

LONG WAITED BROTHERS OR UNWELCOME GUESTS
THE LOGIC OF RECEPTION MECHANISMS OF A RECEIVING STATE:
TURKEY AND ITS ASYLUM SEEKERS IN 1989 AND 1991

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CHAPTER I

INTRODUCTION

Globalization literature called into question the role of the nation-state in shaping the flow of persons, together with that of capital, technology, and ideas. The argument was that the function of the nation-state in affecting these flows diminished. While this case holds true in general for research agendas in social science, research done in migration studies seemed to be different from this general inclination. Migration literature puts emphasis on economic and societal factors to explain population flows. Political scientists in the field replied to this approach by focusing on the question of how we can “bring the state back in” to the analysis of international migration, and contended that the role of the nation-state does not fade away. On the contrary, it remains intact and manifests itself by establishing rules of entry and exit, by trying to manage migration flows in domestic and international levels and by dealing with the impact of migration on membership to the polity of the nation-state.¹ Population movements across borders have significant impacts both for the receiving and sending states, as they are faced with the questions of control, security, sovereignty and incorporation. Without neglecting the importance of a root-causes approach, this thesis aims to explore within a comparative perspective the dynamics involved in the reception context of a host state and to contribute to the literature discussing the place that nation-state occupies within the management of international migration.

¹ James F. Hollifield, “The Politics of International Migration How Can We “Bring the State Back In?” in *Migration Theory: Talking Across Disciplines*, edited by Caroline B. Brettell and James F. Hollifield, (NY: Routledge, 2000,) pp.137-138

Border crossings contain by their very nature inclusion and incorporation on the one hand and exclusion and dispossession on the other.² Thus population movements across the borders of the nation-state indicate the formation of nearly laboratory conditions for inspecting the mechanisms that shape the policies of reception. The status accorded to the newcomers by the host state frames their life chances. Membership to the host community on advantageous legal terms compared with a non-membership status with harsh disciplinary and regulatory measures is a result of the reception conditions afforded by the host state. The state interests and the protection of human rights are the two factors that influence the reception terms of the nation-state towards newcomers. This includes a broad range of considerations from foreign and internal policy dictates to the ethno-national composition of the political community. Since all of these factors contribute to the formation of different reception conditions for different immigrant groups, each and every migration flow needs to be evaluated on its own. In other words, the leverage of these factors adjusts to the genuine political and historical conditions of each migration flow. Any argument, which emphasizes exclusively the importance of one specific factor for receiving states, fails thus to understand the complex mechanisms that come into play when the state is exposed to population movements. Moreover, the reception conditions afforded by the host states might be evaluated against three ideal-type constructions, namely the ethnonationalist, liberal national and cosmopolitan perspectives. The receiving states may adhere to the principle either of prioritizing the rights of the co-ethnics and co-nationals over those of foreigners by endorsing a communitarian stance or of maintaining a cosmopolitan perspective by treating the foreigners as being equally entitled to rights of its citizens. The interplay of foreign,

² Donnan Hastings and Thomas M. Wilson, *Borders: Frontiers of Identity, Nation and State*, (Oxford, England: 1999,) p. 107.

domestic and ethno-national factors can lead the state either to converge or to diverge from these two paradigms. The convergence to and divergence from liberal national or cosmopolitan perspectives are not frozen and a priori determined but change in the face of each migratory movement.

The immigration and asylum regime in Turkey and the context created during two exceptional mass influxes of refugees might be taken as a perfect illustration of this argument. Turkey was one of the few countries, which was exposed to two of the most traumatic refugee experiences of the fading twentieth century. These flows from Bulgaria in 1989 and from Iraq in 1991 constitute the case studies of this thesis as it aims to address the dynamics that shape the reception decisions and contexts of the host Turkish state. Turkey, a country generally conceived as a country of emigration as it sent thousands of its citizens to Europe within labor recruitment programs, has also been a country of immigration, which was commonly neglected until recently.³ In fact, Turkey can be considered as a perfect case for studying the experience and the responses of the state when confronted with such challenging tasks of dealing with “foreigners” knocking on his doors to enter. Modern state defines those who would make part of it and those who would be considered a “foreigner”. Julia Kristeva notes that “the foreigner became the one who did not belong to the state”.⁴ The state accords the terms of belonging with reference to compatibility defined by mechanisms through which state policies operate. From its inception, each state puts into place the conditions for making part to its society not

³ Kemal Kirişçi, “Asylum, Immigration and National Identity: Challenges to Turkish Harmonization of Policy and Practice with that of the EU”, Draft paper prepared for Presentation for the Third Annual EU-Turkey Conference, Siena, 20-21 October 2003, p.2

⁴ Julia Kristeva, *Strangers to Ourselves*, transl. by L.S.Roudiez, (New York: Columbia University Press, 1991,) p.96.

only through law and regulations but also through its practices and treatments of subjects and non-subjects.

The treatments of the Turkish state vis-à-vis the migrants in need are illustrative on the one hand of how it tends to include or exclude by referring to their connection with Turkish identity and culture. On the other hand, equal access by ethnically close groups to the state and to the already existing political community is by no means possible. Relatively easy access of the incoming migrants to society and to state resources is also a resultant of local, national and international factors. The explanation on the reception of newcomers by the host state only with respect to identity politics fails to capture the totality of the mechanism as stated by the argument of this thesis. The a priori understanding of the preference for immigrants from “Turkish descent and culture” without questioning whether the reception contexts during the population flows affirms this conception remains hypothetical. This assumption can be better illustrated if the case studies are instances of refugee flows, in which the policies of the receiving state confronted with demands for humanitarian aid should be standard across ethnically different groups. When reception responses of the state vary considerably even though the migratory flows have a common nature, it becomes imperative to study the reasons of diverging state reactions. The divergence of reception conditions of Turkey to mass migration in 1989 from Bulgaria, generated as a result of the repressive communist regime, to mass migration in 1991 from Iraq, emerged out of the suppressive measures by Iraqi state becomes interesting in terms of depicting the factors that shaped the Turkish state responses. Treatment of refugees by the Turkish state during these two mass arrivals differed substantially, although the governing logic of the Turkish state’s reception context should have been the same due to the common condition of escape

from persecution in the two migratory movements. These two refugee groups were persecuted in their countries because of their unchangeable ethnic identities, and forced to leave under exceptional circumstances within the span of a limited time period. Their motivations to cross the borders to the Turkish side were similar in nature, while the way they were treated by Turkey was significantly different. On the other hand, these two mass influxes of refugees are purposely chosen. The Bulgarian mass influx was composed of ethnically Turkish groups, while the Iraqi mass influx was overwhelmingly composed of Kurdish refugees. The former made part of the Balkan Turks, left out of Turkish mainland after the Independence War ensuing to the First World War and composing the most desired elements for the making of the Turkish homogenous nation. The latter ethnically was part of the Kurds in Turkey; an identity which was denied expression and was provoking apprehensiveness because of the current military and political tension. Addressing the reception context of these two groups can show more accurately how ethno-national considerations interacted with foreign and domestic policy demands. Besides, the reception context created by the Turkish state for each asylum movement showed divergences throughout the refugee events. This can be attributed to the flexibility that the immigration and asylum regime gives to the state authorities, with loopholes and special reservations in the legal framework that generate ad hoc policy making. The practices of the Turkish state due to foreign and domestic policy requirements, as well as security and sovereignty concerns resulted in the concession of the cosmopolitan ideals and endorsement of either ethnonationalist or liberal national stance. These two cases are perfect illustrations of how arbitrary twists in the refugee reception contexts can be possible as a contextual outcome of foreign, domestic, security, ethno-national and sovereignty questions. It is now time to question and

revise the assumed leverage of identity and ethnicity in understanding and evaluating the treatment of the Turkish state vis-à-vis the immigrants, which is contextually molded out of the interplay between both international and domestic factors, including security and sovereignty considerations, and economic and societal concerns.

Organization of the Thesis

The opening chapter of this thesis provides the theoretical and legal framework. It is divided into two parts. The first part concentrates on the history of population movements to Turkey together with the legal framework that governs the immigration and asylum regime. This part aims to discuss the arbitrary and contextual nature of the immigration and asylum reception in Turkey. The second section provides the theoretical framework of the research and highlights the conceptual tools employed to evaluate the reception context in migration and refugee flows together with a debate on partiality and impartiality of the host states, rising out of adherence to ethnonationalist, liberal national or cosmopolitan perspectives in their immigration and asylum policies. While the second chapter is dedicated to the discussion of 1989 mass influx of refugees from Bulgaria, the third chapter examines the mass inflow of refugees from Iraq in 1991. The study of these flows of refugees tries to show how the Turkish state authorities under the influence of foreign policy, internal pressures, ethno-national concerns in general, including the security perceptions and sovereignty priorities, economic and societal pressures, bilateral relations with other countries in particular addressed the refugee event. The combination of these factors resulted in turn to convergence to or divergence from

communitarian or cosmopolitan stances. The final chapter is devoted to an overall analysis of the arguments defended in this thesis.

Research Methods

The analysis of parliamentary minutes from April 1989 to December 1989 and from February 1991 to December 1991 as well as a thorough analysis of the newspaper articles feed this study. All the regulations and laws in relation to the asylum seekers of that period have been also used for complementing the research. I conducted a discourse analysis on the documents gathered and tried to address what lied behind the reception contexts of these two refugee flows to Turkey and how the Turkish practices translated into the reception conditions. Parliament is the site where the justifications and criticisms of legislative and executive initiatives are made, where judgments about politicians are passed, where government and opposition represent their interests and go on record. The party members are judged by their peers and by the opposition parties.⁵ On the other hand, the newspapers provide the best sources for grasping the background of the events as well as being a reflection of government practices to the public opinion the performances of politicians are judged. The newspapers provide invaluable information about the political ideas that circulate around a specific event. The selected newspapers are Milliyet, Cumhuriyet and Sabah, which provided differing views and accounts during the refugee events. Furthermore, weekly journals like 2000'e Doğru, and Nokta were scanned for the stated periods and used when appropriate to reflect differing ideas from mainstream explanations that prevailed in the newspapers.

⁵ Paul Bayley, *Cross-Cultural Perspectives on Parliamentary Discourse*, (Philadelphia, PA, USA: John Benjamins Publishing Company, 2004,) p. 15.

CHAPTER II

BUILDING THE THEORETICAL AND LEGAL FRAMEWORK

Introduction

The literature on globalization claims that the nation-state is weakening with a profound transformation brought in by the new non-state actors in the international arena within a transnational focus. This view maintains the primacy of networks and transnationalism together with cost-benefit analyses and pull-push factors on migratory waves. While such economic and sociological approaches provide invaluable insights to study migration, studies asking “how can we bring the state back in to social scientific analyses of migration”⁶ seek to highlight the still important place occupied by states in international migrations research. This study tries to serve the same purpose with a detailed case study analysis of the Turkish state faced with questions of control, security and sovereignty under exceptional circumstances of mass migration from two different countries with two different refugee groups. The mass influx of ethnically Turkish groups from Bulgaria in 1989 and that of Iraqi nationals from mainly Kurdish but also Turcoman, Assyrian and Chaldean groups in 1991 marked, not only for Turkey but also for the world in general, challenging and policy demanding refugee experiences of the fading century. These two refugee mass arrivals caught the Turkish state unprepared even if Turkish authorities expected such population movements due to events in Bulgaria and Iraq tailoring the mass flights. The unusual population pressure generated by these two inflows of asylum seekers and thus their exceptional nature procures for

⁶ Hollifield, “The Politics of International Migration How Can We “Bring the State Back In?”, p. 137

social researcher the laboratory conditions to question the state policies of reception, and the dynamics that come into play when making asylum and immigration policies.

The discussion of the theoretical and legal framework of migration and refugee reception, with a brief summary of population movements constitutes the opening to the Turkish context in this thesis. As noted above, nation-states are still important actors in managing international migration movements and the experience of a nation-state with migratory movements is shaped by its legal context, which in turn is generally composed as a response to societal pressures. The reception mechanisms of nation-states towards newcomers change as a result of various underlying causes, including domestic and foreign policy considerations, ethno-national priorities, pressures arising from international conventions and treaties. Seemingly clear-cut legal contexts can be blurred when the practices of the state are taken into consideration. On the other hand, legal documents marked with connotations advantageous for specific groups paving way to arbitrary treatments can exacerbate the impartial stance of the state. Biased behavior from the part of the state towards foreigners can become the focal point of criticisms from cosmopolitan perspectives, while the liberal national considerations of state apparatus can claim the primacy of ethnically similar groups over foreigners under specific conditions. The argument put forward for the Turkish state before the case studies in the following two chapters is that the response of reception policies reproduced by receiving state changes contextually with each migration flow as a consequence of foreign, domestic and ethno-national considerations. These in turn cause the convergence with ethnonationalist, liberal national or cosmopolitan models or they can result in the divergence from them.

The a priori understanding of each state adhering to ethnonational or liberal national model or cosmopolitan model is a flawed one. The essentialization of ethnicity and identity in explaining the adherence of host states to these ideal type constructs becomes a narrow conceptualization. The comparison that will be provided with the migration from Iraq and that from Bulgaria will help to demonstrate this argument. The interplay of the above-mentioned factors made Turkish state's articulation of either communitarian or cosmopolitan perspectives in each migration flow or the abstention from generating such discourses, while policy preferences for each migrant group altered accordingly. Taken together with the power to interpret Turkish national laws and reservations to international conventions, the change in reception policies can also be grounded legally.

This chapter first aims to discuss the summary of population flows to Turkey, focusing on legal instruments used when faced with migration. These discussions will be complemented with how and to what extent Turkish state can control entry and which domestic and international pressures come into play when exposed to massive arrivals. The historical and legal context will then be linked with the general theoretical structure regarding immigrant and refugee admission mechanisms. These insights will be employed as tools to expand on the results of the research done on case studies of mass flows of refugees from Bulgaria and from Iraq in the following two chapters.

Brief History of Population Movements to Turkey

The scholarly literature on population movements in Turkey mostly focuses on Turkey as being a source country of immigration and asylum, particularly towards

Europe. The study of population movements directed to Turkey has become the subject of inquiry relatively recently, though Turkey has always been a site of attraction for migrants, asylum seekers and refugees. Inheriting a tradition of acceptance and accommodation of refugees and asylum seekers from the Ottoman Empire, the history of Turkish Republic is also marked by migratory movements. A brief history of the population flows to Turkey would not only highlight the place immigration and asylum issues occupy within Turkish context, but also would help trace a linearity with respect to migratory pressures and state admission criteria throughout the years.

During the period 1923-1960 the total numbers of immigrants, asylum seekers and refugees, were set to 1,204,205 persons⁷, the average number of persons having moved to Turkey during this period each year exceeding 30000. However, it should be noted that, the countries of origin of the significant part of this population were Greece, Bulgaria, Romania and the then Yugoslavia. The number of those seeking asylum and those coming from countries other than the above-mentioned four made up only a tiny proportion of the total (2,43 %).⁸ This overwhelming movement from these countries can be explained as part of the migration of remaining Turkish population in the region after the fall of the Ottoman Empire.

The substantial part of the immigrant population is an outcome of the population exchange between Turkey and Greece after the end of the Independence War. A protocol with respect to population exchange was signed between Turkey and Greece on 30 January 1923, during the negotiation period of The Treaty of

⁷ Cevat Geray, "Türkiye'den ve Türkiye'ye Göçler 1923-1960", *Türk İktisadi Gelişmesi Araştırma Projesi*, No: 4, (Ankara, 1962,) p. 7.

⁸ Ibid, pp. 10-11

Lausanne, which also guaranteed its provisions⁹. It set up the conditions under which the population exchange between Turkey and Greece should take place. This resulted in the exchange of the Muslims of Greece, except those in Western Thrace with Orthodox Greeks in Turkey, except those in Istanbul and the Greek inhabitants of Bozcaada and Gökçeada.¹⁰ Between 1922 and 1924, the population exchange entailed approximately more than one million Greeks leaving and 350,000 Turks heading to Turkey.¹¹ The effects of this population exchange on society for the Turkish side were double faceted as it lost a significant proportion of its population, while the incoming population was relatively small with modest impact on the demography of the society.¹² During the Second World War and the Greek Civil War numerous Turks from Greece tried to find refuge in Turkey. In accordance with laws, they were given the right of asylum in conformity with the principles recognized by the government. In fact they were given the right to become an immigrant and henceforth acquire Turkish citizenship without delay. These provisions were applied relatively easily until 1951 when the situation in Greece had stabilized. Maintaining that Greece had reached stability hence Turks did not face any danger, Turkish Republic decided not to receive immigrants from Greece but admitted only persons whose parents have been already accepted and naturalized.¹³ Thus between 1950s and 1970s, 24,625 persons came from Greece to Turkey in order to allow for the

⁹ Lausanne Treaty, Article 142

¹⁰ Lausanne Treaty, Article 14

¹¹ Renée Hirschon, "The Consequences of the Lausanne Convention", in *Crossing the Aegean. An Appraisal of the 1923 Compulsory Population Exchange between Greece and Turkey*, edited by Renée Hirschon, (New York and Oxford: Berghahn Books, 2003,) p.14.

¹² Ibid, p.15

¹³ Jacques Vernant, *Les Réfugiés Dans l'Après-Guerre*, (Monaco-Ville: Éditions du Rocher, 1954,) p.261.

reunification of families that were formerly separated as a result of the population exchange¹⁴.

During the Republican years, those who came from Bulgaria constitute the second largest group of immigrants. Leaving aside the discussion of 1989 mass influx from Bulgaria, which will be discussed in the third chapter, the migrations from Bulgaria until 1989 can be classified under three waves: Referring to the agreement signed between Turkey and Bulgaria on the right of residency¹⁵, 218,998 immigrants in total came between 1925 and 1949.¹⁶ During the years 1950-1952, the number of those who have been subject to forced migration from Bulgaria to Turkey was 154,385.¹⁷ The agreement signed for the reunification of families between Bulgaria and Turkey, aiming to reunite families that were torn apart during the 1950-51 mass migration, caused the migration of 116,521 persons between 1968 and 1979.¹⁸ These main population flows that took place between Bulgaria and Turkey from the end of the First World War until 1989 mass migration were the results of bilateral agreements between Turkey and Bulgaria, called “friendship agreements”, or “agreements for ‘population exchange’ or ‘population transfer’” between the two countries. The 1950-51 migration occurred in line with the Law of Settlement of 1934, which lays down the conditions that determine who can become immigrants and refugees in Turkey. The Turks from Bulgaria were thus evaluated as eligible to

¹⁴ Filiz Doganay, “Türkiye’ye Göçmen Olarak Gelenlerin Yerleşimi”, *Devlet Planlama Teşkilatı*, Ankara, (Kasım 1996), p.3

¹⁵ Türkiye ile Bulgaristan beyninde münakit ikamet mukavelenamesi, Resmi Gazete: 20.06.1926, Sayı: 403, Düstur Tertip: 3, Cilt: 7, Sayfa: 1376

¹⁶ DPT statistics, “Bulgaristan’dan Türk Göçleri” 1990, cited in Filiz Doğanay, “Türkiye’ye Göçmen Olarak Gelenlerin Yerleşimi”, p. 3

¹⁷ Geray, “Türkiye’den ve Türkiye’ye Göçler 1923-1960”, p.12

¹⁸ DPT statistics, “Bulgaristan’dan Türk Göçleri” 1990, cited in Filiz Doğanay, “Türkiye’ye Göçmen Olarak Gelenlerin Yerleşimi”, p. 3

make part of the “Turkish descent/ethnicity and culture” and were given the right to settle with equal citizenship rights.¹⁹ The 1968-1978 migrations took place as a result of an agreement between Turkey and Bulgaria for the reunion of the separated family members. These two migratory flows occurred under clear cut legal provisions, which prevented the formation of any complexities for immigrants and the states. This was mainly due to the fact that the rights and the legal status of the migrants of these waves were defined by law before they reached Turkey and the migrants were understood as having given up their rights and duties back in Bulgaria.²⁰

Table 1: Data from the Directorate of Population and Citizenship Affairs²¹

Emigration from Bulgaria to Turkey Years	Number of Emigrants
1878-1912	350,000
1923-1933	101,000
1934-1939	70,632
1948-1951	155,581
1968-1984	113,393
Total	719,836

The third country that sent migrants to Turkey was Yugoslavia, from which 269,101 persons came between the years 1923-1960. More than half of these immigrants quit Yugoslavia during Tito regime, which is explained by some with the strict attitude of the regime towards Muslims and Turks.²² From 1960 to 1995, 36,057 persons arrived

¹⁹ Kemal Kirişçi, “Disaggregating Turkish citizenship and immigration practices”, *Middle Eastern Studies*, 36: 3, July 2000, pp. 9-10

²⁰ Ahmet Cebeci, “Bulgaristan Türklerinin Göçü Hakkında”, *Türk Kültürü*, Sayı: 63, (Ocak 1968), pp.189-193

²¹ Available online: <http://www.nvi.gov.tr/NVI.html>, accessed in 2006

²² Geray, “Türkiye’den ve Türkiye’ye Göçler 1923-1960”, p.13

and settled in Turkey on their own resources without being aided by the State.²³ No statistics are available as to the composition of the Turkish and non-Turkish groups within these immigrants, while at the same time the general assumption is that many Bosnians and Albanians were included within it.²⁴ Some immigrants were reported to be unable to speak Turkish but were Muslim Albanians who wanted to take advantage of the emigration permission as they felt that their position in Albania was delicate.²⁵ In the same vein, after the 1987-1992 war in former Yugoslavia, some 20000 Bosnians were given asylum; 4500 of them settled in Istanbul and 1000 in other cities near their relatives. There were also Bosnian refugees who were housed in the refugee camps near Kırklareli, composed of government owned guest houses, schools buildings, prefabricated houses.²⁶

Romania can also be cited among the countries that generated migrant populations to Turkey. The substantial part of migrants from Romania came during the period 1923-1939, as a result of the bilateral agreement between Turkish and Romanian states to commit themselves to an exchange of populations. The migrations gained momentum just before the start of the Second World War with 117,095, while between 1940 and 1995, only 5465 persons from Romania settled in Turkey.²⁷

²³ Calculation made by using statistics Köy Hizmetleri Genel Müdürlüğü Hizmet Uygulamaları Genel Envanteri, 1996, p. 138, and Geray, "Türkiye'den ve Türkiye'ye Göçler 1923-1960", statistics p.13.

²⁴ Kirişçi, "Disaggregating Turkish citizenship and immigration practices", p.8-9

²⁵ Hugh Poulton, 1993, "Other Nationalities and Ethnic Groups- Roma, Turks, Hungarians, Vlahs and Others" in *The Balkans: Minorities and States in Conflict*, London: Minority Rights Group, 1993, p. 92

²⁶ Kemal Kirişçi, "Post Second World War Immigration From Balkan Countries to Turkey", *New Perspectives on Turkey*, 12, (Spring 1995), pp. 71-72

²⁷ Composed From Table 1 in Kirişçi, "Disaggregating Turkish Citizenship and Immigration Practices", p. 8

The preference of the Turkish state for groups coming from Turkish ethnic origin is marked in the state policies and legal framework governing migration regime as discussed above in greater detail. However, a distorted image of Turkey would be given if the depictions of immigration and asylum remain limited to those of Turkish ethnic origins from the Balkans. Turkey was indeed the destination for refugees and asylum seekers during the reign of the Nazi regime and the Second World War. Between 1933 and 1939 a considerable number of German refugees have been accepted to Turkey, sometimes equipped with working contracts. There were also refugees coming from Austria, Sweden and also from other countries occupied by Germany. Some Jews used Turkey as a passage before they could settle in Palestine and subsequently in Israel.²⁸ On the other hand, refugees and asylum seekers also took escape to Turkey from particular events in the Europe, such as the Greeks during the Second World War and the Greek Civil War.²⁹ According to the Ministry of Interior, more than 67000 refugees and asylum seekers have been accepted to Turkey between 1939 and 1945; Italians and Greeks formed the majority and returned back after the war.³⁰ Tatars were also included in the agreement between Turkey and Romania that resulted in the above-cited migration. Furthermore, Uzbek, Kazak, Kyrgyz and Turkmen nationals from what is referred as “Turkistan” were also accepted throughout the years, even though their numbers

²⁸ Stanford Shaw, “The Jews of the Ottoman Empire and the Turkish Republic”, London : Macmillan, 1991, p. 256 cited in Kemal Kirişçi “The Question of Asylum and Illegal Migration in European Union-Turkish Relations”, in *Turkey and the European Union: Domestic Politics, Economic Integration, and International Dynamics*, edited by Ali Çarkoğlu, Barry Rubin, (London ; Portland, OR : Frank Cass, 2003,) p. 82.

²⁹ Vernant, *Les Réfugiés Dans l'Après-Guerre*, p.263

³⁰ Vernant, *ibid*, pp. 263-64

were substantially low.³¹ On the other hand, Meskhetian Turks and Gagavuz Turks were denied entry though their numbers were low compared to other migrant flows.

The alleged accessibility of the refugee status equally to those who come from Turkish descent/culture did not in practice hold true. Scholars have pointed to the inclination of Turkish state to exclude or include newcomers on the basis of their ethnicity, adoption of Islamic faith, loyalty and service to the state, which created a hierarchy based on ethno-religious affiliation.³² Turkish citizenship, perceived as thorn between ethnic and civic understanding of citizenship becomes paradoxical as it can either accept or reject with reference to blood ties and ethnicity³³, or with reference to duties for membership to community. Scholars have critically showed the exclusionary Turkish practice towards some ethnic groups due to adherence to nationalistic pursuits, making Armenian, non-Muslim Anatolian, and Kurdish groups as unwanted elements in society. This diversion of inclusion and exclusion examples makes it all the more difficult to set clearly the hierarchy in the admission of newcomers. On the other hand, this scheme that explains inclusion and exclusion practices through ethnicity and nationalism undermines foreign and domestic policy considerations that emerge when the state is faced with population movements. According to my view, the impact of foreign and domestic policy on the selection mechanism of newcomers is the factor that makes Turkish practices on immigration and asylum experiences so blurred and arbitrary as far as the implementation of the legal tools is concerned. As explained in greater detail below, the laws governing migration regime in Turkey are based on concepts broadly defined as “coming from

³¹ Kemal Kirişçi, “Migration and Turkey” in *The Collection of Turkish Jurisprudence on Asylum, Refugees and Migration*, UNHCR, (Ankara, 2000)

³² Soner Çağaptay, “Kim Türk, Kim Vatandaş? Erken Cumhuriyet Dönemi Vatandaşlık Rejimi Üzerine bir Çalışma”, *Toplum ve Bilim*, (Güz 2003), pp. 175-176

³³ Ayşe Kadioğlu, “The paradox of Turkish Nationalism and the Construction of Official Identity”, *Middle Eastern Studies*, 32: 2, (1996), pp. 177-193

Turkish descent/culture”. These laws are also accepted in a way to provide the necessary flexibility to protect the state from unwanted flows coming from regions, which would pose economically and politically destabilizing threats. These loopholes or flexibilities cover for the privileged or disadvantaged position of some migrant groups when the Turkish State considers them as fit in different migration settings, resulting in differing reception outcomes. The Turkish state thus figure out these outcomes basing on a combination of foreign, domestic and ethnic considerations in which the national interest of the state is defined contextually, which becomes responsible for the divergent migrant experiences, and the adoption of shifting policies throughout a single immigration or refugee event.

The migratory pressures of people from ‘Turkish descent and culture’ directed to Turkey were responded by the Turkish state by resorting either to their settlement under state supervision or their acceptance as immigrants let in without state assistance under the assumption that they have necessary financial power to settle by their own means. On the other hand, refugees and asylum seekers who benefited from recognized legal refugee status in Turkey were those who came from Eastern European countries during the Cold War and whose numbers amounted to 13500 during 1970 and 1995, increasing considerably after the collapse of the Soviet regime.³⁴ Starting with 1980s and reaching its climax by the end of the Cold War, Turkey found itself subject to the multiplication of the volume, types and direction of the population flows, as was the case globally.³⁵ The legal framework within which Turkey reacted to migratory flows did not remain unchallenged. The practices of the state became more and more questionable because of the persistence to stick to old

³⁴ Kirişci, “Migration and Turkey”, p. 17

³⁵ Ahmet İçduygu, Fuat Keyman, “Globalization, Security and Migration: The Case of Turkey”, *Global Governance*, Jul-Sep; 6(3), (2000), p. 391

legal tools to solve new problems. The two cases that are discussed in this study are exceptionally illustrious as they created the tension that pushed for the introduction of legal changes to the migration regime of Turkey, which was in use up until the 1990s.

