



KADIR HAS UNIVERSITY
SCHOOL OF GRADUATE STUDIES
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FAMILY MIGRATION FROM TURKEY TO GERMANY

İREM GÜREL

MASTER'S THESIS

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MASTER'S THESIS

Submitted to the School of Graduate Studies of Kadir Has University in partial fulfillment of the requirements for the degree of Master's in the Program of International Relations

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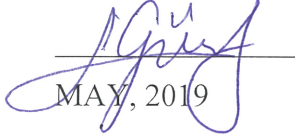
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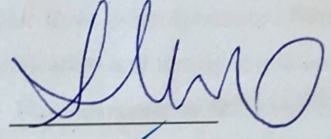
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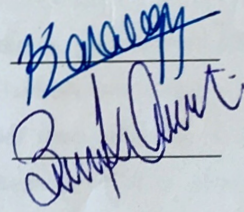
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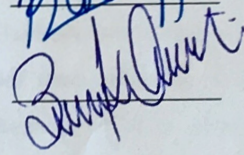
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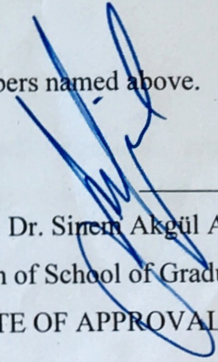


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FAMILY MIGRATION FROM TURKEY TO GERMANY

ABSTRACT

Considering that family migration has become an important phenomenon and studies about family migration has increased in number, this study aims to analyze family migration from Turkey to Germany. Turkish communities in Germany (including first, second, third and subsequent generations) is a very special group due to its volume and scope, and the migration flows from Turkey to Germany have had significant impacts upon the communities of both countries. The importance of this study comes from its focus on this unique migration group in the context of family migration. This study examines family migration from Turkey to Germany under three main dynamics. *First dynamic* is the legal framework pertaining to family reunification and family formation in the German context. *Second dynamic* is citizenship. *Third dynamic* is focusing on family and marriage as a communal affair in order to understand the impact of factors such as ethnicity, culture, religion, the preferences of parents, generational differences, sex imbalances, and individual preferences upon the Turkish communities' attitudes towards inter/intragroup marriage patterns and upon their mate selection decisions. In order to make this analysis, this study make use of secondary sources which include books, book chapters, journals, newspapers, reports, statutes, research projects, and official statistics.

Keywords: Family migration, family reunification, family formation, Euro-Turks, inter/intragroup marriages, mate selection, legislative regulations, migration policies, citizenship.

TÜRKİYE'DEN ALMANYA'YA OLAN EVLİLİK GÖÇLERİ

ÖZET

Aile göçünün önemli bir olgu haline gelmesi ve aile göçünü inceleyen çalışmaların artması göz önünde bulundurularak, bu çalışma Türkiye'den Almanya'ya olan aile göçünü analiz etmeyi amaçlamaktadır. Almanya'da yaşayan Türk kökenli topluluklar (birinci, ikinci, üçüncü ve sonraki kuşaklar), hacmi ve kapsamı sebebiyle çok özel bir gruptur ve Türkiye'den Almanya'ya olan göç akışı, her iki ülkenin toplulukları üzerinde önemli etkiler yaratmıştır. Bu çalışmanın önemi, bu özel göç grubuna aile göçü bağlamında odaklanılmasıdır. Bu çalışma, Türkiye'den Almanya'ya olan aile göçünü üç temel dinamik altında incelemektedir. Birinci dinamik, aile birleşimi ve evlilik yoluyla göç konularına ilişkin Alman yasalarıdır. İkinci dinamik, vatandaşlıktır. Üçüncü dinamik ise, etnik köken, kültür, din, ebeveynlerin tercihleri, kuşak farkı, cinsiyet dengesizliği, ve bireysel tercihler gibi faktörlerin Almanya'da yaşayan Türk topluluklarının grup içi/grup dışı evlilik modellerine yönelik tutumlarına ve eş tercihlerine olan etkisini anlayabilmek için, aile ve evliliğe toplumsal bir ilişki olarak odaklanmaktır. Böyle bir analiz yapmak için, bu çalışma kitaplar, kitap bölümleri, makaleler, gazeteler, raporlar, kanunlar, araştırma projeleri ve resmi istatistikleri içeren ikincil kaynaklardan faydalanmaktadır.

Anahtar Sözcükler: Aile göçü, aile birleşimi, aile oluşumu, Euro-Türkler, grup içi/dışı evlilikler, eş seçimi, yasal düzenlemeler, göç politikaları, vatandaşlık.

