background into the realm of Turkish citizenship. The demonstration of difference between the construct of Turkey's national identity based on a civic understanding of nationalism and the substance of citizenship, argues Kirişçi (2000), represents itself in two cases of immigration to Turkey. The scholar juxtaposes the case of Bulgarian Turks and Pomaks in 1989 to that of Iraqis from a Kurdish descent in 1988 and 1991. He concludes by saying that the mere acceptance of the former group and the rejection of the latter showcase that Turkey's inclusion and exclusion favored the ones with a "Turkish culture and descent" who were also Muslims with a "Sunni-Hanefi background." Nevertheless, and in a more recent example, taking in Sunni Turkmen Iraqis who fled Iraq because of ISIS attacks in 2014 could demonstrate the importance of ethnic-religious duality as acceptance credentials of refugees in Turkey (Yıldız & Çitak, 2021) and stands in contrast to the exclusion of Iraqis from Kurdish descent in the late 1980s and early 1990s. Interestingly enough, the citizens of Turkey, albeit on a small scale, object to naturalizing even Turkmens (Erdoğan, 2019).

The current constitution of the Republic of Turkey is the one formulated in 1982. As such, what was put together in 1924 persists through the following definition of Turkish citizenship "[e]veryone bound to the Turkish State through the bond of citizenship is a Turk" (Article 66, Turkey's constitution 2018). The definition explicitly disregards individual characteristics and places all citizens equally before the law irrelevant to the mean of acquiring Turkish citizenship "[e]veryone is equal before the law without discrimination as to language, race, colour, sex, political opinion, philosophical belief, religion and sect, or any such grounds" (Article 10). In parallel, the Turkish Citizenship Law stipulates the ways with which one could acquire Turkish citizenship and articulates two mechanisms: "by birth or after birth" (Article 5). This means that the law in Turkey combines the principles of jus sanguinis, citizenship by parental descent, and jus soli, citizenship by place of birth.

However, Tiryakioğlu (2007) argues that the main principle in Turkey is jus sanguinis and jus soli is "secondary" to "avoid statelessness."

4.1. Naturalization in Turkey

What is relevant to the scope of this thesis is acquiring Turkish citizenship after birth. The Citizenship Law of 2009 indicates that acquiring Turkish after birth occurs either through marriage (Article 16-1) or "with a decision of competent authority, by adoption or by choice" (Article 9-1). In relation to the latter, acquiring Turkish citizenship after birth requires meeting certain conditions for application. First and foremost, the regular, or ordinary, naturalization process begins with fulfilling the required number of years as residency in Turkey:

> The usual procedure is that a person willing to naturalise goes first to the Provincial Police Headquarter and gets a document showing the entry and exit dates to Turkey and the calculation of residence duration (Kadiroğlu, 2013).

The duration should be at least five uninterrupted years. If the applicant's duration of residency in Turkey exceeds five years, then the applicant has the right to apply for naturalization. Next to living in Turkey for the said duration, the other criteria stipulate the applicant to be of legal age; demonstrate the intention to settle in Turkey; be free of diseases posing a threat to public health; be of good morals; speak adequate Turkish; possess a mean of financial independency; and lastly pose no threat to national security and public order (Article 11-1).

After ticking the boxes of the necessary conditions, the applicant is required to submit several documents. application form for ordinary naturalization, a translated and notarized copy of passport; birth certificate; and civil status, a health document, a document proving the applicant has a job or revenue stream for self-support, a residence permit allowing the applicant to stay in Turkey for six months after applying, a copy of no judicial record, and receipt of paying the application fee (Directorate

General of Civil Reiteration).[11] Nevertheless, ticking the required boxes for naturalization does not equate to automatically obtaining Turkish citizenship due to the discretionary nature of naturalization, justified through state's sovereignty (Aybay, 2008).

It is worth mentioning that the possibility of dual citizenship surfaced in the early 1980s with particular influence stemming from emigration from Turkey (Tiryakioğlu, 2007). Emigration from Turkey began in the 1960s when Turkey signed bilateral agreements with several Western European countries. What began as temporary guest worker program turned to permanent settlement during the 1970s because of family reunification and the birth and growth of a second generation of Turks in receiving countries (Çiçekli, 1998). Until the 1980s, Turkey allowed aliens to acquire the Turkish citizenship without renouncing one's previous citizenship, but prohibited citizens of Turkey from being dual citizens. Tiryakioğlu (2007) argues that the case changed in reaction to European countries naturalizing Turkish immigrants. Thus, opening the door for Turks abroad to be dual citizens. In particular, the Turkish government amended the citizenship law in 1981 allowing Turkish citizens to hold a second citizenship on the condition of informing the government in Turkey (Law No. 2383). Nevertheless, and in a demonstration of another political reciprocity, Turkey amended its Citizenship Law in 1989 and introduced the notion of conditional naturalization (Law No. 3540). The conditionality relied on renouncing one's previous citizenship.

While a similar amendment appears to be backpedaling from what was introduced in 1981, the real reason, according to (Tiryakioğlu, 2007), was politically charged and stands in reciprocity to Germany introducing "renunciation requirement under German Law for foreign nationals wanting to acquire German citizenship." The author criticizes the amendment for a number of reasons, most prominently for producing no change in Germany's decision. Thus, arguing that Turkey's naturalization policies cycled between favoring and disfavoring dual citizenship. While the aforementioned amendments echoed implications resulting from Turks' emigration, immigration

[11] Ministry of the Interior, Directorate General of Civil Registration https://www.nvi.gov.tr/turk-vatandasliginin-kazanilmasi, last accessed 27 Aug 2021

played roles in shaping Turkey's naturalization policies as well. The first was at the turn of the 21st century when Turkey introduced the requirements for acquisition of Turkish citizenship through marriage (Official Gazette, 2003). Similarly, immigration has a significant weight in the draft submitted to the parliament in 2006 to update Turkish citizenship law. Most recently, the latest amendments relate in a way to the arrival of Syrians in 2011 and occurred in 2016.[12] By then, Syrians, as has been mentioned before, have been recognized under TPR, enjoy access to education and health services, and have the right to work formally in the labor market. However, it has been stated that holder of TPR status do not qualify to shift to a long-term residency permit. Hence, cannot apply for citizenship regardless of the number of years spent living in Turkey. Yet the accommodation of such a deadlock has been implemented through Article 12.

4.2. The case of Syrians in Turkey

The Citizenship Law of 2009 indicates an exceptional way of acquiring Turkish citizenship engulfing several categories of eligibility. To articulate, Article 12 indicates that:

> [P]ersons who bring into Turkey industrial facilities or have rendered or believed to render an outstanding service in the social or economic arena or in the fields of science, technology, sports, culture or arts and regarding whom a reasoned offer is made by the relevant ministries.

Article 12 continues to include persons "whose being received into citizenship is deemed to be necessary," and "persons who recognized as migrants."

The exception finds basis in that persons naturalized through Article 12 become citizens without fulfilling the residency requirement as Article 11 stipulates (Kadiroğlu, 2013). In 2016, the government in Turkey amended Article 12 by adding an additional category of exceptional acquisition (Law No. 5901). The new category includes holders and dependents on the holders of Turquoise Card, an indefinite work

[12] Draft available at https://www2.tbmm.gov.tr/d22/1/1-1192.pdf

and residency permit granted to migrants with a high-end educational and professional background, investors, and ones who contribute to international promotion of Turkey and its culture (Official Gazette 2017), and holders of short-term residency permits – a two-year long permit granted for several purposes, including owning immovable property or establishing business in Turkey (Article 31, LFIP).

Relevant to the amendment made in 2016, Akçapar and Şimşek (2018) argue that the shift in 2016 was a direct outcome of migration flows of 2011. Furthermore, the change equally serves the purpose of rewarding migrants in possession of economic and cultural capital. The naturalization of Syrians as reward to the skilled ones appears in the Minister of Interior Süleyman Soylu's statement in 2019 when he elaborated on the professional profiles of Syrians who became citizens of Turkey up to that point. Next to children, the profile of naturalized Syrians included "teachers, engineers, self-employed, doctors, nurses, technicians, small business owners, managers, traders, accountant, lawyers, pharmacists, senior executives, architects, interpreters, bankers, and academics" (T24). The selection based on one's merits represents a "new form of inclusivity and a partial de-ethnicization" to the Turkish Republic's traditional incorporation of migrants with a "Turkish descent and culture" (Serdar, 2021). However, the selection of Syrians with a certain socio-economic profile is insufficient to unleash and benefit from one's full potential. The hurdle, according to Cantürk (2020), lies in "de-qualification" – the difficulties in securing educational equivalency and obtaining skills recognition even after Syrians becoming citizens of Turkey. While Cantürk raises an important point that has to do with naturalization and its impact on the integration of the selected ones, the following section presents results from the studied sample.

4.3. Case study findings

The research sample of this thesis consists of 18 university students of Syrian origin. The sample includes 13 participants who received the Turkish citizenship while studying at a university and 5 participants who are studying still and whose citizenship applications are under consideration. The average age of participants is 26.6 years, the oldest participant was 35 years old and the youngest participant was 19 years old. The

interviews took place during the summer of 2021. In relation to the way of conducting the interviews, 17 interviews were conducted over the phone and one interview occurred face-to-face. Time wise, an interview on average lasted for 46 minutes. The shortest interview was 32 minutes, and the longest interview was 56 minutes.

The sample consists of 13 males and 5 females. Regarding the civil status of the participants, 4 participants are married and all are males, and 14 participants are single, including 9 males and 5 females (see figure 1). Place of birth wise, the participants were born in three different countries: 13 participants were born in Syria, 3 were born in Kuwait, and 2 were born in Kingdom of Saudi Arabia (KSA). In detail, and with regard to the city of birth, the participants born in Syria come from Damascus (6 participants), Aleppo (3 participants), and one participant each from Homs, Dara'a, Der Alzor, and Hasakeh respectively; the two participants born in Kuwait come from Kuwait city; and the two participants born in KSA come from Medina.

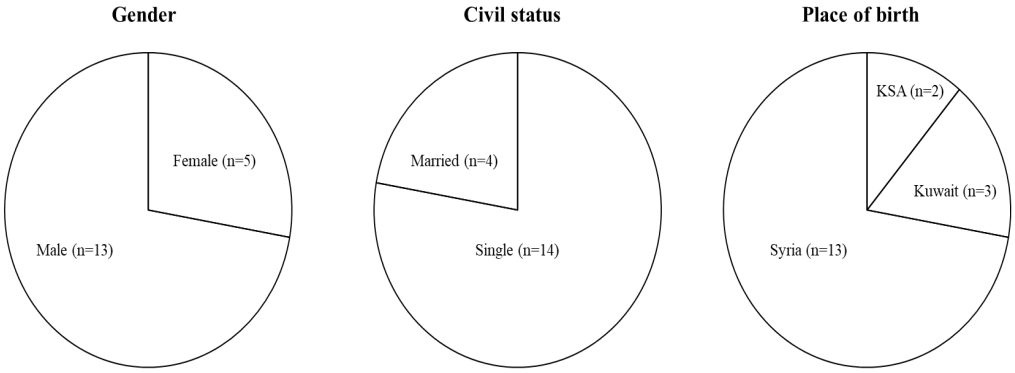

Figure 1: Demographic statistics

In relation to participants' educational attainment prior to arriving at Turkey (see figure 2), one participant had a primary education certificate, two participants had a secondary education certificate, ten participants had a high school certificate, and finally, five participants had an undergraduate degree. In particular to the last group of participants, one was an undergraduate of Turkish literature and the other four had undergraduate degree in architecture. Next to the participants' educational attainment, 15 participants stated knowing only English as a foreign language before coming to

Turkey. This trailed by two participants knowing English and French. It is worth mentioning that the number of participants who answered the question in relation to foreign language skills was 17 as the participant who arrived to Turkey with a primary education certificate knew only Arabic upon his arrival to Turkey.