The most important change that created such a discussion is Turkey's frequent exposure to mass influxes at its frontiers. Turkey faced the need to respond to challenging population flows with subsequent mass flow of refugees and asylum seekers within the span of ten years: 1988 flight of Iraqi Kurds from the Halabja massacres in Iraq, 1989 mass exodus of Turks from the repressive policies of the communist Bulgarian regime, 1991 massive influx of civilians fleeing from the destruction of civil strife grimly crushed by Iraqi forces, 1992 asylum of 20000 Bosnians from the 1987-92 War, and 1999 temporary protection given to Kosovars who fled from Serbian massacres. These events turned Turkey into a country of mass influxes with an exceptional record if one takes into account that the mass influx of 1989 from Bulgaria and that of 1991 from Iraq were called as the Europe's largest refugee flow since the Second World War³⁶ and the most dismal refugee crisis of a fading century³⁷, respectively. Though similar in nature, the policy responses that these two influxes triggered in Turkey were rather different. These two cases will portray how the mechanisms of state reception of refugees and asylum seekers have a contextual and sometimes arbitrary character in Turkey, which can in fact be detected in the treatment of all the migrant groups, and which are consequently embedded in the regulatory legal framework. As stated earlier and will be discussed in the coming section, the Turkish laws on asylum and immigration are defined around concepts like "coming from Turkish descent and culture", whose content is

³⁶ *The New York Times*, 15.8.1989, "Flow of Turks Leaving Bulgaria Swells to Hundred Thousands"

³⁷ *The New York Times*, 22.4.1991, "A Terrible Exodus in Record Time"

determined by the decision of the Ministry of Interior taken on individual basis. This provides great room for maneuver for the State authorities that can use discretionary power. Furthermore, as the discussion on geographical reservation put to the Geneva Convention will show, Turkish state does not accept persons coming from the East as refugees. On the other hand, Turkish state had overlooked the presence of groups coming from these countries falling to the east of the Turkish borders and permitted their presence in Turkey via flexible arrangements while rejecting or tolerating their temporary stay for only short period of times. The uneven application of laws, which by their nature give priority to some migrant groups over others, is brought about by the political, economic and social considerations at the time when a migration flow occurs. Before beginning to highlight the historical background of these massive influxes of civilians, it will be beneficial to put into place the legal framework that governed the immigration and asylum regime in Turkey during that period. This will enable us to read and analyze the developments that took place during the mass influxes with a comparative and critical perspective concerning the legal mechanisms that applied to the two cases and more importantly to the mentality behind this application.

Legal Framework Governing Immigration and Asylum in Turkey*

The legal tools that govern immigration and asylum issues in Turkey until 1994 consist of 1934 Law on Settlement (Law Number 2510, published in the Official Gazette on 21.06.1934), 1951 Convention Relating to the Status of Refugees

* For the purpose of this study, this section on legal arrangements in Turkey with respect to asylum and immigration will only address the period before 1994, not addressing the changes that were introduced after that period.

(hereafter 1951 Convention, adopted on 30.03.1952) and the 1967 Protocol Relating to the Status of Refugees (hereafter 1967 Protocol, adopted on 01.07.1968), as well as 5682 Passport Law and Law on the Residence and Travel of Foreigners (Law Number 5683). Among these documents, the core pieces of legislation that are referred in massive influxes of civilians are the Law on Settlement and the 1951 Convention and the related 1967 Protocol.

The Law on Settlement lays down the conditions under which persons can migrate and settle in Turkey. According to this law, only persons who are bound to Turkish culture and who come from Turkish descent can be considered as immigrant. The ability to decide upon which country nationals can be considered as affiliates of Turkish culture is given to the Council of Ministers.³⁸ The choice to apply the provisions of this law to the newcomers should indeed be taken as a political one considering the discretionary power given to the Council of Ministers and the vagueness of the definition of Turkishness. The immigrant communities who were subject to the provisions of this law were Turkish communities from the Balkans, Asia, Caucasus, and also other ethnically non-Turkish groups such as Albanians, Bosnians, Circassians, Georgians, Pomaks and Tatars.³⁹ The groups covered by this Law do not point out to a systematic selection mechanism, which gives the idea of a contextual application of the law. Under this law, the immigrants are divided into two categories: Those who are supported economically by the State during their migration and settlement in Turkey and those who are considered as free immigrants (serbest muhacir) and who are relying on their own means to come and settle in

³⁸ Republic of Turkey, *T.C Resmi Gazete*, no.2733, Law on Settlement (Number 2510), 21.6.1934, Article 1 and 3

³⁹ T. Odman, *Mülteci Hukuku* (A.Ü.S.B.F. İnsan Hakları Merkezi Yayınları No.15, Ankara, 1995), p. 194, cited in Kirişçi, "Migration and Turkey", 2000, p. 8

Turkey. This second group of immigrants applies to become an immigrant in the Turkish consulates abroad and arrive at Turkey with their immigrant visas (Article 3, Paragraph 3). These immigrants are obliged to become a Turkish citizen after their settlement to Turkey and are requested to sign a document whereby declaring the willingness and commitment to act upon this declaration (Article 6). On the other hand, the law also defines whom to consider a refugee: They are the ones who took refuge in Turkey out of necessity, without having initially the intention to settle. The refugees are given the chance to apply to the nearest senior administrative authority to demand settlement in Turkey, which raises them to the status of immigrant (Article 3).

A closer reading of the other provisions of this law shows clearly its significance in terms of the larger context with respect to which the law was drafted. Initially the law was not ratified solely to address the settlement of the immigrants and refugees in Turkey. It was also a tool for defining the zones of settlement: Some places were to be forbidden because of economic, sanitary, cultural, political, and security reasons, some to be preserved for those who need to be assimilated to the Turkish culture, and thirdly some where a need of promoting Turkish culture is felt.⁴⁰ This can be read as constructing a policy, which allows for the reduction in numbers of an ethnically distinct group in a city by transferring that population to places where they could more easily assimilate into the Turkish culture. The constant emphasis on the priority of Turkish culture and the need to promote both the culture and those who adhere to that culture can be detected from the articles of the same

⁴⁰ Martin Van Bruinessen, "Genocide in Kurdistan? The Suppression of the Dersim Rebellion in Turkey (1937-38) and the Chemical War Against the Iraqi Kurds (1988)", in *Conceptual and Historical Dimensions of Genocide*, edited by George J. Andreopoulos, (University of Pennsylvania Press, 1994,) p. 80.

law that govern the immigrant and refugee settlement and the resettlement of Anatolian populations who are not from Turkish ethnicity. Even if these articles have been abolished in 1947 and 1950, it is suggestive of the hierarchy that the legal instrument suggested in terms of ethnicities. Kirişçi and Winrow also point to the relevance of this law as it shows the commitment of newly established Republic to create a homogenous nation-state with a clearly privileged status accorded to the ethnically Turkish groups.⁴¹

In sum, the content of the Law on Settlement shows the first item that can work as either a point of preference for, or rejection of specific groups of immigrants and asylum seekers: ethnic affiliation with the host state. The justifications that are put forward to accept immigrants on the basis of ethnic origin can point out to two different directions: ethnic migration is either justified according to a logic of easy assimilation to the host society, or justified on a “rights-based” approach which is based on the principle that those immigrants with a similar ethnic and cultural ground have to be protected by the homeland state and hence have a right to establish themselves in that country.⁴² The Law on Settlement has to be evaluated as a law that promotes this second motivation. During the parliamentary debates before the promulgation of the Law, the general idea in the parliament was that the most desirable elements to be introduced in the society are the Turkish people left in the Balkans.⁴³ This regret was also present for the case of 1989 mass influx from Bulgaria, as the discourse analysis of the parliamentarians will also depict. On the

⁴¹ Kemal Kirişçi and Gareth M. Winrow, *Kürt Sorunu: Kökeni ve Gelişimi*, (İstanbul: Türkiye Ekonomik ve Toplumsal Tarih Vakfı, 2000,) pp. 104.

⁴² Christian Joppke, *Selecting By Origin Ethnic Migration in the Liberal State*, (Cambridge, Mass: Harvard University Press, 2005,) p. 23.

⁴³ Soner Çağaptay, “Kim Türk, Kim Vatandaş? Erken Dönemi Vatandaşlık Rejimi Üzerine Bir Çalışma”, *Toplum ve Bilim*, 98, (Güz 2003), p.181

other hand, this law gives the right to settle in and become citizens of Turkey to all people who can demonstrate that they come from Turkish descent and culture. This means that Turkey assumes a responsibility to protect them and prepares the legal grounds for their settlement to Turkey considerably easily. Scholarly works have argued for either the prevalence of ethnicity over religious affiliation or vice versa for acceptance and exclusion strategies of Turkish Republic regarding the migrant groups.⁴⁴

As argued by Parla and Daniş, ethnic and religious affiliation has been used functionally and contextually, coming up with groups hierarchically preferable when faced with population flows.⁴⁵ The immigration policy in Turkey so far seems to promulgate “the communities of character” that Michael Walzer has defined in his book “Spheres of Justice”: Culture and customs shared by these immigrant communities with the Turkish political community were considered as the criteria for selecting the newcomers. Nevertheless, given the fact that some groups who have no ethnic affinity have been welcomed under the provisions of the Law on Settlement, the choice of whether applying it or not remains within the confines of political authority with great discretionary power.

Going back to the discussion in the previous section, this flexibility in the implementation of the law is gained through some means of evasion provided by reservations put to international conventions, and broadly defined concepts in the Turkish law of asylum and immigration. The Turkish state procures thus this way the instruments that can promote either the inclusion or the exclusion of migrant

⁴⁴ Soner Çağaptay, "Türklüğe Geçiş: Modern Türkiye'de Göç ve Din" in *Vatandaşlık ve Etnik Çatışma*, edited by Haldun Gülalp, (Metis Yayınları: 2007,); Kemal Kirişçi, "Disaggregating Turkish Citizenship and Immigration Practices," *Middle Eastern Studies*, 36:3, (2000), pp.1-22, Kemal Kirişçi, "Coerced Immigrants: Refugees of Turkish Origins since 1945", *International Migration*, 34:3, (1996), pp. 385-412

⁴⁵ Didem Daniş, Ayşe Parla, "Nafile Soydaşlık: Irak ve Bulgaristan Türkleri Örneğinde Göçmen, Dernek ve Devlet" *Toplum ve Bilim*, 114, (2009), pp. 133-134

communities depending on the dictates of foreign, domestic or ethno-national considerations. The functional and contextual application of the laws is a resultant of this state stance. The argument about Turkish policy of immigrant selection would be incomplete if it only takes into consideration the selection by ethnicity. The selection criteria are a mixture of ethno-national, foreign and domestic policy concerns, changing according to the *raison d'état* of the period.

The second piece of legislation in asylum practices is the 1951 Convention and the 1967 Protocol relating to the status of refugees. The 1951 Convention is a legal document that aimed to prevent future harms to persons that could arise out of the political situation in Europe, with two conflicting ideological camps dividing the continent. Turkey was one out of twenty-six States that were presented by delegates in the Conference and its delegate was elected Vice-President together with that of Belgium: Turkey was thus among the drafters and first signatories of the Convention.⁴⁶ The Convention put into place fundamental provisions such as the definition of a refugee and the principle of non-refoulement that the states will have to accept without any reservations. Article 1 of the Convention defines the refugee as the person who is outside of the country of his nationality and unable or unwilling to “avail himself of the protection of that country or to return to it”, due to “well founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion”, “as a result of events occurring before 1 January 1951”.

The 1951 Convention guaranteed and arranged the rights of the refugees in the contracting states such as property rights, artistic and industrial property rights, right of association in non-political and non-profit making associations, right to have

⁴⁶ Final Act of the United Nations Conference on Plenipotentiaries on the Status of Refugees and Stateless Persons

free access to courts, and freedom of movement. Furthermore, provisions regarding gainful employment, welfare services, and equality in fiscal duties, administrative assistance, assistance for issuing identity cards and travel documents clarified the conditions of the daily lives of refugees in contracting states. The prohibition to expel the refugees who are lawfully residing in the territories of the contracting states was also concluded with the Convention, together with the prohibition of expulsion to the country where the life or freedom of the refugee would be in danger (Articles 32 and 33). The 1951 Convention introduced for contracting states a responsibility to assure the lives and freedom of the refugees under legally recognized status, with well-formulated provisions. But it also provided room for states to maintain the scope of the application of the Convention to a selected number of refugees.

In Article 1 Section B, the Convention gave the states the possibility to become signatory of the Convention with a declaration that will put into place what “events occurring before 1 January 1951” means. It could mean either “events occurring in Europe” or “events occurring in Europe or elsewhere” prior to that date. Turkey maintained the provisions made under the section B of the Article 1 refusing to lift this geographical limitation till today, together with Congo, Madagascar and Monaco. It also repeated its adherence to this geographical limitation in the 1967 Protocol⁴⁷, and, referring to the susceptibility of its strategic position, still declines to lift it.⁴⁸ This resulted in the development of a two-tiered asylum policy: The first addresses the asylum seekers which fall within the provisions of the Convention as accepted by Turkey, meaning nationals from Eastern European countries who

⁴⁷ Declarations and Reservations to the 1951 Convention relating to the Status of Refugees (as of 1 march 2006), Declarations and Reservations to the 1967 Protocol relating to the Status of Refugees (as of 1 march 2006)

⁴⁸ Kemal Kirişçi, “Migration and Turkey”, pp. 16-17

escaped from the Communist rule during the Cold war. The second refers to the asylum seekers who come from outside Europe and whom thus the provisions of the Convention as upheld by Turkey cannot cover.⁴⁹ The maintenance of this geographical limitation attracted severe criticisms from the international community throughout the years. The criticisms about Turkey's reluctance to lift the geographical limitation reached its peak after the mass influx from Iraq in 1991, which not only addressed Turkey's breach of its international obligations but also to the differences of treatment for the non-European asylum seekers in Turkey, which were accused of being discriminatory in nature.⁵⁰ The Chapter III will try to address the nature and possible explanations of such treatment.

The national laws that could be used for asylum seekers and refugees other than the Law on Settlement before the introduction of 1994 Asylum Regulation were indeed limited both in scope and in number. In fact, Turkey did not have a specific body of rules and regulations that were destined to deal with the status of refugees and asylum seekers who came from outside Europe before this Regulation was put into practice. It can thus be concluded that asylum and immigration policies in Turkey were put into place in a reactive and ad hoc manner after the experiment with massive migration flows within a short period of time. Before the Asylum Regulation entered into force, together with the Law on Settlement, the provisions of the Passport Law and the Law on the Residence and Travel of Foreigners were used when confronted with asylum seekers and refugees coming from outside Europe. Although containing references to how to address some issues related with the targeted groups, these laws should be considered ultimately insufficient, as they

⁴⁹ Kemal Kirişçi, *ibid*, see also Kemal Kirişçi, "The Question of Asylum and Illegal Migration in European Union- Turkish Relations", p. 83-85

⁵⁰ For one of such criticisms see report of Amnesty International, "Turkey: Selective Protection: Discriminatory treatment of non-European asylum seekers and refugees", (March 1994).

lacked a specific and functional focus on refugees and asylum seekers. For instance, the Passport Law clarifies the steps to be taken for persons who arrived at Turkish borders with or without valid travel documents, and declares that refugees and those entering Turkey with the purpose of settlement but cannot be subject to the Law on Settlement, can be admitted to the country only pursuant to the decision of Ministry of Interior (Article 4). In the Article 17 of the Law on Residence and Travel of Foreigners, the political refugees are bound to reside only in places assigned to them by the Ministry of Interior. Other provisions of this law are concerned with residency and legal travels of foreigners in the country, with no particular focus on the delicate situation of refugees and asylum seekers. This absence of a legal basis for the reception of non-European asylum seekers points by itself to the potential for arbitrariness during that period, even though it had given a considerable degree of flexibility to the Turkish governments.

Meanwhile, Turkish authorities used this lack of legal basis that provided room for giving residence permits for a temporary period to non-European asylum seekers, who used Turkey as a transit passage and applied to UNHCR in Turkey, waiting to be resettled in third countries. Furthermore, this same process was denied from Iraqis after the creation of the “safe haven” in Northern Iraq in 1991, which, according to Turkey, eliminated the perception of threat and made their claims bogus.⁵¹

Thus the treatment of the Turkish state vis-à-vis two groups of asylum seekers from the Middle East can exemplify the flexibility that these legal documents provide by their usage or abstention from them. The visa regime of Turkey to Iran made it possible for Iranians to enter Turkey after 1979 revolution, without

⁵¹ Kemal Kirişçi, “UNHCR and Turkey: Cooperating Toward an Improved Implementation of the 1951 Convention”, *International Journal of Refugee Law*, 13:1, (2001), p. 77

encountering problems. Turkey allowed Iranians stay or use Turkey as a transit zone, giving them temporary residence permits, and enabling them to be resettled in third countries by the UNHCR after presenting their applications to become a refugee.⁵² Turkey did not appeal to the 1951 Convention for Iranians, and thus abstained generally from positing the option of hindrance for their entries and even the option of sending them back to Iran.⁵³ It therefore used the Law on Residence and Travel of Foreigners, (Law Number 5683) for Iranians who came in big numbers to Turkey, but these Iranians could leave the country for third countries if they had valid travel documents and economic means to support themselves. On the other hand, the Iraqi asylum seekers since April 1991 did not have such an opportunity as the immediate reaction from the Turkish state was to declare the absence of threat in the safe haven zone as was looked for in the 1951 Convention, and denied them entry to Turkey to access the UNHCR in order to present asylum claim. Even it went so far as to deny the resettlement to third countries of Iraqis who had applied for refugee status after October 1991. As the Iraqis did not have proper documents, they could not leave Turkey, which brought about a vicious cycle because they faced deportation if they tried to remain in Turkey.⁵⁴ This degree of flexibility provided with the absence of laws or with the uneven use of laws regarding immigration flow, can also be detected in the massive arrivals as will be shown through the comparison of the flow from Bulgaria and Iraq.

⁵² Kirişci, “Migration and Turkey”, p. 19

⁵³ The report of Amnesty International, “Turkey: Selective protection Discriminatory Treatment of non-European refugees and asylum seekers”, (March 1994,) bitterly criticize the practices in Turkey conducted against Iranians and especially Iraqis, going as far as to forcibly return them to Iran or Iraq. The refugee protection is claimed to have reached a crisis point in Turkey, urging the need to make laws in immigration and asylum area.

⁵⁴ Amnesty International Report, “Turkey: Selective protection Discriminatory Treatment of non-European refugees and asylum seekers”, (March 1994,) p. 13.

Refugees and Practices of Statecraft

Nevzat Soğuk in his book *State and Strangers: Refugees and Displacements of Statecraft* takes the encounter with refugees as one of the fundamental challenges faced by modern statecraft. Sovereign nation-states set the boundaries of the world with distinct community of citizens occupying bounded territories. In this system, modern nation-states are the central entities with which all other subjects define their origins, negotiate their presence and consider chances of their futures.⁵⁵ While states have control over events in their boundaries, this ability is granted on the claim that they represent the community of citizens over which they rule. Statecraft thus requires the imposition of the sovereign state as the exclusive site for life courses.⁵⁶ According to Soğuk, the encounter with refugees serves to the activities of statecraft, as it provides the promotion of a discourse that asserts a precise form and image of the sovereign state as the empowered and institutionalized figure securing the political community, while adopting a specific discourse vis-à-vis the refugee.⁵⁷ Following is an attempt to depict the various activities of statecraft faced with refugee occurrences, and to evaluate the dynamics that forge them.

Reception Mechanisms

Policy-making in refugee and migrant admission is perceived as an outcome of the interaction between domestic and international factors that display the conflict

⁵⁵ Nevzat Soğuk, *State and Strangers: Refugees and Displacements of Statecraft*, (Minneapolis: university of Minnesota Press, 1999,) p. 33.

⁵⁶ *Ibid*, p. 41

⁵⁷ *Ibid*, pp. 51-51 & 244

between the international humanitarian norms and the self-interests of sovereign nation-states.⁵⁸ The selection criteria for asylum seekers, refugees, and migrants are thus summarized under two opposite principles by Christian Joppke: State interests and individual rights.⁵⁹ Selection on these two grounds needs to be explored to understand how these principles have an impact on state reception treatments.

Without falling into the trap of only stating already familiar characteristics of the politics of the modern nation states vis-à-vis the refugees, the need to explain the foreign policy dimensions of international population flows for receiving countries persists. Scholars have pointed to the significance of foreign policy and security considerations for the formation of refugee policies. Following the ideas generated by Michael S. Teitelbaum in his article “Immigration, Refugees and Foreign Policy”⁶⁰, mass population flows can be generally considered as following strategic and security interests by the receiving countries. Mass immigration, which is difficult to handle, can pose threat to stability, and national economic and ideological interests while attributing serious duty upon the state that involves humanitarian responses it should deliver. While satisfying the basic demands of refugees and asylum seekers such as food, shelter, and health services is obligatory, those necessities can place burdens upon the economy of the receiving country. Foreign policy considerations point on the one hand to the particular use of foreign policy tools when confronted with population inflows and on the other the impacts of population movements on foreign policy options. The foreign policy tools like diplomatic pressures, economic sanctions or even military intervention have been used to ease or to halt population

⁵⁸ Gill Loescher and Laila Monahan, “Introduction” in *Refugees and International Relations*, edited by Gil Loescher and Laila Monahan, (Oxford: Clarendon Press, 1990,) p. 8.

⁵⁹ Christian Joppke, *Selecting By Origin Ethnic Migration in the Liberal State*, p. 2

⁶⁰ Michael S. Teitelbaum, “Immigration, Refugees, and Foreign Policy”, *International Organization*, 38: 3, (Summer, 1984,) pp. 429-450

movements.⁶¹ Sudden and massive population flows can have an impact on the relationships between nations. In addition to this, the migrant groups have been and can be employed by the receiving or sending states as tools to unbalance the rival part.⁶² Furthermore, giving the status of refugee to the nationals of a country will have an effect that will cause loss of faith in or humiliation of that country by the international community.

For the purposes of this research, one last important consideration with respect to the refugees is linked with the perception that refugees might turn out to be a destabilizing force to the internal security of the host country. This can be illustrated by the geo-strategically important place the refugee reception camps occupy for the foreign policy purposes. Those camps may be seen as a potential buffer zone against hostile attacks from the neighboring powers⁶³, or contrary to this, they may be seen as providing a ground for intrusion by the adversaries who can use these camps as stations for penetration. The latter is largely connected with the domestic considerations of the country when the incoming asylum seekers can be perceived as presenting a potential for destabilizing the society due to some ethnic, religious or other affinity with the nationals of the receiving country. The foreign policy concerns in that case are largely related with domestic priorities and reservations. Refugee camps occupy an important place for both the receiving state and the refugees as they materialize the policing and regularizing roles of the host state authorities. Created by sovereign host nation-state, which decides what is the exception and the normal as Giorgio Agamben puts forward in his book, *Homo Sacer: Sovereign Power and Bare Life*, the camps represent the state of exception, in

⁶¹ Ibid, p. 433

⁶² Gill Loescher, "Introduction", pp. 11-12

⁶³ Teitelbaum, "Immigration, Refugees, and Foreign Policy", p. 440

which the exception becomes the rule and hence facts and law cannot be separated from each other.⁶⁴ This conceptualization of camps as the reification of the state of exception, in which everything becomes possible, will be used in the discussion of Iraqi refugee crisis.

Along with geopolitical considerations, responsibilities arising from membership to international treaties and organizations, and other considerations related with trade and bilateral relations, migration policies are also shaped by national coalitions, which support a specific policy, and the organization of state institutions, which are in charge of policy making in that area.⁶⁵ Lobby groups that support a liberal migration policy referring to the beneficiary effects of a more open door policy for the immigrants, together with the preexisting ethnic interest groups that can exercise a pressure for a liberal stance, can have an impact on the policies of the government.⁶⁶ The media and public attention can change the inclination to adopt either liberal or restrictive policies by the governing parties. Governments can find it unavoidable to admit or reject some groups of immigrants and asylum seekers either as a result of the high public concern directed towards these groups or of some concerns related with the traditional conceptualization of social and political equilibrium of the larger society. Furthermore, left wing or right wing governments generally have differing stances regarding the content of immigration policies as well as the nature of these policies in terms of openness or restrictiveness.

The legal instruments lay down the conditions that the refugees, asylum seekers or immigrants will face within the receiving country. It becomes evident

⁶⁴ Giorgio Agamben, *Homo Sacer: Sovereign Power and Bare Life*, (Stanford, California: Stanford University Press,) 1998.

⁶⁵ Gary Freeman, "Migration Policy and Politics in the Receiving States", *International Migration Review*, 26: 4, (Winter, 1992), p. 1145

⁶⁶ Freeman, "Migration Policy and Politics in the Receiving States", p. 1150

from the discussion above that the legal status that is acquired by the immigrant will determine to a large extent his or her life chances in the host society. To become a citizen of the host country upon arrival or to be recognized under refugee or legal immigrant status gives to the newcomer rights and duties, which become unalienable once gained. This is a guarantee given to these persons as it establishes safeguards under the auspices of the rule of law from depriving them of their acquired rights, which protect them against arbitrary treatment. Following the thoughts of Hannah Arendt in “Decline of the Nation-State and The End of the Rights of Man”, what becomes of utmost importance is to create this legality for the persons, who can otherwise be left at the mercy of persecutors. When people have to rest only on human rights, without being subject to the national laws of a country lacking their own governments, they cannot find an authority to grant them even their minimum rights.⁶⁷ The Rights of Man were introduced as a mechanism to protect individuals from the increasing power of the state and to alleviate the negative social effects of the industrial revolution. This resulted in the acceptance of human rights as “the standard slogan of the protectors of the underprivileged, a kind of additional law, a right of exception necessary for those who had nothing better to fall back upon.”⁶⁸ The asylum seekers and the stateless persons are doomed to this status when they are not recognized by States to be granted protection. Lacking a legal status within the receiving country leaves asylum seekers at the mercy of the receiving states as the states determine the extent of “human rights” to be accorded.

Furthermore, the refugees of this century were abundant in an unprecedented scale. This was due to the fact that starting with the Second World War, the refugees

⁶⁷ Hannah Arendt, “Decline of the Nation-State and the End of the Rights of Man”, in *The Origins of Totalitarianism*, by Hannah Arendt, (New York: Meridian Books, 1958,) p. 292.

⁶⁸ Arendt, “Decline of the Nation-State and the End of the Rights of Man”, p. 293

were persecuted “not because of what they had done or thought but because of what they unchangeably were – born into the wrong kind of race or the wrong kind of class or drafted by the wrong kind of government-”⁶⁹. The individual was thus selected according to “ascription” but not achievement so according to what he is born with rather than his agency.⁷⁰ This abundance posed serious challenge to the governments that were obliged to respond to exceptional circumstances. The conditions that apply to the reception of the refugees, particularly under exceptional circumstances can explain a lot in terms of the priorities and concerns of the states. It will thus be beneficial for selected cases to define first the logic that lies behind the reception mechanisms and try to understand what the responses were in exceptional cases of mass influx of asylum seekers.

Economic considerations also play a role in shaping of immigration and asylum policies of the receiving countries. The economic conditions in the receiving country, the characteristics of the newcomers in terms of their employment in the labor force, the reactions of local labor force and the role, played by NGOs to solve the survival problem of refugees, have to be taken into account to evaluate the policies of the government towards refugees.⁷¹

Portes and Böröcz, illustrate how political and economic aspects, shaped by the stance of host governments, employers, native population and pre-existing ethnic community in the country towards the new coming immigrants have an impact on their reception. Portes and Böröcz have provided three ideal-typical illustrations, which summarize efficiently the possible contexts of reception for immigrants. A

⁶⁹ Arendt, *ibid*, p. 294

⁷⁰ Joppke, *Selecting By Origin Ethnic Migration in the Liberal State*, p. 3

⁷¹ Tanya Basok, “Welcome Some and Reject Others: Constraints and Interests Influencing Costa Rican Policies on Refugees”, *International Migration Review*, 24: 4, (Winter 1990), p. 726

first case consists of a low receptivity on the part of host society. The governmental branch has a negative stance towards the migratory flows and tries to curtail it. The employers see the newcomers as providers of unskilled labor, or low skilled jobs. The native population has a prejudiced attitude towards them. The preexisting ethnic community lives in poverty thus under such conditions, migration is inclined to stop. The second type consists of a situation where the governmental apparatus permits migration though not actively supports it. The newcomers have the possibility to compete within the host society and advance, if equipped with skills, as the prejudices are not trenchant. The last type is when the immigrants are welcomed in the host society with legal and material assistance from the government. The society presents this same positive attitude towards them; they can have great possibilities to advance their personal assets.⁷² This schema can be helpful in categorizing the response of the host societies towards the immigrants, as well as refugees and asylum seekers. The legal arrangements provide the grounds for an advantageous reception condition or can be used also in the opposite direction. Even if the purposes for immigration and/or asylum to a country can be similar for two distinct groups, the treatments of the State towards them can be significantly different. The choice to apply the national laws of the country or not, rests within the confines of the political authority. The purposes for immigration and/or asylum to a country do not necessarily define what would be the specific reactions of the receiving states. Of importance also here is the discussion of partiality and impartiality of receiving states towards the newcomers to the society and how this stance is articulated and justified by them.