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1. INTRODUCTION

The world has been shaped and undergone a change in consequence of the ongoing enlargement and deepening process of interconnectedness in every sphere of life (Held, McGrew, Goldblatt & Perraton, 1999, p. 2). In the increasingly globalized world, people have taken much more the opportunity for moving cross borders not only more frequently but also longer distances in comparison to the past. In consideration of the increasing opportunities for international migration such as advances in the transportation and communication technologies, people have had much more tendency to migrate, form communities abroad and establish transnational bonds owing to the globalization. International migration is both cause and effect of the rising integration of politics, economy as well as social networks in the global sense (Pitkänen, 2012, p. 2).

There are various explanations related to causes of international migration in the migration literature, namely economic, sociological, socioeconomic and geographical explanations, which mostly focuses on the underlying reasons for the international labor migration. *The sociological explanation of international migration* mainly focuses on intervening opportunities. The main claim of the sociological theory of international migration is that it is not necessary the connection between the cross border mobility of migrants and distance. The sociological explanations focus on the pull and push factors (Sert, 2010, p. 1999). For example, Lee (1966) categorize the elements affecting the decision-making process of the migrants as four main headings. These elements can be classified as factors bound up with “the country of origin”, “the destination country”, “intervening factors” as well as “personal factors”. He argues that pull factors in the immigrant-receiving country and push factors in the home country have an important impact on the migration decisions of the individuals (Lee, 1966, pp. 49-50). The main push factors in the country of origin may be economic trouble, political oppression, low standards of living and increasing population. Pull factors are economic opportunities, political liberty, increasing employment opportunities for

immigrant workers, education opportunities and inclusive migration policies in the immigrant-receiving countries (Castles, de Haas & Miller, 2014, pp. 28-30).

Unlike the sociological explanations of international migration, *economic theories of migration* do not have a holistic approach. In other words, whereas the sociological theories consider international migration as a whole, the economic explanations usually focus on international labor migration. The main argument of the economic theories of international migration is that while the equilibrium in the market wage of the countries in which there are supply shortages of labor is high, the equilibrium in the market wage in the countries with a high supply of labor is low. Therefore, economic explanations state that international migration is affected by geographic variations within the context of the labor supply and demand and workforce migrates from the low wage countries to high wage countries (Sert, 2010, pp. 2000-2001).

Geographical theories of migration set sight on the impact of distance in the spatial movements. For instance, gravity theory analyzed by Lowry (1966) as one of the geographical theories focuses on the role of the level of wage and unemployment by comparison the country of origin with the destination country. Additionally, mobility transition theory analyzed by Zelinsky (1971) as another geographical theory focuses on the changes in the mobility of individuals by stating that the transition from pre-modern to industrialized society have had played a key role to determine the movements of migrants.

Lastly, according to *socioeconomic theories*, economic integration in a global sense ends up with international migration. International migration is a foregone conclusion of the capitalism because a great number of people across the world has been included in the world market which has control over not only raw materials but also labor in the peripheral countries (Massey, Arango, Hugo, Kouaouci, Pellegrino & Taylor, 1993, p. 445).

International migration is not bounded with only international labor migration. Other components of international migration are asylum seekers, refugees and exiles, which are forced to migrate (Sert, 2010, pp. 2003). Oberg (1996) explains the causes of the international forced migration with hard and soft factors. Hard factors contain profound situations such as

civil war, humanitarian and environmental catastrophes. Soft factors, which are subordinate to the hard factors, comprise social exclusion, marginalization, poverty and unemployment (Oberg, 1996, pp. 336-337). All theories, without considering whether they are sociological, economic, socioeconomic and geographical explanations of proactive migration or they are focusing on hard and soft factors accounting for reactive migration, try to examine and explain main underlying reasons for international migration. Despite the fact that the flows of migrants can be triggered by a reason, these flows evolve in time and lead to the emergence of the new situation causing new migrations (Sert, 2010, pp. 2003-2005).

The members of the international migration cannot be classified as identical and homogenous. In this context, main constituents of international migration are temporary migrant workers, highly qualified migrants coming to migrant-receiving countries for educational or business purposes, family reunification and family formation migrants, irregular migrants, refugees and asylum seekers, forced migrants and return migrants (Castles, 2018, pp. 152-153). In the migration literature, the most prevalent typology is labeling international migrants as either voluntary or involuntary. Whereas the voluntary migration mostly includes the free movement of individuals due to the different reasons such as economic opportunities, involuntary migration contains refugees, asylum seekers as well as exiles who are promoted to migrate because of humanitarian reasons (Sert, 2010, p. 1999).