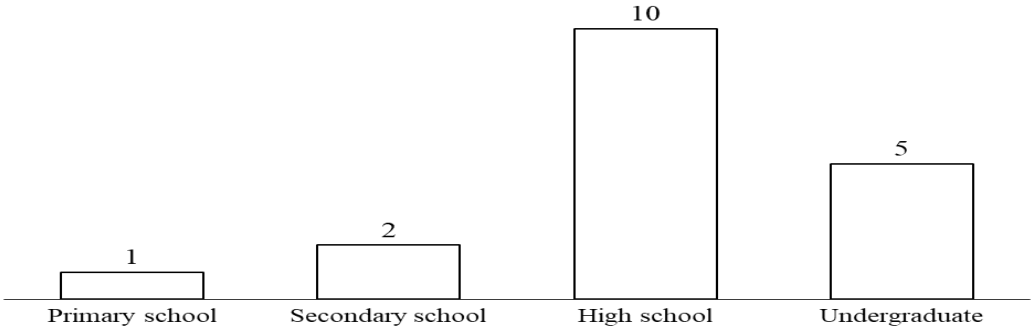

Figure 2: Educational attainment prior to arriving in Turkey

4.3.1. Drivers of emigration

Looking at the why participants' left the country of origin/birth demonstrates a combination of voluntary and involuntary reasons (see figure 3). The number of participants who left the countries of origin voluntarily is eight and all of whom forwarded studying as the reason to immigrate to Turkey. This group of participants includes 3 born in Syria, 3 born in Kuwait, and two born in KSA.

What is worthy of mentioning is that two participants who left Syria to study in Turkey did so after winning scholarships whereas the other participant arrived at Turkey in early 2011 with self-accumulated funds to cover the study period. The participants who voluntarily came to Turkey arrived either in 2011 (n=1), in 2014 (n=2), in 2015 (n=4) or in 2018 (n=1).

The participants who left Syria involuntary forward the following reasons. Five of the participants stated fleeing persecution as the reason to leave Syria, and the targets of persecution were either a parent, particularly the father figure for being involved in a form of protesting the regime in 2011 onward, or for individually receiving threats of

facing arrest or worse had not they quite playing an active role in the protests. In addition, four other participants stated surviving war as the reason to leave Syria. This group of participants said random shelling and bombing in the areas where they lived was the driver of forced displacement. Lastly, one participant declared dodging military conscription to be the reason behind leaving Syria and seeking safety in Turkey. The participants who involuntarily came to Turkey arrived either in 2012 (n=2), in 2013 (n=3), in 2014 (n=4) or in 2015 (n=1).

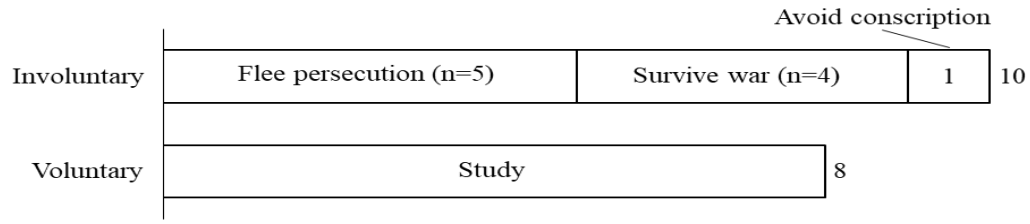

Figure 3: Drivers of emigration

The participants who left Syria involuntarily chose Turkey as either the first country of asylum (n=8) or relocated to Turkey from another country (n=2). In relation to the former group, two participants chose Turkey due to "proximity to Syria and cultural similarity," two participants did so because of "a family member already being in Turkey," and the remaining four participants resorted selecting Turkey to each of the following reasons: "proximity to Syria," "proximity to Syria and being a close transit country to Europe," "proximity to Syria and a family member already being in Turkey," and lastly "previous tourism experience in Turkey."

One the other hand, there are two participants who came to Turkey after being in another country of asylum. This includes one participant who first went to Egypt after leaving Syria, but the military coup in 2013 and "tightening of measures against Syrians afterward" were the reasons to leave Cairo and relocate to Turkey. The other participant first left Syria to Jordan. While there, the participant won a scholarship to study in Turkey. Hence, the reason to move to Turkey.

In relation to types of border crossings, 12 participants stated arriving to Turkey through airport, 3 participants arrived through seaport, and 3 participants did so through land port. It is worth mentioning that all but one participant used their passports upon entering Turkey. The one participant who entered without using any form of Syrian ID when entering Turkey used the land border.

4.3.2. City of registration and initial obtained legal ID

Irrelevant to the mean of entering Turkey, the participants spread across several provinces and obtained different types of legal IDs upon registration (see figure 4). In this connection, ten participants arrived to Ankara and upon doing so, eight participants obtained student residencies and two registered under temporary protection. Next to Ankara, Istanbul was the initial province of registration where two participants obtained short-term residencies and one participant registered under temporary protection. In addition, two participants registered themselves in Mersin where the two obtained short-term residencies.

One of the remaining three participants registered in Adana where a student residency was obtained, and the other two registered in Gaziantep and Ordu provinces where the two participants secured short-term residencies. However, a number of participants relocated from one province to another and the secondary movement had been associated with changes in the province of registration and the already obtained legal IDs.

In association with the above, one participant relocated from Mersin to Ankara. Moreover, the relocation equally saw a shift in ID from a short-term residency to student residency.

Similarly, a second participant moved from Istanbul to Manisa and the relocation also witnessed a change from the initial obtained short-term residency to a student residency. Likewise, a third participant relocated from Ordu to Adana, but unlike the previous two participants, the change in legal ID was from a short-term residency to temporary protection.

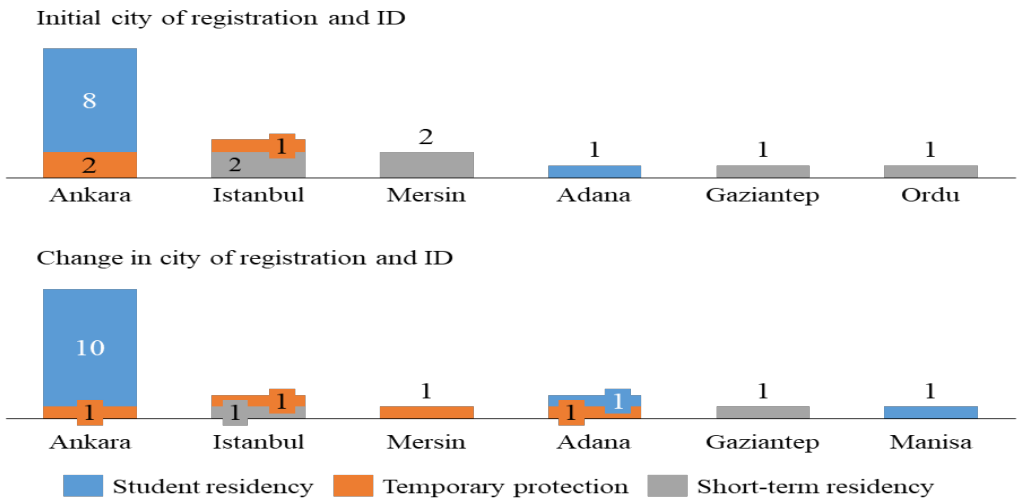

Figure 4: Legal IDs and subsequent changes

4.3.3. Educational attainment after arriving in Turkey

The educational attainment of the participants progressed once they registered themselves and settled down. In detail, ten participants enrolled in universities and are still studying (see figure 5). There are four participants pursuing undergraduate studies: two study biology, one studies business administration, and the fourth studies medicine. In parallel to undergraduate students, there are four master's students of whom two study urban design, one studies communication, and one is studying architecture. Finally, there are two PhD students, one studying physics and the other is studying Turkish literature.

What is more, five of the ten students who are currently studying had been already naturalized and the remaining five have citizenship applications in process.[13]

[13] The student who is studying Business Administration resides in Ankara and is in an open-learning program.

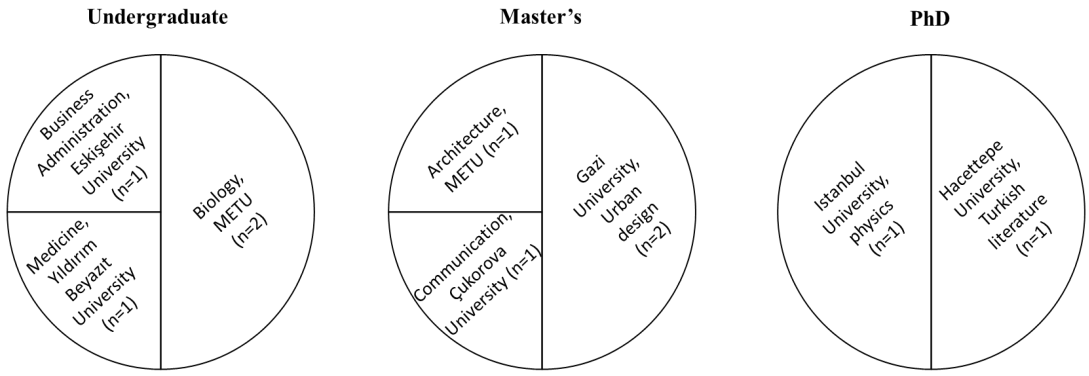

Figure 5: Current students' level of education and program

Next to the participants who are currently pursuing education in Turkey's higher education system, there are eight participants who already graduated from different universities (see figure 6). This group of participants consists of undergraduates of journalism, computer engineering, civil engineering, international relations, and environmental engineering. In parallel to the undergraduates, there are two participants who post-graduated with degrees in civil engineering and physics.

What is more, the participants who graduated the said studies had already been naturalized and are citizens of Turkey.

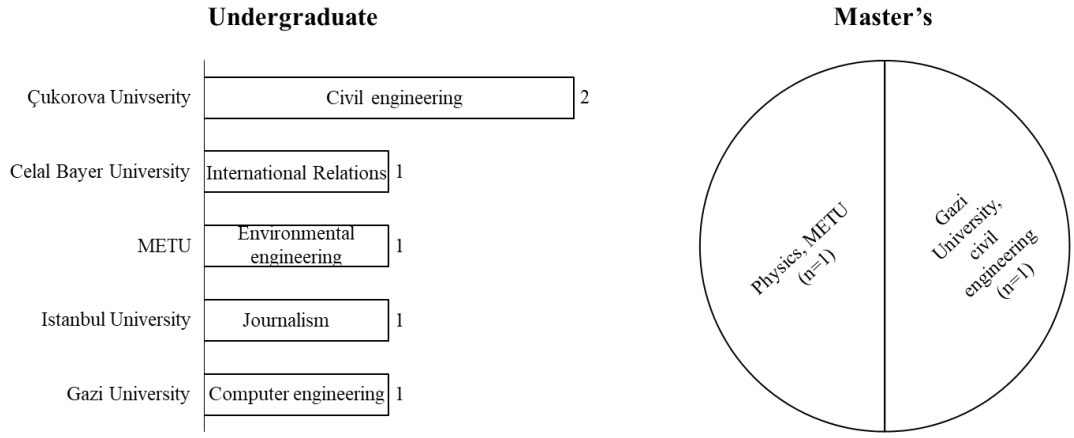

Figure 6: Graduated students' level of education and program

4.3.4. The subjectivity behind selection and accepting naturalization

Considering the educational profile of the participants, and when asked "why do you think you had been contacted by the Turkish government for naturalization?" all but one participant resorted the reason to being students. The one participant with a different opinion rooted the reason of being selected to ethnicity. What is more, a number of participants believe there are other motives for the government to naturalize particularly Syrian students. One participant for example believes a reason behind the government's decision to be electoral in nature and aims at "harnessing the votes of qualified individuals" (female, 29, naturalized). Another participant argued that the government in Turkey wants to naturalize Syrians with a certain profile to "keep the ones of value in Turkey after many went to Europe" (male, 29, naturalized) and a third participant associated Syrians' naturalization, especially the persons with a certain level of education, to "balance Turkey's brain drain" (male, 26, naturalized).

In addition, a fourth participant thinks the government in Turkey has been naturalizing specific groups of Syrians to "reduce obligations toward Syrians who could make a difference" (Male, 25, naturalization application in process).