⁷² Alejandro Portes and Jozsef Böröcz “Contemporary Immigration: Theoretical Perspectives on its Determinants and Modes of Incorporation”, *International Migration Review*, 23:3, (1987), pp. 618-619

Partiality and Impartiality towards Migrant Groups

The duties of states to nationals and foreigners are discussed from an ethical perspective in international justice debates. The views concentrate on a distinction between communitarian and cosmopolitan ideals. The former maintains that foreign policies should support the interests of the group defined and be bounded by common nationality whereas the latter claims equal treatment for everyone. These camps explain the moral repercussions of giving priority to fellow citizens or compatriots as opposed to acting impartially both to nationals and foreigners. Following the perspective that maintains the primacy of the ethnic community, some scholars point to the naturalness in favoring those who belong to the same social category, claiming that special duties arise out of the relationships within these groups, including the legitimacy to restrict immigration to secure domestic political and social cohesion.⁷³

On the other hand, the overemphasis on ethnicity and nationality in admission means the promotion of a policy that adheres to the importance of a shared history, a common language and common ethnic ancestry in selecting the newcomers. Such an approach has been evaluated as endorsement to ethnonationalist immigration policies by modern nation-states. Ethnonationalism dominated the scene until recently while the claims of the vitality of compliance with liberal principles were also asserted.⁷⁴ Ethnonationalist views were generally attributed to Eastern European tradition while the Western European tradition is claimed to represent the Enlightenment ideals with the advancement of liberal principles. The liberal

⁷³ David Miller, "Reasonable Partiality Toward Compatriots", *Ethical Theory and Moral Practice*, 8, (2005), pp. 63–81

⁷⁴ Jerry Muller, "Us and Them." *Foreign Affairs*, 87: 2, (Mar/Apr 2008)

nationalism becomes an important construct within this framework as it aims to merge two schools of thought and take from liberalism a commitment to personal autonomy and individual rights, and from nationalism an approval of the importance of membership in human communities, particularly in national communities.⁷⁵ It stresses the importance of both the right of individuals to enjoy their fulfillment within the national community and their right to culture while asserting at the same time the equality of moral worth of each and every human being, following a humanistic tradition.⁷⁶ This entails a system in which the citizens are free to have different cultures, while consenting to certain values vital for its functioning and in which they are entitled to equal rights and liberties.⁷⁷ The conception of justice within this construct works as it accepts the existence of a “contextual individual”, who belongs to a particular community and has variable attachments and ties, which necessitates him to prefer those who are close to him, impacting in turn the principles of justice.⁷⁸ This view supports hence the possibility of putting restrictions on immigration while stressing the inviolability of the duty of states to grant refuge to those people whose life is at risk.⁷⁹ Cosmopolitan perspective on the other hand claims that ethnicity, nationality, race, religion, class and gender are irrelevant and that one should consider people as morally equal and respond to their claims because they are humans and regard all human beings as fellow citizens and neighbors.⁸⁰ The

⁷⁵ Yael Tamir, *Liberal Nationalism*, (Princeton University Press, Princeton, New Jersey, 1995,) p. 35

⁷⁶ Ibid, pp. 84-85

⁷⁷ Ibid, p. 163

⁷⁸ Ibid, pp. 104-105

⁷⁹ Ibid, p. 159

⁸⁰ Martha C Nussbaum, “Reply”, *For Love of Country: Debating the Limits of Patriotism*, edited by Martha C. Nussbaum and Joshua Cohen, (Beacon Press, Boston, 1996,) pp. 132, 137.

adherence to this view goes so far as to defend a policy of open borders, claiming that people should be free to leave their homelands and settle in a new country as long as they consent to abide by laws that apply to the citizens of the host state.⁸¹

Within moral discussions of international law instruments, the necessity to adhere to cosmopolitan ideals has been acknowledged while the adherence to the national ideal continues. The argument is to give priority to special duties to compatriots as the relationships within this national group is intrinsically valuable for the members of this political community, which pose on them in turn a sense of duty towards the other members in order to preserve the community. This view strongly emphasizes the place of the modern state as the cultural unit, which protects the shared history, practices, understandings and ethnicity⁸². The responses of the communitarian model to two issues are particularly illustrative for our discussion. First, when faced with questions to use scarce resources, the model supports to give greater weight to compatriots and adopts a discretionary attitude to decide on the volume of outsiders to be admitted. Second, it questions the need of one state to intervene in the affairs of another so as to protect citizens of the other state from right violating activities on the grounds that it is a sacrifice on the part of the soldiers of the intervening country.⁸³ These two conditions thus designate the context drawn by liberal national model regarding the issue of immigration and treatment of the citizens of other states. They are also relevant in the discussion of the Turkish context when faced with population flows. This view nonetheless accepts as stated earlier that there is the need to respect human rights for everyone and to interact with

⁸¹ Joseph Carens, "Aliens and Citizens: The Case for Open Borders", *Review of Politics*, 49:2 (Spring 1987), p.251

⁸² Matthew J. Gibney, *The Ethics and Politics of Asylum: Liberal Democracy and the Response to Refugees*, (Cambridge: Cambridge University Press, 2004,) p. 41.

⁸³ David Miller, "Reasonable Partiality Toward Compatriots", pp. 75-76

foreigners on fair terms, leaving them the option to choose to which country they want to make part.⁸⁴ The minority groups might feel alienated as membership to such a political entity means identification with it, which is more easily accessed by some groups. But they will not feel deprived of rights, liberties and distribution of goods and services.⁸⁵

On the other hand, the adherents of the communitarian/liberal nationalist argument have also been criticized because of their claim that immigration is desirable only when the migrant groups can be incorporated into the social and cultural fabric and hence subdue to the host nation-state's sovereignty.⁸⁶ The book "Spheres of Justice" by Micheal Walzer is often-cited as the defense for the right of states to put restrictions on immigration as well as on their right to select newcomers in the image of their political community that may also encompass ethnic selection. This view asserts that the already members of the community can do the choosing in their own understanding of membership, without which there could not be historically stable "communities of character" bound by some special commitment to one another and some sense of common life.⁸⁷ If states consider a specific religion, a culture or customs as criteria for immigrant selection, such criteria are used for promoting policies to produce these communities of character as discussed earlier.⁸⁸ This selection can be based on a positive or negative discrimination targeting specific groups, on justifications that mention either the interest in welcoming the ethnic

⁸⁴ Ibid, pp. 64-73

⁸⁵ Yael Tamir, *ibid*, p. 163

⁸⁶ James L. Hudson, "The Philosophy of Immigration", *The Journal of Libertarian Studies*, 8:1, (1986) pp. 55, 59

⁸⁷ Michael Walzer cited in Christian Joppke, *ibid*, p. 9

⁸⁸ Joppke, *ibid*, p. 11

group or the right of the group to demand admission with reference to a historical community encompassing more than one state.⁸⁹ States furthermore allude to the ethnic proximity or sameness of immigrant group and the receiving nation-state. Newcomers can be different due to membership in another state yet they are the same as they make part of the ethnic community transcending state boundaries. This in turn can push the state to refer to a “return migration” with co-ethnics returning to their “homeland”.⁹⁰ The liberal national view has been criticized as lacking insight in recognizing that the duties for compatriots should not override the obligations for global and transnational ones. It was found flawed for the ethics it provided to immigration restriction on the grounds of protecting the nation and privileging the citizen over the stranger without fully considering the terrible future that falls upon those who have membership in dangerous states like refugees.⁹¹ Some scholars pointed to an urge for a drastic change to weight duties for compatriots with those of aliens and third country nationals in order to redress inequality.⁹² Weiner complements this debate by claiming that it is not possible to evaluate migration and refugee policies with reference only to moral questions or considerations of pure national sovereignty without moral regard. Just as it is the moral duty of states not to discriminate on the basis of race, religion or ethnicity in choosing migrants and refugees to be admitted, it is only natural that national interests and values define

⁸⁹ Joppke, *ibid*, pp. 23-24

⁹⁰ Joppke, *ibid*, pp. 26-27

⁹¹ Gibney, *The Ethics and Politics of Asylum: Liberal Democracy and the Response to Refugees*, p. 58

⁹² Veit Bader, “Reasonable Impartiality and Priority for Compatriots A Criticism of Liberal Nationalism’s Main Flaws”, *Ethical Theory and Moral Practice* 8, (2005), pp. 83–103

migration and refugee policies of the states.⁹³ From Weiner's perspective, a country can consider itself as "home" to people with whom its citizens have cultural, religious, or historic ties⁹⁴, which is ordered under the domestic and foreign policies of the states and which by this very nature is not subject to moral scrutiny. Gibney on the other hand complements this argument by stating that impartial moral theorizing fails to acknowledge the moral weight of particular attachments to citizens or compatriots, which is as inadequate as to ignore universal moral claims.⁹⁵

What needs to be underlined here is thus the following. When states strictly adhere to a partial attitude towards migrants, refugees and asylum seekers and favor exclusively the ethnically similar groups, there occurs a discrepancy that may ultimately result in human suffering and tragedy for some. Even if moral obligations toward compatriots and the members of the same ethnicity can be rationalized as done by the advocates of liberal national view, it becomes equally important to try to understand how and when states diverge from cosmopolitan ideals and how they converge with them as well as the underlying reasoning for divergence and convergence. The endorsement of cosmopolitan versus liberal national or even ethnonationalist ideal is vested to the will of the states apart from the sanctions that can only arise from international conventions and treaties. Otherwise, how and if the states would receive migrants, refugees and asylum seekers are under the discretion of the nation-states. The need to adhere to cosmopolitan ideals arises from the pressure of the international community over the nation-state. The liberal national or ethnonationalist ideal promotes the *raison d'état* of the modern nation-state, of which

⁹³ Myron Weiner, "Ethnics, National Sovereignty and the control of Immigration", *International Migration Review*, 30:1, Special Issue: Ethics, Migration, Global Stewardship (Spring 1996), pp. 177-179

⁹⁴ *Ibid*, p.177

⁹⁵ Gibney, *Ibid*, p. 82

the preservation of national culture and shared values makes part, serving to its survival and security. Furthermore, these three constructs can only be taken as ideal types, to evaluate the reception contexts of the host states. The reception environment might converge with these ideal types only when favorable conditions arise. The factors cited previously under foreign and domestic policies and economic considerations interplay so as to cause the receiving state to adopt contextually the premises of one of these ideal types. This thesis contends that the ethnic or more generally identity concerns do not suffice for making generalizations about the immigration and asylum policies of nation-states. Identity or ethnic affiliation cannot account for explaining the reception conditions of a host state by itself.

In this thesis, this discussion has validity for the Turkish case, whose treatment of compatriots and foreigners in different migratory movements can be processed as a convergence and/or divergence with the ethnonationalist and liberal national ideal and convergence and/or divergence from cosmopolitan model. The endorsement of these ideal type constructs is the outcome of the overall conditions arising out of the domestic and international context. The receiving state may consider certain factors in its decision to adhere to an ideal type construct. Perceptions of apprehension presented to the homogenous character of the society or to the “communities of character”, to the security and sovereignty as defined by the state may have an impact on decisions as well as the bilateral relations with other states, the appeal for the domestic audience or the economic prosperity. The adoption of a cosmopolitan stance for the Turkish case remains thus a pragmatic one, to which it resorts when the necessary fusion of domestic, foreign, economic and ethno-national conditions is reached. Otherwise, the liberal national model provides the best option for the nation-state to stress the importance of co-nationals, co-ethnics

over foreigners without leaving out the importance of the autonomy of the individuals to choose what is necessary to the fulfillment of their potentials as human beings. Moreover, the ethnonationalist discourse is systematically used with grand discourses of Turkey as the homeland for all the Turks abroad. However, when the interplay of international and domestic factors is taken into consideration by state authorities, the ethnonationalist argument to welcome all ethnic kin does not hold firm until the end of the migration crisis. It thus becomes a requirement to focus on various flows of asylum seekers and refugees in order to understand how and when the adherence to these three ideal types operates in the Turkish case. The mechanisms that come into play in reception contexts are considerably intricate. This intricacy helps to moderate the claim of the dominance of identity politics over all other factors in the admission criteria of the receiving state.

Conclusion

Under the light of this discussion, the admission of refugees and asylum seekers in a country can be shaped by foreign policy, domestic policy and ethno-national considerations. The partiality or impartiality of the receiving state vis-à-vis the immigrants and asylum seekers on the other hand might be assessed with reference to three ideal type constructs. The state might act upon a cosmopolitan duty to welcome foreigners and subscribe to an open door policy. It might act upon a liberal national principle and promote accessibility to immigrant and refugee groups while at the same time emphasizing the special ethnic, national, or religious links that put duties towards them. Or it might act upon an ethno-national approach and claim admission priority of the same ethnic group with the host country over others. On the other

hand, the application of these general principles can lead to indefinite judgments about specific cases. Joseph Carens writes: “to determine what justice requires in a particular case, one must immerse oneself in the details of the case and make contextually sensitive judgments rather than rely primarily on the application of abstract general principles”.⁹⁶ The focus on the Turkish context through the massive civilian influxes from Bulgaria and Iraq will thus provide the tools for making “contextually sensitive judgments” for each case and evaluating how the legal context complemented with the interplay of various foreign policy, domestic policy and ethnic considerations resulted in different outcomes. The Turkish state has claimed duties towards particular ethnic groups and the response delivered in these influxes have used thus both sides of the arguments. The following two chapters will try to follow the suggestion of Carens and search for a judgment within the two individual cases.

⁹⁶ Joseph Carens, *Culture, Citizenship and Community: A Contextual Exploration of Justice as Evenhandedness*, (Oxford: Oxford University Press, 2000,) p. 14.

CHAPTER III

LONG-WAITED KINSMEN FROM BULGARIA AND RECEPTION CONTEXT OF THE TURKISH STATE

Introduction

The flight of the Turks from Bulgaria came as the biggest flow in Europe since the end of the Second World War. Huddled people from Bulgaria were once again on move to the Turkish border in 1989. This was the second time since 1950 that Turkey was caught unprepared to the volume of immigrants coming from this country, since such a population movement was not conducted with respect to an immigration agreement between two states. A year after a massive refugee flow on its eastern borders from Iraq that emerged as a result of the massacres of Halabja, Turkey was prompted to generate a policy response on its western frontier with refugee numbers far exceeding the previous cases. The arrival of more than three hundred thousand of ethnic Turks from Bulgaria within the span of three months attributes to this refugee inflow an exceptional nature. But this unusual character was not solely due to the alarming numbers of the newcomers, but also due to the ethnic attachment the receiving state maintains with refugees. What made thus the flows from Bulgaria of particular importance for the reception context of the Turkish state was that the refugees were composed of ethnic Turks and the ways in which this presence had an impact on the policy generation and treatment of the newcomers by the Turkish authorities. This chapter tries to problematize the assumption that the Turkish policy makers have adopted the principle of the primacy of co-ethnics and co-nationals over foreigners and hence the treatment of newcomers on equal terms with the local population on the grounds that they are ethnically the same.

This chapter thus aims to discuss the extent to which a receiving state can endorse such logic in its reception setting. It also discusses the factors that push it towards a convergence with this kind of welcoming attitude, trying to address the impact of ethno-national considerations, the pressure from local population, the inputs from foreign policy, the impact of the already existing immigrant community, the appeal of the Turkish cause in Bulgaria in Turkish domestic politics and economic and infrastructural constraints. While trying to explore these issues, the main questions would be connected with how the Turkish state asserted its sovereignty in the international fora as a result of this refugee experience. In this respect, it would be significant to note the extent to which the euphoria around the notion of “home coming” for ethnic Turks hold firm in the following months of the refugee event. Was the unconditional acceptance of refugees present till the end of the refugee reception? Or can the closing of the borders by the Turkish state be considered as a divergence from this stance? How far was the claim of equal treatment of Turks from Bulgaria with the local Turkish population consistent until the end of the crisis? Thus to what extent did the internal and foreign policy constraints have an effect on the convergence to or divergence from ethnonational and liberal national models? I will try to first summarize the reasons behind the mass influx of Turkish refugees from Bulgaria, pointing out to the political nature of the mass influx. Then I will depict the reception context in Turkey via an inspection of the daily national newspaper, Milliyet with some reference to the international press. My references also include the minutes of the Grand National Assembly of Turkey⁹⁷,

⁹⁷ The Turkish Parliament, following the 1987 General Elections, is composed of Motherland Party (ANAP - 36,31% of the votes), SHP (Social Democrat Populist Party- 24,74% of the votes), DYP (True Path Party – 19,14% of the votes). The votes and distributions of the members in the Parliament according to political parties can be seen from tbmm.gov.tr. Turgut Özal is the Prime Minister until his election as President on 9 November 1989.

and all the legal instruments that were put into place for addressing the problems of refugees from Bulgaria.

Events leading to Mass Influx of Turks from Bulgaria: The Assimilation Campaign

Following the World War II, Turkey and Bulgaria were aligned in different ideological camps, leading to the complication of bilateral relations and the conditions of the Turks who lived in Bulgaria as an ethnic minority. During the early years of the socialist regime, the Bulgarian state had encouraged the interaction and mixing of the Turkish minority with the larger community by way of ensuring education, spreading activities and publications in Turkish, which were thought to help override ethnic isolationism.⁹⁸ The speech delivered by Todor Zhivkov⁹⁹ in May 1962, refers to the significance of the communist state for the Turkish minority in Bulgaria mentioning the advancement it had provided for the Turkish population in terms of the status of women, educational level, cultural improvement, and economic conditions.¹⁰⁰ This attitude began to change, as Bulgaria became the country with lowest birth rate and the smallest population among the socialist neighbors, while the birth rate among Turks doubled that of the Bulgarians. The concern for the decline in Bulgarian population by the communist state resulted in the adoption of a new

⁹⁸ Ayşe Parla, “Longing, Belonging and Locations of Homeland among Turkish Immigrants from Bulgaria”, *Southeast European and Black Sea Studies*, 6:4, (2006), p. 545

⁹⁹ General Secretary of the Bulgarian Communist Party and President of the State Council of the People’s Republic of Bulgaria from 1954 to 1989. It was under his rule that Turkish ethnic community in Bulgaria suffered the 1989 forced migration to Turkey.

¹⁰⁰ Todor Zhivkov, 28 May 1962, speech delivered in Razgrad, in Foreign Policy Institute, *The Tragedy of The Turkish Muslim Minority in Bulgaria*, (Foreign Policy Institute, Ankara: 1989,) pp. 17-24.

policy, called “national revival project”. This policy aspired to make Turkish ethnic community an integral part of the “developed socialist society”. Despite the presence of ethnic, religious, and linguistic differences, a crude process of “Bulgarisation” began. This meant forced change of Turkish or Arabic sounding names with those of Bulgarian and Slavic origin.¹⁰¹ Due to the limited contact of the communist states with the outside world, the proliferation of news about the pressures on Turkish and Muslim communities took time. Until 1985, Turkish and international public opinion was not aware of the assimilation campaign conducted against the Turkish and Muslim minority in Bulgaria. In fact, according to the book compiled by Bilal Şimşir, the public opinion in Turkey and other states became alert on the situation of the Turks in Bulgaria only after 1985.¹⁰²

The status of the Turkish minority and their rights were guaranteed under international law and bilateral agreements between Turkey and Bulgaria. These included the Treaty of Neuilly of 1919, Paris Peace Treaty of 1947, Helsinki Accords of 1975, Treaty of Friendship between Turkey and Bulgaria signed in 1925, Agreements between Turkey and Bulgaria for the reunification of families signed and in force between 1968 and 1978.¹⁰³ The Constitution of Bulgaria, on the other hand, secured the granting of fundamental human rights, embracing the right of the citizen to freely develop his/her honor, dignity and personality, the right to personal

¹⁰¹ Darina Vasileva, “Bulgarian Turkish Immigration and Return”, *International Migration Review* 26: 2, (1992), p. 346

¹⁰² Bilal Şimşir, (der) *Türk Basınında Bulgaristan Türkleri: Zorla ad değiştirme sorunu: Ocak- Nisan 1985*, (Ankara: Başbakanlık, Basın, Yayın, ve Enformasyon Genel Müdürlüğü, 1985;) Bilal Şimşir, (eds) *The Turks of Bulgaria in International Fora Documents*, (Ankara: Turkish Historical Society Printing House, 1990).

¹⁰³ Christian Heinze, “Bulgaristan’daki Türklerin Azınlık Hakları”, in *Bulgaristan’da Türk-İslam Azınlığına Uygulanan Baskılar Hakkında Uluslararası Hukuk Sempozyumu*, İstanbul Barosu tarafından 21-23 Eylül tarihlerinde düzenlenen uluslararası hukuk sempozyumu, (İstanbul: İstanbul Barosu, 1988,) p. 20.

immunity and freedom, the right of association, the right to practice religion and faith, the freedom of thought, and the right to learn mother tongue as a social fundamental right.¹⁰⁴ The practices of the Bulgarian state began gradually to override these laws, first by banning the instruction of Turkish in Bulgarian schools, merging of Turkish schools with Bulgarian ones, closing down the Turkish department at Sofia University, the halt of all Turkish language education in 1974.¹⁰⁵

Then came the “national revival process” whereby the Bulgarian state started to forcefully change the names of the Turkish-Muslim minority with Slavic-Bulgarian names, together with those of their third generation ancestors. The stakes of resisting this practice were high as they faced the freezing of all sorts of bureaucratic transactions, including their salaries, educational activities, or generally the exercise of their social and economic rights. The bilingual newspapers and magazines started to publish only in Bulgarian. Turks were prohibited to perform Islamic practices, to circumcise their sons, to bury their dead within the rules of Islamic tradition, to go on the pilgrimage to Mecca, to possess Koran and religious books in their homes, to dress in traditional clothes, speak Turkish in public.¹⁰⁶ The mosques had been closed down and left neglected to demolish and even the Muslim cemeteries were destroyed.¹⁰⁷

¹⁰⁴ Christian Rumpf, “Bulgar Anayasasının Temel Haklar Rejimi Sosyalist İnsan Hakları Anlayışı ve Azınlık Sorunları Hakkında Bir Görüş”, in *Bulgaristan’da Türk-Islam Azınlığına Uygulanan Baskılar Hakkında Uluslararası Hukuk Sempozyumu*, İstanbul Barosu tarafından 21-23 Eylül tarihlerinde düzenlenen uluslararası hukuk sempozyumu, (İstanbul: İstanbul Barosu, 1988,) pp. 51-60.

¹⁰⁵ Bilal Şimşir, *Bulgaristan Türkleri*, (Ankara: Başbakanlık, Basın, Yayın, ve Enformasyon Genel Müdürlüğü, 1985,) pp. 286, 313.

¹⁰⁶ Foreign Policy Institute, “Introduction” in *The Tragedy of the Turkish Muslim Minority in Bulgaria*, (Gaziosmanpaşa, Ankara: Foreign Policy Institute, 1989,) p.6.

¹⁰⁷ *ibid*, pp. 68-83

The repressive measures taken by the Bulgarian assimilation campaign aimed thus to annihilate the ethnic, religious and cultural character of the Turkish minority. The international newspapers reported the harsh measures taken by the Bulgarian state starting from the early 1985. The sources broadcasted that the Bulgarian forces surrounded villages at night with tanks, went to Turkish houses forced the inhabitants to sign petitions to change their names with Bulgarian ones and threatened them with death and use of violence.¹⁰⁸ This aimed to shrink the Turkish minority by the time the last census would be made.¹⁰⁹ Initially the Bulgarian deputy foreign minister denied these claims arguing that there were good and friendly relations between Turkey and Bulgaria, which were attacked by these accusations. Later on, the Bulgarian authorities maintained that if there were a process of changing names, this was a result of the voluntary action of the citizens guaranteed under law. Foreign diplomats in Sofia were communicating that there were rumors about fatalities among the members of the Turkish community, who resisted the change of their names.¹¹⁰ In 1985, all the process culminated in the statement by Todor Zhivkov that there were no Turks in Bulgaria, but only Muslim community, who in fact were ethnically Bulgarian but forcefully Islamized during the reign of the Ottoman Empire.¹¹¹

The Turkish authorities immediately reacted to the allegations voiced in international and national newspapers. Official statements about the Turkish state's

¹⁰⁸ The Guardian, 18.1.1985 excerpt from Bilal Şimşir, *The Turks of Bulgaria in International Fora Documents*, (Ankara: Turkish Historical Society Printing House, 1990,) p. 16.

¹⁰⁹ The Times, 20.2.1985, excerpt from Bilal Şimşir, *The Turks of Bulgaria in International Fora Documents*, p. 53

¹¹⁰ The Times, 18.2.1985 excerpt from Bilal Şimşir, *The Turks of Bulgaria in International Fora Documents*, p. 47

¹¹¹ Ali Eminov, "There are no Turks in Bulgaria", *International Journal of Turkish Studies*, 4:2, (Fall/Winter 1989), pp. 1-23

interest in the ethnic Turkish community on humanitarian terms without any intention of interfering with the internal affairs of Bulgaria were delivered, while the supposed events were condemned. State officials communicated messages that Turkey was willing to find a solution to the problem and that the government as well as the Turkish nation would accept its kinsmen as equal citizens.¹¹² The initiatives of the Turkish authorities were manifold. Turkey exerted diplomatic pressures on Bulgarian state trying to initiate bilateral relations and concluding an immigration agreement, but these pressures proved to be futile. It sent Notes to the Bulgarian state in order to demand the termination of the oppression of Turkish community. Turkish authorities publicized the problem in various international platforms, such as the Organization of the Islamic Conference, the Parliamentary Assembly of the Council of Europe, and various other instances like in the conferences of the UN and the Conference on Security and Cooperation in Europe.¹¹³ As early as March 1985, the incumbent Prime Minister Turgut Özal of the Motherland Party announced that, “strong Turkey was ready to accept oppressed Turks living in Bulgaria”, and he continued “Let them send 500 thousand, and even more if they wish, and we will welcome them all”.¹¹⁴ As it will be seen from the study of the reception context, this kind of calls had been frequently voiced by Özal until the decision was taken to require Bulgarian citizens of Turkish ethnicity to have a visa for entry to Turkey. The opposition parties harshly criticized these statements after the shortcomings in the

¹¹² Statement of Mr. Mesut Yılmaz, 22.2.1985, and Statement of Foreign Minister Vahit Halefoğlu, 22.2.1985, in Bilal Şimşir, *The Turks of Bulgaria in International Fora Documents*, pp. 64-67

¹¹³To cite a few instances for such initiatives: Statement of Turkish Permanent Representative to the UN on 08.04.1985, Declaration of the Turkish state official to the Parliamentary Assembly of the Council of Europe 03.05.1985, Statement of Vahit Halefoğlu on 01.08.1985 at CSCE, all available from Bilal Şimşir, *The Turks of Bulgaria in International Fora Documents*, pp.98, 123, 220

¹¹⁴ Statement of Turgut Özal, Excerpt from *Newspot* (Ankara), 7.3.1985, “Özal: Turkey ready to receive Turks from Bulgaria”

reception context. The Turkish public opinion was highly alerted by the repression news of the Turkish community in Bulgaria. The immigrants from Bulgaria who previously settled in Turkey through their associations conducted lobbying activities to increase the awareness of foreign governments and international organizations about the issue, and organized demonstrations in the big cities of Turkey, such as Istanbul, Bursa and Edirne during this period.¹¹⁵ The presence of the previously migrated communities from the Balkans and their associational activities constitute an agency, that is, able to exert pressure on the decisions of the government and make public opinion awake to the importance and gravity of the problems of the Turks living as minority in other countries.

Furthermore, the presence of such a community has considerable importance for the electoral considerations of political parties: therefore they constitute by themselves a pressure upon reception policies. On the other hand, other entities like Inter-University Council, Journalists' Association, Turkish Parliamentarians' Union, Turkish Bar Association, and Turkish Law Association asserted their condemnation of the Bulgarian state's treatment of its own Turkish population and called for taking measures against the inhuman practices of the Bulgarian state by all legal institutions around the world.¹¹⁶ This degree of Turkish public awareness and the sensitivity of the Turkish authorities show that the conditions of the Turks in Bulgaria were a matter for great concern, which was called national cause ("milli dava") by the politicians. This official stance that emerged from the very beginning of the assimilation campaign in Bulgaria was an indicator of a forth-coming ethnonational

¹¹⁵ Arab News, 3.3.1985, "Turkey Spotlights plight of Bulgarian Turks". *Newspot* (Ankara), 28.3.1985, "Thousands of People Rally in Istanbul to Condemn the Oppression of Turkish Minority in Bulgaria", *Newspot* (Ankara), 9.5.1985, "Oppression of Ethnic Turks in Bulgaria Protested in Edirne", *Newspot* (Ankara), 25.4.1985, "Protest of 100,000 citizens".

¹¹⁶ *Newspot* (Ankara), 7.3.1985, "Özal: Turkey ready to receive Turks from Bulgaria", *Newspot* (Ankara), 28.3.1985, "Turkish Parliamentarians' Union debates oppression of Turkish Minority in Bulgaria", *Newspot* (Ankara), 18.4.1985, "Seminar on Turks in Bulgaria"

and in some instances liberal national reception context in Turkey. This had its basis on the discourses of sameness with the Turks in Bulgaria and the a priori understanding that Turkish state would provide for them as it did for its own citizens and welcome them all. The self-positioning of Turkey as the protector of the rights of the Turkish and Muslim minority in Bulgaria demands involvement, which in turn should have been reflected in the reception policies of the Turkish state. As stated earlier, the Turkish officials asserted their concern for the Turkish-Muslim minority on humanitarian terms, rejecting the Bulgarian accusations of interference with internal affairs. The suggested bonds with the Balkan Turks as members of the Ottoman heritage remained outside the mainland after the establishment of the Republic gave to the refugees and immigrants from the Balkan Peninsula priority over all other groups.

On the other hand, being part of the Turkish ethnic kin or Muslim community does not by itself explain the readiness of the Turkish state to receive the refugees from Bulgaria. During the same time period, when the news about the Turkish community in Bulgaria were voiced and the mass arrivals began, Meskhetian Turks suffering violence in Uzbekistan expressed their wish to flee to Turkey. These pleas did not find sympathetic ears in Turkey, and even Turgut Özal said he had never heard of the presence of such a Turkish group.¹¹⁷ This is a clear example of the fact that the claim of ethnic belonging did not by itself suffice to satisfy the conditions for the opening of the borders to refugees in Turkey. The ethnonationalist stance, which would demand the equal treatment of all ethnically similar communities on equal terms, did not take place. What is important is the perception of long-established historical, cultural, religious and ethnic ties that were strengthened by the previous

¹¹⁷ *Milliyet*, 19.6.1989, “Masabaşı savaşı”; *Milliyet*, 24.6.1989, “Mesketlerden mektup var”

migrations from the Balkans to Turkey.¹¹⁸ Moreover, the presence of a local audience sympathetic to the appeals of the Turkish communities living in Balkan countries was decisive in terms of the difference of policies. This was complemented with the official discourse that condemns the transgression of human rights in various international organizations. These policy implementations and the discourse represented Turkey as a state that welcomes the refugees and asylum seekers on its soil with a humanist understanding smelling liberal national arguments. Such an official attitude is a means to urge the others to adopt a similar humanitarian understanding, and express disapproval particularly to the Western European countries by questioning their alleged liberal attitude towards refugees and immigrants.