1.1. AIMS AND THE IMPORTANCE OF THE STUDY

For a long time, family migration has not been considered as one of the main parts of the migration types. According to Zlotnik (1995) there are two main causes of the subordination of the family migration in the migration researches. The first reason is that the main focus of economists is the activities culminating income. Since monetary terms are incapable of measuring the activities carried out by families, family migration cannot be put to use as a basic unit of analysis in the migration studies. The second reason is that international migration is not regarded as a movement between states and family groups. It is considered as a movement between states and individuals (Zlotnik, 1995, p. 253). Taking into account

the applications for the family reunification, it can be realized that the applications are evaluated individualistically rather than on the family basis. Therefore, there is a difficulty in both determining the impacts of the family strategies on the migration types and pursuing the process of the separation and the reunion of the family members (Zlotnik, 1995, p. 253).

Additionally, Kofmann and Meetoo (2008, p. 153) point out that there is a duality between social spheres and economic spheres. It is generally considered that the main factor which motivates individuals to migrate is economic reasons. In this direction, family migration reflecting the social sphere has been ignored for a long time. Moreover, because family migration has been considered as an unintended result of the termination of the migration of the guest workers in 1970s and the policies implemented in Europe has perceived family migration as a subordinated type of migration, the subject of family and family migration has remained deadleg in the studies of migration until recently. However, as stated by Bonjour and Kraler (2014, p. 1408), family migration has started to be investigated by scholars theoretically and empirically as from the late of the 1980s. As a result of increasing studies focusing on the family migration including family reunification and family formation from different perspectives and analyzing the impacts of the national and international policies on family migration, family migration has come into prominence in the studies of migration.

Taking into account all of these, it becomes clear that family migration containing *family reunification and family formation (marriage migration)* takes an important place in the migration literature. It is possible to state that because there are many economic, social and political consequences of migration flows and transnational networks in the context of Germany and Turkey, it would be beneficial to focus on the family migration from Turkey to Germany as a case study. Furthermore, when compared to other European countries, Germany is the preeminent country possessing the largest Turkish population with migration background.

It is significant to emphasize that it is necessary to focus on the historical development process within the context of Germany and Turkey for understanding the patterns of migration. When it is focused on the period from 1955 to 1973, it is possible to indicate that the main determinant of the migration flows between Turkey and Germany was economic

reasons, which ended up with the bilateral guest worker agreements between them. From the standpoint of Germany, the requirement of guest workers was necessary for meeting the labor deficit especially in industrial as well as agricultural sectors. From the standpoint of Turkey, the inflow of the excessive workforce to Germany was helpful for economic progress by minimizing the unemployment level and increasing the immigrant workers' remittances (Gerdes, Reisenauer & Sert, 2012, pp. 104-105).

However, the follow-up period including between the years of 1973 and 1980, it was witnessed the occurrence of a new type of migration named as family migration from Turkey to Germany, which is still continuing (Sirkeci, Şeker & Çağlar, 2015, p. 2). In this period, in consequence of the 1973 oil crisis and increasing the level of unemployment, Germany implemented a migration policy hindering the inflow of the new guest workers into Germany. Nevertheless, the migration policy of Germany could not be successful for preventing the entrance of the new immigrants into Germany. In spite of the repatriation of many guest-workers, there were still a great number of immigrant workers which were important components of the chain migration. In other words, these workers either reunite with their family members in Germany or preferred to get wedded with a partner from their home country. In addition to this, the children of the family migrants afterward have married and started a family, which has given rise to the formation of third and ongoing generations (Gerdes, Reisenauer & Sert, 2012, p. 105).

In this context, it can be stated that Turkish population with migration background living in Germany (first, second, third, and ongoing generations) is a very unique group which increases in volume and it would be beneficial to analyze this special group to understand the dynamics of the family migration.

Therefore, in this study, this special migration profile is explored within the context of family migration. By this way, it is aimed to understand factors affecting residence title acquisition and naturalization process of Turkish immigrants living in Germany and analyze their marriage preferences and attitudes towards intra/intergroup marriages. In this respect, this subject is explored under three main dynamics. *The first dynamic* is the legal framework pertaining to family reunification and family formation in the German context. By focusing

on the national legislations in-depth and international regulations in brief from the historical frame, it would be tried to analyze the impacts of the historical changes in the migration policies upon the family migration process in terms of not only the acquisition and the extension of the residence titles but also citizenship acquisition.