Close to the latter opinion, a fifth participant, and next to him being a student, believes his arrival from "a country in the Gulf" with a perception of coming from a rather wealthy country has to do with his selection (male, 21, naturalization application in process). Beyond the aforementioned reasons, one last participant thinks that his selection lies in the fact that his "entire family has been contacted for naturalization" and him being the last one contacted to submit a naturalization application (male, 25, naturalized).

Next to demonstrating the reasons embedded in the personal point of views as to why the participants had been contacted to be naturalized, the following looks into why the participants who had been contacted accepted to submit a naturalization application (see figure 7). The main reason behind participants' acceptance to submit a naturalization application is freedom of movement – a result similar to the findings of Birkvad (2019). The said reason could be evaluated from two points. The first has to

do with the type of legal ID. The participants recognized under temporary protection enjoy a limited mobility within Turkey. If a Syrian under temporary protection wishes to go, for any reason, to another province, then the person first has to obtain a travel permission. The provincial directorate of migration management where one is registered used to issue the permission, but the process turned to an e-governance service in 2019 (DGMM, 2019). Similarly, a Syrian registered under temporary protection who wishes to leave Turkey to a third country also has to obtain the permission of the provincial directorate of migration management (DGMM, Q&A on Temporary Protection). Unlike someone who is under temporary protection, a Syrian with a short-term residency or a student residency could travel back and forth to Turkey. However, the mobility restriction in a similar situation stems from the visa restriction on the Syrian passport holders. Hence, the second the point. According to latest passport rankings, the holder of a Syrian passport could travel visa-free or with a visa upon arrival to 29 countries around the world.[14] Thus, placing the Syrian passport among the least powerful passports in the world (Henley Global, 2021).

What is more, the participants forwarded a second reason for accepting the invite for naturalization, and legal stability trails closely to and inevitably links to freedom of movement. The reasons behind looking at being naturalized has to do with the hardships associated with either the legal ID one is under or with merely being a holder of a Syrian passport and subsequent consequences. In relation to the hardships associated with the type of legal ID, two participants described what it is like to be a temporary protection ID. One of the two participants stated that being under temporary protection is "being under constant insecurity" (male, 31, naturalized). Detailing what "insecurity" entails for someone under temporary protection is the unspecified duration of the protection regime. Unlike the case with TPD in Europe, TPR in Turkey has a starting date, which is the 22nd of October 2014, but has no specified duration as the termination of TPR lies in the hands of Turkish Presidency (Q28, DGMM). Thus, the insecurity stems from the absence of TPR's duration and the fact that it could be

[14] The 29 countries are Bolivia, Cape Verde Islands, Comoro Islands, Cook Islands, Dominica, Guinea-Bissau, Haiti, Iran, Lebanon, Macao, Madagascar, Malaysia, Maldives, Mauritania, Micronesia, Mozambique, Niue, Palau Islands, Rwanda, Samoa, Senegal, Seychelles, Somalia, Sudan, Timor-Leste, Togo, Tuvalu, Uganda, and Yemen https://www.henleyglobal.com/passport-index/compare

terminated over a night with a political decision that may pose a risk if repatriation occurs without the prevalence of safety conditions in Syria. Moreover, the other participant ascribed the difficulty of being under temporary protection to "obtaining a permission before doing anything" like travelling between two provinces (male, 19, naturalization application in process). Unlike being registered under temporary protection, holders of a short-term residency enjoy a sense of clarity. Duration wise, a short-term residency could be issued for a maximum of two years and subject to indefinite renewal (LFIP, 2013). Yet, one participant stated that stepping out of the loop of "no more residency renewals" (female, 29, naturalized) as a reason to accepting the invitation to naturalization.

In relation, it is worth mentioning that a student who finishes studying in Turkey has the right of applying to a short-term residency upon graduation, and the duration of a similar case would be one year (LFIP, 2013). On the other hand, three participants rooted accepting to be naturalized as a getaway from the burden associated with holding a Syrian passport, which is needed to obtain and renew short-term residencies and for exit and entry of someone with a student residency.

The testimonies of the students saying "I won't be a subject to the Syrian regime anymore" (male, 21, naturalization application under process); "Ineffectiveness of the Syrian passport" (male, 29, naturalized); "Get rid of the useless Syrian passport" (male, 31, naturalization application in process) reflect the impracticality of the Syrian passport. In parallel to what has been demonstrated, the Syrian passport is rather costly and may not be affordable by all Syrians in Turkey or elsewhere. One investigation revealed that obtaining a Syrian passport from the Syrian Consulate in Istanbul could cost up $2000, not to mention the difficulties associated with securing the required documents for renewing the passport (Zayat & Carrie, 2017).

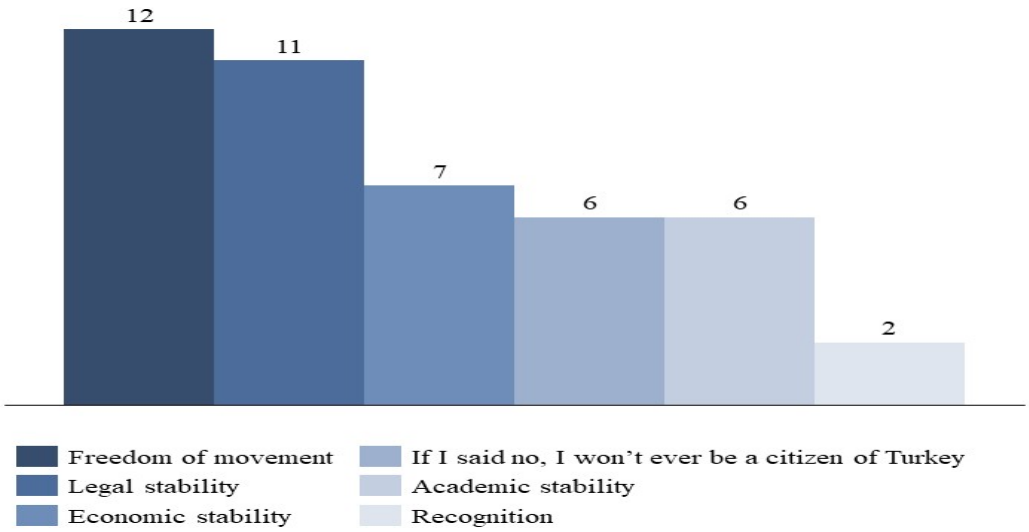

Figure 7: Accepting the invitation to naturalization (multiple choice)

Going further with the reasons behind accepting the invitation of naturalization, economic stability comes third after the freedom of movement and legal stability. The general motive here is the chance to navigate job opportunities in-and-out of Turkey with proper working conditions. In detail, four participants moved from one province to another in Turkey after finding job opportunities. The common denominator among of all them is working formally – an indicator of citizenship's impact on landing a decent job as opposed to being a foreigner who could be subject to several forms of exploitation while working informally.

Similarly, one participants who had been naturalized and graduate university travelled abroad, to Lebanon particularly, to work for an international media outlet. Thereafter, the participant highlighted that the invitation was an opportunity for academic stability, especially for the ones who want to continue with studying in Turkey. This group of participants are currently studying in undergraduate, master's and PhD programs and two have been naturalized and the others applications are in process. However, all of them expressed the desire to stay in Turkey and carry on with masters and PhD studies or carry on as lectures in universities and build a career in academia. The ones who wish to continue studying argue that applying as citizens would allow a

greater chance of admission since foreign students quota will not be a factor anymore. On the other hand, the currently PhD student favors a career in academic in public universities as private universities are rather unpredictable. A similar number of participants stated that accepting the invitation had been motivated by seizing the opportunity while present. In other words, the students consider the arbitrariness nature of the selection process as an opportunity of a life time. Put in a statistical context, the participants in the study, especially who are still enrolled in universities, is a fragment of more than 32,000 Syrian students in Turkey's higher education, and there is no reason to think that all have been naturalized, particularly with the lack of transparency on behalf of the government. Lastly, recognition because of a certain ethnic background is also a reason to accept naturalization as it is "opportunity to legally connect with my mother country" (male, 35, naturalized).

4.3.5. The process of naturalization

Now that the above subsections have demonstrated the profile, reasons to emigrate, the legal statuses, the subjective reasons behind being selected and accepting the invitation to naturalization, space is due to shed light on the process of naturalization and the stakeholders involved (see figure 8). The process has been categorized under six stages and divided into two sub-processes (a) and (b) in accordance with the answers of the participants. As the figure shows, sub-process (b) is rather straight forward compared to sub-process (a) and involves the governorship as the only stakeholder in charge of the process up until stage four of follow up.

Unfortunately, and as the research limitation has mentioned, the absence of information from policymakers poses as an obstacle to verify why the two sub-processes differ in the number of stakeholders involved and the assumed tasks. This, however, should act is a reason for further research to clarify the said difference. On the other hand, sub-process (a) demonstrates the engagement of multi-stakeholders with various subsequent tasks, again until the follow up stage, or stage four.

If to look at the process from the lens of stages and the associated details, then there are six stops. The first stage is initiating contact. Here, the participants stated being

contacted by either the PDMM or the governorship – both are institutions under the Ministry of Interior. What is more, upon establishing contact and informing the individual about being selected, PDMM and the governorship asks the individual to drop by and pick the list of documents to be submitted and the date to do so.

Next, and after picking up the list of the needed documents and learning about the submission date, the participants declared that the required documents included a copy of the legal ID (n=18), a copy of the civil status (n=18), a copy of criminal record (n=18), a proof of residence address (n=18), a biometric photo (n=18), a receipt of paying processing fee (n=18), a translated and notarized copy of passport (n=17), a copy of one being a registered student in a university (n=15), and a copy of the latest diploma (n=3). Once gathered, the participants submitted the documents to either PDMM or the governorship in the province of registration.

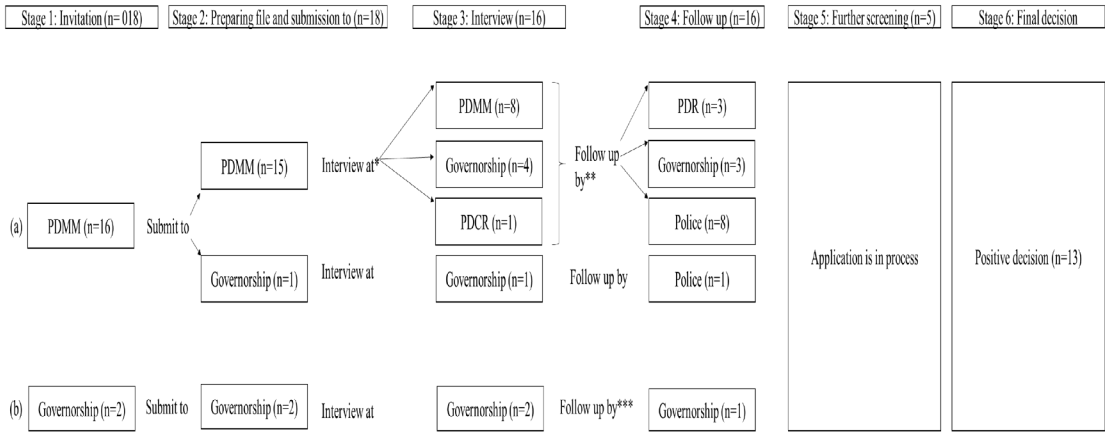

Figure 8: Naturalization process and the stakeholders involved

Thereafter, the participants who went through sub-process (a) had been called for interviews predominanalty at PDMM, but other participants were interviewed either at the governorship or PDCR. When asked about what sort of questions had been asked, as much the participants were able to remember, the answers of the participants show a focus on why participants chose Turkey (n=6), what were the participants plans

after naturalization (n=5), whether the participants would go back to Syria (n=5), when did the participants arrive to Turkey (n=3), if the participants wanted to stay in Turkey (n=3), and the whether the participants were in Turkey with their families (n=3). There were also arbitrary questions such asking about the meaning of one's name (n=1), name of the border crossings used to enter Turkey (n=1), and one's favorite Turkish football club (n=1).

After being interviewed, the participants stated that there was a stage of follow up. At this point, the stakeholder that seems to lead the process is security forces. Accordingly, police stations contacted the participants to stop by and have the participants' finger prints scanned.