The aim of the cultural, ethnic and religious subjugation by the Bulgarian authorities continued, with bans on the use of Turkish in radio broadcasts, printed materials, and in public, making the access of bureaucratic services difficult for people without a Bulgarian name. The reports of Amnesty International and currently Human Rights Watch, the then Helsinki Watch, pointed to the imprisonment of ethnic Turks in Bulgaria, attempts to destroy the ethnic identity of the Turkish community and the repression of the religious practices.¹¹⁹ The tension between the Turkish-Muslim community in Bulgaria and the Bulgarian state escalated with demonstrations and strikes in the course of the year 1989. The accounts on these mass protests remained unlisted, while there were reports that several attempts had

¹¹⁸ Ayşe Parla, "Terms of Belonging: Turkish Immigrants from Bulgaria in the Imagined Homeland", (Ph.D., New York University, 2005,) p. 85

¹¹⁹ Amnesty International, *Bulgaria: The imprisonment of Ethnic Turks*, April 1986, Helsinki Watch, *Destroying the Ethnic Identity: the Expulsion of the Bulgarian Turks*, October 1989 referred in Jerome Shestack, "Bulgaristan'ın Türk-Islam Azınlıklara Uyguladığı İnsan hakları İhlali" in *Bulgaristan'da Türk-Islam Azınlığına Uygulanan Baskılar Hakkında Uluslararası Hukuk Sempozyumu*, p. 93

been made to show mass resistance to assimilation campaigns.¹²⁰ The Bulgarian state repressed these protests harshly, leading to the death and injury of several Turks, while the tolls were unclear with conflicting accounts of Bulgarian authorities, Turkish news agencies, and ethnic Turks from Bulgaria.¹²¹ The number of Notes issued by the Turkish state to the Bulgarian government during the period between 16 May and 24 May 1989 reached ten. Turkish government proposed to meet with Bulgarian authorities to negotiate on an agreement for family reunification and rights of the Turkish community in Bulgaria during the Conference on European Security and Cooperation. The Bulgarian government, asking to raise also the issue of Kurdish rights in Turkey during the Conference, conditionally accepted this demand.¹²² The prospects for concluding an agreement became thus impossible as Turkey refused the conditions set by the Bulgarian state. The intensification of conflicts in Bulgaria and the uncompromising attitude of the Bulgarian government resulted thus in the “big excursion” of the Turkish community towards Turkey during the final days of May 1989, and continued until 22 August 1989 when the Turkish state decided to put the requirement to have visa while crossing the Turkish border which was interpreted as “closing borders” by the opposition parties and by the international newspapers. Below is an attempt to evaluate this mass exodus with an aim to portray the reception mechanism of the Turkish state whose desire to welcome the asylum seekers had been pretentiously strong for the last five years before the “big excursion”, when the assimilation campaign by the Bulgarian state became intensified. This determination lasted only for eighty-three days at the end of

¹²⁰ Peter Stamanov, “The Making of a “Bad” Public: Ethnonational Mobilization in Post-Communist Bulgaria”, *Theory and Society*, 29:4, (2000), p. 553

¹²¹ While on 23 May 1989 *Milliyet* reported the death of ten Turks in Bulgaria, on 24 May the toll was set to 20, and the Bulgarian press agency claimed there were 2 deaths and 3 wounded. See *Milliyet*, 24.5.1989, “Özal da tam bilmiyor”; *Milliyet*, 25.5.1989, “Şumnu’da vahşet”

¹²² *Milliyet*, 25.5.1989, “Bulgaristan’a 10. Nota”

which there were more than 300 thousand kinsmen on the Turkish soil. Expecting to integrate into a flourishing economy, these immigrants eventually witnessed the collapse of the “promised land” ideal, which paved the way for the return of the sheltered half back to Bulgaria.

Reception as “National Cause”: Welcoming the Kinsmen in Turkish Homeland

On 27 April 1989, the Foreign Minister Mesut Yılmaz’s address to the Grand National Assembly ended with the statement that the human rights violations against Turkish community in Bulgaria was a national cause and that the government would persist in finding a solution.¹²³ A similar statement on 30 May 1989 was done by a parliamentarian İsmail Dayı, who asserted the determination of the Turkish state to preserve the beliefs, names, religions, and languages of “our brothers in Bulgaria” by voicing in international fora all the events they endured and that the Turks all over the world should not feel themselves abandoned.¹²⁴ From the very beginning of the events that kindled Turkish opposition in Bulgaria to their asylum seeking in Turkey, the reference to “brotherhood” and sharing the “ethnic kin” remained unchanged. Turkey’s reception context was thus shaped by the perception of sameness, which necessitated the equal treatment of the Turks from Bulgaria with the local population. Nonetheless the sudden arrival of hundreds of thousands refugees brought conditions that caused the divergence from this ambition of equal treatment. This was mainly due to the economic and social problems that exercised pressure upon the government.

¹²³ M. Meclisi, B: 84, 27.4.1989, O: 1, pp. 8-9

¹²⁴ M. Meclisi, B: 94, 30.5.1989, O: 1, p. 58

Turkish ethnic community's move started with their deportation by the Bulgarian government. The latter issued passports on its own initiative, and only gave to the Turkish ethnic community the permission of entry to selected countries, namely Austria, then Yugoslavia and Czechoslovakia. The Bulgarian state had adopted a law whereby its citizens would be able to issue their passports and travel by 1 September 1989, a policy that meant relaxation for a communist country of Warsaw Pact. The government on the other hand accorded the permission only for the Muslim community to demand their passports and leave the country before the stated date. This process equipped the Bulgarian government with the claim that Turks left Bulgaria as tourists, and had the right to return whenever they wished but that they could lose their property and social security rights if not returned within six months after their exit. The persons sent to third countries claimed that they were deported against their will, under the oppression of the state, which compelled them to sign petitions to have visas and passports. These persons were then transferred by the Turkish state to Turkey by plane or by train. This process by which the Bulgarian government deported the Turks to third countries continued until the call from Zhivkov to the Turkish state to "open its borders to Muslim minority in Bulgaria". Prime Minister Turgut Özal immediately responded to this statement by asserting that the borders of the Turkish state were open and that it was ready to accept Turks from Bulgaria under an immigration agreement according to the rules of International Law. He stressed the need to guarantee not only the property rights of the members of the Turkish community who would immigrate to Turkey but also the cultural and religious rights of the remaining Turkish population in Bulgaria.¹²⁵ The experience of forced migration in 1951 during which the Bulgarian state forced

¹²⁵ *Milliyet*, 31.5.1989, "Jivkov açık konuş..."

Turks to leave Bulgaria and confiscated their property was still fresh in memories, which was continually reminded by Turkish diplomats and columnists. The call upon Turkey to open its borders by Zhivkov was evaluated as a tactical move, trying to influence the European views before the Conference on European Security and Cooperation and to put the social and economic burden of such a population move on the Turkish state.¹²⁶ Turkish authorities tried to act so as to avoid such a repetition whereby the Turks would lose all their economic and social security rights, but the pressure upon Bulgaria for signing an agreement did not succeed in getting a positive response from the Bulgarian government. The spokesperson for the governing Motherland Party in 1989 declared that Turkey was ready to embrace its kinsmen while the opposition True Path Party underlined the economic burden the mass arrivals from Bulgaria would pose upon Turkey.¹²⁷ The arrivals of the Turkish community caused by violence due to cultural, linguistic and religious differences specifying a typical case of political migration nonetheless began and gained momentum during the month of July. On 1 June 1989, with the appeal of Zhivkov, 12000 Bulgarian citizens made a demonstration marching to the Turkish Embassy in Sofia, demanding Turkey to open its borders so that the Muslim community could leave the country.¹²⁸ By 7 June 1989, more than 3000 Turks from Bulgaria had been transferred from third countries to Turkey and, the deportations via Kapıkule had already begun.¹²⁹

¹²⁶ *Milliyet*, 31.5.1989, Altan Öymen “Bulgaristan ne yapacak?”; *Milliyet*, 31.5.1989, Sami Kohen “Jivkov’un oyunu”; *Milliyet*, 31.5.1989, “Dışişleri: Göz boyama olabilir”

¹²⁷ *Milliyet*, 31.5.1989 “Jivkov’a Tepki”

¹²⁸ *Milliyet*, 2.5.1989, “Türkler dışarı”

¹²⁹ M. Meclisi, B: 98, 7.6.1989, O: 1, pp: 284, and *Milliyet*, 1.6.1989, “Anavatan Mutluluğu”

The news of kinsmen arriving to Turkey, shedding tears of happiness, kissing the Turkish flag and ground upon arrival, along with discourses on the freedom, joy and comfort of the newcomers in Turkey covered the newspapers.¹³⁰ The picture of the arrivals as shown by newspapers, reflected thousands arriving with whatever possessions they had packed before being expelled, some entering from Kapıkule, with their cars, some in the back of lorries, some with train, some on foot, without having the obligation to present visas for their entry to Turkey as of 2 June 1989.¹³¹ On 13 June, the functioning of customs at Kapıkule border gate is near halt as the number of refugees reached 10000, and the slowing down of border crossings due to spy hunting among the newcomers.¹³² During these first days of the arrivals, there was martial music transmission from loudspeakers to create a festival atmosphere. The Government decided to screen the documentary film “Belene”, called after the prison camp in Bulgaria, where the Turks resisting against the “Bulgarization” campaign were sent. In the Kapıkule border, the refugees waited upon their arrival to be transferred to inner cities where their relatives lived, and watched the film at night. This reminded the refugees the suppressive environment from which they escaped so as to come to the heaven-like homeland, which was receiving its kinsmen.

This setting at the border by itself tells a lot in terms of the reception context for the Turks from Bulgaria. During the following days, addressing the local community surrounded around the Turkish cause in Bulgaria and the newcomers, the discourse of Turkish officials would be dominated with theme of the strength of Turkey to receive kinsmen, no matter what the number sent by Zhivkov was. But the euphoria of early days of the arrivals faded away and surfaced the shortcomings due

¹³⁰ *Milliyet*, 4.6.1989 “Kurtulduk”; *Milliyet*, 5.6.1989 “Kurtulan Ekspresi”

¹³¹ Ercüment Konukman, *Belgeler Işığında Büyük Göç ve Anavatan*, (Ankara, 1990,) p. 60.

¹³² *Milliyet*, 13.6.1989, “ Kapıkule göçten tıkanı”

to the unpreparedness of the reception context, marked by the inability of the Government to find a solution to the asylum issue on the one hand, and the need to produce policies that would help solve the social and economic needs of the newcomers on the other.

“We will take them all”: Fiercely Calling for Mass Arrivals

There is a series of statements by Prime Minister Turgut Özal about the fact that Turkey was ready to take all the Turks from Bulgaria, which were generally intense in their wording and call. In his visits to Kapıkule border and other statements to rallies of people in several cities, Turgut Özal made similar statements about the determination of Turkey to receive all the ethnic Turks. It is particularly interesting to highlight some affirmations by the Prime Minister as it shows the sudden change in the reception context on 22 August. He states: “I have called Zhivkov’s bluff. I will take all of them. Let them all come- maybe some Bulgarians would like to come too.” He says that the Bulgarian state is obliged to make an immigration agreement with Turkey. He continues, as “We will ask an accounting of this business one day. The Bulgarian governors should know that when Turks get angry they couldn’t be easily appeased. The Bulgarian governors should behave themselves. We will solve this problem regardless of the number of kinsmen sent by Bulgaria. Turkey is a big country, and it strengthens each day. In fact, they are afraid of Turkey. They told lies that Turkey was keeping its borders closed. I opened the borders. Let them send all. We are 56 million now, and what if two million more were to come? We would be 58 million”.¹³³ In his visit to the tent city at Gebze, his statements become harsher as

¹³³ *Milliyet*, 14.6.1989, “Hepsi gelsin”; *Milliyet*, 18.6.1989 “Jivkov blöfünü gördüm”

an immigrant woman told her son was kept at Bulgaria: “They call them Bulgarian pigs. We will take him. They send goods; they don’t send immigrants. We are pressuring them. I will make Zhivkov sit on the table and beat on his head. They did not expect that we could get all the Turks. They don’t know what to do, as they are shocked. We will take the remaining family members by pushing on the throat of Bulgarians”. These statements, whose number can be easily increased, depict the extent to which the governing party had used the mass influx from Bulgaria for appealing to the masses, claiming the greatness of the Turkish state, its power in the international arena vis-à-vis a communist state, its capability to help the kinsmen in need. While these statements put emphasis on the readiness to receive the Turkish community from Bulgaria, the one to receive even the Bulgarians if they wished to come alluded on the one hand to the pretention of the Turkish state vis-à-vis the communist Bulgarian one and on the other to the fact that Turkey was open to all and had the capacity to absorb the newcomers regardless of their ethnicity.

As far as the power to exert influence upon the international community about the situation of the Turks in Bulgaria was concerned, it appears that the calls remained unanswered or delayed. The Foreign Minister considered the support from international community as insufficient at the speech he delivered during the Conference on European Security and Cooperation.¹³⁴ The public opinion in European countries and the United States, the lack of interest from international organizations and media became a subject of criticism from the Turkish officials.. The claim was that they remained silent when Turks endured the sufferings but had the Turkish side been the perpetrator, the reactions would be totally different.¹³⁵ This

¹³⁴ *Milliyet*, 2.6.1989 “Yılmaz vahşeti anlattı”

¹³⁵ *The New York Times*, 20.8.1989, “Turkey wants more pity and less criticism”

comment can be evaluated also as the depiction of the Turkish authorities' perception about the liberal ideas that the Western countries claimed to back. Their humanitarian approach was limited to selected refugee groups, particularly to Kurds, they claimed, while the sensibilities remained low for the Turkish groups. This complaint would also repeat during the Iraqi refugee crisis in 1991 when the European countries would remain reluctant to receive asylum seekers while demanding Turkey to open its borders. In that case, the questioning from the Turkish state becomes one that claims that while the discourses of the European powers were liberal, their practices remained arbitrary when it came to receive asylum seekers. This evaluation purports to mean that Turkey was equally liberal with its western counterparts and even more so as it was the one who received and endured all the burden arising from refugee and immigrant reception.

Though there had been several affirmations from governments of European countries and the United States, as well as the European Community's institutions, these were blurred by the warnings that the Bulgarian views were also exerting influence, by explaining their position with more zeal in international arena.¹³⁶ The countries member to the Organization of Islamic Conference on the other hand remained to a large extent uninterested to the issue despite demands from Turkish authorities, with the exception of Kuwait that demanded to mediate between Turkey and Bulgaria about the mass influx and rights of Turks.¹³⁷ The tragedy of mass influx from Bulgaria to Turkey had been referred in the letter from the Foreign Ministry to the United Nations as an event that could have a negative impact on the peace and

¹³⁶ *Milliyet*, 6.7.1989, "Büyükelçilere uyarı"

¹³⁷ *Milliyet*, 20.7.1989, "Diplomasi Savaşı"

stability of the region: Turkey called the UNHCR for helping the refugees.¹³⁸ Turkish diplomats were also insistent on the participation of the UNHCR authorities in a meeting between Turkey and Bulgaria convened to discuss the terms of an immigration agreement. The Bulgarian government rejected the involvement of the third parties.¹³⁹

As opposed to the case of Iraqi mass influx in 1991, the security considerations never emerged as a top priority for the mass asylum from Bulgaria in 1989. Turgut Özal and the chief of General Staff Necip Torumtay discussed the issue of border security on 13 June¹⁴⁰ and security concerns were also evaluated during the meetings of the National Security Council on 29 June 1989 and 29 July 1989.¹⁴¹ However the mindset of the Cold War shaped the threat perception during the mass influx from Bulgaria: Controls were tight to assure that no Bulgarian agent could cross the Turkish border, which slowed down the entry of the asylum seekers and this precautionary measure was criticized as lack of confidence in the Turks from Bulgaria.¹⁴² While during the 1991 mass influx of refugees from Iraq would become a concern for terrorist penetrations as will be depicted in the third chapter, such an envisagement was considered as insulting while tackling with the Turkish refugee flow. The mass arrivals and the inability of Bulgarian and Turkish governments to reach a consensus on signing an immigration agreement was also considered by the Turkish Government as destabilizing in terms not only of the Bulgarian-Turkish relations but also of the Turkish-Soviet relations. Turkish diplomacy had been

¹³⁸ *Milliyet*, 21.6.1989, “Mektup diplomasisi”

¹³⁹ *Milliyet*, 7.7.1989, “Bulgar masadan kaçıyor”

¹⁴⁰ *Milliyet*, 13.6.1989, “Soydaşlarımız için Özal-Torumtay görüşmesi”

¹⁴¹ MGK, *Press Releases Archive*, 1989, available from <http://www.mgk.gov.tr/>

¹⁴² *Milliyet*, 18.6.1989, “Kapıkule, zulüm, insanlık sevgisi”

reluctant to criticize the silence of the Soviet government about the mass asylum from Bulgaria until the supporting attitude of the Soviet regime to the Bulgarian government became apparent.¹⁴³

Meanwhile, international involvement in this mass influx was low in a bothersome manner, as this meant low propensity for aid. As opposed to the degree of involvement during the 1991 mass influx from Northern Iraq, the attention of the international community was relatively low as the human drama endured by the Turkish community was moderate compared to the events in 1991 at the Turkish-Iraqi border. This was also connected with the far more favorable conditions of reception provided by Turkey for the political immigrants from Bulgaria. Turkish government made efforts to attract the attention of foreign governments on the human tragedy so that they could exert pressure upon the Bulgarian government for signing an immigration agreement on the assurance of the rights of the Turks in Bulgaria. One particular initiative is worth of citation here. The government invited the representatives of the *corps diplomatique* from 53 countries and 6 international organizations to visit Kapıkule and see the condition of the refugees.¹⁴⁴ Compared with the ban of entry to the border region during the first week of the mass arrivals from Iraq in 1991, and the governing of the border under situations similar to martial law, this initiative showed the extent to which the reception conditions differed from one another in the two influxes. Furthermore, the opposition parties criticized the immediate transfer of the Turkish refugees from the border region to the inner cities as a wrong tactical maneuver. A member of the parliament, Erdoğan Yetenç, claimed that Turkey had missed the opportunity to exert pressure upon the other countries by

¹⁴³ *Milliyet*, 22.6.1989, “Moskova ile soğuk hava”

¹⁴⁴ *Milliyet*, 20.6.1989, “59 diplomat sınırda”

dispersing the three hundred thousand refugees, while keeping them together at the border area would have attracted the attention of the international community and their aid efforts.¹⁴⁵ The foreign policy considerations did not have a decisive weight when responding to the mass influx from Bulgaria in 1989 as much as they were important during the refugee events of 1991 from Iraq as will be discussed in the next chapter. These initiatives by the Turkish government show the extent to which diplomatic pressure was used as a tool to change the conditions of population movement in favor of the Turkish ethnic community.

Furthermore, the diplomatic style employed by Turkey in the international arena had some similarities with the case of 1991 refugee crisis and was criticized by the opposition parties. The personal style of Turgut Özal dominated the scene in the foreign policy decision-making process during the asylum crisis from Bulgaria. As the examples had been given in the previous paragraphs, then Prime Minister Turgut Özal had done binding declarations for Turkey on his own initiative, without the knowledge of Foreign Minister Mesut Yılmaz and the diplomats.¹⁴⁶ This type of foreign policy making had an impact on the mass arrival of the refugees both in 1989 from Bulgaria and in 1991 from Iraq and was criticized by the opposition parties during and after the refugee crises. The fact that the Foreign Ministry had misinformed Turgut Özal about the potential number of arrivals became an issue of contention among the cabinet members, which they claimed, resulted in the fierce calls by the prime minister to the Turkish community in Bulgaria to come, ultimately leading to a situation that was impossible to manage.¹⁴⁷

¹⁴⁵ M. Meclisi, B: 54, 22.12.1989, O: 1, p. 474

¹⁴⁶ Gencer Özcan, “Türkiye’de Siyasal Rejim ve Dış Politika, 1983-1993”, pp. 115, *Türk Dış Politikasının Analizi*, edited by in Faruk Sönmezoğlu, (Der Yayınları, İstanbul: 1994)

¹⁴⁷ *Milliyet*, 23.8.1989, “Özal’ın tepesi attı”

What mattered for both the governing and the opposition parties during this mass influx was the weight of domestic politics. First of all, the role of the public opinion in influencing the active policy of the Turkish government was considerably important. The associations of Balkan immigrants supported the Turks in Bulgaria and their cause with their various activities in Turkey such as organizing meetings, protests, demonstrations, and thus having pressure on political parties, as well as lobbying activities in the international institutions.¹⁴⁸ Such a pressure from the settled immigrants in 1991 mass influx from Iraq would be the case solely for the associations of the Turcoman people, whose influence and power remained limited when compared to the number of associations formed by Balkan immigrants. Not only the settled immigrants in Turkey but also the public opinion in general is considerably attentive to the oppression of the Turks and Muslims in Bulgaria. In a public opinion poll conducted during that period by a research company, the first item that occupied the agenda of the Turkish population in June 1989 was the forced deportation of the Turks from Bulgaria, and the person the most mentioned was Turgut Özal, while the second was Todor Zhivkov.¹⁴⁹ The political parties therefore had to show their endorsement of this “national cause”, and the contestation between parties became apparent during the organization of the heavily populated meeting named “call to humanity”, organized to curse the events in Bulgaria. It was with the calls of the columnists for common action to the political parties to show the union of the Turkish public opinion on this issue that it became possible for the party leaders of ANAP, DYP and SHP to merge their party bases around this collective action.

The party leaders also accepted to be represented by the party members and not to

¹⁴⁸ *Milliyet*, 23.5.1989, “Bulgarlar on Türk’ü öldürdü”; *Milliyet*, 24.5.1989 “İstanbul’da tepki”; *Milliyet*, 29.5.1989, “Konsolosluga taş yağmuru”; *Milliyet*, 4.6.1989, “İran’dan kınama isteği”; *Milliyet*, 1.7.1989, “Anıtkabir ve partileri ziyaret”

¹⁴⁹ *Milliyet*, 3.7.1989, “Halkın Gündemi”

deliver speeches. This was also an indicator of the sensitivity in sparing this issue from becoming a tool in boosting demagogically electoral success. Thousands of people gathered in Taksim Square, which was a prohibited location for this kind of meetings and the permission was accorded for the first time for thousands that would meet to assert the “national warning” for the perpetrators of human rights violations against the Turkish community in Bulgaria. This by itself demonstrates the priority of the issue of mass arrivals and right violations in Bulgaria occupied in Turkish agenda. It was thus an issue that had great leverage in the electoral success. On the other hand, as stated in the previous paragraphs, the role of the mass media to alert the public about the human rights violations in Bulgaria against the Turkish community was indispensable for making the issue visible and noteworthy starting from 1985.

When the discussions in the Grand National Assembly concerning the mass influx from Bulgaria are taken into consideration, the political consensus between political parties on how to approach to the emergency situation can better be grasped. There were accusations on the part of both the opposition and the governing parties to use the influx as a tool to appeal domestic audiences. Foreign Minister M. Yılmaz tried to refute the accusations coming from the opposition parties about the lack of sensitivity to the issue of the Turks of Bulgaria and demanded from their party members to propose clearer examples of policy making rather than abstract expressions of criticisms.¹⁵⁰ On the other hand, Vefa Tanır of DYP, replied the Foreign Minister, stating that the Governing party did not previously voice in the Grand National Assembly the conditions of the Turkish community in Bulgaria so as to make it a national issue and also conducted policy without taking the views of the

¹⁵⁰ M. Meclisi, B: 98, 7.6.1989, O: 1, p. 285

Assembly, which represented the will of the people.¹⁵¹ In his address, M. Murat Sökmenoğlu, a DYP parliamentarian from Hatay district, claimed that the Government was trying to cover its loss of support by harsh declarations that turned the Bulgarian issue into a material for domestic politics but which did not translate into clear policy goals in the international arena that would serve to open the borders to the kinsmen.¹⁵² Furthermore, in his press releases, Deniz Baykal of SHP also uttered the concerns of his party about the potential of turning the asylum experience and the problem of the Turks in Bulgaria into a tool to get political advantage while the need for a national policy persisted.¹⁵³ The decline in the votes of the governing Motherland Party in local elections (21.8 percent of the votes) in 1989 when compared with the general elections in 1987 (36.3 percent of the votes) were evaluated by other political parties as the loss of faith of the people in the Motherland Party. Süleyman Demirel even claimed that the timing of the asylum of Turks from Bulgaria as a result of forced deportation was connected with the performance of the governing party during local elections as it meant loss of power of the Turkish government and hence an opportunity for the Bulgarian government to suppress more openly the Turkish community in Bulgaria.¹⁵⁴ The two opposition parties in the parliament reasserted that the support they accorded to the Government showed their benevolent responsibility in this national cause, even if the undertakings of the Government were lacking foresight and prudence.¹⁵⁵ While this had been the case for tackling of the problem, the issue of welcoming the kinsmen did not involve

¹⁵¹ M. Meclisi, B: 98, 7.6.1989, O: 1, pp. 286-287

¹⁵² M. Meclisi, B: 100, 13.6.1989, O: 1, p. 43

¹⁵³ *Milliyet*, 14.6.1989, "Göçmenlerin hepsini alıruz"

¹⁵⁴ *Milliyet*, 26.6.1989, "DYP Bildirisi Bulgaristan'a diz çöktürelim"

¹⁵⁵ *ibid.*

contention during the earlier days of the crisis between the parties, which showed a great degree of consensus about welcoming them.

When considered from the angle of domestic politics, the role of media and public opinion as well as the approach of the political parties to the issue made the refugee crisis top priority for the Turkish political agenda, which was informed by the need to assume a welcoming attitude. Such an endorsement of the issue by the political parties would also be present during and after the mass influx from Iraq as will be depicted in the Third Chapter. Even if the 1991 mass influx had an overwhelmingly security and stability threatening character, the appeal to domestic politics also had a considerable importance for political parties. In the Iraqi refugee crisis, the dominant discourse would be different compared to the case of the Turkish refugees from Bulgaria in which the equality of the newcomers with the local population was emphasized. Moreover, the need for adopting a humanitarian approach would dominate the discourse of the opposition parties in the Iraqi case.

The Legal Arrangements Made for Easing the Lives of Kinsmen in Turkey

As far as the legal framework is concerned, the expected legal process for the immigrants from Turkish descent/culture coming from Bulgaria would have been the following. The Turkish ethnic groups wishing to immigrate to Turkey would have to apply to the Turkish consulates and embassies in Bulgaria and posit an application declaring their desire to become immigrants. They would be given this status when they would still be in Bulgaria and arrive to Turkey with immigrant visas. Upon their arrival, they would have to become Turkish citizens after their settlement in Turkey. This procedure was overridden when Turkish authorities decided to open the borders

and did not ask for the necessary documents to admit the newcomers to the country. In fact, such an approach to the issue resulted in the treatment of the newcomers in terms that were much more advantageous than the legal arrangement would secure if fully applied. This treatment is thus a perfect case showing the legal exceptionalism of the Turkish state when faced with immigration and asylum flows. It was the sole instance when the newcomers were treated on such favorable terms, with provisions that were not available even for the already Turkish citizens.

Since the Turkish government saw the refugees from Bulgaria not as temporary guests but as immigrants who would settle in Turkey and become citizens immediately upon their arrival, it made a number of legal arrangements within a considerably short span of time for their settlement and brought various services to the newcomers. As the discussion of reception context for refugees from Bulgaria demonstrated above, Turkish government's relationship with these refugees is affected by the argument of a common ethnic descent. The decision makers referred constantly to this unity in ethnicity and history dating back to the Ottoman times, which shaped the reception context so as to adopt policies that highlighted the equality of co-ethnics. Within the debates of justice, the liberal national model underlines the naturalness of prioritizing the welfare of the relevant other who is part to the associative identity of the group.¹⁵⁶ This brings the idea of maintaining the priority of co-ethnics and co-nationals over foreigners and hence rationalizes the policies that protect citizens and compatriots. Ethnic Turks in Bulgaria were equally entitled to rights and duties in the Turkish homeland. The separation of co-ethnics from foreigners was made clear by the statement of Foreign Minister Mesut Yılmaz about the fact that Bulgarian government tried to send also non-Turkish people to

¹⁵⁶ Yael Tamir, *Liberal Nationalism*, p. 121

Turkey but at the border Turkish officials made a screening whereby these non-Turkish people were not permitted to enter and only the Turks were sent to the settlement areas.¹⁵⁷ This vision also shaped the legal regulations that were required for the settlement of the refugees to Turkey.

The response delivered during the reception period and its aftermath highlights the different policies between the mass influxes in 1989 and 1991 and the respectively different treatment of the refugees with different ethnic belongings. Even if the state was unprepared to host such overwhelming numbers in both of the events, the reason that lied behind a reception and a non-reception case was linked with both the ethnicity of the newcomers and the foreign and domestic policy factors. The advantages of ethnically belonging to the dominant political community in Turkey worked for easing the lives of kinsmen in 1989. The possibility to acquire citizenship status within a short period of time meant that Turks from Bulgaria had a particular status compared with the other refugees such as those from Iraq in 1991. They had duties and rights within the Turkish state, which in turn became responsible for their wellbeing. Meanwhile, these legal arrangements denoted the fact that what made the Turkish government to adopt such policies were more than ethnic belonging. The newcomers were treated even more favorably than the local population, which cannot be explained by the privileging of the ethnic sameness by the Turkish government. This was a direct result of the need of the government to reflect how it endorsed the “national cause” and how willing it was to provide for the Turks from Bulgaria to appeal to the domestic and international audiences. This favorable treatment cannot be explained only with reference to ethnonational

¹⁵⁷ *Milliyet*, 18.6.1989, “Sınırdaki 10 bin göçmen”

considerations but can rather become meaningful if the politics at the domestic level and the foreign policy considerations are made part of the big picture.