The second dynamic is citizenship. In an increasingly globalized world, the acquisition of the rights connected with citizenship has risen in importance in consequence of the increasing international migration flows. Despite the fact that citizenship is generally considered as the membership in a group, it also has other components such as rights and duties, identity, and participation. Like other migration types, family migration is strongly in association with these components. For instance, the attitudes of immigrants towards inter/intragroup marriages and their mate selection decisions have a great impact on their identity formation. Therefore, the analysis of citizenship and its components from different theoretical approaches is beneficial to understand family migration in the context of citizenship. Moreover, it is also focused on some micro-level analysis which put emphasis on the factors encouraging individuals to become naturalized such as utility model and pull-push factors hypothesis. Although these factors can motivate immigrants to become naturalized, they does not make a sense provided that national policies and implementations which are determined by states do not grant permission for citizenship acquisition. States have a control over citizenship through marriages, which makes a private matter like marriage a public matter.

The third dynamic is focusing on family and marriage as a communal affair. Thus, this study intends to understand factors such as ethnicity, culture, religion, family intervention, generational differences, sex imbalances, and individual preferences such as physical attractiveness and socio-economic conditions which have an influence on the inter/intragroup marriages in Turkey-Germany context.

In this sense, this thesis would be based upon secondary resources, including books, book chapters, journals, newspapers, reports, statutes, research projects, and official statistics which are produced and published by German government and by international bodies.

2. HISTORICAL BACKGROUND OF THE COMMUNITY FORMATION: TURKISH DIASPORA IN GERMANY, EURO-TURKS, GERMAN-TURKS, TURKISH-GERMANS?

The formation of Turkish communities in many European countries has gathered speed due to the migration flows ongoing for approximately fifty years. Of these European countries, Germany has become one of the most preeminent countries including a great number of Turkish community. Due to the dynamic nature of international migration regarding changes in the policies, legislations and new perspectives about migration, the tendency of scholars to analyze the Turkish diaspora in Germany have increased (Sirkeci, Şeker & Çağlar, 2015, p. 1). The historical migration flows of Turkey into Germany can be categorized under five phases. These phases are respectively the flow of the immigrant workers named guest-workers starting from 1961 until 1973 oil crisis, the migration based on family reunification until the date of 1980, the migration of the Turkish and Kurdish refugees due to the political turmoil in Turkey arising from military coup d'état in 1980, the movements of asylum seekers in 1990s, and irregular migration flows in 2000s (Sirkeci, Cohen & Yazgan, 2012, p. 35).

Migration can be identified as a process having its own dynamics. The movements of migration are dynamic rather than static and these movements can be easily shaped by the environments containing regulations and the perceptions of host society (Sirkeci & Cohen, 2016, p. 383). Put it differently, migration is a dynamic process which establishes a connection between home society and host society by economic, social as well as cultural means. In this process, economic and political situations which involve opportunities, safety factor, future expectations in the not only country of origin but also destination country have an important impact on the formation of these links. This frame can be named as “culture of migration” (Sirkeci, Cohen & Yazgan, 2012, p. 34). It is possible to state that it is seen a strong Turkish migration culture and diaspora population in Germany. Within the context of Turkey and Germany, some national amendments, reforms, and changes in every sphere of

life have an influence on the evolution and transformation of the migration process (Sirkeci, Şeker & Çağlar, 2015, p. 3).

The identity formation of the Turkish community living in Germany is very complex because of both multiple loyalties and transnational networks. Although numerous records identify this comprehensive community as Turks, it is a stubborn fact that the community incorporates ethnic and religious differences such as Kurds, Turks, Alevis or Muslims. Identity is a complicated issue due to its multiple, dynamic, and interchangeable structure. For instance, while some identities such as ethnicity are given at birth, other identities like occupational identity can be obtained afterwards (Sirkeci, Şeker & Çağlar, 2015, pp. 4-5).

In this context, identity cannot be defined as a completed phenomenon. On the contrary, identity is in the process of formation. It changes and develops in the course of time and migration plays an important role in the evolution and formation of identities. Language, culture, national regulations, integration policies and the perceptions of other people in the host country have an important impact upon the identity formation. Like other migration groups, Turkish migrant population in Germany is also a dynamic group. The identity of this special community has undergone some changes in consequence of the migration. Of all the types of migration, family migration has played a key role in their identity formation. It can be argued that this special community has been shaped by not only family reunification but also family formation over time. For example, in consequence of the marriage of the second generation children of the family migrants, third and ongoing generations have been formed. It is important to state that their preferences to make intermarriages or intra-marriages has been determinative in the formation and transformation of this special community. In order to understand the dynamics of the family migration in the context of Turkey and German case, it is necessary to focus on the historical background of the migration to Germany in general and then historical background of the community formation in the Turkish context. Later on, it would be briefly focused on this special community named as “Turkish diaspora in Germany” or “Euro-Turks”. Moreover, the differences of two main integration models namely French Republican model and German integration model would be mentioned for

understanding this special community living in Germany in the context of citizenship, integration, assimilation and nationhood.