Otherwise, police showed up unannounced at the addresses where participants lived to verify the information as submitted in the naturalization file. The stakeholders who played a lesser role in the follow up stage were PDCR and the governorship. The former stakeholder inquired a participnat about her father's name, asked another to provide an up to date civil status registery, and scanned the finger prints of a thrid. The governorship, on the other hand, followed with a participant to bring a missing document, which was the participant's civil status registery, contaced another participant as there were missing documents concerning his parents, and the last one whom the governorship contacted could not recall what was the reason behind calling him.

Once the follow up stage had been completed, the stage of further screening begins. Here, the participants believe it is the point where the National Intellegence Agency assumes the lead and conducts security bakground checks and vets the selected ones for naturalization (see box 1). The decision is without a doubt vital to one's progress toward the final step of receiving the citizenship. Thus, there are five participants' who application are in process still and thirteen others are citizens of the Republic of Turkey.

Participant X is a 27 years old Syrian from Aleppo who arrived at Turkey in 2012 to study for undergraduate studies. Indeed, X began a civil engineering undergraduate program in 2015 and graduate in 2019. Like the situation of X's friends in the university, and similar to the participants in the sample, the Directorate General of Migration Management contacted X and informed him about being selected for naturalization. As such, X prepared his file and submitted his application in 2017. Thereafter, X was interviewed twice. The first interview was in the Provincial Directorate of Migration Management and the second was in the governorship. However, while the applications of X's friends sailed smoothly through the process, X's application stopped progressing after a certain point in late 2019. Therefore, X contacted Provincial Directorate of Migration Management without any luck as to why X application has progressed. Then, X contacted the Directorate General of Migration Management yet without any luck. A few months following that X learned that two groups of Syrian students at the university entered a feud over a heading a students' club. A student of one group wrote a report about the feud, listing the names of the students from the other group, including X who claimed having no part in what occurred, as affiliates with terrorist groups, and submitted the report to relevant security forces. Consequently, X said his application was placed on hold and later was canceled. Thereafter, X tried to clarify to Directorate General of Migration Management, but the institution replied by saying there was nothing to be done as X application was removed due to security concerns. Now, X is working in Istanbul, trying to save money to hire a lawyer and explain to relevant authorities having no involvement in what happened in the hope of reviving the naturalization application.

Box 1: Invitation to naturalization has no guarantee for citizenship.[15]

There process of naturalization, including the required documents, points the following. First, a proof of one's Turkish skills has not been mentioned as a requirement. This could be justified under the fact that the participants are students of Turkish universities, as student certificate had been requested as a required document for the naturalization application, and knowing Turkish is a requirement before starting the studying program.

Nevertheless, when asked whether the participants have a TÖMER certificate, one participants stated that he began learning Turkish as he was admitted recently, another said his native language was Turkish, and five others declared not having a TÖMER certificate. Instead, the five participants said they learned Turkish through self-

[15] The information obtained from the interview are not included in chapter four. For reference, the participant shall be called X.

learning and interaction. On the hand, eleven participants stated having C1 level TÖMER certificate issued from the universities where they study or studied. While the interviews were conducted in Turkish in the presence of an interpreter if needed, not requiring a proof of one's language skills could attest to the exceptional nature of naturalization.

Next to overlooking the language skills of the selected ones, the second point to raise is the absence of any requirements demonstrating one's harmonization as a naturalization requirement. Relevantly, harmonization is neither "assimilation nor integration." As a matter of fact, harmonization is an ambiguous concept, which is envisioned to be a result of, rather than a springboard to, migrants and society's "mutual understanding." Moreover, the said endeavor portrays harmonization, whatever that is, as a two-way street of "active interaction," but on a "voluntary" basis. In relation, the ill-defined concept stipulates no activities to be taken by the hosting society and its members to reach "mutual understanding." Instead, a "migrant-oriented approach will be embraced" through some courses so that "foreigners are basically informed about the political structure, language, law system, culture and history of the country as well as their rights and obligations."[16] Thus far, there is no evidence suggesting that the aforementioned courses have ever been put into effect. Against this background, the process of naturalizing Syrians could not fall under the crown paradigm of naturalization. This line of thought views naturalization, as expressed by a previous Dutch Minister of the Interior and Kingdom Relations, to be "a reward for social participation and integration" (Government of the Netherlands, 2011).

On the other hand, it is yet to be seen whether the same process could fall under the catalyst paradigm of naturalization – a view calling for naturalization to "be made fairly accessible since it provides immigrants with the necessary incentives and resources to integrate and invest in a future in the host country" (Hainmueller, Hangartner & Pietrantuono, 2017).

[16] Ministry of the Interior, Directorate General of Migration Management, About Hamonisation https://en.goc.gov.tr/about-harmonisation, last accessed 27 Aug 2021

Beyond the top-to-bottom approach to what constitutes harmonization in Turkey, a group of the participants forwarded what they thought of harmonization. This is the case since five participants replied by "no" as a response to the question of "are you familiar with the term harmonization?" The views of the remaining 13 participants on what harmonization entails varied (see figure 9). In relation, harmonization has been forwarded to be a bilateral process (n=7). This group of participants see Syrians' responsibility to evolve around learning Turkish and learning the socio-cultural elements of the Turkish society, including the customs and traditions and respecting them, but adapting to and implementing practices in line with one's own life style. On the other hand, the government and the Turkish society have a role to play. For example, 3 out of the 7 participants see the government as the stakeholder to design, implement, and monitor harmonization by putting in place the necessary and corresponding policies. On the other end, 4 out of the 7 participants stated that Syrians' efforts to learn the language and socio-cultural elements of Turkey will hit a dead-end unless the Turkish society shows sympathy toward the case of Syrians, accepts Syrians' way of pursuing life, and embraces the differences associated with diversity: "For Syrians, harmonization entails learning the socio-cultural dynamics of Turkey, but the government should writing down what harmonization means" (male, 35, naturalized); "A two ways process. Syrians must learn the language, customs, and traditions of Turkey. The host has to accept the presence of others and the associated diversity" (male, 26, naturalized).

On the other hand, there are five participants who consider harmonization a unilateral process. As such, the load and the responsibility of harmonizing solely on the shoulders of Syrians. This includes breaking out of the comfort zone to learn Turkish language and Turkish culture, but practicing what is picked up, particularly traditions, with one's acceptable boundaries.

This is seen in the following opinions of the participants: "It means stepping out of your comfort zone, adapt to the unfamiliar - the one acceptable by your standards of course" (male, 25, naturalized); "It means ability to communicate, ability to access basic services, and adaptation of customs and norms that fall in line with one own belief system" (male, 31, naturalization application in process).

One of the five participants even attached the element of duration to harmonization and linked the ability to harmonize with a certain profile of Syrians: “For Syrians, it is a lifelong issue and highly dependent on one's education's level” (female, 25, naturalized).

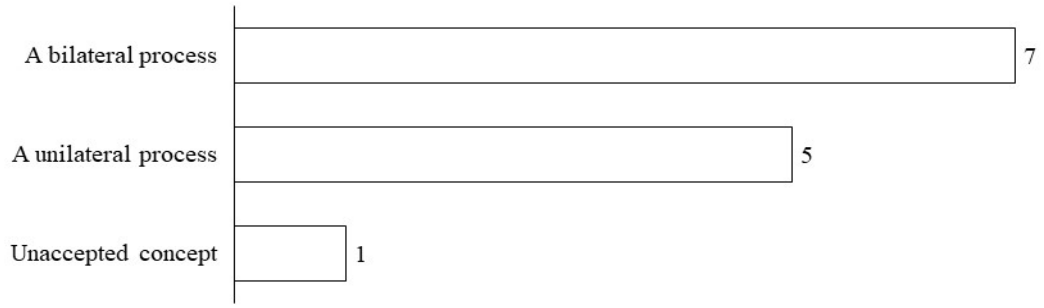

Figure 9: Answers to “what is harmonization?”

Unlike the aforementioned views on harmonization and whether it is bidirectional or unidirectional, there is one participant who rejected harmonization as a mean to generate “mutual understanding.” Instead, this one participant considered harmonization as a way to the Turkification of Syrians: “A negative concept - a sugar coated term necessitating losing the Syrian identity and living like Turks” (male, 24, naturalized).

4.3.6. The meaning of becoming a citizen of Turkey

Considering the various backgrounds of the students who have been naturalized or awaiting citizenship, and the different reasons behind accepting the invitation to naturalization, the participants interpret the meaning of becoming a citizen in multiple ways (see figure 10).

To begin with, the meaning of being a citizen of Turkey was associated in a collective manner with a sense of belonging, a feeling of security, a feeling of safety, and as an acknowledgement of recognition.

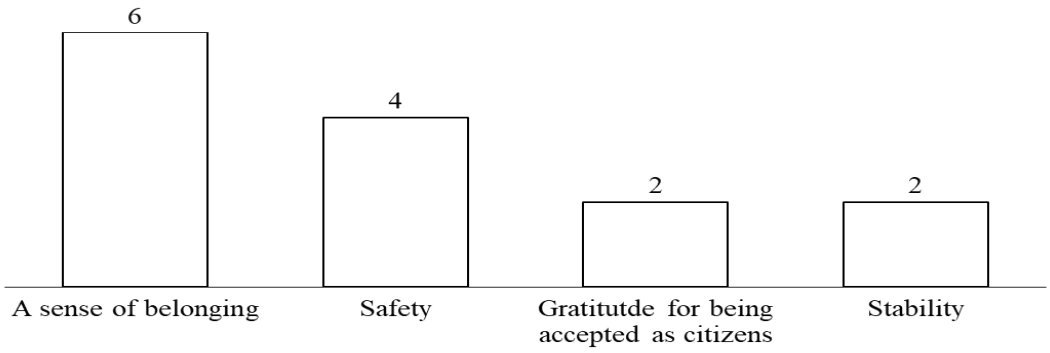

Figure 10: Answers to "what does it mean to become a citizen of Turkey?"

However, there are also disjointed interpretation of what it means to become a citizen of Turkey as an "Emotional bond with the Turkish society" (male, 31, naturalized); "A mean enriching my options in the future" (female, 23, naturalization application in process); "An opportunity to give back" (male, 24, naturalized); "A new identity" (male, 28, naturalized).

The abovementioned answers show there is a sentimental bond associated with becoming a citizen of Turkey. This bond represents the participants' perception of what constitutes connection with other members of the greater society. Thus, one could connect the said interpretations to a civic republican understanding of citizenship, which sees in shared common good as the virtue of citizenry. What is more, there is a pragmatic understanding of being a citizen of Turkey, most likely stemming from the previously mentioned reasons of accepting the invitation to be naturalized. Therefore, looking at citizenship as a tool of navigating opportunities could be aligned with rather the liberal understanding of citizenship where one's interests trump that of the citizens' collective common good.

In relation, the findings reiterate that naturalization could occur with or without immigrants developing a sense of belonging to the host country (Erdal, Doeland, and Tellander 2018; Golash-Boza 2016; Pogonyi 2018). The following section further demonstrates the said conclusions through participants' self-identification after becoming citizens of Turkey.

4.3.7. Self-identification after naturalization

The transition to dual citizenship has been associated with some changes regarding the way naturalized participants define themselves (see figure 11). In response to the question of "how do you define yourself," four participants define themselves as Syrian-Turks for the simple reason of being dual citizens. However, four other participants responded to the same question by associating the definition to one's surrounding environment. The two defining elements of the environment are space and people. This brings to mind Glazer's point of view saying that immigrants' previous identity is a reactionary element to the context of reception and treatment in host countries. Indeed, and in relation to the element of space, one participant links declaring being a dual national to running bureaucracy chores, probably to avoid mistreatment considering the negative perception concerning Syrian's naturalization: "I say I am a Syrian-Turk when in public institutions. Elsewhere, I say I am a Syrian" (male, 26, naturalized). Going further, and in connection to the element of people, a similar reactionary self-identification emerges when interacting with Turks whose overall views about Syrians dictates the way with which a naturalized Syrian comes forward. For example, if the circle of Turks seem and sound understanding of the reasons that brought Syrians to Turkey, then presenting one's self as a citizen of Turkey is secondary. Otherwise, avoiding hostility seems the favorable option. At the same time, insisting on presenting one's self as a Turks appears to a way to tackle the negative perceptions about Syrians; "A Syrian to Turkish circles understanding Syrians' situation. Otherwise, A Turk with unknown circles of Turks" (male, 29, naturalized); "A Turk to foreigners and A Syrian to Turks to change their perception that Syrians could be equally" (male, 28, naturalized); "A Syrian with fellow Syrians and Arabs and a Syrian-Turk with everyone else" (female, 25, naturalized).