To secure successful problem solving in the refugee event and prevent complexities that might arise from sharing authority, the minister of state, Ercüment Konukman was assigned for coordinating all the work and operations regarding the refugees.¹⁵⁸ From the early days of June 1989, the Government started to prepare new regulations and amendments to the existing laws.¹⁵⁹ The first initiative by the Government concerned the problem of housing and residence. Refugees who had relatives were transferred to cities where the latter lived. Those who did not have relatives were hosted in tent cities in Edirne and Kırklareli, in schools and dormitories all over Turkey, in camps and prefabricated houses. On the other hand, the government paid for the transfer of the refugees to other cities.

The issue of housing had been high on the agenda of the government, which called the private enterprises to help finding a solution, and construct prefabricated houses. The legal regulation that concerned the settlement of the newcomers was to amend the Law on Settlement so that the persons who were forced to migrate as of 1.1.1984 and wanted to come and settle in Turkey, making part of Turkish culture, would be considered landed (*iskanlı*) or free (*serbest*) immigrants: This is the concretization of legal exceptionalism in the Turkish legal context governing immigration and asylum. Ercüment Konukman sent circular orders to the villages and other state institutions to enable the adaptation process of the Turkish refugees from Bulgaria. Another important adjustment was made for free importation of one vehicle and all machines, engines and equipments that the refugees brought to

¹⁵⁸ T.C Başbakanlık Personel ve Prensipler Genel Müdürlüğü, 08.3.383-0890 sayı ve 9.6.1989 tarihli görevlendirme yazısı, cited in Konukman, *Büyük Göç ve Anavatan*, p.103

¹⁵⁹ M. Meclisi, B: 98, 7.6.1989, O: 1, p. 284

Turkey from Bulgaria.¹⁶⁰ Furthermore, an order was issued to procure the exchange of up to 10000 Bulgarian levs with Turkish liras for the asylum seekers, which was difficult for the Turkish Central Bank to dispose of, since the Bulgarian lev was not convertible.¹⁶¹ These two provisions can be taken as examples of how the rights of the newcomers in some instances went far away than those who applied to Turkish citizens who were deprived of such advantageous possibilities to import vehicles and engines from abroad.

Furthermore, legal arrangements were made to include the issuing of work permits for Bulgarian refugees if they could satisfy the requirements demanded by the public or private job, even if they did not yet have the citizenship status.¹⁶² After the end of the crisis, several regulations were passed in order to address the problems of the settled immigrants from Bulgaria from the last wave. Those who solved the housing problem by renting a flat were subsidized by the state fund for one year.¹⁶³ They could also have a one-time monetary assistance for their children in primary and secondary education.¹⁶⁴ Even the paperwork of the newcomers would be given priority, so as to redress the difficulties refugees encountered because they did not yet acquire Turkish citizenship status.¹⁶⁵ On the other hand, the Turkish government

¹⁶⁰ Republic of Turkey, *Resmi Gazete*, 20.6.1989, No: 202201 89/14249 Beldesiz ithalata ilişkin ek karar

¹⁶¹ *Milliyet*, 1.7.1989, “27 Milyon leva geldi”

¹⁶² 03.3.09.42/430 Sayı, 23.6.1989 tarihli vilayetlere Ercüment Konukman’ın Gönderdiği Yazı in *Belgeler Işığında Büyük Göç ve Anavatan*, p.103

¹⁶³ 03.3.09.42.35/771 Sayı, 21.11.1989 tarihli vilayetlere Ercüment Konukman’ın gönderdiği yazı in Konukman, *Belgeler Işığında Büyük Göç ve Anavatan*, p. 104

¹⁶⁴ 03.3.09.42.35/772 Sayı, 21.11.1989 tarihli vilayetlere Ercüment Konukman’ın gönderdiği yazı in Konukman, *Belgeler Işığında Büyük Göç ve Anavatan*, p. 104

¹⁶⁵ 03.11.42.18/2344 Sayı ve 21.2.1990 tarihli Nüfus ve Vatandaşlık İşleri Genel Müdürlüğüne gönderilen yazı, in Konukman, *Belgeler Işığında Büyük Göç ve Anavatan*, p. 105

paid for the circumcision of male children by organizing collective ceremonies.¹⁶⁶ Moreover, the state authorities provided free courses on Turkish culture, history of Modern Turkish Republic and Islam to ease the adaptation of the newcomers to the social life in Turkey. Regulations regarding the domain of education were also realized, including the accreditation of the diplomas, enrolment of children to public schools, employment of Bulgarian instructors in Turkey, transfer of university students to universities in Turkey and increasing of departmental quotas for Turkish refugees from Bulgaria in universities.¹⁶⁷

Furthermore, the law regarding the funds for supporting social assistance and solidarity was amended so that it could be used for aiding the kinsmen who had been forced to migration. The banks opened accounts so that charitable contributions could be made. The imams recounted the situation in Bulgaria and the forced migration during the Friday sermons to incite the congregation for monetary aid. On the other hand, the Ministry of Finance announced that charitable contributions would be deducted from income and corporation taxes¹⁶⁸. This kind of coordinated approach of first to address the amelioration of living conditions by providing aid and second to lower the disadvantages that would arise from not being a citizen point to the Turkish state's perception of the newcomers as equal citizens at least in legal terms. These attempts were made to compensate for the shortcomings that might arise while the Turks from Bulgaria were waiting to acquire Turkish citizenship. The context of reception for the Turkish state in this experience of mass arrivals from Bulgaria was an example of high receptivity, as it was quoted from Portes and

¹⁶⁶ *Milliyet*, 23.6.1989, "Büyük göç hazır"

¹⁶⁷ Konukman, *Belgeler Işığında Büyük Göç ve Anavatan*, pp. 120-121

¹⁶⁸ *Milliyet*, 24.6.1989, "Bulgarlar pişman"; *Milliyet*, 24.6.1989, "Maliye'den açıklama"

Böröcz in the previous chapter. This type referred to a situation in which refugees and immigrants were welcomed in the host society with legal and material assistance from the government. The society was equally positive about the arrival of the newcomers, who could aid for their advancement in the society using their assets. The admission to the host society with legal entitlements assumes that the state claims duties towards the newcomers as equal members in the political community. The statement by Prime Minister Özal makes the perception about the newcomers much clearer: “I think that a considerable part of the newcomers will find work, they are not like the refugees from Iraq. These people have qualifications and they are hardworking. I think that these people will serve us”.¹⁶⁹

While the Iraqi asylum seekers in 1991 had only their human rights to rest upon when they were hosted by the Turkish state, the Bulgarian refugees acquired rights and duties that erased any possibility of legal precariousness. This legal reception context pointed to an attitude that framed the entitlement of the newcomers to equal rights and to a conception of the ethnically similar groups to enjoy these rights by making part of the political membership. Nonetheless, as stated earlier, the extent of the rights and duties given to the newcomers exceeded any previous reception arrangements done for immigrant groups. This was mainly due to the alertness of the domestic public opinion on the one hand and the image of the Turkish state to receive refugees and asylum seekers to be reflected to the international community on the other. There were comments about the fact that the aloofness of the Western countries in giving aid to the Turkish state for the Bulgarian forced deportation of Turkish community was due to the human rights violations in Turkey. These interpretations were addressed by Prime Minister Turgut Özal as

¹⁶⁹ *Milliyet*, 3.7.1989, “Özal: Dini Karıştırdılar”

“craps from those who did not want to come to Turkey but yet spread such rumors.”¹⁷⁰ He claimed that people came and saw in Turkey the reality of the treatment of asylum seekers. The headline of *Milliyet* from 9 July 1989 illustrates this point. It stated: “We became a heaven of immigrants”, in which Turkey was reflected as a country where refugees and asylum seekers escaped from political repression in their own countries, where the majority of the newcomers accommodated to the society and got jobs, where some searched for solutions to their problems but where all lived the happiness of finding salvation.¹⁷¹ The interviews with the leaders of selected refugee groups reflected Turkey as a country that hosted various groups from Iraq, Iran, Afghanistan and Bulgaria and procured the environment in which they could enjoy their own culture even if their demands from the Turkish state in terms of legal entitlements remained varied.¹⁷² The reflection of Turkey’s reception conditions provided for refugees and immigrants was thus one stressing the welcoming of culturally diversified groups to Turkey, where they enjoyed refuge. Turkey was conceived as a country that could manage the refugee crises with its own resources to aid them.¹⁷³ While legal entitlements were much generously given to some, as in the case of the Bulgarian refugee crisis, other groups remained comparatively disadvantageous due to the domestic, foreign and ethno-national considerations from the Turkish state.

Meanwhile, when the forced migration of the Turks from Bulgaria is taken into consideration, the legal and material support of the Turkish government encompassing all the new arrivals meant a significant burden on the economy. This

¹⁷⁰ *Milliyet*, 6.7.1989, “Jivkov’a Az Bile”

¹⁷¹ *Milliyet*, 9.7.1989, “Göçmen Cenneti Olduk”

¹⁷² *Milliyet*, 9.7.1989, “Göçmenlerimiz”

¹⁷³ *Milliyet*, Sami Kohen, 9.7.1989, “Dünya Göçmenle Dolu”

was mainly due to the volume of the newcomers exceeding 300 thousands and to the unpreparedness of the Turkish authorities to deal with such a challenging amount of new arrivals. If the official numbers given by the Turkish authorities on the mass influx of asylum seekers from Bulgaria are taken into account, the following table can be drawn.¹⁷⁴

Table 2: Number of Refugees admitted to Turkey during May 1989-August 1989

Entry Date	Entry With Visa (Persons)	Entry Without Visa (Persons)	Total
May 1989		1630	1630
June 1989	22	87599	87621
July 1989	79	135237	135316
August 1989	512	87396	87908

The cumulative number of arrivals from May to August 1989 is set to 312,475 according to the Turkish sources.¹⁷⁵ The number of arrivals without visas from June 2 to August 22 is 311,862 according to the same data source. Such an overwhelming number of refugees within a very short span of time meant enormous resource extraction for the Government. During the meeting of the Council of Ministers on 20 August 1989, the decision to reenter into force the visa requirement for the citizens of Bulgaria was taken. This decision called for a new phase, with which what can be called controlled reception began.

¹⁷⁴ Table drawn by referring the numbers given in Ercüment Konukman, “Belgeler Işığında Büyük Göç ve Anavatan”, p. 61

¹⁷⁵ The number of arrivals to Turkey from Bulgaria differs across scholarly studies, depending on the time frame. For example Vasileva in “Bulgarian Turkish Immigration and Return” sets the number to 369,839 from May to September 10, 1989.

Stopping Entries without Visas: Reaching Saturation in Welcoming Kinsmen

The euphoria that reigned during the early days of the arrivals began to fade away during July and August 1989. There was not a single news item, which conveyed a negative image about the refugees from Bulgaria in the first month of the arrivals such as petty offences and environmental damages near borders. Gradually, the news began to concentrate on the needs of the refugees and their economic and social demands. Besides, there were accounts of burglary done by the refugees, and the threat of contagious diseases in the Kapıkule border area due to the improper use of toilets.¹⁷⁶ The interviews randomly made with immigrants from Bulgaria drew a clear picture of their wishes to find work and permanent shelter, together with their differences resulting from their previous political membership in a communist state. Towards the end of the month of August, the number of the refugees exceeded 300,000, which pushed the Council of Ministers to take the decision to require visas for the entry to Turkey from Bulgaria. The explanation accorded for the decision was the aim to halt the incomings from Bulgaria so as to address the sheltering problems of the existing refugees in Turkey and to force Bulgarian government to sign an immigration agreement that would secure reunification of families.¹⁷⁷

The reactions to the decision were intense as the welcoming discourse, particularly from the part of the Prime Minister, they had been continuing until 21 August. As late as 16 August addressing people at Karaman, Turgut Özal claimed that they were not to close the borders, and would call the Bulgarian government to account for their actions one day, and that Turkey was a strong country, which could

¹⁷⁶ *Milliyet*, 12.8.1989, “Soydaş piano çaldı”; *Milliyet*, 11.8.1989, “Sınırda salgın hastalık”

¹⁷⁷ *Milliyet*, 21.8.1989, “Göçe sınırlı dur”, The Bulgarian Government did not give permission for the young citizens of Turkish ethnicity to leave the country, which lead to the separation of family members during the refugee influx.

overcome all the obstacles. On 23 August, the assertion of Turgut Özal was “no country can receive so many immigrants within such a short span of time”. He thus suddenly embarked on the necessity of taking the decision to close the borders.

The opposition True Path Party declared that they would demand a no-confidence motion for the government, while Social Democrat Populist Party assessed its concern about the decision to close borders, which would cause disquiet among the remaining Turkish community in Bulgaria and kinsmen migrated to Turkey. Besides, the decision that was taken within such a short notice meant the accumulation of those intending to come to Turkey on the other side of the border, all their preparations being wasted. This gratuitous policy making raised opposition parties’ eyebrows. The government, opposition parties, and public opinion as represented by the national and international media organs thus evaluated the content of the decision differently. While the government claimed that the decision was one of visa requirement for those who wanted to come to Turkey as of 22 August, it was evaluated as one of “closing the borders” by the opposition parties as well as national and international newspapers. Columnists and opposition party members judged the reversal of the policies as a political embarrassment for Turkey, which had claimed that it was the savior of the persecuted people but lost nerves within a matter of three months.¹⁷⁸

While the Turkish authorities stressed that they engaged in such a political line to enforce Bulgaria to sign an agreement after which Turkey would reopen its borders and accept all the Turkish community wishing to come, the international newspapers reported that Turkish officials in private admitted the unpreparedness

¹⁷⁸ For such assessments, see *Milliyet*, Altan Öymen, 22.8.1989, “Açtım da kapadım da”; *Milliyet*, 22.8.1989, “Jivkov kazandı”; *The Independent*, 22.8.1989, “Turks close borders to halt Bulgaria exodus”

and economic difficulties that were created by the arrival of more than 300,000 refugees.¹⁷⁹ Furthermore, a return movement to Bulgaria began during this time, reaching 1000 persons 20 August just before the return to visa regime. The numbers would amount to 154,937 by May 1990. This became the subject of criticism of the opposition parties, claiming that the kinsmen were disenchanted by the life in Turkey due to the inability of the government in addressing the refugee event.¹⁸⁰

One other instance had contributed to the toughening of the criticism. The entry to Bursa was prohibited for the refugees from Bulgaria with the order of the governor of the city. Bursa was the province that received the highest number of immigrants from Bulgaria in the previous migration waves.¹⁸¹ The refugees of 1989 wanted to settle near their relatives and thus refused to go to cities, assigned by the Turkish government. The result was the ban on entry with an explanation from the governor that Bursa had passed over the number it could host, which led to socio-economic difficulties in the city.¹⁸² This implementation of the Bursa governorship thus constituted another illustration of declining the Turkish kinsmen due to socio-economic reasons. The refugee crisis in 1989 thus reached an end with an exclusionary discourse and a policy of restricted entry, translated into the public opinion as a non-reception context, due to socio-economic conditions overwhelmed by the number of the refugees.

This shift from an all encompassing to a mildly exclusionary policy is worth of focus as it reflects the arbitrary attitude in the refugee reception of Turkish policy

¹⁷⁹ *The New York Times*, 22.8.1989, "Turkey closing borders to refugees from Bulgaria"

¹⁸⁰ Turhan Çetin, "Bulgaristan'dan Türkiye'ye Son Türk Göçünün Sosyo-Ekonomik Etkileri", *Turkish Studies*, 3:7, (Fall 2008), p. 612

¹⁸¹ Ercüment Konukman, Table provided from Arazi ve İskan Dairesi, Köy Hizmetleri Genel Müdürlüğü, *Belgeler Işığında Büyük Göç ve Anavatan*, p. 46

¹⁸² *Milliyet*, 25.8.1989, "Soydaşa Bursa'ya giriş yasak"

makers. This can largely be attributed to the ad hoc decision making, which is shaped by the domestic and foreign policy considerations during that period. When the parliamentary debates ensuing to no-confidence motion are inspected, the impact of domestic policy on the reception context of the refugee crisis can further be clarified. The Bursa parliamentarian from the opposition True Path Party, Abdülkadir Cenkçiler, gave an account of the situation of the refugees from Bulgaria, which was a picture of pessimism and disappointment, together with desperation due to the financial difficulties. His explanation of the situation was the detachment and flippancy of the members of the government in charge of the affair, who were trying to use refugee event as a way to cover the loss of support from the electorate as manifested in the local elections of 1989.¹⁸³ On behalf of the Social Democrat Populist Party, a member of the parliament Güneş Gürseler, pointed to the lack of long-term and even short-term policies for the issue of external Turks, the decision of opening and closing the borders being totally ad hoc and haphazard. He contributed this arbitrariness to the personal style of Turgut Özal, who did not ask the opinion of any institution and acted on his own judgment. According to Gürseler also, this single-handedly approach to the refugee event was a revenge for the defeat endured in the local elections of 1989, and an opportunity Turgut Özal used to boost his popular support before the Presidential elections.¹⁸⁴ In response to these arguments, the Motherland Party member Onural Şeref Bozkurt claimed that the opposition parties were trying to use the refugee event to make political speculations about the government, which had no choice but to open the borders at the beginning of the events and then to close them as a way to oppose to the separation of family

¹⁸³ M. Meclisi, B: 10, 29.9.1989, O: 1, pp. 53-57

¹⁸⁴ M. Meclisi, B: 10, 29.9.1989, O: 2, pp. 70-76

members by the Bulgarian government.¹⁸⁵ The discussions concluded with Turgut Özal's long speech on the history of Turkish Republic's relationship with the Bulgarian governments on the issue of Turkish community. He ended his talk by attributing the reasons behind the failure to push the Bulgarian government to sign an immigration agreement to the actions of the governments before the coup d'état in 1980, holding thus responsible Süleyman Demirel and Bülent Ecevit.¹⁸⁶ Not addressing the issues rose by the parliamentarians from opposition parties, and attributing the foreign policy failures to the previous governments, Turgut Özal chose to make a political maneuver for the domestic politics and attacked the opposition parties, diverting the accusations about the existing flaws in the refugee policies. The call for a no-confidence motion was dismissed after the talk of Turgut Özal, which did in fact put into place the manipulation of the refugee event in the hands of the political parties, and its instrumentalization for domestic politics.

This shift from an open door policy to the requirement of visas along with a clear shift in the discourse of political actors from an unconditional welcoming to one that declared the naturalness in putting a limit to admission is telling in terms of partiality and impartiality debate. The assumed endorsement of the Turkish political authorities of the 1989 refugee influx as one that depicted an ethnonationalist policy whereby the Turkish ethnic kin was exalted and admitted without reservation did not materialize. The reason was that the open door policy on such claims would require its endorsement till the end of the crisis, however it ended with an abrupt policy change leaving the ethnic kin in a difficult situation. In addition to that, the discourse that propagated the image of Turkey as a refugee heaven where the refugee and immigrant groups could fulfill their cultural belongings and live immune from

¹⁸⁵ M. Meclisi, B: 10, 29.9.1989, O: 2, pp. 82-85

¹⁸⁶ M. Meclisi, B: 10, 29.9.1989, O: 2, pp. 91-99

political oppression endured in home countries, was equally a problematic one. The ethnically Turkish groups could more easily have access to Turkey because of their special cultural and ethnic bonds with the Turkish political community. While this being the case, neither ethno-national bound nor the liberal claim of Turkey as receiving refugees with arms wide open when compared to Western countries, which by the way were only good to criticize but weak to welcome even a small number of suffering people, was tangible. It was rather a pragmatic ad hoc policy making that used a mix of these arguments under the dictates of foreign policy, internal politics, and economic considerations. When it came to the primacy of economic conditions of the local population, the principle was to close the borders and halt the population flow so as to protect the rights of compatriots from the newcomers.

Evaluating Turkish Reception Context as a Conclusion

How the Turkish government managed the refugee crisis from Bulgaria was one of the instances that plainly presented the arbitrariness in Turkish policy making, when faced with refugee events. The policies of the Motherland Government during the refugee event lacked distinct policy goals and sent mixed signals to the Bulgarian government and to the Turkish public. Did it want to receive all the Turkish refugees coming from Bulgaria? Or did it want to secure the rights of external Turks in the countries they lived and make an immigration agreement? The lack of clear policy articulation meant flexibility for the Government. It could thus adhere to a liberal national stance upon reception and treated refugees as if they were full citizens, providing legal and practical solutions to their adaptation problems. But as the context of reception became harder to deal with as the numbers arose, this flexibility

gave the government the option of the sudden halt of population movement. The explanations provided by the government to stop the flow rest on the idea of preventing the family separation and exercising pressure upon Bulgarian government. This abrupt policy change denoted also ad hoc decision-making. It did show that decision-making was done regarding the requirements of the political context, shaped by the existing domestic and foreign policy considerations, that could even change over the course of the event. While the ethnic belonging of the refugees to the Turkish political community made a great impact on the adoption of laws and regulations that promoted the easy access to state resources, the domestic policy considerations prevented the full endorsement of this policy till the end of the crisis, which was artificially halted by the Turkish government. Would it be only the ethnic proximity argument or a liberal attitude to welcome the newcomers that counted for the reception conditions, the expected outcome would be the endorsement of the open door policy till the end of the crisis.

CHAPTER IV

UNINVITED GUESTS FROM IRAQ AND THE RECEPTION CONTEXT OF THE TURKISH STATE

Introduction

If the flight of Turks from Bulgaria was considered one of Europe's largest refugee flows since World War II, the movement of Iraqis after 1991 Persian Gulf Crisis was referred as one of the biggest refugee crises of twentieth century. Though experienced with abrupt refugee flows since 1988, Turkey was once again tested for its ability to generate a quick policy response to hundred thousands of Iraqis on its door. Moreover, if the potential of the Turkish state to consider the mass influx from Bulgaria within a liberal national perspective was evident from the start, the fact that the mass influx from Iraq would put Turkey on a cosmopolitan trial was not also a mystery. The objective of this chapter is to assess how foreign policy factors including the security and sovereignty considerations as well as dynamics of internal politics had an impact on Turkish policies in handling the Iraqi refugee movement towards Turkey. This chapter aims thus to provide answers to the following questions: What were the factors that led to the refugee influx of 1991 and what was the political context in terms of foreign policy? How can the reception context of the Turkish state for the Iraqi asylum seekers be evaluated in terms of the typology as provided by Portes and Böröcz? What were the reasons behind the declining of borders to Iraqi refugees by the Turkish authorities? With what solution did Turkey come up to solve the humanitarian problem? In light with previous discussion on reception contexts, how can we evaluate this case of unwanted inflow of Iraqis? What were the instruments and domestic and foreign policy considerations that

served the Turkish policy makers to divert from the humanist approach of the liberal national or cosmopolitan model? These questions will help answer the question of how the Turkish reception context can be explained in terms of the discussion that highlighted the partiality and impartiality of the nation-state in the first chapter and put into light the absence of linearity in terms of following a pure ethno-national, liberal national or cosmopolitan stance vis-à-vis the asylum seekers from Iraq. The data to be used in this chapter will be based on debates in Turkish Grand National Assembly and the national and international newspapers of the period.¹⁸⁷ A brief political background of the events that resulted in the flight of Iraqi Kurds from Northern Iraq will be followed by a thorough analysis of the Turkish state's treatment of unwelcome guests at the southeastern borders of the country.

Events leading to Mass Influx of Refugees: 1990-1991 Gulf War

The refugee mass influx from Iraq to Turkey was one of the outcomes of the Gulf War. Its evaluation therefore cannot be detached from the war as the mindset behind the foreign policy of Turkey during this war was largely blamed for the mass arrivals by the media and the opposition parties. On the other hand, without briefly assessing the events that led to Gulf war and without taking into consideration the political context in Iraq, it is not possible to understand the gravity and the sudden escalation of the events that left Turkey exposed to a humanitarian crisis. This exceptional case provides the necessary setting that tested Turkey with the adherence to cosmopolitan ideals, where foreigners are supposed to be as worthy of care as fellow “ethnic kin” like in the case of migration from Bulgaria.

¹⁸⁷ The Turkish newspapers examined for the period March 1991-June 1991 are *Milliyet*, *Cumhuriyet* and *Sabah*. *2000'e Doğru* and *Nokta*, which are weekly periodicals have also been used as sources. Data from international newspapers have also been gathered with LexisNexis scanning.

On August 2, 1990 Iraq invaded Kuwait two years after the end of Iran-Iraq War. The invasion of Kuwait was a result of a combination of several factors. Having failed to make Iran acquiesce to renegotiate Shatt al-Arab frontier, Iraq had its eastern frontier closed with limited access to Gulf. The eight-year of Iran-Iraq War devastated the economy of Iraq, becoming a net debtor and in a disadvantageous position as the oil prices went down, which curbed the revenues from its oil exports. The end of the Cold War made Saddam bolder in its anti-US stance, concluding he did no longer need the support of US as the bipolar world system came to an end.¹⁸⁸ Furthermore the relationship between Kuwait and Iraq was deteriorating which was attributed to the following reasons. First, there was an historical claim of Iraq over Kuwait's territory, having its roots back in Ottoman times, referring to the juridical faults in the establishment of Kuwaiti independence as supporting arguments. On the other hand, the overproduction of oil by Kuwait caused harm to the Iraqi economy as it pushed down the oil prices. Moreover, Kuwait also declined to erase the debts of Iraq, which claimed this would compensate for Iraq's defense of Kuwait and other Arab states against Iran.¹⁸⁹

When the negotiations between Iraq and Kuwait failed, Iraq invaded Kuwait on 2 August 1990, which triggered a quick international response. On the same day, UN Security Council adopted by 14 votes to none (Yemen abstaining) the Resolution 660, condemning the invasion and calling for Iraq's withdrawal from Kuwait. On 6 August 1990, UN Security Council put embargos on all commodities and products

¹⁸⁸ Fred Halliday, "The Gulf War and Its aftermath: First Reflections", *International Affairs*, 67:2, (Apr. 1991), pp. 223-234, 226

¹⁸⁹ Majid Khadduri and Edmund Ghareeb, *War in the Gulf 1990-1991: The Iraq-Kuwait Conflict and its Implications*, (New York: Oxford University Press, 1997) cited in Stephanie Cronin, "War in the Gulf, 1990-91: The Iraq-Kuwait Conflict and Its Implications", *Middle Eastern Studies*, 35:2, (April 1999), p. 186

originating in Iraq or Kuwait, whose maintenance was assured with the UN Security Council Resolution 665 to allow allied ships to use force.¹⁹⁰

The diplomatic maneuvers between the United States, UN and Iraq ultimately collapsed. The Operation Desert Storm started on January 17, 1991 with air strikes to Iraq, gaining its legitimacy from the UN Security Council Resolution 678 to use force. The war was broadcasted through television as a spectacle; with carefully chosen images by the US, presenting a clean technical war, with smart bombs, perfect weaponry and little causality from Allied forces.¹⁹¹ Iraq accepted the UN resolutions related to Kuwait's invasion on 27 February putting an end to war. George Bush in his address to Congress on 6 March 1991 welcomed the promise of a "New World Order" in which "freedom and respect for human rights find a home among all nations".¹⁹²

This formation of a new world order in which there was no place for escalation between super powers of the bipolar world but cooperation at an international level, as the response to this war depicted, gave hope for the revival of "collective security" idea.¹⁹³ The other face of this new order was the direct involvement of the western powers in regional conflicts, particularly when their interests were involved. The new order is marked with the passage from definite enemies to indefinite problems while some observers regretted this loss of stability of

¹⁹⁰ UN Resolutions accessible through <http://www.un.org/Docs/scres/1990/scres90.htm>

¹⁹¹ Jean Baudrillard, "The Gulf War Did not Take Place", (Bloomington: Indiana University Press: 1995).

¹⁹² Official text, United States Information Service (US Embassy, London), 7 March 1991 cited in James Mayall "Non-Intervention, Self-Determination and The "New World Order", *International Affairs*, 67:3, (1991), pp. 427

¹⁹³ Steve A Yetiv, *Persian Gulf Crisis*, (Greenwood Press, 1997,) pp. 94-95.

the bipolar order on these accounts.¹⁹⁴ The humanitarian intervention for refugee events after the Gulf War can also be evaluated within this New World Order paradigm, which offered new solutions to such crisis by merging peacekeeping activities with humanitarian ones, conducted with the involvement of several states and international organizations.

At this point, it becomes necessary to briefly discuss the Turkish foreign policy during the Gulf War of 1990-1991 as it can shed light on the expectations during and the outcomes in the aftermath of the crisis and depict the context within which Turkey received the massive refugee crowd on its borders. The mechanism of decision-making on foreign policy during the Gulf War of 1990-1991 has been the subject of many scholarly inquiries.¹⁹⁵ These works discuss first the constitutional dynamics of Turkish policy-making and give an account of how different institutions had an impact on the decision-making process.

According to the 1982 Constitution, there is no direct reference as to which institutional branch would realize the foreign policy decision-making apart from the decision to send troops to other countries by the Grand National Assembly and the decision to go to war by the President when the country is attacked. Other than these two conditions, the cabinet as the most influential branch of the executive has the duty to conduct foreign policy in cooperation with the Ministry of Foreign Affairs. The role of the Grand National Assembly is limited to the decision to go to war and to ratify international treaties. Thus the office of Presidency, the Cabinet headed by

¹⁹⁴ M. Hüseyin Buzluoğlu, *Körfez Savaşı ve PKK*, (Çankaya, Ankara: Strateji, 1995,) p. 39.