2.1. HISTORICAL BACKGROUND OF THE MIGRATION TO GERMANY

Historical realities have been largely influenced and shaped by migrations (Schunka, 2016, p. 1). Despite the fact that Europe was considered to a large extent as a continent of emigration previous to 1945, not only the immigrants from Mediterranean countries and other European countries but also refugees from turbulent countries have had a great impact on the political and demographic transformation of almost all European states. Of all European countries, Germany has been one of the most preeminent country having profound changes (Hess & Green, 2016, p. 315). Like in other European countries, scholars placed more emphasis on the emigrations of Germans to other countries such as America and Russia than the immigration into Germany for a long time. However, in the recent times, they have largely scrutinized the contemporary and historical dimensions of human movements into Germany (Schunka, 2016, pp. 1-2). Germany is situated in the intersection point for various ethnic groups from South, North, East and West (Göktürk, Gramling & Kaes, 2007, p. 5). Through the German history, various immigrant groups such as *Gastarbeiter*¹, namely guest workers coming from Southern, Southeast Europe and especially Turkey, *Vertragsarbeiter*, namely contract workers coming from socialist countries, and *Aussiedler*, meaning ethnic Germans coming from Eastern Europe, have been hosted by Germany (Schunka, 2016, p. 2).

Second World War gave rise to momentous border changes in Europe. As a result of Second World War, some territories from Czechoslovakia, Germany and Poland was annexed by the Soviet Union. Another result of the war was the separation of the remaining German territories into four occupational zones (Kesternich, Siflinger, Smith & Winter, 2012, p. 13). Second World War played an essential role in the demographic transformation process of

¹ *Gastarbeiter* refers to Turkish migrant workers whose majority were employed in the production, industrial and agricultural sectors. These workers can be categorized as either unqualified or semi-qualified employees, who aimed to return their country of origin after they finished their service period and saved sufficient amount of money (Vierra, 2018, p. 2)

Germany. In Germany, National Socialists had counted upon foreign workers in order to construct highways, work as a laborer in agriculture and war industry, and supply the required labor force of the country in a time of that Germans were conscripted to arms. These foreign workers had reluctantly worked. Among these foreign workers, there were political prisoners, prisoners of war, Jews and workers from the East. With the end of the Second World War, these foreign workers turned back their countries of origin (Göktürk, Gramling & Kaes, 2007, p. 8). In addition to this, in consequence of the war, approximate 8 million people were coerced to move from Western occupied territories while 3,6 million people were forced to move from territories occupied by Soviet Union (Kaya, 2009, p. 40). From the end of the Second World War to the partition of Germany as a Federal Republic of Germany (FRG) and German Democratic Republic (GDR) in 1949, up to 12 million expellees were migrated from Eastern and Central Europe to both East and West Germany by virtue of the changing borders in Europe. Furthermore, until the date of 1961, when Berlin Wall was constructed, a great number of people migrated from East Germany to West Germany (Hess & Green, 2016, p. 317).

It is important to highlight that movements within Germany and across Europe had a significant influence on the East as well as West Germany. At the beginning of the 1950s, there was a great need for the additional workforce in West Germany (FRG) in order to rebuild the country as promptly as practicable. For the purpose of sustaining “economic miracle, a mobile workforce which was able to deploy to industrial sites in the country was necessary. Since most of the unemployed workers living in West Germany were not capable or willing to move in these industrial sites with their families, the need for the additional workforce from Southern European and Mediterranean countries became massive. In order to solve this problem, the first bilateral guest worker agreement was signed between FRG and Italy in 1955. The main aim of this agreement was the recruitment of Italian workers for hard labor which did not necessitate an advanced knowledge of German language. “Guest workers” were different from “forced foreign laborers of Nazi Germany” on the ground that guest workers were accepted for a restricted and definite period (Göktürk, Gramling & Kaes, 2007, pp. 8-9).