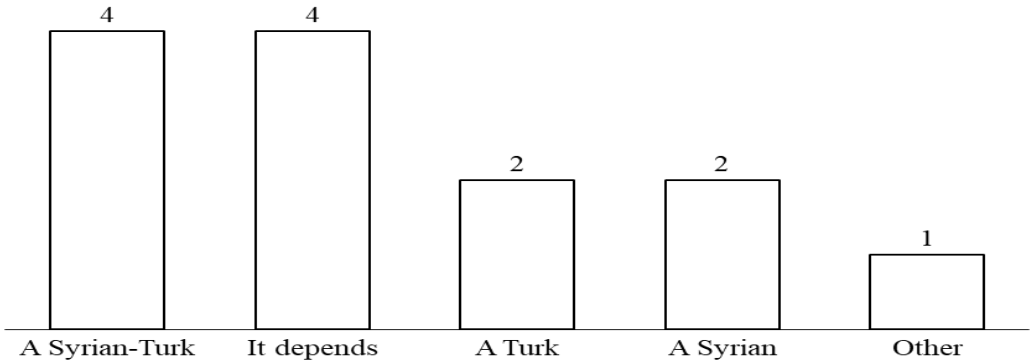

Figure 11: Self-identification after naturalization

Moreover, there are two participants who define themselves as Turks. One of the two who says so sees the citizenship as a connection and a mean to showcase his ethnic origin: “It was an opportunity to legally connect with my mother country, a chance to be a real Turk” (male, 35, naturalized). The second participants who defines himself as a Turk does so as a mechanism to avoid situations of inconvenience with Turks “I say I am a Turk because Turks do not necessarily show signs of understanding to the way Syrians are being naturalized” (male, 24, naturalized).

In contrast, two other participants still define and introduce themselves as Syrians. One reason, according to one of them, has to do with name one’s carry, which could unfold undesirable consequences: “My name could sell me out. If I say I am a Turk, it may cause me some problems” (male, 24, naturalized). The other participant who defines himself as a Syrian refrained from providing details as to why it is the case. Lastly, one naturalized participant defines himself beyond any scope of what has been mentioned. Again, the participant’s ethnicity seem to outweigh any nationality he enjoys by introducing himself as a “Circassian” (male, 25, naturalized) irrelevant to the space or people in the environment.

4.3.8. Voting behavior of naturalized Syrians

Naturalization, as previously mentioned, brings the previously foreigners to an equal footing with other citizens.

This equality entails full participation in the political sphere. In relation, the group of participants who had been naturalized could be categorized in two groups (see figure 12). The members of the first group (n=7) did not cast a vote yet since becoming citizens of Turkey. In detail, some refrained from explaining the reason (n=4), one stated having no idea about political parties in Turkey, and two declared having no interest in elections. On the hand, the members of the second group (n=5) stated taking part in at least one elections since becoming citizens of Turkey. There are two members in this group who participated in the 2018 presidential elections and the two casted votes for the nominee of the AK Party. Doing so was because of the overall position toward Syrians or as a way to give back: “I don't agree with the overall policies of the party, but they help Syrians and that is why I voted for them” (female, 29, naturalized); “In 2018 I voted for AKP as a payback” (female, 25, naturalized). The one who is 25 years old voted in the local elections of 2019, but refused to reveal to which candidate her vote went to. The remaining 3 members who participated in elections after naturalization did so only in the local elections of 2019. While two of them abstained from revealing to whom they voted for, one participant stated voting for the AKP: “I voted this way because of the development plans and the party's position toward Syrians” (male, 26 naturalized).

There are no studies conducted on naturalized Syrians’ voting behavior in Turkey. However, the answers of participants’ who voted demonstrate the presence of moral debt to be paid back at least for the rather welcoming attitude of the party in ruling since the first group of Syrians arrived in 2011. What is more, there is nothing to convey ideological motivations driving Syrians’ voting behavior and considering what has been stated, it could be safe to assume once the initial moral debt had been paid, naturalized Syrians could cast their votes across the political spectrum in Turkey. Furthermore, other political parties might want to attract the new voters.

However, if the other political parties maintain a negative discourse on Syrians, a similar rhetoric could act as a push-factor and keep naturalized Syrians in one political camp.

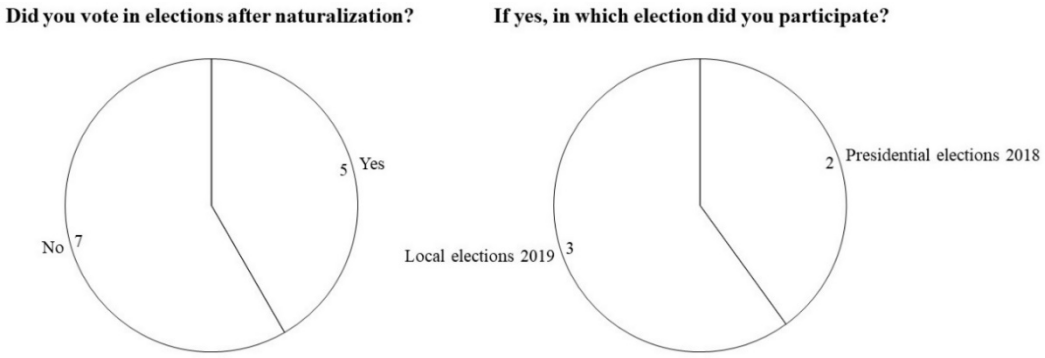

Figure 12: Voting behavior of naturalized Syrians

4.3.9. Returning to country of origin, staying, or moving elsewhere

The subject of repatriation, after naturalization or while pending the final decision, has been positively viewed by only two participants. However, the answer of one of the two was conditional and linked the repatriation to the way with which developments could unfold in Syria in the future. The other participant's decision was rather affirmative and embedded in the will to take part in Syria's reconstruction. What is more, the two participants have been already naturalized. On the other hand, the participants who do not want to return to where they came from were either naturalized (n=11) or have naturalization applications in process (n=5) (see figure 13). In relation to the former group, nine of the eleven participants who are dual citizens, but will not repatriate to the countries of origin, were born and raised in Syria. As such, lack of safety in Syria (n=7), absence of political change (n=1) and the destruction of one participant's house were the reasons behind unwilling to repatriate. Similarly, two of the five participants who have naturalization applications in process were also born and raised in Syria.

As for the reasons motivating unwillingness to return, one of them stated that Syria is not a safe country for repatriation and the other cited fear of persecution.

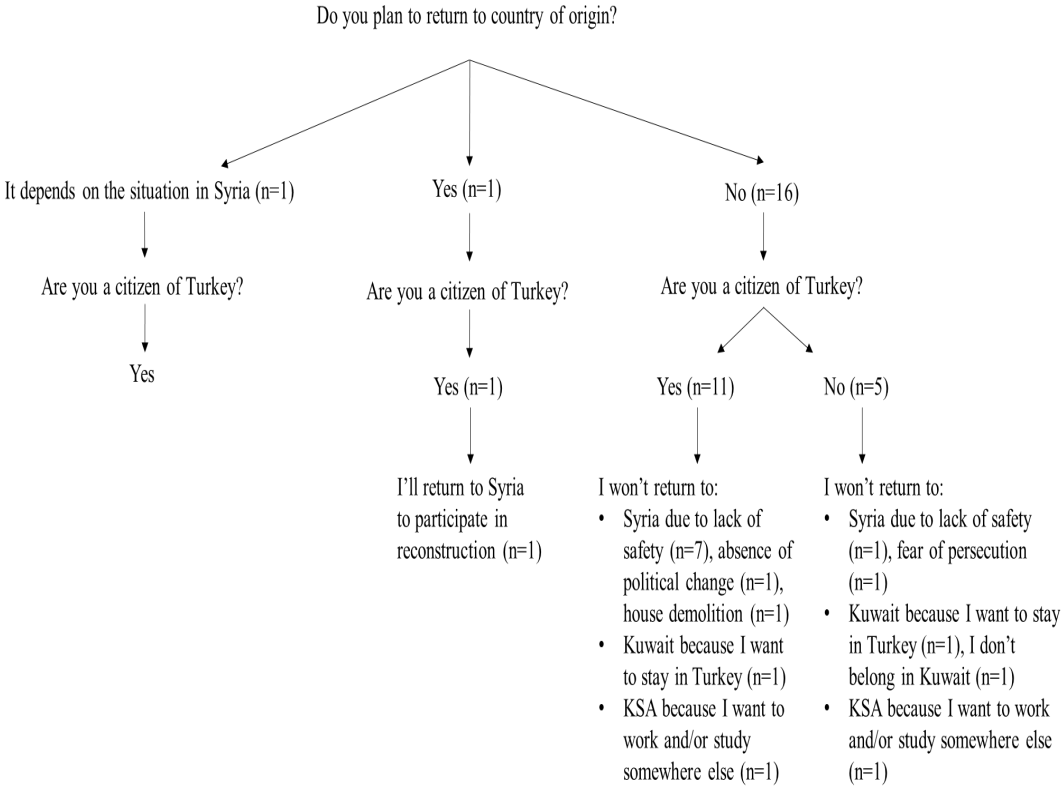

Figure 13: Answers to "Do you plan to return to the country of origin?"

Moreover, and particularly regarding the participants who will not return to the countries where they came from (n=16), their decision does not necessitate the willingness to stay in Turkey (see figure 14). In this connection, 7 out of 16 participants stated the willingness to stay in Turkey. In addition, five participants are already dual citizens and for three of them looking forward to continue studying in Turkey is the reason for them to stay. On the other hand, 5 out 16 participants are undecided whether to stay in Turkey or leave. Moreover, four of them have been naturalized and finding a job in the near future will determine whether they will stay or not. Lastly, 4 out of the 16 participants expressed different reasons as to why they do not want to remain in Turkey.

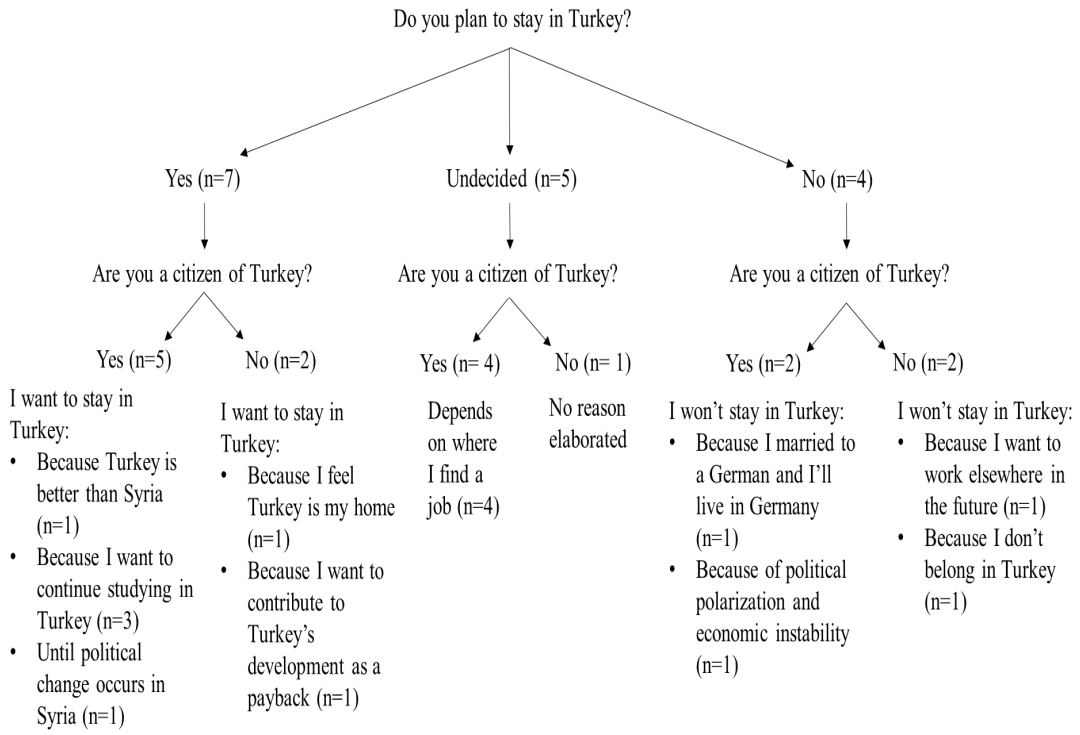

Figure 14: Answers to "Do you plan to stay in Turkey?"