¹⁹⁵ Ramazan Gözen, *Amerikan Kışkırcısında Dış Politika*, Ankara: Liberte, 2000; Ertan Efeğil, *Körfez Krizi ve Türk Dış Politikası Karar Verme Modeli*, (Ankara: Gündoğan Yayınları, 2002;) Mustafa Aydın, "Turkish Foreign Policy During the Gulf War of 1990-1991", *Cairo Papers in Social Science*, 21: 1, (1998)

Prime Minister, and the Ministry of Foreign Affairs become the authorities to have the greatest leverage in foreign policy decision-making.¹⁹⁶

The Turkish policy during the Gulf War is generally evaluated as dominated by then President Turgut Özal who claimed that Turkey needed to have an active foreign policy in shaping the events in the Middle East. The core principle was to adhere to the territorial integrity of Iraq to prevent the establishment of a Kurdish state in Northern Iraq. Turkey and Iraq have always cooperated against their “common enemy”, the separatist Kurdish groups, trying to keep the relations between Kurdish groups at a minimum and thus committing themselves to protect the status quo in the region.¹⁹⁷ The realization of this condition based on three pillars according to Özal. The first was to get into a close cooperation with the United States so as to increase the impact of Turkey on the possible developments in the region and on US policies by becoming part of the coalition forces of the UN. The second pillar was to resort to diplomatic relations to procure the protection of the status quo in the region. Thirdly, Turkey was to engage in military cooperation with the United States during the war.¹⁹⁸ Adventurist approaches like having Kirkuk and Mosul annexed to Turkey or reconciling with a Kurdish federation that would ultimately encompass the Kurds in Turkey were pronounced as the hidden goals of Turgut Özal.¹⁹⁹ While the government denied these claims of hidden agenda over Mosul and Kirkuk, the President emphasized the need for new opening outs on Kurdish issue several times

¹⁹⁶ Ramazan Gözen, *Amerikan Kışkacında Dış Politika*, pp. 156-161

¹⁹⁷ *Ibid*, p. 310

¹⁹⁸ *Ibid*, pp. 317-325

¹⁹⁹ Speech of Süleyman Demirel, on 12.8.1990 in TBMM Tutanak 126. Birleşim (Olağanüstü) available from http://www.tbmm.gov.tr/tutanak/kapali_oturumlar/kapali_oturum_tutanaklari.htm and Coşkun Kırca “Körfez, Özal ve Muhalefet”, in *Milliyet*, 11.3.1991

during this period.²⁰⁰ Nevertheless, Turgut Özal as the dominating figure before, during and after the Gulf Crisis thus molded the foreign policy options for the Turkish state as he tried to secure the realization of his principles. Mustafa Aydın in his *Turkish Foreign Policy During the Gulf War of 1990-1991* analyses the control of foreign policy by President Turgut Özal in which he cites various instances where it was apparent that Turgut Özal took in his own initiative the decisions vital for Turkey's stance in the crisis. According to Aydın, Özal never claimed to be impartial between political parties in the parliament, and continued to exercise power behind the scenes with the government headed by the Prime Minister Yıldırım Akbulut.²⁰¹ The government was claimed to be during that period remote controlled by the President. One such example given by Aydın, is the decision to close the oil pipelines of Yumurtalık from Iraq together with the suspension of commercial links and the freezing of Iraqi assets in Turkey, of which the Minister of Foreign Affairs Prof. Ali Bozer was not aware. The decision came as a surprise to Bozer when he was briefing Turkish journalists about the cautious approach of Turkey during the crisis, which meant Turkish state's taking time to comply with the UN decision on embargoes on Iraq.²⁰² This incident complemented with his exclusion from Turgut Özal's meeting with George Bush that resulted in his resignation and the appointment of another figure A.K. Alptemoçin, a puppet figure who had no prior experience in external relations.²⁰³

²⁰⁰ For such Views, See *Milliyet*, 13.3.1991, Yalçın Doğan "Kürt Özerkliğine Özal'dan Destek", *Milliyet*, 13.3.1991, Nur Batur and Nilüfer Yalçın "Kürt Federasyonuna Işık"

²⁰¹ Mustafa Aydın, "Turkish Foreign Policy During the Gulf War of 1990-1991", pp. 12-13

²⁰² "Chronology of the Gulf Crisis", *Briefing*, August 3, 1990, cited in Mustafa Aydın, *ibid*, pp. 22

²⁰³ Mustafa Aydın, "Turkish Foreign Policy During the Gulf War of 1990-1991", pp. 36-37

This lack of institutional coordination together with the division within the government, state organs and the public opinion dominated the strategy of Turkey during the Gulf Crisis. This meant largely Turgut Özal's single-handed control of national affairs.²⁰⁴ This autocratic nature of policy-making during the Gulf War continued in its aftermath when Turkey faced the mass arrivals of refugees as it will be seen during the period when the idea of creating "safe havens" was advanced.

Furthermore, during the Gulf War, Turgut Özal with his briefings to national newspapers and television channels tried to influence the parliament to accord the right to decide sending troops to other countries to the cabinet so that Turkey could play its role in the politics of the region.²⁰⁵ Özal was adamant that Turkey would gain substantially by sending troops to Iraq under United Nations' mandate. His statement of "we will take three dividends for one dividend we put" became the subject of criticism from opposition parties and was frequently reminded when Turkey's losses from Gulf Crisis surfaced, especially during the refugee influx, which was seen as a result of Özal's policies during the Gulf crisis.²⁰⁶ Even if this proposal was rejected by the Parliament after long discussions in a closed meeting²⁰⁷, these aggressive moves by Turgut Özal encountered disapproval both from within the government and bureaucratic figures as well as from other political parties, Turkish press, and interest groups.²⁰⁸ The parliament only gave permission to use Turkish air bases and to

²⁰⁴ Ibid, pp. 23-24

²⁰⁵ Speech of Erdal İnönü, 12.8.1990, in TBMM Tutanak 126. Birleşim (Olağanüstü), http://www.tbmm.gov.tr/tutanak/kapali_oturumlar/kapali_oturum_tutanaklari.htm

²⁰⁶ *Cumhuriyet*, 9.4.1991, Füsun Özbilgen, "Bir koyduk milyon geliyor", which claims Özal's aspiration to "put a quarter and take one" has collapsed with the coming of thousands of refugees from Iraq as the outcome of all the risky engagements during the Gulf war.

²⁰⁷ M. Meclisi, Kapalı Oturum, 5.9.1990, available online: http://www.tbmm.gov.tr/tutanak/kapali_oturumlar/05091990_b003m.htm

²⁰⁸ Ramazan Gözen, *Amerikan Kısılcacında Dış Politika*, pp. 165-176

deploy the NATO military forces in Turkey, whose presence was also largely a result of Turgut Özal's appeal.²⁰⁹ Hence Turkey indirectly participated in the war, not sending troops but cumulating its armed forces on the border with Iraq. These defensive measures were taken first to help the coalition forces by pushing Iraq to divide its military concentration in the south, and second, to prepare for a possible rebellion of the Kurdish groups for independence. The Turkish side, which foresaw the necessity to prevent the penetration of Kurdish guerillas to Turkey from the border zone, carefully considered a possible Kurdish rebellion in Iraq and its potential outcomes, an overly sensitive issue for Turkish political scene.²¹⁰ Nonetheless, even if the uprisings of the Kurds were critically important for the Turkish state, it failed to predict what would amount the repression of the uprisings in terms of population movements, as it was caught unprepared for refugee movements at the end of the civil war in Iraq. The media severely criticized Turgut Özal's policies during the Gulf Crisis; especially his adventurist attitude to push Turkey in a war, gambling that Turkey would gain at the end without taking any guaranties that would compensate for Turkey's involvement in the war.²¹¹ The outcome of the Gulf War for Turkey was the human tragedy at its borders and the immense pressure from international community on Turkey, which found itself on trial on humanitarian accounts.

The revisionist attitude of the President challenged the traditional Turkish foreign policy of non-involvement and neutrality in regional conflicts supported by foreign ministry and military bureaucrats, opposition parties, the media and the

²⁰⁹ Ibid, pp. 269- 270

²¹⁰ Ibid, pp. 267- 268

²¹¹ *Milliyet*, 11.3.1991, Coşkun Kırca "Körfez, Özal ve Muhalefet"

public opinion.²¹² The personal style of Turgut Özal was assertive and active as he tried to seek diplomatic channels to enter into close contacts with the US President to influence the course of events, and to articulate the interests of Turkey to international community. He disregarded and bypassed the other institutions in his diplomatic moves. This style also continued in the aftermath of the Gulf War, when Turkey became face to face with the gigantic refugee flow.

After the Ceasefire: Changing Political Context in Iraq

With a loss of 200000 military and civilian lives and major damage to its army, infrastructure, transportation and communication systems, Iraq had to confront repair and reconstruction needs. But the end of the Gulf War marked for Iraq, the start of a civil war. Using the opportunity that arose after the devastating defeat of Iraq by US-led coalition forces, a Shi'i rebellion in the south and a Kurdish rebellion in the north of the country emerged.²¹³ As early as March 5, 1991 newspapers reported that fierce clashes took place between the armed forces loyal to Saddam's regime and Shi'i and Kurdish people.²¹⁴ During the whole month of March, newspapers report the intensity of rebellions in southern cities like Karbala and Najaf and in northern cities like Kirkuk and Sulaimaniah and the passing of the Kurdish cities from Iraqi control to the Peshmerga rule.²¹⁵ As early as the Iraqi invasion of Kuwait, Kurdish groups

²¹² Mustafa Aydın, "Turkish Foreign Policy During the Gulf War of 1990-1991", p. 24

²¹³ Robert Olson, "The Kurdish Question After the Gulf War", *Third World Quarterly*, 13:3, (1992), p. 485

²¹⁴ *Milliyet*, 5 March 1991, "Irak Üç Parçaya Bölündü"

²¹⁵ *Milliyet*, 9.3.1991, "Başkaldırı Yayılıyor"; *Milliyet*, 11.3.1991, "Kürt Ayaklanması Büyüyor"; *Milliyet*, 13.3.1991, "Kerkük'e Saldırı Hazırlığı"; *Milliyet*, 16.3.1991, "Habur'a Kürt Bayrağı"; *Milliyet*, 20 March 1991, "Kürtler Kerkük'te"

under the leadership of Mesut Barzani of Kurdistan Democratic Party and Jela Talabani of Patriotic Union of Kurdistan were alarmed by the possibility of a civil war to gain independence. Encouraged with the words of George Bush who called for the Iraqi people to take control over the regime by overthrowing Saddam Hussein, the Kurds took up their armed struggle, with the expectation of aid from the US.²¹⁶ The Iranian leaders meanwhile announced their supports for the Shi'i rebellion in Iraq taking place in the south.²¹⁷ During this period, Turkey's stance vis-à-vis the Kurdish and Shi'i uprisings was first based on a concern for the preservation of Iraqi territorial integrity and then evolved to envisaging the formation of a federation for Kurd-Arab-Turcoman groups after the end of the civil war.²¹⁸ This attitude is important in terms of the response generated to the refugee influx after the suppression of the Kurdish uprising by Iraqi armed forces. Celal Talabani announced that Kurdistan was liberated from Saddam's rule and ruled by a Kurdish military committee on 22 March 1991.²¹⁹ Thus, towards the end of March 1991, the success of Kurdish rebellion was nearly realized and newspapers conveyed the images of Peshmerga rule in Northern Iraq.

Iraq, devastated as it was both in terms of military equipment and military strength of the army after the end of the war, responded harshly and even if it lost the control of some cities to Kurdish and Shi'i rebels at the beginning, it suppressed the rebellions, demonstrating that it did not lose its offensive military capabilities altogether. Having anticipated internal revolts in case of defeat, Saddam did not send

²¹⁶ Ramazan Gözen, *Amerikan Kışkacında Dış Politika*, p. 326

²¹⁷ *Ibid*, p. 349

²¹⁸ *Milliyet*, 10.3.1991, Nur Batur, "Ankara'da Çifte Sıkıntı"; *Milliyet*, 13.3.1991, Nur Batur and Nilüfer Yalçın, "Kürt Federasyonuna Işık"; *Milliyet*, 13.3.1991, Yalçın Doğan, "Kürt Özerkliğine Özal'dan Destek"

²¹⁹ *Milliyet*, 22.4.1991, "Saddam Kerkük'e kezzap atıyor"

his most loyal 22-army divisions to Kuwait, which first put down in a bloody manner the southern rebellions and then turned their attention to the north.²²⁰ Kurdish forces were disillusioned by the US decision not to get involved in Iraqi affairs and the end of the insurgence was reached when Iraq did not face any objection from the US and the United Nations to use its air forces and heavy artillery targeting the civilian population.²²¹ The result of this disregarding attitude was the crushing of the rebellions, which turned to a genocidal attack to civilians, with scud missiles, causing terror in the populace.²²² With the memory of the previous massacres in 1988, Iraqis began to flee to Turkey and to Iran, which ultimately culminated within the span of a few days in a catastrophic human tragedy that the world could hardly ignore. While Turkey faced 460000 refugees at its borders, Iran had to deal with nearly 1.5 million refugees, numbers denoting a catastrophic situation in the region.

Initial Responses of Turkey to the Refugee Event from Northern Iraq

A newspaper article dating back to 4 March 1991, warns about the possibility of a mass asylum from Iraq to Turkey, because of chaos, famine, and misery that prevailed in the country. The refugee camp near Silopi with hundred of tents, inspected frequently by the authorities of Turkish Red Crescent, is reported to be held ready for such a massive arrival of refugees.²²³ By mid-April, the Iraqi population said to be on move amounted up to one and a half millions, escaping from the atrocities of the central government, heading to Turkish and Iranian borders,

²²⁰ Ronald Dannreuther, "The Gulf Conflict: A Political and Strategic Analysis", *Adelphi Papers* 264, (Winter 1991/92), p. 61

²²¹ *Milliyet*, 29.3.1991, "İsyân Bastırılacak. Birleşmiş Milletler Irak'a Yeşil Işık Yaktı"

²²² *Milliyet*, 29.3.1991, "Kerkük'e Scud Yağıyor"

²²³ *Milliyet*, 4.3.1991 "Kitlesele Sığınmaya Hazırlık"

finding refuge in mountains. By the end of April, within a month after the start of mass flight from Iraq, many disaster relief specialists designated the exodus from Northern Iraq as the most dismal refugee crisis of the fading century moaning with the experience of the displaced.²²⁴ Turkish state, though having envisaged the probability of a massive asylum seeking from Iraq and taken some measures as the newspaper reported, was caught unprepared, as the rest of the world was, by the quantity of asylum seekers from Iraq and by the harshness of the conditions, reigning on the mountainous borders.²²⁵ On 2 April 1991, the newspapers report the entry of 3000 Iraqis from the border region of Şemdinli, Silopi and Uludere and another 5000 waiting for entry.²²⁶ On the same day, the National Security Council headed by President Özal²²⁷ held an extraordinary meeting to examine the events taking place near the southeastern borders of the country and issued a press release declaring its opinion on what should be done, addressing the United Nations “not to stay detached from this trenchant scene”, which was sent as a letter from the Permanent Representative of Turkey to the President of the Security Council. The proposal document underlined the humanitarian approach accorded by Turkey, and the view that Turkey commits itself to take the necessary measures to protect the most basic

²²⁴ *The New York Times*, 22.4.1991, “A Terrible Exodus, in Record Time”

²²⁵ The Independent provides a good evaluation of the lack of preparedness on 21.4.1991: The United Nations, the West and Turkey were blamed for poor planning. The report prepared by The UNHCR predicted that about 400,000 people would abandon their homes as a likely consequence of the Gulf war. Strategies were revised to take care of 120000 refugees, of which 20000 would be in Turkey. The numbers clearly show how far the UN was nearsighted.

²²⁶ *Cumhuriyet*, 2.4.1991 “Türkiye’ye Sığınmacı Akını”

²²⁷ Prime Minister Yıldırım Akbulut, Chief of General Staff Doğan Güreş, Minister of National Defense and the Delegate for the Minister of Foreign Affairs Mehmet Yazar, Minister of Interior Affairs Abdülkadir Aksu, Commander in Chief of the General Command of Gendarmerie Eşref Bitlis, The Secretary for the National Security Council Nezih Çakar and Minister Kamran İnan were present at the meeting. National Security Council’s role is to give advice to the executive branch about the foreign and domestic policies of the country. Article 118 of the 1982 Constitution states that the National Security Council gives opinion on the determination and enforcement of decisions about the national security policy of the country to the Council of Ministers, which gives priority to these decisions”.

human right of the Iraqi civil population, that is the right to life. Still, the emphasis was on the duty of the United Nations and that of Iraq to take conscience of the civil suffering caused, transgressing international laws, respect of human rights to its citizens and good neighborhood relations with Turkey. The statement concludes by asserting that the National Security Council and the government will follow the developments at the borders from a humanitarian and particularly from a security perspective²²⁸. This statement by the institution composed of the highest-ranking executives and bureaucrats of the state, besides the claim of endorsing humanitarian approach, denoted also the perception of the future mass flow as potentially dangerous for the Turkish state. This flow can disturb the functioning of state sovereignty and obligations towards citizens. The statement thus subordinates the humanitarian intervention to the exigencies of state wellbeing hence the priority of state over the persons in need. I will try to analyze how this humanitarian approach with a hidden discourse on the security hence sovereignty considerations as asserted by the institution has been translated into practice and how state institutions reacted so as to generate a reception response to the mass influx of the Iraqis. This will be realized basing on research done on newspapers of the period, the discussions of parliamentarians in the Grand National Assembly and the evaluation of regulations together with the situation in the camps. Furthermore, I will try to give an account of international public opinion on Turkey about the management of refugee influx in order not to restrict myself to one-sided view about the Turkish migration experience. This will lead to the humanitarian intervention aiming to put an end to the humanitarian crisis and its meaning in terms of the impact of refugee movements to national security and internal and foreign policies of the Turkish state.

²²⁸ 1991 Yılı MGK Basın Bildirileri, 02 Nisan 1991, accessible through: <http://www.mgk.gov.tr/Turkce/basinbildiri1991/02nisan1991.htm>

Keeping the Borders Closed: Non-Reception Context in Making

The newspapers from the early days of April reflect the debates among the Turkish officials, parliamentarians, and civil society on whether Turkey should stand firm on not opening its borders and hence not admitting the refugees. The reference point for this decision seems to be in all accounts the experience Turkey underwent during the 1988 mass influx from Iraq, which resulted from the brutal massacres of Saddam's regime towards its civilian population, conducted after the Iran-Iraq war in Halabja. At that time, a total of 60000 Kurds were reported to have crossed the border to the Turkish side. Bowing to the international pressure, Turkey accepted to receive them in valleys, with tent cities established near towns and villages. Half of the Kurds returned back to Iraq while the other half still lived in camps in Turkey and only 600 of them have been accepted by Western states by 1991.

At that time, the international community's argument about Turkey's reluctance of first to receive than to move the asylum seekers to the inner parts of the country from the mountains was that Turkey feared a possible insurrection of its own Kurdish population with the influence of these Kurdish peshmergas, who rebelled against their own government. The interest of the international community quickly faded away and Turkey claimed to be left to its faith when dealing with the burdens that this presence posed on its economy. Furthermore, the aid issue became more intricate when the international organizations made the acceptance of these persons as "migrants" in Turkey the condition for providing funds to projects that would save them from living in tents with the construction of public housing. The economic burden complemented with the concerns for threat to internal stability and deterioration of economic relationships with Iraq, appeal to domestic Kurdish

audience to gather votes and to international community shaped the reception context of the Turkish state during this refugee experience.²²⁹ These conditions can also be detected in the 1991 mass influx of refugees from Iraq. Moreover, Turkey was still struggling with the consequences of the 1988 mass influx when the 1991 mass influx started.²³⁰ When addressing the reservation of Turkey to open its borders, both domestic and international media highlighted this bitter experience between Turkey and the West European countries, which had caused disappointment and reaction on the Turkish side.²³¹ Turkey thus feared to become the buffer zone between the European countries, which declined to receive the asylum seekers, yet continued to exercise pressure upon Turkey to accept the asylum seekers and take care of them.

On 23 January 1991, before the end of Gulf Crisis, Emergency Region Governor Hayri Kozakçıoğlu after referring to the greatness of the Turkish Republic said in his interview that Turkey never turns down refugees who seek help and therefore will receive all the refugees who arrive at the borders, no matter what their religion or race, to take care of them.²³² This statement was given after the first population movements from Iraq, composed largely of evacuees of third country nationals, using Turkey as a passage before returning to their homes.²³³ Though the

²²⁹ Didem Daniş, “Irak’tan Türkiye’ye Kitleli Sığınma ve Ulus-Devlet”, (diss., PhD, Ecole des Hautes Etudes en Sciences Sociales, 2008,) Chapter 2.

²³⁰ To highlight this point the following can be an example: During the days of the Gulf War, when the debates of the Grand National Assembly of Turkey rotated around the issue of sending troops to Iraq, the parliamentarian Mehmet Mükerrrem Taşçıoğlu, informs the other members of the Parliament about the pressures put on Turkey by the Parliamentary Assembly of the Council of Europe. Turkey is asked to fully recognize these asylum seekers as refugees to ameliorate their living conditions in Turkey. See M. Meclisi, B: 71, 22.1.1991, O: 1, pp. 390-399

²³¹ For such a discussion See *Milliyet*, 2.4.1991, “Kürt Göçmen Endişesi”; *The New York Times* 13.4.1991, “Kurdish Refugees from ’88 Exodus Still Languishing in Turkish Camps”

²³² *BBC Summary of World Broadcasts*, 23.1.1991, “Turkish Regional Governor Interviewed on Population Movement Near Iraqi Border”

²³³ Nicholas Van Hear “Mass Flight in the Middle East: Involuntary Migration and the Gulf Conflict, 1990-1991”, p. 67 in *Geography and Refugees: Patterns and Processes of Change* edited by Richard

Governor failed to predict the events to come, as a representative of the state institutions, he claimed the all-embracing stance from the part of the Turkish Republic with what can be called great pretention. This attitude would be in retreat when the first drops of the mass flow started.

The session that took place in the Grand National Assembly of Turkey on 3 April 1991 highlights the opinions endorsed by the government and the opposition parties during the first days of the mass arrivals. The Head of Grand National Assembly of Turkey Human Rights Investigation Commission Eyüp Aşık, started with a long introduction, which accused the Western countries for their constant demands on Turkey regarding the asylum seekers of 1988 without their own involvement in tackling the problems. He continued with the statement that these same authorities now overlooked the butchery in Iraq repeating itself, as they were comforted in that they saved oil wells. He concluded by stating the opinion of the Commission on the steps to be taken to put an end to the sad events. The right of these people to live in their countries should be secured by the authority that had the power to help Kuwait –so by the international force–.

A Kurdish parliamentarian from the Governing Motherland Party, Nurettin Yılmaz, urged the government to either open the borders welcoming the innocent people or to establish the environment in Iraq where they could live safely without fear. Otherwise, he added, those who stay neutral would be punished by History. His speech was full of insults for the Social Democrat People's Party, which had a pacific stance during the War, objecting to get involved in the war. The words of Nurettin Yılmaz and the ensuing debates point to the highly political nature of the issue for the political parties in terms of appealing domestic audience. The Minister

Black, Vaughan Robinson, (London: New York: Belhaven Press; New York: Co-published in the Americas with Halsted Press, 1993).

of Foreign Affairs, Kurtcebe Alptemocin, asserted that Turkey's southeast borders were in considerable danger as more than ten mortar shells from Iraq had hit Turkish soil when Iraqi forces opened fire to the Iraqi civilian population on move. He concluded his talk by stating that Turkey and the Turkish people would be the first to lend a hand to suffering people.²³⁴

These first reactions in the Parliament from the parliamentarians and ministers of the government point to the need of a pressing humanitarian approach on the one hand and to the security danger threatening Turkey on the other. From the very first day, the preoccupation with security concerns was clearly emphasized, and was ever present in the discourses of the Turkish officials until the end of the crisis. The newspapers reported the reactions of members of the opposition parties in the Parliament from Kurdish origin such as Fuat Atalay, Ömer Çiftçi and Mehmet Ali Eren from Social Democrat People's Party (SHP), and Mahmut Alınak from People's Labor Party (HEP). While they defended the entry of the Kurds to Turkey, Atalay went so far as to blame Özal for having set a trap for Kurdish people in Iraq and others blamed the allied forces for having left Kurdish, Turcoman and Shi'i people face the massacres, meanwhile Turkish government encouraged Kurdish leaders to revolt.²³⁵ The words of the leader of True Path Party (DYP) Süleyman Demirel are particularly interesting. He said: "The problem is not whether Turkey can endorse this burden or not. It is whether Turkey can hold aloof to the massacres of people who are at its borders. Turkey cannot hold aloof whoever these people are.

²³⁴ M. Meclisi, B: 102, 03.04.1991, O: 1, pp. 379-394

²³⁵ For these news see *Milliyet* 4.4.1991, "Kürt Kökenli Milletvekilleri: Sınır Açılsın, Seyirci Kalamayız"; *Milliyet*, 4.4.1991, "Bölgeye TBMM Heyeti"

Moreover these people are our brothers. There is no difference between our kinships from Bulgaria and our brothers who come from Iraq”.²³⁶

In fact similar statements of some members of the parliament were common since the end of the Gulf War. Naim Geylani, the parliamentarian from Hakkari district, claimed that Turkey had a duty towards the Kurdish and Turcoman groups in Iraq, who were the kinsmen considerably attached to Turkey.²³⁷ The parliamentarian from Izmir Ahmet Ersin equally underlined that these asylum seekers from Iraq were the kinsmen and relatives of hundred thousands in Turkey.²³⁸ These discourses of the members of the parliament from the opposition parties denoted a liberal national stance, in which they underlined the equal moral worth of the Kurd, Turcoman and other ethnic groups, which necessitated the need to welcome them on Turkish soil on the one hand. On the other, it was complemented with a claim that Turkey needed to endorse their problems because they were the ethnic kin as it was the case during 1989 mass influx from Bulgaria. The attachment of the asylum seekers to the ethnic communities in Turkey was stressed and promoted as the essential link to guide the treatment of the Turkish state against the asylum seekers.

The practice on the borders was quite divergent from these views of opening the borders. The National Security Council warned the Turkish General Staff (TSK) not to let in the asylum seekers even if there is coercion and not to ever open fire. The Iraqis should be persuaded to stay on Iraqi soil.²³⁹ The newspapers reported that soldiers shot to the air and made announcements in Kurdish, Arabic, Turkish and

²³⁶ *Cumhuriyet*, 4.4.1991, “Kabihat Özal ve Bush’ta”

²³⁷ M. Meclisi, B: 54, 7.03.1991, O: 1, pp.242-246

²³⁸ M. Meclisi, B: 103, 30.4.1991, O: 1, p. 483

²³⁹ This anxiety about the possibility of soldiers to open fire was also mentioned by Hikmet Çetin (Secretary General of SHP) to Yıldırım Akbulut, who assured that Turkey would not intervene physically to the Kurds waiting in the border area. *Cumhuriyet* 4.4.1991, “Kabihat Özal ve Bush’ta”

English to persuade them to stay at the Iraqi part. One state minister reminded the criticisms Turkey received when it opened the borders to 1988 asylum seekers. He supported that the events taking place had a multinational character and thus had to be dealt with under the responsibility of UN Security Council.²⁴⁰ The Minister of Foreign Affairs wrote in his note to newspapers that the military operations conducted by the Iraqi army to civilian populations had a nature that threatened the physical, social and economic security of Turkey.²⁴¹ The Minister of National Defense Mehmet Yazar explained Turkey's wish to see these people return to their homes and emphasized that even if Turkey had the will to aid them, this would amount to an oppressive obligation as it lacked the infrastructure to respond to the needs of thousands of refugees adequately. The Minister of Health Halil Şıvgın pointed to the risk of opening the borders because of the possibility of contagious diseases in refugees. The Minister of Finance Adnan Kahveci claimed that the border would definitely not be opened, as Turkey did not have the means to provide for the two million refugees waiting to enter.²⁴²

Last but not the least, Turgut Özal said that these refugees were “our brothers, our relatives” to whom Turkey can aid by providing food and shelter but not by opening its borders. Özal explained that the refugees could be better serviced in Iraq, as the terrain is flat. He challenged the European pressures on Turkey by calling upon the Western governments to accept half of the refugees, of which Turkey would accept the other half.²⁴³ The image of the Western countries in Turkey was a bunch of free riders, asking for the acceptance of the asylum seekers to Turkey while

²⁴⁰ *Milliyet*, 5.4.1991, “Karar Beklentisi”

²⁴¹ *Cumhuriyet*, 5.4.1991, Alptemoçin’in notu

²⁴² *Sabah*, 5.4.1991, “Batı’dan Türkiye’ye Büyük Baskı”

²⁴³ From the interview of Turgut Özal to English TV Channel, Channel4, reported in *Milliyet*, 5.4.1991

endorsing any responsibility to ease the human drama. These views also surfaced in the Turkish media which recommended the calculation of economic, social and security problems while not singling out the obligation to help these hundred thousands of refugees.²⁴⁴ In fact this call of the President was meaningful in terms of the claimed stance of Turkey vis-à-vis the asylum seekers. It alluded to the fact that while the Western European countries exerted pressure upon Turkey to open the borders and accept all the asylum seekers, they lagged far behind when it came to their turn of welcoming them. In fact, the appeal of both liberal national and cosmopolitan stance claiming open borders to assure protection in case of refugee influxes was idealistic but not feasible. It was not because of the foreign and domestic policy that encompassed a wide array of considerations as outlined in this chapter.