The demand for labor significantly increased in 1961 as a consequence of the construction Berlin Wall because Berlin Wall gave rise to the stoppage of the inflow of workers and their families from East Germany to West Germany. In this situation, it was expected that guest workers would satisfy the need for a workforce which developed out of the construction of Berlin Wall. It is important to state that if Germany's economy had been closed, the abrupt stoppage of the inflow of people would have ended up with a sudden decrease in the rate of growth of domestic demand for goods and services. As a consequence, the economic recession would have come to exist. However, due to its open economy, Germany had economic activities with other countries and tried to fulfill the international demand for the goods and services of Germany. Therefore, Germany was in urgent need of guest workers (Völker, 1976, p. 45-46). By taking into consideration all of these, in addition to agreement with Italy in 1955, Federal Republic of Germany (FRG) made intergovernmental contract with Spain and Greece in 1960, Turkey in 1961 and 1964, Morocco in 1963, Portugal in 1964, Tunisia in 1965 and Yugoslavia in 1968 with the intent of mitigating the labor shortages (Kaya & Kentel, 2005, p. 7). Similarly, German Democratic Republic also employed approximately one hundred thousand guest workers known as *Vertragsarbeitnehmer* (Hess & Green, 2016, pp. 317-318). It is important to point out that the labor recruitment policy of FRG was criticized by GDR on the ground that the guest worker program of West German was exploitative and racist. Whereas West Germany's guest worker program was based on the thought of an "economic symbiosis" between capitalist countries, GDR implemented a different recruitment policy. The internationalist doctrine of East Germany was interdependence and taking a stand against capitalist West, especially during the time of the Vietnam War. In accordance with this purpose, East Germany kept its touch with socialist states. Guest workers coming to East Germany were mostly from Cuba, Mozambique, North Korea, and North Vietnam. East Germany preferred to denominate these guest workers as "socialist friends" (Göktürk, Gramling & Kaes, 2007, p. 11).

One of the most important critical junctures in the post-war history of German migration is the termination of the labor recruitment process in 1973. The recruitment ban on guest workers developed out from the 1973 oil crisis, increasing unemployment, and growing

social and welfare expenditures (Boswell, 2003, p. 17). However, this immigration policy could not be sufficient to prevent further immigration. Despite the fact that a great majority of guest workers turned back their home country in compliance with the temporary characteristic of labor recruitment program, about 3 million people preferred to stay in FRG by the time of 1973. These 3 million people was a part of the classical chain migration because either their existing spouses and children were accompanied by them or they married a partner from their country of origin. Family migration has been one of the most important parts of immigration into Germany ever since (Hess & Green, 2016, p. 318). In other words, although imposing recruitment ban had an influence on the prevention of new labor recruitment, it resulted in undesired consequences of creating a permanent immigrant minority (Green, 2001, p. 87). In addition to this, from the early 1980s, there was increasingly asylum seekers particularly from Eastern, Southeastern and Southern Europe. Even, West Germany got over time much more applications for refugee status than any other European country (Hess & Green, 2016, p. 318).

Another critical juncture in the post-war history of German migration is the German reunification in consequence of the dissolution of the German Democratic Republic in 1990 because the level of immigration increased further in the wake of the German reunification. It is important to state that Germany allowed ethnic German immigrants from Central and Eastern Europe as well as the former Soviet Union from the date of 1989 to 1993. Furthermore, there was also a substantial amount of asylum applications between 1990 and 1993. As a result of the increase in the level of immigration, policy makers in Germany regarded the reduction of not only asylum seekers but also ethnic German migration from Eastern Europe and the former Soviet Union as necessary (Hess & Green, 2016, p. 318). Consequently, as a result of negotiations of main political parties of Germany, a compromise namely Asylum Compromise was made in December 1992. With the Asylum Compromise, it was aimed to limit unfounded asylum applications and restrict the entry of asylum seekers coming from safe third countries (Hailbronner, 1994, p. 160). Additionally, in the wake of the entry into force of the Law on Resolving Long-term Effects of World War II in 1993, the

migration of ethnic Germans was limited to 225.000 people per annum. This number decreased to 103.000 people per annum in 2000 (Kaya, 2009, p. 40).

Although sovereign wealth fund was sufficient to implement some measures for integration no later than 2000, domestic policies of Germany was deprived of coherence and failed utterly to ensure long-reaching legal framework in concordance with Germany's immigration need as well as social cohesion. However, in parallel with the goal of successful migration policy, the government of Germany has made a set of regulations in an effort to reform laws since 2000. The logic of the new policy approach was more controlled, managed and small scaled labor migration of third-country nationals. With the new policy approach, it was aimed to integrate nonnatives into Germany and create a compatible community relation (Süssmuth, 2009, pp. 1-2).