While only naturalized Syrians expressed explicitly or tentatively the plan to return to Syria, the subject of repatriation does not seem to occupy a priority on the agenda of the overall interviewed participants, whether naturalized or not, for the several above mentioned reasons. However, the unwillingness to repatriate does not necessarily equate to staying in Turkey. Looking at what could swing participants in favor of staying in Turkey, especially among the naturalized ones, it seems that Turkey's overall economic performance has the influence to shape the minds of the new Turks about their next destination.

CHAPTER 5

CONCLUSIONS

President Erdoğan announced and explained five years ago why the naturalization process of Syrians has been launched and who could be selected. As such, the main focus of this research was to elaborate on why a selected Syrian, particularly a student in Turkey's higher education, would accept/refuse to submit a naturalization process. In relation, the participants revealed a rather selective and pragmatic reason and saw in acquiring greater mobility as the motive to accept naturalization. The participants' answer, however, is illustrative because of the research limitation embedded in the small size of the studied sample, which included only 18 Syrian students in Turkey's higher education system. Thus, future research could peal other motives driving the acceptance/refusal of naturalization depending on the socio-economic backgrounds of other participants. However, this research also shed light on the naturalization process and the involved stakeholders, and highlighted the associated roles of each stakeholder in the process's relevant stages. As such, the findings concerning the process itself and the stakeholders could attest to be representative since there are no indicators so far to suggest otherwise.

The main research question provides a bottom-up answer as a way to better understand the invitation to be a citizen as any invitation could be either accepted or rejected. In relation, this research refers to the naturalization process of Syrian students as an invitation for being exceptional to the view considering naturalization a "nationalising process" as embedded in both the ethno-national and civic-national identity constructs of a nation-state since the two constructs see the incorporation of immigrants a prerequisite to naturalization. Equally, the naturalization process of Syrian students is an invitation for being different to the contesting, but less powerful view considering "naturalization without nationalization" – a possibility based only on a short period of lawful residence.

For being so, the findings suggest a reactive naturalization policy that could be described as legally, ethically, and practically puzzling. The confusion stems from the fact that Syrians cannot seek asylum because Turkey maintains a geographical limitation to 1951 Geneva Convention, and the Temporary Protection Regulation, the legal protection umbrella governing Syrians in Turkey, does not allow Syrians to acquire citizenship through naturalization irrelevant to the number of years spent living in Turkey. Thus, while the Citizenship Law of 2009 and certain amendments offer the legal background for Syrians' naturalization, the politically-driven aim of targeting only Syrians with an added value falls short in answering why have not all Syrian students in Turkey's higher education, for example, been invited to submit an application of naturalization. Thus, leading to questioning the process's sustainability if the future brings political change where a governing party may not stand in proximity to the subject of Syrians in Turkey the way the current ruling party does. Equally important is scrutinizing the ethical dimension of excluding millions of other Syrians for allegedly possessing a lesser human capital value. Lastly, unless a holistic integration policy enters into effect with a clear and path toward citizenship, it seems that Syrians of an added value who have or will be chosen to become citizens of Turkey are likely to see citizenship as a ticket for achieving better endeavors elsewhere.

Next to discussing where the naturalization of Syrians in Turkey fall in the debates concerning national identity, naturalization is a path to dual citizenship. This means dual citizens are "simultaneously citizens and foreigners (i.e., citizens of other states)" (Sejersen, 2008). This, in return, poses a question of loyalty to the nation state, which "normally functioned with an implicit zero-sum understanding of social/cultural/political belonging: either one is in, or out" (Vertovec, 2001). The inherent logic of inclusion and exclusion by the state (Isin, 2002) saw further reinforcement in the aftermath of 9/11, which led to greater control and "securitization of the inside" (Muller, 2004). In the case of Syrians naturalization in Turkey, the research revealed that the nominees for Turkish citizenship have to submit a proof of a clear judicial record before the National Intelligence Agency (MİT) executes further background screenings.

Finding the answer to the main research question entailed following a qualitative research methodology as the research necessitated utilizing the method of case study (Leedy & Ormord, 2001). Next to answering the main research question, implementing the case study method stems from the need to understand a process (Creswell, 2003), particularly the process of naturalizing Syrian students in Turkey's tertiary education. Thus, the case study method had been implemented to learn "more about a little known or poorly understood situation" (Leedy & Ormord, 2001).

The case study engages only Syrians students in Turkey's higher education for two reasons. First, Syrian students fall under the umbrella of "enrichment" as previously stated by President Erdoğan. Second, Syrian students are the largest group of foreign students in Turkey's tertiary system: a fifth of the 185,001 foreign students in Turkey's higher education system are of Syrian origin (YÖK, 2019-20). The case study included Syrian students whom either have been naturalized while studying and graduated, or are currently studying, have been invited to submit a naturalization application and the application is still under processing. In relation, the invitation to submit a citizenship application does not guarantee becoming a citizen of Turkey as the application of one Syrian student had been rejected at one point (see chapter 4). To understand why Syrian students accepted the invitation, the details of the process, and the requirements of naturalization, a snowball technique led to phone and face-to-face semi-structured interviews with a total of 18 students, including 14 male and 5 female Syrian students from universities in Ankara, Istanbul, Adana, Manisa, and Düzce.

The research, however, has its limitations. To begin with, the sample is not representative of Syrian students whose number in Ankara alone is in excess of 900 – one of the top five Turkish cities with the highest number of Syrian students in higher education (YÖK, 2019-2020). There is also a gender bias in the sample. Thus, the margin of error in the findings is broad. The other limitation is lacking a top-to-bottom point of view, which requires further research to incorporate the perspective of public stakeholders and policy designers in drawing a detailed and full picture of the naturalization process of Syrians in Turkey.

Despite the aforementioned shortcomings, the findings contribute to an understudied aspect of forced migration studies that elaborates on the reason(s) driving the selected Syrians decision to accept the invitation for naturalization, the process of Syrians' naturalization, the tasks of and the stakeholder involved in the process, and the decision of the naturalized Syrians or the ones with in process application with regard to staying in Turkey or moving elsewhere.

All in all, while this research and its findings are a drop in the ocean of a further needed research about Syrians naturalization in Turkey, the abovementioned findings lead to the conclusion that naturalization of Syrians by invitation signals a departure from prioritizing ethnicity in immigrants' incorporation to full membership by following a merit-based approach, especially considering that Syrians' legal status in Turkey deprives them from the agency of applying to Turkish citizenship in an ordinary way. What is more, the underlying reason behind accepting the invitation to naturalization is rather selectively pragmatic and prioritizes greater mobility in-and-out of Turkey at the expense of looking for protection or searching for a new space of belonging.

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APPENDICES

A. METU HUMAN SUBJECTS ETHICS COMMITTEE APPROVAL

UYGULAMALI ETİK ARAŞTIRMA MERKEZİ
APPLIED ETHICS RESEARCH CENTER

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26 Temmuz 2021

Konu : Değerlendirme Sonucu

Gönderen: ODTÜ İnsan Araştırmaları Etik Kurulu (İAEK)

İlgi : İnsan Araştırmaları Etik Kurulu Başvurusu

Sayın Başak Kale

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B. TURKISH SUMMARY / TÜRKÇE ÖZET

Geçtiğimiz son yirmi yılda vatandaşlığa olan ilgi yeniden alevlenmiştir. İlgi, birbiriyle bağlantılı olan iki kanıdan kaynaklanmaktadır: vatandaşlığın önemi ve değişen doğası (Kivisto & Faist, 2007). Vatandaşlığın önemi, ulusal devletçi vatandaşlık geleneğinde yatmaktadır. Söz konusu geleneğin yandaşları, günümüzün küreselleşen dünyasında vatandaşlığın dış sınırlarının ulus devletle çakışma olasılığının yüksek olduğunu iddia etmektedir (Kymlica, 1999). Diğer taraftaki argüman ise şehir devleti prototipi ve hatta geleneksel doğası değiştiği ve "sınırları yerle bir olduğu" için vatandaşlığın önemini anlamsız kılmaktadır (Heater, 1999). Söz konusu düşünce ile aynı doğrultuda, günümüzde vatandaşlık, vatandaşların hak ve görevlerinin ötesine gitmekte ve insanların, vatandaşlığın önemi ve doğası hakkındaki görüşlerini kapsamaktadır (Kostakopoulo, 2008).

Bugün, hareketlilik ve göç, küreselleşen dünyamızın özelliklerindendir. Uygun bir şekilde, yeni vatandaşlık anlayışlarına uyum sağlamak amacıyla üç özel alternatif ortaya çıkmıştır. Post-ulusal vatandaşlık savunucuları, ulusal vatandaşlığın azaldığını (Jacobson, 1996) çünkü göçmenlerin, esasen uluslararası insan hakları rejimi (Soysal, 1994) nedeniyle, resmi vatandaşlığa ihtiyaç duymadan yasal ikamet yoluyla yersiz yurtsuz sosyal ve ekonomik üyelikten yararlandıklarını ileri sürmektedirler. Ulusötesi vatandaşlık savunucuları, uluslararası göç ve gönderen ile alan ülkeler arasındaki ilgili etkileşimler nedeniyle, ulus devletlerin sınırlarının ötesindeki hareketli toplumlarda bir gerçeklik şeklinde görmektedir (Baubock, 1994). Son olarak ise, çok kültürlü vatandaşlık, azınlık haklarının dâhil edilmesi ve tanınmasına dikkat çekerek bir ulus-devletin sınırları dahilindeki çeşitliliğe yapısal bir dikkat çekmektedir (Parkeh, 2000).

Yukarıda bahsi geçen vatandaşlık izahatlerinde, Kostakopoulo (2008), kültürel farklılıklara uyum sağlattığı ve göçmenleri tam üyeliğe "ulusal vatandaşlığı yeniden yapılandırarak" eriştirdiği için, başka bir deyişle de gerçek kurumsal değişim getirmek veya yeni kurumsal tasarımlar geliştirmek yerine mevcut düzenlemeleri açarak, tüm alternatiflerin "ulusal-devlet meseleleri" meselesi olarak kaldığını savunmaktadır.

Bahsi geçen yeniden yapılandırma, “bir kişinin yabancı bir misafirden yerli halka ait hak ve ayrıcalıklara sahip bir vatandaşa dönüştürüldüğü süreç” olan “ulus-devletin temel taşı” aracılığıyla gerçekleşmektedir (Kostakopoulo, 2008). Dönüşüm, yabancıların veya göçmenlerin, ev sahibi ülkenin vatandaşı olmadan önce asimilasyon, çok kültürlülük ve sivil entegrasyon gibi birleşme temellerini başarıyla geçmelerini gerektirir (Ager & Strang, 2004; Bosswick & Heckmann, 2006). Buna ek olarak, göçmenlerin dönüşümü, dönüşümün öznesi zorla yerinden edilen insanlar olduğunda özel bir mahiyete sahip olmaktadır. Bu itibarla, mültecilerin vatandaşlığa alınması oldukça eşsiz bir niteliktedir, çünkü “devlet, başka bir devlet tarafından etkin korumadan yoksun bırakılan kişilere vatandaşlık teklif etmeyi özel bir görev olarak kabul etmektedir (Goodman, 2010).