The speeches of political figures were marked with compassionate brotherhood messages coupled with concerns about security and sovereignty of Turkey and economic unease as these early statements make it clear. As it can be seen from the above discussion, they denote on the one hand the claim to a liberal approach, public figures repeating several times the greatness of Turkish Republic, the legacy to welcome “those in need” without discriminating between people, who were indeed “our brothers”, and hence to open the borders and on the other the incapacity to welcome them due to economic, and security considerations. This stance stresses the sharing of an ethnic brotherhood with asylum seekers and hence duty of the Turkish state not to remain reserved to their sufferings. This discourse is not divorced from a liberal national understanding that put emphasis on the equal moral worth of newcomers and their attachment with the ethnic community in

²⁴⁴ This media stance will also be cited in the following parts of the chapter. For a first inquiry, see *Milliyet*, 4.4.1991, Sami Kohen, “Türkiye’den Bu Kez Bu Kadar”

Turkey. State interests on the one hand and concern for individual rights on the other thus shaped the reception context as cited from Christian Joppke in Chapter I.

The threat to internal stability posed by economic burdens and the destabilizing force the massive arrivals could pose to internal security was two arguments of the Turkish state faced with refugee inflows. This apprehensiveness resulted in the denial of entry for refugees to the Turkish territory, so the reception context during the first days of mass influx was practically a legal “non-reception” context for the Kurdish refugees. This non-reception context did not mean indifference as to the fate of the refugees admitted to Turkish soil. This reception condition meant on the contrary close inspection and control over the refugees by the Turkish security forces. The refugees lacked legal status guaranteeing their rights vis-à-vis the Turkish state. Furthermore, they relied only on their human rights, the extent of which was also left to the discretion of the Turkish policing. It can easily thus be inferred that the reception conditions differed largely from those of the Bulgarian mass influx in 1989 regarding the legal entitlements the refugees were accorded by the Turkish government.

Apart from the extraordinary meeting of the National Security Council, which declared the call of the Turkish state to international community for a coordinated action under the UN auspices, the only policy instrument that was realized to address the migration crisis was a circular order sent to the provincial governors. This order clarified the conditions under which the migrants from Northern Iraq can be entitled to have a residence permit. According to this circular order²⁴⁵:

- Iraqis who had first or second-degree relatives in Turkey acting as a guarantor to afford their livelihoods in Turkey,

²⁴⁵ *Sabah*, 3.4.1991, “Hangi Mültecilere Oturma İzni Var”

- Iraqis who did not have relatives in Turkey but who could pecuniarily show evidence of providing their own livelihood,
- Iraqis who could grant their livelihoods in Turkey with the monetary means provided from abroad could acquire residence permission.

This circular might have facilitated the transfer of Turcoman people from border areas to inner cities, as they constituted the group within the asylum seekers with greater chance to have relatives in Turkey. The national and international media voiced the claim that there was a preferential treatment for Turcoman people. It was said that Turkish officials made an unofficial selection of Turcoman people among the refugees at the borders although the Foreign Ministry spokesman denied these claims.²⁴⁶ The relationship of Turkey with Turcoman groups in Iraq has been seen as shaped with respect to the interests of Turkey in Northern Iraq in terms of the Kurdish problem. The Turkish state had instrumentalized the Turcoman cause as a way to convey its disquiet about the developments in the region.²⁴⁷ Thus Turcoman groups had been assumed to attain a privileged status within immigrant groups as a result of foreign policy interests. Furthermore they had the legal base for a favorable treatment in Turkey coming from Turkish descent/culture as looked for in the Law on Settlement. During these first days of mass arrivals and also later on, Turcoman associations in Turkey made their presence felt both to Turkish authorities and to public opinion. They organized immediately to gather aid for Turcoman groups within the refugee population heading to Turkey. Furthermore Iraqi National Turcoman Party members organized meetings in Istanbul and Ankara, and presented

²⁴⁶ *Milliyet*, 2.4.1991 “Kürt Göçmen Endişesi”; *Sabah* 5.4.1991 “Kaçabildikleri için Mutlular”; *The New York Times*, 4.4.1991, “Turkey rejects the mass entry of Kurds”

²⁴⁷ Danış and Parla, “Nafile Soydaşlık”, p. 138

a petition to the Turkish Grand National Assembly.²⁴⁸ The preexistence of ethnic Turcoman community in Turkey and its lobbying activities had significance for the reception of Turcoman population within refugees. Furthermore, they also claimed the lack of interest in Turkish press for the sufferings of Turcoman people in Iraq.²⁴⁹ Bülent Ecevit had noted this situation later on, and claimed that Turkey was missing a lifetime opportunity for the advancement of the rights of Turcoman people in Iraq, by concentrating its energy only on developments for Kurdish people and meeting with Kurdish leaders. Thus according to my opinion, it is not possible to assume a preferential treatment that has been systematized during the early days of the inflow but it can rather be said that preferential treatment was practiced when occasions arouse to treat Turcoman people favorably. Such evidence can be found in the transfer of Turcoman groups to refugee camps, which were established in Silopi, Sivas-Kangal, Tatvan and Kayseri-Kuşçu. After the return of the Iraqis to “safe havens”, so by May 1991, the percentage of Turcoman people compared with Kurds and Chaldean or Assyrian Christians from Iraq is relatively low in these camps (2% in Silopi camp, which has the biggest refugee population after the returns). This was attributed to the fact that they had the chance to have temporary residence permits, which gave them access to cities like Istanbul and Ankara.²⁵⁰

In a newspaper article, the announcement of a new implementation is particularly important: Turcoman refugees in Derecik and Yeşilova would be transferred to Şemdinli camp prepared by the Turkish Red Crescent. The Governor of Şemdinli claimed that Turkey did not accord a preferential treatment for

²⁴⁸ *Milliyet*, 7.4.1991, “Ankara’da Irak’ı Protesto”, *Milliyet*, 7.4.1991, “Konsolosluğa Abluka”

²⁴⁹ *Cumhuriyet*, 6.4.1991, “Iraklı Muhafif Türkmen Örgütleri: Bize de İlgi Gösterin”; *Milliyet*, 11.4.1991, “Ecevit’in Değerlendirmesi: Kürtleri Özal ve Bush Kışkırttı”

²⁵⁰ Muhterem Kaynak, “Iraklı Sığınmacılar ve Türkiye 1988-1991”, pp. 78, 82, 87

Turcoman people. He provided an explanation for their selection by saying that these people were highly educated, had relatives in Turkey and could easily gain their livelihoods.²⁵¹ The numbers to be transferred amount to 15000 according to this account, which means a clear advantage for Turcoman groups whose numbers during the mass influx was set to 37000.

The argument put forward by Portes and Böröcz on the conditions of medium receptivity from the host states towards some migrant groups can be reminded at this point to understand the Turcoman refugee case in Turkish context. In this model, the governmental apparatus permits migration though not actively supporting it. The newcomers have the possibility to compete within the host society and advance, if equipped with skills, as the prejudices are not severe. On the other hand, interviews that I made with five Turcoman Iraqis, who arrived in 1991 and acquired Turkish citizenship in 1993, demonstrated that they have been transferred to Kayseri camp with their families after they entered from the Turkish border. They said that the Turcoman groups who have been transferred to these camps then mostly had the chance to have residence permits and move to Istanbul or Ankara. They also claimed that the acquisition of citizenship came as a way Turkish state wanted to regularize the temporary status of the Iraqis, threatening them to deport if they did not acquire Turkish citizenship. This was a long-awaited decision by the Iraqis at that time. They also uttered bitter feelings about the difference in the treatment of the Turkish state from that of Turks from Bulgaria.²⁵² One interviewee went as far as to say that

“Turkey gave those Bulgarian gypsies citizenship status and procured them with

²⁵¹ *Cumhuriyet*, 23.4.1991 “Türkmenler Şemdinli’ye Yerleşiyor”; *Milliyet* 25.4.1991 “Türkmenler İçin Sığınma Kampı”

²⁵² Brief interviews I have done for the purpose of the TUBITAK project, entitled “Yeni Göçmenlerin Örgütlenme Biçimleri: Bulgaristan Türkleri, Iraklı Türkmenler ve Moldavlar Üzerine Karşılaştırmalı Bir Analiz”, conducted by Didem Danış, Mine Eder, Ayşe Parla, (2008)

public housing. When we came in 1991, the Turkish state did not want us. It gave the citizenship status years later. Besides it did not accept all of us. Some of our people were put on tents and then were sent back.” This lack of housing and other kind of aids accorded to Turks from Bulgaria has always been a sore point with the Turcoman groups.²⁵³

This shows the weakness that would result from the insistence to explain migration responses basing solely on identity politics and adherence from the state to an ethnonationalist stance to exalt the Turkish ethnicity. Furthermore, the idea of a partial stance towards co-ethnics in terms of welcoming them to the state because they are similar with the already existing political community did not apply in the Turkish immigration and asylum policies. Would it been only this concern with protecting the “communities of character” that existed in the Turkish society, similar reception conditions would be expected for both the Turkish ethnic community from Bulgaria and from Iraq. This was not the case and constituted the heart of the complaints of Iraqi refugees from Turkish descent.

De Facto Open, De Jure Closed Borders: Inventing Ways to Tackle With The Refugee Flight

Turkey’s proposal to the United Nations Security Council of 2 April was merged with the French proposal of 4 April 1991. Condemning the repression of the Iraqi civilian population, the Resolution 688 accepted on 5 April 1991 the need for a coordinated approach for the relief aid to be provided to the displaced Iraqi people, and called Iraq to work together with the international humanitarian organizations in

²⁵³ Tarık Tufan, “Irak’ta Türkmen Azınlık ve Kerkük’lü Göçmenler”, (Marmara Üniversitesi Ortadoğu ve İslam Ülkeleri Enstitüsü, yayınlanmamış yüksek lisans tezi, 2001,) cited in Daniş and Parla, “Nafîle Soydaşlık”, p. 139

order to help to persons in need and thereby remove threats posed to the regional peace and security.²⁵⁴

On 6th of April 1991, the Emergency Region Governor explained in his briefing that the border with Iraq was de facto opened even if it was legally closed; the Iraqi refugees were not allowed to go inland but 246,000 of them were already on Turkish soil.²⁵⁵ There has been quite confusion stemming from the speeches delivered by state officials about the situation at the border area. Before this statement, the assertion was that Turkey would not expose itself to the pressures of the refugee flow and hence not open the borders. On the same day, newspapers reported the pressures coming from the European powers and international organizations to open the borders to Iraqis. The European Parliament claimed that Turkey had a moral obligation while Amnesty International urged Turkey to admit Iraqis; both pointing to the need of aid from all Western states and international organizations.

Turkish officials including President Turgut Özal, Deputy Minister Kamran Inan, Turkish Ambassador Nurver Nureş in their interviews with international media organs asserted that Turkey's border with Iraq was not closed and there were already 100,000 refugees on the Turkish soil.²⁵⁶ Repeating the Turkish will to aid those persons "who are our neighbors" for "humanity", Government Spokesman and Deputy Minister Kemal Akkaya reasserted that the borders were closed but the refugees were let in. Prime Minister Yıldırım Akbulut claimed that Turkey was ready to accept these persons and provide them with shelter and share food, jobs and that

²⁵⁴ UN Resolution 688 Passed on 5 April 1991, accessible through <http://www.un.org/Docs/scres/1991/scres91.htm>

²⁵⁵ *The Toronto Star*, 5.4.1991, "250,000 Kurds flee over Turkish border"

²⁵⁶ *Cumhuriyet*, 6.4.1991, "Batı'dan Vaat"; *Cumhuriyet*, 6.4.1991, "Askeri Müdahale İsmiyor"; *Milliyet*, 6.4.1991," 3 HEP'li Açlık Grevinde"

“it does not want them to suffer and threatened with death”. Reminding the criticisms of Western states in 1988 mass influx about Turkey’s mistreatment of refugees, he called them to share the responsibility in this influx, which would challenge far too severely Turkey’s resources. All public figures underlined the need to find solution to the refugee problem on Iraqi soil.

Assessing these facts together with the UN Resolution 688, the interpretation of Turkey that abstained from declaring that it legally opened the borders was the fear that the attention of international community would quickly fade away and it would be left alone to take care of the refugees. This attitude was in continuity with its first response to mass arrivals, the non-reception at the borders, which triggered the acceptance of the UN Resolution. The underlying logic in these early actions by the Turkish state is thus an impulse to evade from a repetition of the events in 1988, in order to secure the regional and domestic stability as its infrastructural strength was far too limited to catch up with the refugee needs, and to alleviate the economic and social burdens that would be posed on it with an influx of nearly half a million refugees. The change in direction of the official state discourse to open the borders was a consequence first of increasing international pressures²⁵⁷ and second Turkey’s concern for its deteriorating human rights record in the eyes of the Western community to which it wanted to make part. From this day onwards, journalists from national and international media were given the permission to visit the border areas where the refugees arrived and were held by the Turkish General Staff soldiers.

²⁵⁷ *Cumhuriyet*, 5.4.1991, “Ankara’ya sınırı Aç baskısı”; *Cumhuriyet*, 5.4.1991, “Özal Batı’dan güvence istiyor”; *Cumhuriyet*, 6.4.1991, “Batı’dan Vaat: Sınırı aç yardımı al”

Illustrating Turkish State Reception: Refugee Camps and Humanitarian Assistance

Following Giorgio Agamben on the definition and place the camp occupies in modern states, first point to note is its independence from judicial control and judicial order.²⁵⁸ The camp is defined as the materialization of the state of exception, where the law cannot be distinguished from the facts and thus there remains no sense to question the legality or illegality of what happened in the camp.²⁵⁹ Agamben shows that camps can be found in every place where the normal order is disbanded and where the good manners and moral considerations of the police acting as sovereign determine whether or not atrocities and crimes are committed. So for Agamben, the area where the foreigners asking for refugee status are detained makes up a camp.²⁶⁰ The detention of the Iraqis in the Turkish-Iraqi border zone provides another example for such a camp as it exists in modern state system. Adhering to the argument by Agamben, the biggest part in this section is based on the description of camps, facts, practices and discourses as a way to highlight the law that reigned for the refugees and their reception context.

The camps in the border area between Turkey and Iraq, which covered one kilometer from the Turkish and one kilometer from the Iraqi side under the control of the Turkish soldiers (a de facto security zone) were depicted as apocalyptic. The scenes from various camps covered the newspapers, most of the time as front-page headlines with heart breaking descriptions of the infernal daily lives of the refugees. Uludere, the district of Hakkari covering the camps in Kayadibi, Işıklar, Yemişli, Andaç, and Çukurca, the district of Şırnak covering camps in Üzümlü, 49 No'lu

²⁵⁸ Giorgio Agamben, *Homo Sacer: Sovereign Power and Bare Life*, p.169

²⁵⁹ Ibid, p. 170

²⁶⁰ Ibid, p. 174

Hudut Taşı, Işıklı, are steep border areas with Iraq, from which the refugees passed to the Turkish soil and where they had been sheltered or prevented to penetrate to the inner parts of the country.

During the first week of April, the construction of tent cities for refugees began but their transfer to these places took time during which the refugees waited in the inhospitable frontier zone. The steepness of the location complemented with the cold weather conditions caused the drama for hundreds of thousands of refugees. Having visited Işıkveren and witnessed the impossibility to bring aid in a healthy manner to these sharp zones, on 14 April 1991 Prime Minister Yıldırım Akbulut announced the intention to transfer the refugees from mountainous sites to the valleys and the preparation of accommodation facilities established for Muslim pilgrims in Silopi to the use of Iraqi refugees.²⁶¹ This was the first instance of the Turkish Government to accept legally the presence of the Iraqis on Turkish soil. This was also recognition from a high-profile state official of the difficulty of managing refugee aid within these areas, referred almost exclusively as “hell” in national and international press.

The worst places where the refugees were detained are portrayed as a spectacle of suffering and horror: children dying from malnutrition and diseases in the arms of their parents, women and men burying their children or the elderly, people washing their dishes (which were generally used cans), and clothes in stagnant water, drinking the same water, sleeping under plastic bags turned into primitive tents, wetting under the cold rain, without warm cloths, with slippers or without anything to put on to their feet walking in the mud mixed with excrement

²⁶¹ *Cumhuriyet*, 14.4.1991, “Akbulut: Kürtler Ovaya İnecek”

and urine.²⁶² State officials articulated the fear of contagious diseases from water. The scarcity of water was a challenging problem on its own. Minister of Health and Emergency Region Governor, noting the lack of water in Işıkveren, called the international community to aid so that women and children could be transferred to more hospitable camps in Silopi and would not die.²⁶³ The call for international relief aid concluded nearly all the statements of state representatives, as the previous one, which indicated a considerable degree of pitying refugees and turning them into subjects to take care of, which the Turkish state could not cope with alone. The dependence of the refugees to the Turkish authorities for food, shelter, and health services had led to the infantilization of refugees not only among the state officials (which could be detected in the use of refugee qualifications as “poor Kurdish people”,) but also in the newspapers, communicating images of refugees taken to Turkish baths, dressed in their loincloths and many others.²⁶⁴ This attitude of infantilization points to a patronizing, paternalistic practice that increases the magnitude of State control over the refugees. The camps denote the main instrument of the state to administer, order and control the refugees even in their most basic daily activity.

There were also tent cities constructed in Silopi like Yekman, where relatively few people were hosted, which assured organized distribution of food, water and health services. One other noteworthy instance was the embroilment between the state health services staff and bureaucracy as the health services proved

²⁶² News about the camps can be found every day of April 1991 newspapers. To cite only a few portrayals of camps: *Milliyet* 9.4.1991, “Sığınmacıların Kampı Cehennem Gibi”; *Cumhuriyet*, 13.4.1991, Orhan Pamuk “Tanrı onları unuttu”; *Sabah* 9.4.1991, “Kamplar Can Pazarı”; *the Toronto Star*, 19.4.1991 “Tent city a paradise for refugee Kurds”; *The Independent*, 14.4.1991, “Camps squalor breeds disease and despair”

²⁶³ *Milliyet*, 16.4.1991, Briefing of Halil Şıvgın and Hayri Kozakçıoğlu

²⁶⁴ *Milliyet*, 21.4.199, “Sığınmacının Hamam Sevinci”

to be one of the tougher duties in managing the mass influx of refugees. There was even one instance when the doctor got into custody because he protested against the scarcity of medicaments.²⁶⁵ The independent medical humanitarian organization Médecins Sans Frontières had difficulties in having permission to operate in the region, and was the sole international organization with operation permission. Complemented with practical difficulties from language, the insufficiency of health services contributed to the image of Turkey as a cruel, under-developed Third World country in the eyes of international journals. This was further exacerbated with the death of Iraqi asylum seekers as a result of harsh living conditions, cold and diseases.²⁶⁶

The facts in the camps denote the nature of the relationship between the Turkish state and the refugees. As Agamben notes, the facts and law cannot be separated in camps.²⁶⁷ It becomes thus imperative to reserve a discussion on the refugee camps at this point. First of all, the insufficiency of all kinds of materials needed by the Iraqi refugees, particularly food supply, marked the complaints of both the State officials and the refugees, which in return caused the deterioration of relationship between the refugees and the State officials. The reasons for the scarcity were manifold, and the principal one was the challenging number of the refugees. This can be illustrated even with the example of the difficulty to respond to the bread demands of 500000 refugees: the capacity of the bakeries in the region is set to 11000, a number far too low to meet the needs.

²⁶⁵ *Milliyet*, 11.4.1991, “Sığınmacılar geri kaydırılıyor”

²⁶⁶ *Cumhuriyet*, 19.4.1991, “3 Günde 100 Ölüm”

²⁶⁷ Agamben, *ibid*, p. 170

On the other hand the first aid delivered to the refugees came from the local population, before the Turkish state aid could reach the region.²⁶⁸ This was mainly because of the impossibility to reach these remote places by trucks due to the lack of adequate roads, blocked further with rain. When the trucks arrived, the chaos generated by the refugees to plunder the food and goods caused the very instance of confrontation between the security forces and the refugees in the camps. The law among the refugees was the survival of the fittest, using all their force to get food, tents, blankets distributed, as lagging behind the others meant bowing to hunger and cold. The commitment from the soldiers to distribute aid materials in an orderly manner and the fever of the refugees to get them quickly resulted several times in the opening fire of the soldiers to the air. Furthermore, the security forces and refugees, living practically under the same conditions, started to lose their tempers respectively. The disorganization and mismanagement became the rule, apart from camps in Yekman, Kayadibi, Ortaköy and Andaç. The state officials were generally blamed for their incapacity to secure better functioning in the camps: there were allegations about delaying the distribution of food aids, making them wait at the yards of the state buildings to get moldy.²⁶⁹ The camps in Uludere, Çukurca were deprived of food supply, where events escalated in several instances. One demonstration of the refugees was reported after a long night under snow without having food and blankets or tents for protection. This tentative was dispelled by the security forces.²⁷⁰

²⁶⁸ *Milliyet*, 6.4.1991, “Hiç Olmazsa Çocuklarımızı Alın”

²⁶⁹ *2000’e Doğru*, 21.4.1991, “ABD’nin yardımı da vuruyor”

²⁷⁰ *Milliyet*, 11.4.1991, “Sığınmacılar geri kaydırılıyor”

The newspapers were thus full of news that communicated the clashes between refugees and soldiers that occurred in the form of fighting and throwing stones, which were generally stopped by shootings to the air from the Turkish forces dismantling the refugees. Furthermore conflicts occurred when the refugees tried to go further inside in order to sell their personal belongings and the soldiers forbade this entry. The visits to relatives in nearby villages were governed with a strict logic of “çarşı izni” (market permission), denoting the military governance in the camps.²⁷¹ These attempts from the part of the refugees to reach cities were responded by the Gendarmerie, resulting in the fighting of the two groups. There are reports on the death and injury of refugees caused by these fire openings.²⁷² The explanation from the state figures was that these were isolated incidents, which could not be attributed to all security forces operating in the region, but which showed the context of reception for refugees in overcrowded camps.²⁷³

Furthermore, some refugees from separate tribes got involved in fights while plundering the lorries, before they could reach the camps and also some with local population in Yemişli to procure food. The life in the camps formed its own rules and crimes that remained unpunished. The refugees were at the mercy of the Turkish security forces and particularly so when there was a ban on the entry of journalists to the camps during the first days of the mass influx. The strict control over the refugees in the camps denotes an omnipresence of the Turkish state in this state of exception reigning in the camps. The refugees who had relatives in nearby villages

²⁷¹ The soldiers making their compulsory military service in Turkey have the permission to go downtown during the weekends for a limited period of hours.

²⁷² *Milliyet*, 8.4.1991, “Sığınmacı Akını”; *Milliyet*, 10.4.1991, “Sığınmacılar Jandarmayla Çatışıyor”

²⁷³ *Milliyet*, 21.4.1991, Hayri Kozakçıoğlu supporting the Turkish soldiers in the region against the accusations of harsh treatment of the refugees from international press agencies

could only see them within determined areas, under the inspection of Turkish security forces.

The vulnerability of the camps and of the refugee image was further enhanced with the statements of state officials about the probability of terrorists penetrations to the country through these camps. The civil war between the Kurdish insurgents of the terrorist organization Kurdistan Workers' Party (hereby PKK, after its initials in Kurdish) and Turkey was at its height and state officials had doubts whether these refugee camps could cover for the sneaking of the terrorists into Turkish territory. During the first days of the mass arrivals, PKK terrorists who got into Turkey with the refugee groups had killed nineteen Turkish soldiers.²⁷⁴ The Head of Grand National Assembly of Turkey Human Rights Investigation Commission Eyüp Aşık posited that chance and claimed that the control of these terrorists within the country would never be possible, which Turkey would pay in the future.²⁷⁵ The perception of the camps as a source of threat as they could be sites of penetration by terrorist groups by the Head of Human Rights Investigation Commission was particularly significant. The refugee reception from Iraq by Turkey was not and could not be separated from security concerns. The military troops had been accumulated to the Iraqi border as a precautionary measure as early as 3 April 1991²⁷⁶. Hayri Kozakçıoğlu later asserted a counterview as he warned the public not to believe in rumors about terrorist penetrations sneaking into Iraqi refugees, who did not have any connection with terrorist activities.²⁷⁷ This preoccupation with security

²⁷⁴ *Güneş*, 4.4.1991 “PKK militanları pusu kurdu: 19 Şehit”

²⁷⁵ *Milliyet*, 10.4.1991, “Zaho’da Tampon Bölge”

²⁷⁶ *Cumhuriyet*, 3.4.1991, “Yüzbinlerce Iraklı Türk sınırında sıkıştı”

²⁷⁷ *Milliyet*, 25.4.1991, “Sığınmacıların terörle ilgisi yok”

and control left its place to disorganization, concerns of costs and to mixed signals when humanitarian assistance is taken into consideration.

As the description of the camps showed, reaching the refugees and distributing aid have been considerable problems in terms of the organizational capability of state institutions. Moreover, the cost of the refugees to the state has been frequently articulated both by public authorities and the media organs. In this respect, the discourses of state officials are particularly significant for the discussion of partiality and impartiality of Turkish state towards the refugees. The governor of Hakkari at that time, Şahabettin Harput, in his briefing had used austere expressions about the burden of aiding the refugees. He claimed that Turkey was not bound and responsible to shelter and feed the refugees, as it did not invite them. He added that the Hakkari governorship helped them only with an ethical and humanitarian sense even though local population of Hakkari had pressing problems. He asked which country would pay for the harm done to his own citizens, whose belongings have been repudiated by the refugees.²⁷⁸

The civic government officials of Uludere also used the word “self-sacrifice” to describe the aid given to Iraqi refugees.²⁷⁹ Deputy Minister Mehmet Keçeciler made similar comments by claiming that given the numbers of its own poor and unemployed, Turkey could not afford to accept new ones.²⁸⁰ The economic burden was recurrently expressed in the newspapers either in terms of yearly costs of previous refugees from Iraq, Iran and Bulgaria and projections with the potential costs of 1991 refugees, comparing the amount spent daily for refugees exceeding the

²⁷⁸ *Milliyet*, 12.4.1991, “Türkiye’ye hediye ettikleri trajediye kulak tıkadılar”

²⁷⁹ *Milliyet*, 15.4.1991, “Belediye Çaresiz”

²⁸⁰ *Sabah*, 8.4.1991, “Havadan Yardım Yağıyor-Keçeciler’in sözleri”

daily costs of the irrigation project of the southeastern Anatolia.²⁸¹ The Governorship of Hakkari in its report on the amount of damages done by the refugees in the plunders of border villages uses the word “nightmare” to depict the impact of their mass arrivals.²⁸² All state officials from governors and ambassadors to prime minister and deputy ministers provided regularly in their news conferences the breakdown of aid and food provided to refugees, comparing them with that provided by Western countries and international organizations, which lagged far behind. The research conducted with the support of the Directorate General of Civil Defense under the Ministry of Interior provides a meticulous breakdown of expenditure done for the asylum seekers both for 1988 and 1991. The research also enumerates the damage done by the asylum seekers on the economy of the region and on the environment, in the form of harm done to personal articles, to public property, to environment and to the labor force.²⁸³

The complaint of Turkey was that the degree of international involvement in the Middle East during the Gulf War was not present in the refugee tragedy. The humanitarian assistance from the West and international organizations was generally conceived not only as inadequate but also inappropriate: the US dropped aid packages from helicopters and planes which killed and injured refugees, or fell to mined territory between Turkey and Iraq, causing explosion and harm to refugees nearby.²⁸⁴ Meanwhile, the organization, which is supposed to have the greatest presence and make the greatest effort, seems to be missing in the picture. The UNHCR is not cited in refugee aid efforts until the creation of safe havens in Iraq.

²⁸¹ For examples see *Milliyet*, 6.4.1991, “Sığınmacıların Türkiye’ye Maliyeti,”; *Milliyet*, 16.4.1991, “Sığınmacıların günlük faturası GAP’a eşit”; *Milliyet*, 14.5.1991, “Zarar 16 Milyar”

²⁸² *Milliyet*, 14.5.1991, “Zarar 10 Milyar”

²⁸³ See Muhterem Kaynak, “Iraklı Sığınmacılar ve Türkiye”, pp. 90-101,113-136.

²⁸⁴ *Milliyet*, 11.4.1991, “Yardım paketi altında can verdiler”

The leverage of domestic audience in terms of exercising pressure upon the government remains weak when compared with the 1989 mass influx from Bulgaria. The political consensus that maintained the obligation to help the refugees from Bulgaria as voiced in the mass media was different even if present in the case of Iraqi refugee crisis. While the mass media stressed the importance of providing help to refugees in terms of humanitarian principles, the issue of security and sovereignty raised out of the establishment of a security zone occupied the agendas in the newspaper articles apart from the tragic accounts of the living conditions reflected from the refugee camps. This can be attributed to the intricacy of the refugee event in terms of the involvement of foreign policy dynamics. Nonetheless, the handling of the refugee event by the mass media had impact on raising consciousness for providing aid to refugees.

Hence, Turkish public opinion was considerably alerted for the collection of aid contributions. Several civil society organizations, and citizens collected aid, in the form of money and goods, from adjacent cities to the region and of the region.²⁸⁵ The international press agencies focused exclusively to the aids from local Kurds. They underlined the brotherhood argument between the local Kurds and refugee Kurds from Iraq frequently, and referred to the distrust between the Turkish state and the local population. The press agencies of Britain, Germany and France claimed that the Turkish soldiers confiscated the supplies of local Kurds and sold them.²⁸⁶ The interviews with local Kurdish population repeated the argument that the local Kurds wanted their kinsmen in their villages and that the bulk of aids delivered to refugees by the Turkish state were coming from Kurdish population. The articles by

²⁸⁵ *Milliyet*, 12.4.1991, “Yardım Kampanyaları”

²⁸⁶ *Cumhuriyet*, 15.4.1991, “Türkiye Avrupa’da Gündemde”

international newspapers were marked by this dichotomization between the Kurds versus the Turks. The resulting approach in the international public opinion is that the reluctance to let refugees in the inner cities stemmed largely from the domestic politics of the Turkish state.²⁸⁷ Turkish state representatives, on the other hand, refused the linkage of the refugee crisis with the internal Kurdish problem of Turkey.