One of the most significant developments in this period is that economic slowdown took the place of the economic boom of 1999 and 2000. In order to get over the economic problems and depressed growth rates, Germany engaged in domestic economic adjustments after 2000. All these developments had also influence over the movement of migration, which means net migration of Germany diminished rapidly immediately after 2001. Even, it is possible to state that the movement of migration in Germany became reversed in 2008 and 2009 because the citizens of Germany embarked on a quest for better working conditions abroad. However, after the financial crisis of 2008 and the economic recession period, the net migration of Germany rapidly increased after 2010, particularly with the impact of the influx of people coming from EU member countries. In addition to this, as of 2010, there has been an increase in the number of asylum seekers once again. For instance, the number of asylum seekers in Germany was in excess of 100.000 in 2013, 200.000 in 2014 and 477.000 in 2015 (Hess & Green, 2016, p. 319-321).

2.2. HISTORICAL DEVELOPMENTS OF MIGRATION FLOWS FROM TURKEY TO GERMANY

There has been a great variety of migration flows between Germany and Turkey, which involves labor migration, family reunification and family forming migration, irregular migration, asylum seekers and refugees, brain drain, return migration and circular migration. The inflow of Turkish people to Germany was initiated by labor recruitment process in 1961. This process was beneficial for both side in the matter of that Germany fulfilled its labor demand while Turkey had an opportunity for stabilization politically and socially by way of mitigating high unemployment rates. From the viewpoint of Turkish policy makers, the labor requirement process would give chance Turkish labor migrants to obtain professional skills and by this way, they would have an impact on the reduction of Turkish industry shortages. Additionally, there would be an increase in the foreign exchange reserves of Turkey by means of remittances. As a result of the inflow of Turkish labor migrants to Germany, Turkey took advantage of remittances because the remittances sent by workers enhanced the standard of living of families of workers. In addition to this, the remittances were also used by workers for consumption and investment in their respective country when they got back (Gerdes, Reisenauer & Sert, 2012, pp. 104-105).

From 1973 to 1980s, family migration and irregular migration came to exist in Germany. On the one hand, most of the Turkish guest workers chose to stay in Germany after the termination of the labor recruitment process, and their spouses as well as children immediately after attended these workers. On the other hand, Germany was also preferred by irregular migrants from Turkey who entered Germany by unlawful means. Legal status was acquired by some of these people migrating from Turkey illegally by the way of asylum request or marriage. Furthermore, political turmoil in Turkey, especially military *coup d'état* in 1980, ended up with politically grounded migration, including political actors as well as high-quality people who were destitute of entering labor market (Sirkeci, Şeker & Çağlar, 2015, p. 2).

From 1983 to 1985, Turkish originated migrants returned to Turkey from Germany, which is named as return migration. As a result of growing unemployment and the difficulties in performing an efficient integration policy for the immigrant population in Germany, the Foreigners Repatriation Law which encouraged immigrant workers accompanied by their families to turn back their countries was enacted by the governing coalition in Germany in 1983. According to the Foreigners Repatriation Law, it was aimed that the German government would pay money to Turkish immigrant workers in exchange for their repatriation. This development culminated in the repatriation of 250.000 Turkish migrants from Germany (Aydın, 2016, pp. 3-5).

When it comes to 1990s, terrorist attacks of PKK against Turkey gained momentum. They caused danger and fear in Turkish society due to their violent attacks, which stimulated migration from Turkey to Germany. As stated by Aydın (2016), as of the 2000s, together with irregular migrations, the seasonal circulation of Turkish retirees between Germany and Turkey has been progressively popular. German retirees also have given preference to Turkey as a holiday destination on a seasonal basis. Moreover, there has been the migration of trained and highly qualified people of Turkish origin from Germany to Turkey. It is important to highlight that the statistical data is incapable of indicating the exact number of Turkish high-skilled and educated people emigrating from Germany to Turkey because the account of the migrants' level of education is not kept by the government of Germany. According to a variety of studies, highly qualified Turkish people living in Germany are much more in the tendency to move to Turkey by comparison with low qualified Turkish people living in Germany (Aydın, 2016, p. 5).