Zorla yerinden edilen göçmenlerin vatandaşlığa alınması hususundaki yeni ve hâlihazırda devam eden bir örneği ise Türkiye'deki Suriyelilerdir. 2011 yılında diğer reformların yanı sıra insan haklarına da saygı gösterilmesinin talep edildiği sivil gösteriler, devlet baskısı ile karşı karşıya kaldı ve hızlı bir biçimde kan dökülmesine dönüştü. Netice itibariyle ayaklanma, milyonlarca Suriyeliyi yerlerinden etti ve insanları ya Ülke İçinde Yerinden Edilmiş Kişiler (ÜİYOK'ler) olmaya ya da çoğunlukla komşu ülkelerde yurtdışında güvenlik arayışına yöneltti. Türkiye, resmi ifade ile Geçici Koruma Altındaki Yabancılar şeklinde tanınan 3.7 milyon Suriyeliye ev sahipliği yapmaktadır. Geçici Koruma Yönetmeliği, Suriyelilerin tartışılmaz biçimdeki haklara erişebilmesine imkân sağlamaktadır. Yine de Geçici Koruma Yönetmeliği'nin yasal parametreleri, Suriyelilerin vatandaş olarak Türk devletine tam üyelik yolunda yürümelerine izin vermemektedir. Fakat durum, Türkiye'nin en üst düzey siyasetçisi Cumhurbaşkanı Recep Tayyip Erdoğan, “[Suriyeli] kardeşlerimiz arasında Türkiye Cumhuriyeti vatandaşı olmak isteyenler var” dediğinde, Türkiye'nin Suriye sınırına komşu bir ili olan Kilis'te sıcak bir Ramazan günü yaptığı konuşmasında tamamen değişmiştir. Aynı konuşmada, Cumhurbaşkanı sözleri eyleme geçirmekten sorumlu kilit paydaş olan İçişleri Bakanı Süleyman Soylu'nun bu yönde adımlarını şimdiden atmaya başladığına işaret etmiştir (BBC, 2016a).

Cumhurbaşkanı Erdoğan, kendisinin ilk açıklamalarının bir gün sonrasında, kararın arkasında duran iki gerekçeyi açıkladı. Birincisi, hareket Türkiye'ye fayda

sağlayabilecek “çok yüksek nitelikli” Suriyelileri ve karşılıklı olarak hedef alıyordu, vatandaşlığa alma süreci, Suriyelilerin “insanlık dışı yaşam koşullarından” çıkmalarına yardımcı olacaktı. İkinci sebep ise, Avrupa'nın vasıflı Suriyelileri cezbetme girişimidir. Dolayısıyla, belirli bir potansiyele sahip olan Suriyelileri Türkiye'de tutmayı hedefleyen vatandaşlığa alma kararının da aynı biçimde olduğu söylenebilir (BBC, 2016b).

Cumhurbaşkanı Erdoğan'ın açıklaması, yalnızca Suriyelilere özel değildi çünkü süreç, “ülkeye zenginlik katacak” ve “Türkiye'nin bilimsel ve teknolojik altyapısına katkıda bulunabilecek” tüm göçmenleri kapsayacaktı (Milliyet, 2016). Bununla birlikte ve Suriyelilerle ilgili olarak, beyaz ve mavi yakalı profesyoneller, maddi olarak zengin ve yaşamları tehdit altında olabilecek yüksek bir profille sahip Suriyeli muhalifler vatandaşlığa alma sürecinde bir öncelik elde etti. Sayısal olarak da karar, 30.000-40.000 Suriyeliyi vatandaşlığa almanın ilk etabı da dâhil olmak üzere, toplam 300.000 Suriyelinin vatandaşlığa alınmasını öngörmekteydi. Nihayeten karar, sürecin kendisi ve seçilen Suriyeliler hakkında olumsuz bir algı oluşması beklentisiyle alınmıştır. Bu nedenle hükümetin yanıtı, Türkiye'nin 20. yüzyılın başlarında düşmanlarını yendiği, bir Ege ili olan Çanakkale’de Osmanlı askerleri olarak Türklerle birlikte “omuz omuza” bir savaş veren seçilmiş Suriyelilerin vatansever evveliyatını vurgulamak oldu (Aynı Yayında).

Cumhurbaşkanı Erdoğan'ın açıklamasının ardından, Türk muhalefet partileri karmaşık tavırlar sergiledi. Ana muhalefet partisi olan Cumhuriyet Halk Partisi (CHP) lideri Kılıçdaroğlu, ”Profesörlere, sporculara, sanatçılara ve girişimcilere [Suriyelilerin vatandaşlığa alınmasına] itiraz etmem” diyerek, Cumhurbaşkanı’nın yüksek niteliğe sahip Suriyelileri hedef alan kararını destekledi, fakat muhalefet lideri, “hazmetmesi zor bir lokma” olacağı için tüm Suriyelileri vatandaşlığa alma kapısının açılmasına itiraz etti (Aynı Yayında). CHP'li bir başka politikacı ise Suriyelileri vatandaşlığa almayı, etnik ve mezhepsel hesaplara dayalı tek parti olan Adalet ve Kalkınma Partisi'nin (AKP) hayatta kalması için saf bir siyasi araç olarak gördü.

Ayrıca Milliyetçi Hareket Partisi (MHP) Genel Başkanı Bahçeli, “Türk vatandaşlığını [sola ve sağa] bölerek ucuzlatmak, şehitlerimizden ve atalarımızdan bize miras kalan

ülkeyi etnik kaosa ve kazana çevirir" şeklinde beyanda bulunmuştur. Siyasi isimlere paralel olarak Türk vatandaşları da Suriyelilerin vatandaşlığa alınması fikrine karşı çıkmaktadır. Bu görüş, 2019 yılında ankete katılan Türklerin %76.5'i tarafından dile getirildi; 2017 yılına göre 0.7 oranında bir artış gerçekleşmiştir (Erdoğan, 2019).

Siyasi tartışmaların ötesinde, Türkiye'deki Suriyelileri vatandaşlığa alma kararı, seçilmiş birkaç kişinin yasal statüsündeki aşırı bir değişikliktir. Başlangıçta Suriyeliler, Türkiye'de "kardeşler" (NTV, 2012) şeklinde veya Türk vatandaşlarının "misafirleri" (Anadolu Ajansı, 2013) olarak karşılanmaktaydı. Aynı misafirler daha sonra, Yabancılar ve Uluslararası Koruma Kanunu (LFIP, 2013) kapsamında geçici koruma altındaki yabancılar olarak kabul edilmiştir. Sonrasında ve Cumhurbaşkanı Erdoğan'ın kararıyla, nihai gidişat, seçilmiş bir kısmına Türk vatandaşlığı verilmesiyle tam üyelik şeklinde olmuştur. Cumhurbaşkanı Erdoğan, sürecin neden başlatıldığını ve kimlerin seçilebileceğini açıklarken, bu araştırmanın esas odak noktası, seçilmiş bir Suriyelinin, özellikle de Türkiye yükseköğretimindeki bir öğrencinin neden vatandaşlığa alma sürecini kabul ettiğini/reddettiğini detaylandırmaktır. Bu araştırma aynı zamanda, vatandaşlığa alma sürecine ve ilgili paydaşlara ışık tutmaktadır ve sürecin ilgili aşamalarında her bir paydaşın ilişkili rollerinin altını çizmektedir.

Cumhurbaşkanı Erdoğan, Suriyelilerin vatandaşlığa alınma sürecinin neden başlatıldığını ve kimlerin seçilebileceğini beş yıl önce açıklamış ve beyan etmişti. Bu nedenle, bu araştırmanın ana odak noktası, seçilmiş bir Suriyelinin, özellikle de Türkiye'nin yükseköğrenimindeki bir öğrencinin neden vatandaşlığa alma sürecini kabul ettiğini/reddettiğini açıklamak olmuştur. Bununla ilişkili olarak, katılımcılar oldukça seçici ve pragmatik bir neden ortaya koymuşlar ve vatandaşlığa alma gerekçesi olarak daha fazla hareketlilik elde etmeyi görmüşlerdir. Katılımcıların cevabı, bununla birlikte, Türkiye'nin yükseköğretim sisteminde sadece 18 Suriyeli öğrenciyi içeren incelenen örneklemin küçük boyutunda yerleşik olan araştırma sınırlaması nedeniyle açıklayıcıdır.

Bu nedenle, gelecekte yapılacak olan araştırmalar, diğer katılımcıların sosyo-ekonomik geçmişlerine bağlı olarak vatandaşlığa alımın kabul edilmesine/reddedilmesine neden olan diğer nedenleri ortaya koyabilir.

Bununla birlikte, bu araştırma aynı zamanda, vatandaşlığa alma sürecine ve ilgili paydaşlara ışık tutmuş ve sürecin ilgili aşamalarında her bir paydaşın ilgili rollerini vurgulamıştır. Aslında, sürecin kendisi ve paydaşlarla ilgili bulgular, şimdiye kadar aksini gösterecek herhangi bir gösterge bulunmadığından, temsili olduğunu kanıtlayabilir.

Ayrıca vaka çalışması, katılımcıların yaş grupları, cinsiyetleri, medeni halleri, memleketleri ve Türkiye'ye gelmeden önceki eğitim durumları hakkında demografik bilgileri de içermektedir. Buna göre vaka çalışması, göçün itici güçlerini göstermektedir. Bunla bağlantılı olarak bulgular, katılımcıların göç etmesinin ardındaki gönüllü ve gönülsüz nedenlerin bir kombinasyonunu ortaya koymaktadır. Memleketlerinden gönüllü olarak ayrılan katılımcı sayısı sekiz olup, tamamı da Türkiye'ye göç etme nedeni olarak eğitimi ileri sürmüşlerdir. Suriye'yi gönülsüz olarak terk eden katılımcılar, şu gerekçeleri ileri sürmektedirler: Katılımcılardan beşi, Suriye'den ayrılma nedenlerinin zulümden kaçmak olduğunu ve zulmün nedenlerinin de ya bir ebeveyn, özellikle de baba figürü kaynaklı olduğunu ya da 2011 yılından beri rejim protestolarına dâhil oldukları veya protestolarda oldukça aktif bir rol oynamamış olsalar dahi, bireysel olarak tutuklanma veya daha kötüsüyle karşı karşıya kalma tehditleri aldıkları olduğunu belirtmişlerdir. Ayrıca diğer dört katılımcı, savaştan sağ çıkmayı Suriye'den ayrılma nedeni olarak belirtmiştir. Bu katılımcı grubu, yaşadıkları bölgelerde yapılan rastgele bombardımanın ve bombalamadan kaynaklı olarak zorunlu biçimde yerinden edilmenin itici güç olduğunu belirtmiştir. Son olarak ise bir katılımcı, Suriye'den ayrılmanın ve Türkiye'de güvenlik aramanın nedeninin, zorunlu askerlik hizmetinden kaçmak olduğunu belirtmiştir. Ardından, araştırma, katılımcıların Türkiye'ye geldikten sonra eğitim düzeylerinin nasıl geliştiğini göstermektedir. Etraflıca, 10 katılımcı üniversitelere kaydolmuş olup ve halen eğitim görmektedir.

Lisans eğitimi alan 4 adet katılımcı mevcut bulunmaktadır: ikisi biyoloji, biri işletme ve biri de tıp öğrencisidir. Lisans öğrencilerine paralel olarak, ikisi kentsel tasarım, biri iletişim ve biri de mimarlık olmak üzere 4 adet yüksek lisans öğrencisi bulunmaktadır.