However it should not be forgotten that demonstrations in Diyarbakır, hunger strikes among parliamentarians from HEP, international conferences on Kurdish issue reminded the public opinion about the solidarity around the Kurdish cause²⁸⁸ and the presence of a population connected with ethnic and family ties to the refugee population, who regarded the sufferings with great sympathy, could not be dismissed by the government.²⁸⁹ Yet, the Turkish officials' main stance remained one aiming not to present the crisis as an internal political issue but adherence to the economic and security considerations. Until the opening outs about the Kurdish problem by President Özal, the mentioning of Kurdish question was almost a taboo in the official state discourse. However, during and after the mass arrivals, the Turkish official stance was to give mixed signals. Thus while in their briefings, the President, Prime Minister and other executives mentioned the brotherhood argument, the links of the asylum seekers with blood and ethnicity ties to the local population, they constantly insisted on the urge to move the refugees back to their homes in Iraq and declined to permanently host them. The statements were in fact marked with liberal national aspirations, blurred with denial of entry on security and economic grounds.

²⁸⁷ *BBC*, 6.4.1991 "President says Turkey will do what it can; others must also help refugees"; *The New York Times*, 7.4.1991, "250,000 Kurds flee over Turkish border"; *The Independent*, 9.4.1991, "Kinsmen across border open hearts to refugees"; *The New York Times*, 17.4.1991, "Turks Angry as Kurds"

²⁸⁸ *Cumhuriyet*, 15.4.1991, "Diyarbakır'da olaylı miting: 10 yaralı"; *Milliyet*, 6.4.1991 "Üç HEP'li açlık grevinde"

²⁸⁹ Kemal Kirişçi, "Huzur mu Huzursuzluk Mu: Çekiç Güç ve Türk Dış Politikası (1991-1993)", p. 199 in *Türk Dış Politikasının Analizi* edited by Faruk Sönmezöğlü, (Istanbul: Der Yayınları, 2001).

In fact, as depicted in this chapter, the Turkish high-ranking state officials delivered messages of brotherhood, equality of all persons in terms of moral worth and duty to aid the refugees throughout the event but at the same time underlined the inadequacy of the Turkish economic resources for endorsing such an open door policy. Furthermore, the primacy of state sovereignty prevailed over the humanitarian approach, which was already soiled with the discomfort due to internal policy problems regarding Kurdish issue. Furthermore, the magnitude of the crisis dwarfed the humanitarian aid acts of the Turkish state.

While the United Nations was called by Turkish state to take action for humanitarian relief efforts, the leaders and deputies of opposition parties were firmer in their support for refugee reception. The party leaders delivered messages of brotherhood with the Iraqi Kurds. Erdal İnönü, of SHP, said that those people were “our brothers whatever their religion or sect”²⁹⁰, whereas Süleyman Demirel, of DYP explained this brotherhood by referring to the artificial borders between the two populations in Turkey and Iraq which change only their citizenship. On another instance he claimed that Turkey could never have remained neutral to this human tragedy, as this would have jeopardized its own unity.²⁹¹ He asserted several times that there was no difference between the Turks from Bulgaria and Kurds from Iraq and that remaining neutral was not an option for Turkey.²⁹² One must not forget that the general elections of the Turkish Grand National Assembly would be held on October 1991, which might have urged the leaders of the opposition parties to give messages of brotherhood to the Kurdish voters. As the newspapers of that period

²⁹⁰ *Milliyet*, 12.4.1991, “Dramdan BM sorumlu”

²⁹¹ *Cumhuriyet*, 4.4.1991, “Kabahat Özal ve Bush’ta”; *Milliyet*, 6.5.1991, “Batı Kürt devleti peşinde”.

²⁹² *Cumhuriyet*, 4.4.1991, “İnsan mı petrol mü daha değerli?”

highlights, the terrorist activities of PKK dominated the political scene in Turkey, which in turn had repercussions for the elections of 1991.²⁹³ Turkey's responsibility in the refugee situation, which was considered as an outcome of President Özal's Gulf war policies was also relevant within the discourses of political figures. This point of view urged for the welcoming of "these persons who are our brothers" by opening the borders on the one hand, and on the other the need for change in foreign policies, which lacked seriousness, were opportunist and shortsighted, leading to human tragedies.²⁹⁴ It was again President Özal, who came up with the solution to the refugee crisis that would be discussed during the years to come, dominating the political scene as during the Gulf War, with his personal initiative and decisions.

Creation of Safe Havens, Security Concerns, End of the Crisis

The creation of safe heavens was a turning point in the post-cold war period, as it merged humanitarian and peacekeeping activities in an unprecedented way.²⁹⁵ President Özal, basing on the Resolution 688 of the United Nations, in one of his interviews brought forward the idea of the formation of a UN force, which would procure the security of the Kurds by the establishment of a buffer zone or a safe haven in Northern Iraq.²⁹⁶ This proposal became the agenda item of the other countries, which responded to this proposal generally in a positive way. Britain called the Security Council of the UN for the realization of safe havens but changed

²⁹³ Hamit Bozarslan, "Turkey's elections and the Kurds", *Middle East Report*, No.199, Turkey: Insolvent Ideologies, Fractured State (Apr. - Jun., 1996), pp. 16-19

²⁹⁴ *Milliyet*, 3.4.1991, "Demirel ve Çetin: Özal dökülen Kandan Sorumlu. Kürt Politikasına tepki"

²⁹⁵ Arthur Helton, *The Price of Indifference: Refugees and Humanitarian Action in the New Century*, (Oxford: Oxford University Press, 2002,) p. 175.

²⁹⁶ *Milliyet*, 8.4.1991, "Kürtlere güvenlik bölgesi"

the proposal by adhering for a rule by Iraqi civilians as opposed to UN rule. The European Community with its Council decisions declared its support for the idea. The United States on the other hand, while not endorsing an official stance, distanced itself from the proposal and evaluated it as one that could only bring partial solution to the problem. The general euphoria dissipated when the permanent members of the Security Council mentioned their stance against intervention to the internal affairs of Iraq.

The discussions loosened up with the agreement on the creation of a buffer zone that would mean a temporary solution. The ban exercised by the US over Iraq to use helicopters over 36th degree of latitude on 11 April to conform the Resolution 688 meant the start for buffer zone creation. On 13 April the US began to transfer military troops and aid materials; 8500 American soldiers would enter Northern Iraq and form temporary shelter areas.²⁹⁷ The operation, called “Operation Provide Comfort,” would first deliver the relief materials to the necessary places, and then set up humanitarian relay stations along corridors between the camps in Turkey and Iran and the places of origin in Iraq, where the returnees could receive assistance. When the full functioning in these stations would be secured, the UNHCR would be the follow-up agency to the operation.²⁹⁸

The humanitarian intervention thus aimed to redress the citizen/nation/state hierarchy, by securing the return of the Iraqi refugees to their homes, and overcoming the threat posed to the internal stability of the regional countries asserted

²⁹⁷ *Cumhuriyet*, 10.4.1991, “Tampon Bölgeye Sıcak Bakış”; *Cumhuriyet*, 11.4.1991, “ABD’den Irak’a: Helikopter kullanma”; *Cumhuriyet*, 12.4.1991, “Kürt Bölgesine ad aranıyor”; *Cumhuriyet*, 13.4.1991, “ABD’den yardım operasyonu”; *Milliyet*, 14.4.1991 “Rahatlama operasyonu”

²⁹⁸ Annick Roulet, “Persian Gulf: An Unprecedented Challenge”, *Refugees*, (June 1991,) p. 14.

by political figures, journalists and political scientists.²⁹⁹ An agreement had been reached between the UN and Iraq on 18 April 1991 on the establishment of humanitarian centers on Iraqi territory.³⁰⁰ On 21 April 1991 the French and American military transports entered Iraq via the Habur border gate. It has been reported that Turgut Özal called President Bush three times to reconcile him to engage in humanitarian operation.³⁰¹ His personal initiative had been widely criticized by the opposition party leaders, on accounts of not informing the Ministry of Foreign Affairs, the Government and the National Security Council on this sensitive proposal, which had significant meaning for the Turkish foreign policy. Bülent Ecevit from the Democratic Leftist Party evaluated the future of the buffer zone as a “counter-state”, open to terrorist penetrations, under the de facto control of the US, which would exercise pressure upon Turkish and Iraqi governments. Süleyman Demirel from DYP articulated his concerns about the “Palestinization” of the Kurdish camps, which points to the possibility that these camps would not be temporary and refugees will spend years without having the chance to return home as was the case with Palestinian refugees and they would be used for the recruitment of the PKK terrorists and pose continuing threat to Turkey.

The comprehensible reason for this concern can be found in the words of Abdullah Öcalan, the leader of the PKK, in an interview he gave to a Turkish periodical. He says: “...They (the Kurdish refugees) are in the mountains. It is very easy for us to get into the camps; we can already do this...we could not elicit the developments we wanted to see in these kinds of massive migrations and massacres

²⁹⁹ Nevzat Soğuk, *States and Strangers: Refugees and Displacements of Statecraft*, pp. 191-195

³⁰⁰ *Milliyet*, 19.4.1991, “Bağdat-BM anlaştı”

³⁰¹ *Cumhuriyet*, 21.4.1991, “Bush Özal’ın imdadına yetiştii”

before. But now, the party and the guerilla organization are strong and prepared to turn these kinds of events to its advantage”.³⁰² The Turkish ambassador to Washington Nüzhet Kandemir in his press statement asserted that migration brings security problems and that PKK terrorists were struggling to get into Turkey via the camps and agitate asylum seekers against security forces.³⁰³ The extent to which the creation of “safe havens” would be temporary and the consequences of a permanent Kurdish entry in Northern Iraq for Turkey were debated in daily journals. Such creation was evaluated as a potential threat for the integrity of Turkish Republic.³⁰⁴ The anxiety became more pronounced with the decision of the European Parliament on the need to find political solutions to the Kurdish problem in all the countries they live.³⁰⁵ The agenda item shifted from humanitarian aid to safe havens and to the potential for a Kurdish autonomous region at the end of the refugee crisis in Turkey and its meaning. Some columnists had underlined the fact that the revival of Sevres syndrome and production of conspiracy theories should not be accredited and the attention should be accorded to the humanitarian aspect of the operation.³⁰⁶

After having reached an agreement with Saddam Hussein on the issue of Kurdish autonomy, Celal Talabani made a call for the Kurdish asylum seekers to return home.³⁰⁷ The conditions in refugee camps under Turkish control were not improving, and news of amebic dysentery in Silopi due to the lack of potable water

³⁰² *2000'e Doğru*, 14.4.1991, from the interview conducted by Doğu Perinçek with Abdullah Öcalan

³⁰³ *Milliyet*, 27.4.1991, “Türkiye’ye eleştiri kampanyası haksız”

³⁰⁴ For such opinions, see *Milliyet*, 20.4.1991, Mümtaz Soysal “Çorap”; *Milliyet*, 20.4.1991, M. Ali Birand “Kürtler bu olanağı bırakmaz”

³⁰⁵ *Cumhuriyet*, 19.4.1991, “Kürt özerkliğine yeşil ışık”

³⁰⁶ *Milliyet*, 25.4.1991, Sami Kohen, “Sevres Sendromu,”

³⁰⁷ *Milliyet*, 26.4.1991, “Kürtler evinize dönün!”

was spreading, the death toll was amounting each day. The newspapers reported 1500 deaths in the border area while the official number was set to 266 from the beginning of the crisis till the month of May.

The transfer of the refugees from the camps under Turkish control to the camps in Iraq started on 28 April from the camp in Işıkveren with 250 asylum seekers transferred to Zaho where the US and the allied forces had established refugee camps. During this period, the US and the allied forces were first accumulated in Turkey and then transferred to Northern Iraq from the above-cited Turkish military bases. The US and the allied forces were forbidden to fly their flags in refugee camps, which offended the sense of national unity.³⁰⁸ The overwhelming number of soldiers on Turkish soil became the agenda item with an incident between the official charged for the administration of Şemdinli district of Hakkari and the British soldiers. British soldiers kicked the Turkish official during his visit to Hakkari in order to inspect the distribution of aid by Turkish soldiers. Opposition parties evaluated this event as the representation of the weakness of sovereignty, security and independency. The numbers of the foreign soldiers on Turkish soil was set to 17000; the Turkish General Staff authorities uttered their discomfort with these numbers.³⁰⁹ The criticisms gathered around the indignation of leaving the control and security of the refugee camps –thus border areas– to foreign soldiers. Once again the policy in management of asylum experience was disapproved and connected with security and sovereignty of the Turkish state, which was put into jeopardy.

According to some columnists and the opposition parties, the approach of the government to the human tragedy in the mass influx of refugees was shadowed by

³⁰⁸ *The New York Times*, 17.5.1991, “Aid backfires”

³⁰⁹ *Milliyet*, 2.5.1991, “İngiliz Küstahlığı”; *Milliyet*, 4.5.1991, “Irak gibi olduk”, “8 ülke askeri sınırimızda”

political calculations of active foreign policy as shaped by President Özal and the policy diverted from humanitarian concerns.³¹⁰

The image of the Turkish state was reflected as cruel, barbaric, excessive, perfunctory and crude in the treatment of refugees in the camps in the international newspapers. The claims that Turkish soldiers stole and appropriated the relief supplies, that they shot Kurdish refugees and killed them, beat them with their rifle butts to secure order were reported frequently. The Turkish officials and diplomats responded these claims as misleading and unfair, trying to debase the aid Turkey provided the asylum seekers both on Turkish soil and to those waiting at the borders. This was mainly attributed to the lack of organization in state institutions, the incapacity of the Directorate General of Press and Information and other public and private institutions to organize their activities and make the foreign public opinion up-to-date about Turkish efforts to provide help to the refugees.³¹¹

The gradual return of the Iraqi asylum seekers from Turkey and Iran to the stations established by the US and allied forces, and their transfer to the region protected by the UN lasted throughout May 1991; and by 27 May, the deputy spokesperson for the Ministry of Foreign Affairs, reported that there were 5500 Iraqi asylum seekers in Hakkari and 7100 in Silopi camps, whose return to Iraq would be secured within ten days. The number declined to 11273 by 16 June 1991³¹². By 29 October 1991, the number of asylum seekers from 1991 mass influx was 4199.³¹³ This speed with which the refugee numbers in Turkish camps dropped within the

³¹⁰ *Milliyet*, 16.4.1991, Derya Sazak, “Kızılderililer ve Kürtler”; *Cumhuriyet*, 3.5.1991, “Ecevit: Kapıkulu Hükümeti gitmeli”

³¹¹ *Milliyet*, 28.4.1991, “Kendimizi tanıtamıyoruz”

³¹² News summary available from www.byegm.gov.tr

³¹³ Muhterem Kaynak, *Iraklı Sığınmacılar ve Türkiye*, p. 87

span of a few months points to the success of the Operation Provide Comfort in terms of humanitarian activity. There are still 34 asylum seekers who came in the aftermath of the Gulf war with the refugee inflows and still living in Turkey with prolonged residence permits, which points by itself to the stubbornness of the Turkish state not to regularize the status of the Kurdish asylum seekers by according them citizenship status as it did for Turcoman population in 1993.³¹⁴

Evaluating Turkish Reception Context as a Conclusion

This chapter tried to analyze the main dynamics behind the reception context of the Turkish state confronted with Iraqi population movement, composed from mainly of Kurdish, but also Turcoman, Assyrian and Chaldean groups. From the very beginning of the crisis till the end, the basic goal of the Turkish state became securing the return of the asylum seekers to their homes in Iraq. Turkish response to the Iraqi mass asylum can be called more of a “non-reception” context than a “reception” one. As it was pointed out throughout this chapter, a number of factors played role in the determination of this policy choice: the economic burden posed upon the country by the asylum seekers as was the case with the previous mass asylum from Iraq in 1988, the international community’s pressure upon Turkey, the security concern about the penetration of PKK terrorists, the dictates of internal politics as to not alienate Kurdish local population and not to aggravate the internal Kurdish problem, the personal initiative of political figures like President Turgut Özal.

³¹⁴ Data given by Security General Directorate, Ministry of Interior, Sayı: B.05.1.EGM.0.13.03.03, 44832

The interplay of these factors affected the policy choices of the Turkish decision makers. While their discourse was based on brotherhood and ethnic linkages of the Turkish community with the refugee groups, an open door policy as was the case during 1989 mass influx from Bulgaria did not realize. In addition to that, the pressure from the international community to Turkey did not suffice to convince it to welcome the refugees to the country. An open door policy as envisaged by the theorists of cosmopolitan approach was what the Western European countries demanded from Turkey. Their contention was that the refugees should have the possibility to stay in the refugee camps if they wished even after the establishment of the security zone. These suggestions met with bitterness, as the prevalent opinion among the Turkish state authorities was that the European countries and institutions lagged far behind the principles of a cosmopolitan stance yet they were eager to demand great sacrifices from Turkey. Thus while the discourse analysis of Turkish politicians is marked with liberal national allusions, the factors arising from foreign and domestic policy considerations played role in shaping the non-reception conditions.

As the analysis of the events, legislative pieces, and the discourses of the politicians showed, the explanation of the Turkish reception context based solely on identity politics would miss considerably the processes involved in Turkish refugee reception. It would miss on the one hand the brotherhood and ethnic sameness messages that reigned throughout the Iraqi refugee event. It would also fail to capture the foreign policy dynamics shaped around the interests of various states and international institutions, security and sovereignty considerations, which considerably influenced the outcomes for the refugees. On the other hand, it would have overlooked the mechanisms of domestic politics such as the political consensus

on the urge to help the refugees emanating from the mass media and the parliament on the one hand, the concerns for the message sent to domestic Kurdish audience by the political parties on the other. The economic as well as infrastructural limits were the overemphasized argument provided by the Turkish state authorities. It is meaningful to juxtapose the fact that during the mass influx from Bulgaria, the indignation arising from economic and social burden posed by the mass arrivals came into the picture after two months of an open border policy while in the Iraqi case it was the top item for the state officials just as the mass influx started.

As far as the assessment of impartiality in the Turkish reception contexts is concerned, this case study is meaningful in terms of how the interplay of various dynamics as cited above pushed the state to adhere to a policy that impeded completely their reception. Even if the references to “brotherhood” with the Iraqi asylum seekers thus to ethnic bond had been dominant, this nonetheless was not strong enough to overcome the constraints of economy, internal politics, foreign policy considerations as it was the case during the 1989 mass influx. During the Iraqi refugee crisis the Turkish state officials did not hesitate to assert firmly their duty to first address the problems of compatriots, and then to consider providing for newcomers. In fact, they repeatedly emphasized the lack of resources for welcoming them even though the humanitarian and ethnic brotherhood messages dominated their discourses. The foreign, domestic, economic and social dictates required the divergence from liberal national and cosmopolitan stances in that when the refugees and asylum seekers were concerned, these principles leave no room for the host state to question whether or not to receive them. These ideal type models consider it as the duty of the nation-state to provide for the refugee. Turkish state while referring to the presence of strong ethnic and cultural ties between the Iraqi refugees and its own

population, hence alluding to a liberal national stance, claimed the priority of first providing for its citizens, who lacked in terms of economic wellbeing. These ideal type constructs succeeded only to be present in the discourses of both Turkish and European institutions while concrete policies molded by these principles did not materialize.

CHAPTER V

CONCLUSION

The conditions born towards the end of the Cold War in terms of population movements were exceptional in character. This brings into light more lucidly the role of various agencies that have an impact on shaping the immigration and refugee events. One of the institutions –if not the sole- that has the greatest leverage in the control, management and integration of immigrants and refugees is the state. The part played by the receiving state during the refugee and immigration flows determines the outcomes for their reception context. The reception context formed by the receiving state on the other hand is a resultant of interests as forged by foreign and domestic policies, security and sovereignty concerns and ethno-national considerations. An analysis of the immigration and refugee reception processes without a thorough examination of all of the cited factors misses to capture all the dynamics that come into play when the state faces population flows. This argument holds also true for the Turkish state’s reception context. To prioritize one of the factors over the others without focusing individually on each asylum and immigration case in Turkish context, results in over-emphasizing the impact of ethno-national considerations in the reception design. The reference in the Turkish legal framework to benefit those “belonging to Turkish descent and culture” is responsible for overstressing the priority given to ethnic affinity in receiving the newcomers in Turkey as discussed in the first chapter of this thesis. On the other hand, the loopholes in the Turkish legal framework for nationals of the non-European countries and the denial to accord them a legal status under the UN Convention on refugees make the Turkish practices of dealing with refugees all the more contextual

and arbitrary. Thus the ill-defined concept of “belonging to Turkish descent and culture” combined with the undefined fate of the non-European asylum seekers creates this state of arbitrariness. This in turn demands the inspection of each case individually with the need of rather to focus on a combination of foreign, domestic, security and sovereignty considerations together with ethno-national selection.

The case studies of this thesis consisted of two mass influxes of refugees, one from Bulgaria in 1989 and the other from Iraq in 1991. These two cases with their exceptional nature in terms of population pressure and ethnical composition presented ideal cases to discuss the interplay of security, sovereignty, foreign policy and internal policy considerations for the Turkish state’s immigrant and asylum seekers’ reception. First of all the examinations showed that while the ethno-national considerations played role in the reception conditions afforded to the asylum seekers by the Turkish authorities, they were not enough to explain the dynamics behind the reception and non-reception contexts. The Bulgarian case showed that while the ethnic sameness elicited the opening of the borders for the Turkish refugees without visas, it was not enough for keeping them open until the end of the refugee crisis. While appealing to the domestic electorate occupied the agenda of the government when opening the borders, the reversal of the policy was also a resultant of the domestic politics of Turkey stemming from economic and social considerations. The Bulgarian case showed clearly the manipulation of the asylum issue in the hands of the political entities and how much particularly domestic politics had an impact on forging the reception context, together with ethno-national considerations. An inspection of this case without reference to the internal dynamics would thus miss a lot in terms of explaining the reasons behind the policies of the host state. Furthermore, the image of the Turkish state as a country making part to liberal

capitalist countries as opposed to communist states also had importance in terms of projecting a friendly image of Turkey towards refugees and asylum seekers, with an adherence to liberal capitalist principles. It did even find the opportunity to claim vis-à-vis the European countries that their liberalism and humanitarian approaches were biased towards some ethnic groups while Turkey provided shelter and humanitarian aid to excessive amounts of asylum seekers regardless of the lack of adequate economic resources within the span of two years.

The Iraqi refugee experience on the other hand depicted the intricacy of the reception context. The security concerns were high on the agenda and shaped the management of the refugee event together with foreign policy making, the impact of the international community, and the socio-economical considerations. The discourses of the politicians and state officials during these two mass influxes of refugees showed how the state interests defined in terms of these above-stated factors altered the refugee reception contexts. Furthermore, Turkish domestic politics also had an impact on shaping the reception conditions for Iraqi asylum seekers. The political consensus, which dominated the Bulgarian mass influx, did not materialize in the Iraqi mass arrivals. The political parties diverged in their views of addressing the refugee flow. Their concerns concentrated on the appeal to the domestic Kurdish electorate, the sensitivity around Kurdish issue marked with terrorist activities of PKK, but at the same time the national and international public opinion stressing the need for a humanitarian approach. The mass media played a substantial role in keeping the tragedy of the refugees high up in the agenda and invited attention of not only the Turkish Government but also of the public to prioritize the aid delivered to the refugees.

The state by its power to accord or deny legal entitlements commands the fate of the immigrants and asylum seekers. The principality of the role of the state is plainly illustrated when border crossings are taken into consideration as they trigger the instances of inclusion or exclusion, incorporation or dispossession, which are directly the outcomes of state policies. The data of this study gathered with a thorough inspection of Parliamentary minutes, newspaper articles, and all legislative instruments provided the tools through which I tackled with this research question. These two case studies were thus chosen to serve to the purpose of illustrating how the fate of the immigrants, refugees and asylum seekers changed when they were entitled to rights and duties by the host state.

This study equipped me for conducting further research by making interviews with immigrants and refugees from Bulgaria and Iraq. Such data will provide me the subject positions of the refugees and highlight their own perceptions for the Turkish state's reception conditions. Furthermore, one other important expansion on this subject will be realized from the inclusion of the impact of lobby groups to the research data and address in depth how the ethnically Turkish community from Bulgaria and Kurdish diaspora abroad had exercised pressure upon Turkish Government. This will expand the argument of various foreign and domestic dynamics that interplayed for the forging of reception conditions in Turkey.

One helpful exercise would be to look at the parliamentary debates after a time period to depict how members of the parliament perceive the problems of the immigrants from Bulgaria and from Iraq. An interesting debate can be found in the parliamentary minutes of 21 May 1996.³¹⁵ In response to the talk of the Bursa parliamentarian Hayati Korkmaz, who claimed that the 1989 immigrants were in a

³¹⁵ M. Meclisi, B: 54, 21.5.1996, O:1, pp.620-624

difficult situation in terms of shelter and social security rights, Deputy Minister Ayvaz Gökdemir claimed that the Turkish state remained indebted to its own citizens when compared with material assistance provided to the 1989 Bulgarian immigrants. He added that this reception context deserved a blessing from God. In response to the demands for the amelioration of the conditions for the irregular and illegal immigrants from Bulgaria, the Deputy Minister inserted that the Turkish state was tolerating their illegality. He underlined the official stance vis-à-vis the external Turks as one that encouraged their peaceful stay in their countries of origin and their return if already illegally present in Turkey. This debate is illustrative in two respects. First, it puts into place how the state officials differentiated between the “genuine” citizenship and “acquired” citizenship. This differentiation reflected the partiality of the state in favor of immigrants and the limit of what the Turkish state could do in terms of providing for the newcomers. Second, it denoted the arbitrary immigration and asylum practices. The Turks from Bulgaria were benevolently admitted to the country, even if they overstayed their visas and became illegal hence had their problems tackled while the official state stance was one that demanded their return to Bulgaria.

One such exercise can also be done for the Iraqi citizens. The state policy towards Turcoman people from Iraq can be detected in a written response delivered to the parliamentarian Orhan Kavuncu by the then Foreign Minister İsmail Cem on 23 October 1997.³¹⁶ Orhan Kavuncu in his written questions to the Foreign Minister asked whether Turkish state was making any efforts to ease the acquisition of visas by Turcoman people who otherwise resorted to illegality and whether it should amend the 1951 Geneva Convention and 1967 Protocol relating to the status of

³¹⁶ M. Meclisi, B: 7, 23.10.1997, O:1, pp.504-505

refugees so that it could provide protection for refugees coming from Middle-Eastern countries like Iraq and Iran and Asian states. Stating the support Turkish Republic gave to Turcoman people in Iraq and the protection of their rights, the Foreign Minister affirmed the efforts of the Turkish state to take measures so as to facilitate their entry and exit to Turkey. He nonetheless asserted that Turkey's limits for providing protection were determined with temporary protection. He underlined the fact that Turkey would become a country with open borders if it ever changed its geographical reservation put to the Geneva Convention. The document reminded also that the Turkish state had done its humanitarian duty without making any differentiation as to the race and regional origin of asylum seekers it received. It also asserted the belief in aiding people from Turkish descent and culture not by according them refugee status but by supporting their peaceful living in their countries of origin. The two points of view highlight differing attitudes within the state. First it shows the importance of the Turcoman people and their cause for the public opinion as presented by the attention given by the parliamentarian Orhan Kavuncu to the illegal Turcoman immigrants. Second, it sheds light to the official attitude as reflected by the foreign ministry. Ethnic identities were once again overridden by the foreign policy principles. They served as in the case of Bulgaria to a benevolent and arbitrary attitude for giving flexibility to the visa regime.

This study can be further developed with the impact of the Turkish state policies on the reception of illegal and irregular immigrants from Bulgaria and from Iraq that shape the current migration context between Turkey and these two countries. The previous examples highlight the relevance for such study throughout the years. The basic argument of this thesis is the interplay of various factors forming state interests and concerns for individual rights of immigrants, which result in the

adherence to or convergence from ethnonational, liberal national and rarely cosmopolitan discourses. This is relevant for all kind of population movements that aim at Turkey's borders. The legal framework governing the immigration and asylum issues in Turkey remains nearly the same with minor changes that did not alter the contents of the laws governing the immigration and asylum regime. The study of such a state perspective for the changing volume of migrations and the nature of immigrant categories would contribute to the argument that the role of the state does not whiter away even if the impact of globalization intensified over time and the state remains the primary agent to shape the reception conditions for the immigrants and asylum seekers.

I think that the argument regarding the place the state still occupies in managing population movements, despite the volume of population flows and the multiplication of immigrant categories, remains an important one. It is important not only because it has significance for making sense of the policies of the state but also on the life chances of the migrants and asylum seekers. The policies of the state have relevance both at forging international and national regimes of migration and asylum, and the integration of the newcomers into the political community. Studies aiming at addressing the impact of state policies on migration flows can be helpful in highlighting the flaws and strengths of these policies and show a path so as to make a difference for the reception conditions and entitlements of migrants and refugees alike. The arbitrariness and contextual treatment of asylum seekers in Turkey due to the absence of clearly defined state policies lead to the divergence from standardization of reception contexts as a result of the interplay of various factors. This lack meant chance for some and disadvantage for others, which was an outcome of various dynamics born out of the international and domestic factors. The chance is

the acquisition of a legal status, of rights and duties, hence becoming a member of the host state. Without a state to whose membership he/she aims to obtain, the foreigner is doomed to rest upon only on human rights, the content of which is left at the mercy of the receiving state as Hannah Arendt plainly put forth in *Decline of the Nation-State and the End of the Rights of Man*. The subject matter of this thesis was the illustration of this dictum, via current state practices on immigration and asylum.

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