Son olarak ise biri fizik, diğeri Türk edebiyatı bölümünde okuyan 2 adet de doktora öğrencisi bulunmaktadır. Ayrıca şu anda öğrenim görmekte olan 10 öğrenciden 5'i vatandaşlığa alınmıştır ve geri kalan 5'inin vatandaşlık başvuruları hâlihazırda devam etmektedir. Türkiye yükseköğretim sisteminde eğitime devam eden katılımcıların yanı sıra, hâlihazırda farklı üniversitelerden mezun olan 8 adet katılımcı bulunmaktadır. Vatandaşlığa alma süreci, altı aşama şeklinde kategorize edilmiş ve katılımcıların cevaplarına göre (a) ve (b) olmak üzere iki alt sürece ayrılmıştır. Ayrıca, (b) alt süreci, (a) alt sürecine kıyasla oldukça basittir ve takibin dördüncü aşamasına kadar süreçten sorumlu tek paydaş olarak üstün değer içermektedir. Ne yazık ki ve araştırma sınırlamasının da belirttiği üzere, politika yapıcıların bilgi eksikliği, iki alt sürecin dâhil olan paydaş sayısı ve üstlenilen görevler açısından neden farklı olduğunu doğrulamak adına bir engel teşkil etmektedir. Bu, ancak söz konusu farkı açıklığa kavuşturmak amacıyla daha fazla araştırma yapılması için bir neden olmalıdır. Bir diğer yandan, (a) alt süreci, çoklu paydaşların çeşitli izleyen görevlerle, yine takip aşamasına veya dördüncü aşamaya kadar katılımını göstermektedir. Vatandaşlığa alınan veya vatandaşlık için bekleyen öğrencilerin farklı geçmişleri ve vatandaşlığa alınma davetinin kabul edilmesinin ardındaki farklı nedenler göz önünde bulundurularak, katılımcılar, çeşitli kendini tanıma yolları da dâhil olmak üzere vatandaş olmanın anlamını farklı şekillerde yorumlarlar. Son olarak ise vatandaşlığa kabul edildikten sonra veya nihai karar beklenirken ülkesine geri dönme hususu, yalnızca iki katılımcı tarafından olumlu olarak karşılanmıştır. Bir diğer yandan, geldikleri ülkesine geri dönmek istemeyen katılımcılar ya vatandaşlığa alınmış ya da vatandaşlığa alınma başvuruları hâlihazırda devam etmektedir. Ayrıca, özellikle geldikleri ülkelere geri dönmeyecek olan katılımcılarla ilgili olarak kendilerinin aldıkları karar, Türkiye'de kalma isteğini gerektirmemektedir. Bu bağlamda, 16 katılımcıdan 7'si, Türkiye'de kalmaya istekli olduklarını belirtmişlerdir.

Ayrıca, beş katılımcı ise hâlihazırda çifte vatandaştır ve bunların üçü de, kendilerinin kalma nedeni olan Türkiye'de eğitime devam etmeyi dört gözle beklemektedir. Bir diğer yandan, 16 katılımcıdan 5'i, Türkiye'de kalıp kalmama hususunda kararsızdır. Ayrıca, bunlardan dördü, vatandaşlığa alınmış ve yakın gelecekte iş bulmaları kalıp

kalamayacakları hususunda belirleyici olacaktır. Son olarak, 16 katılımcıdan 4'ü, Türkiye'de kalmak istememeleri için farklı sebeplerini dile getirmişlerdir.

Ana araştırma sorusu, herhangi bir davetin kabul edilebilir veya reddedilebilir olmasından dolayı bir vatandaşlığa davetin daha iyi anlamanın bir yolu olarak aşağıdan yukarıya doğru bir cevap sağlar. Buna ilişkin olarak bu araştırma, her iki yapı da, göçmenlerin dâhil edilmesini vatandaşlığa alma için bir ön koşul olarak gördüğü içinde vatandaşlığa almayı, bir ulus-devletin hem etno-milli hem de sivil-ulusal kimlik yapılarında yerleşik bir "millileştirme süreci" olarak kabul ederek, görüşe istisnai bir davet olarak Suriyeli öğrencilerin vatandaşlığa alım sürecine atıfta bulunmaktadır. Aynı biçimde, Suriyeli öğrencilerin vatandaşlığa alınma süreci, yalnızca kısa bir yasal ikamet süresine dayanan bir olasılık olarak "ulusallaştırma olmadan vatandaşlığa alma" göz önünde bulundurularak, rekabetten farklı ama daha az güçlü bir bakış açısına davettir. Böyle olduğundan dolayı bulgular yasal, etik ve pratik olarak şaşırtıcı olarak tanımlanabilecek tepkisel bir vatandaşlığa alma politikası önermektedir. Keşmekeş, Türkiye 1951 Cenevre Sözleşmesi ve Geçici Koruma Yönetmeliği ile coğrafi bir sınırlamaya sahip olduğu için Suriyelilerin sığınma talebinde bulunamadıkları bir tarafa bırakılırsa, Suriyelilerin Türkiye'de geçirdikleri yıl sayısıyla ilgili olmaksızın vatandaşlık alma yoluyla vatandaşlık kazanmalarına izin vermemektedir. Böylece, 2009 tarihli Vatandaşlık Kanunu ve bazı değişiklikler Suriyelilerin vatandaşlığa alınması için yasal zemin sunarken, yalnızca katma değere sahip Suriyelileri hedef alan siyasi amaç, örneğin, vatandaşlık alma başvurusu sunmaya davet edilme gibi neden tüm Suriyeli öğrencilerin Türkiye'deki yükseköğretimde yer almadığını yanıtlamakta yetersiz kalıyor. Bundan dolayı, bir iktidar partisinin Türkiye'deki Suriyeliler konusuna mevcut iktidar partisinin yaptığı üzere yakın durmayabileceği bir gelecek, siyasi değişim getirirse sürecin sürdürülebilirliğini sorgulamaya yol açar.

Milyonlarca Suriyeliyi daha düşük insan sermayesi değerine sahip olduklarını iddia erek dışlamanın etik boyutunu incelemek de aynı derecede önem arz etmektedir. Son olarak ise vatandaşlığa giden açık ve net bir yol ile bütüncül bir entegrasyon politikası yürürlüğe alınmadıkça, Türkiye vatandaşı olan veya olmak üzere seçilecek katma

değeri olan Suriyelilerin, vatandaşlığı başka yerlerde daha iyi çabalar elde etmek için bir bilet olarak görmeleri muhtemeldir.

Türkiye'deki Suriyelilerin vatandaşlığa alınmasının ulusal kimlikle ilgili tartışmalarda nereye düştüğünü tartışmaya ek olarak, vatandaşlığa alma çifte vatandaşlığa giden bir yoldur. Bu, çifte vatandaşların "aynı esnada hem vatandaş hem de yabancı (yani diğer devletlerin vatandaşları)" olduğu anlamına gelmektedir (Sejersen, 2008). Bu da, tekabülünde, "normalde örtük bir sıfır toplamlı sosyal/kültürel/politik aidiyet anlayışıyla işleyen ulus devlete sadakat sorununu ortaya çıkarır: biri ya içeride ya da dışarıda" (Vertovec, 2001). Devletin içerdiği dâhil etme ve dışlama mantığı (Isin, 2002), 11 Eylül Saldırılarının (9/11) ardından daha fazla güçlendi ve bu da daha fazla kontrole ve "içerinin güvenli hale getirilmesine" (Muller, 2004) yol açtı. Türkiye'de Suriyelilerin vatandaşlığa alınması senaryosunda, araştırmalar, Türk vatandaşlığı adaylarının Milli İstihbarat Teşkilatı (MİT) tarafından ekstra bir arka plan taraması yapılmadan önce, açık bir adli sicil belgesi sunmalıdır düşüncesini ortaya çıkarmıştır.

Ana araştırma sorusuna cevap arayışı, araştırma için vaka çalışması yönteminin kullanılmasını gerektirdiğinden, nitel bir araştırma metodolojisi izlemeyi gerektirmiştir (Leedy & Ormord, 2001). Ana araştırma sorusunu yanıtlamanın yanında, vaka çalışması yönteminin uygulanması, özellikle Suriyeli öğrencilerin Türkiye'deki yükseköğretimde vatandaşlığa alınma süreci olmak üzere bir süreci anlama ihtiyacından kaynaklanmaktadır (Creswell, 2003). Bu nedenle, vaka çalışması metodu "az bilinen veya yeterince anlaşılmayan bir durum hakkında daha fazla bilgi edinmek" için uygulanmıştır (Leedy & Ormord, 2001).

Vaka çalışması, iki sebepten dolayı Türkiye'nin yükseköğrenimindeki yalnızca Suriyeli öğrencileri ilgilendirmektedir.

Birincisi, Suriyeli öğrenciler, Cumhurbaşkanı Erdoğan'ın daha önce de belirttiği üzere "zenginleştirme" şemsiyesi altına girmektedir. İkincisi, Suriyeli öğrenciler, Türkiye'nin yükseköğretim sistemindeki en büyük çoğunluğa sahip yabancı öğrenci grubudur: Türkiye'nin yükseköğretim sistemindeki 185.001 yabancı öğrencinin beşte biri Suriye kökenlidir (YÖK, 2019-2020). Vaka çalışmasına, okurken vatandaşlığa

alınan ve mezun olan ya da halen öğrenim görmekte olan ve vatandaşlığa alma başvurusunda bulunmaya davet edilen ve başvurusu hâlihazırda devam eden Suriyeli öğrenciler dâhil edilmiştir. Bununla ilgili olarak, bir Suriyeli öğrencinin başvurusu bir hususta reddedildiğinden, vatandaşlık başvurusu yapma daveti Türkiye vatandaşı olmayı garanti etmemektedir.

Suriyeli öğrencilerin daveti neden kabul ettiğini, sürecin detaylarını ve vatandaşlığa alınma şartlarını anlamak amacıyla, bir kartopu tekniği ile Ankara, İstanbul, Adana, Manisa ve Düzce'deki üniversitelerden 14'ü erkek ve 5'i kadın Suriyeli olmak üzere toplam 18 öğrenci ile telefonla ve yüz yüze yarı yapılandırılmış görüşmeler yapılmıştır.

Araştırmanın, bununla birlikte sınırları da vardır. Başlangıç olarak, örneklem, Ankara'da sayısı 900'ü aşan Suriyeli öğrenciyi temsil etmemektedir; Ankara Türkiye'nin yükseköğretimde en fazla Suriyeli öğrenciye sahip ilk beş şehrinden biridir (YÖK, 2019-2020). Örneklemde cinsiyet yanlılığı da mevcuttur. Bu nedenle, bulgulardaki hata payı geniştir. Diğer sınırlandırma, Türkiye'deki Suriyelilerin vatandaşlığa alınma sürecinin ayrıntılı ve tam bir resmini çizerken, kamu paydaşlarının ve politika tasarlayanların bakış açısını dâhil etmek üzere daha fazla araştırma gerektiren yukarıdan aşağıya bir bakış açısına sahip değildir. Yukarıda derç edilen eksikliklere rağmen bulgular, vatandaşlığa alınma davetini, Suriyelilerin vatandaşlığa alınma sürecini, süreçte yer alan görevleri ve paydaşları ve vatandaşlığa alınan veya başvuruda bulunanların Türkiye'de kalma veya başka bir yere taşınma konusundaki kararlarını kabul etmek üzere seçilen Suriyelilerin kararını yönlendiren neden(ler)i detaylandıran zorunlu göç çalışmalarının yeterince çalışılmamış bir yönüne katkıda bulunmaktadır.

Tüm hususlar bir bütün olarak değerlendirildiğinde, bu araştırma ve bulguları, Suriyelilerin Türkiye'de vatandaşlığa alınması hususunda daha fazla ihtiyaç duyulan bir araştırmanın okyanusunda bir damla olsa da, yukarıda belirtilen bulgular, özellikle de Suriyelilerin Türkiye'deki yasal statülerinin, onları sıradan bir şekilde Türk vatandaşlığına başvurma yetkisinden mahrum bıraktığı düşünüldüğünde, Suriyelilerin davet yoluyla vatandaşlığa alınmasının, liyakate dayalı bir yaklaşım izleyerek

göçmenlerin tam üyeliğe dâhil edilmesinde etnik kökene öncelik verilmesinden bir ayrılmaya işaret ettiği sonucuna varılmaktadır. Bunun da ötesinde, vatandaşlığa alınma davetinin kabul edilmesinin altında yatan sebep oldukça seçici bir şekilde pragmatiktir ve koruma arayışı veya yeni bir aidiyet alanı arama pahasına Türkiye içinde ve dışında daha fazla hareketliliğe öncelik vermektedir.

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