2.3. COMMUNITY FORMATION IN GERMANY: TURKISH DIASPORA IN GERMANY, EURO-TURKS, GERMAN-TURKS, TURKISH-GERMANS?

Turkish communities in Germany has become one of the most important current issues of academic and political discussions for a long time. Focusing on the process of the formation of the Turkish community in Germany in consequence of migration flows of the Turkish

workers named as “*Gastarbeiter*” and following the family-based migration is beneficial to understand why Turkish community has an important place in the migration debates. In fact, studies in recent years with regard to the citizenship, discrimination, integration, transnationalism and multiculturalism have placed a great emphasis on the Turkish communities living in Germany (Hackett, 2015, p. 139).

According to the results of the statistical analysis of the Turkish Ministry of Labor and Social Security in 2009, there were approximately 3.849.360 Turkish citizens living abroad and more than one-third of this population consisted of Turkish citizens living in Germany (cited in Sirkeci, Cohen & Yazgan, 2012, p. 36). However, it is important to highlight that Turks obtaining German citizenship were not included in this numeric data. Furthermore, based on the official statistics of the Federal Statistics Office of Germany, the number of Turkish people who obtained German citizenship is about 810.481 between the years of 1972 and 2009 (cited in Sirkeci, Cohen & Yazgan, 2012, p. 36). Considering that there are illegal Turkish immigrants in Germany and it is not possible to quantify them exactly, there are different approximations ranging from 2,6 million to 4 million about the number of the Turkish population living in Germany (cited in Sirkeci, Cohen & Yazgan, 2012, p. 36). As stated by Toktas (2012), in consequence of the migration flows including a broad range of migration types from labor migration, family migration including reunification and formation to other types of migration such as migration for seeking asylum, there are above 2,5 million Turkish population. These migration inflows have had a great impact upon the transnational communities of not only Germany but also Turkey socially, politically, economically and culturally (Toktas, 2012, p. 5).

When we look at the migration literature analyzing the Turkish migration process, it is possible to point out that the Turkish population living in Germany is named differently by different scholars. For example, while some scholars call this community as “Euro-Turks” or “German-Turks” specific to Germany (e.g. Kaya& Kentel, 2005, 2012; Erdem & Schmith, 2008; Tschoepe, 2017) and Turkish-Germans (e.g. Aktürk, 2010), other scholars preferred to denominate as “Turkish diaspora” in Germany (e.g. Chapin, 1996; Sirkeci, Cohen & Yazgan, 2012; Sirkeci, Şeker & Çağlar, 2015; Güney, Kabaş & Pekman, 2016). Irrespective of how

this community is named, the establishment of transnational bonds make this special community diverse and changeable (Sirkeci, Şeker & Çağlar, 2015, p. 4).

In order to understand the Turkish community in Germany, Kaya and Kentel (2005) firstly discuss the meaning of Euro-Turks in detail. Based on the quantitative as well as qualitative data obtained by research results in Germany and France from late 2003 to early 2004, it is possible to state that Euro-Turks can be separated into three categories, namely bridging groups, breaching groups and assimilated groups. Bridging groups are composed of people who are evenly linked with not only homeland but also host-land. Not only young generations with their cosmopolitan and syncretic cultural identities but also people forming a dynamical transnational space which bonds Turkey and host country such as Euro Muslims rank among this category. In addition to this, people who possess multiple identities regardless of internalizing any kind of political, religious, ethnic and racial classification can also be included in this category. Breaching groups comprise people who are strongly loyal to their homeland. Extreme religious and nationalist groups are part of the breaching groups. People having assimilated into the society of host-lands are classified in assimilated groups. It is not possible to mention an identified comprehension of Europeanness among Euro-Turks. From the standpoint of Euro-Turks, Europeanness cannot be defined as a prescribed identity. It is actually the progress of being and becoming European (Kaya & Kentel, 2005, p. 69). Euro-Turks are not regarded only as manual workers recruited for low-skilled works. However, they also consist of businessman, artists, politicians, bureaucrats, journalists, teachers as well as singers (Kaya & Kentel, 2005, p. 27).

The term of “Europeanness” is differently defined by Euro-Turks. Class differences have a great impact on the differences in the definition of the term. On the one hand, Euro-Turks among the working class define Europeanness in concordance with the ideas of values, equality, human rights, democracy and modernization. From the viewpoint of the working class, being European is a project which is aimed to eventuate in attaining the goal. These ideas are actually the dominant discourse in Turkey. On the other hand, Euro-Turks from middle class do not focus on the idea of being European in ongoing progress because such an identity is perceived by them without any necessity to achieve any expected goal.

However, at this point, it is important to point out that first and second generation migrants among middle class adopt the dominant discourse whereas third and fourth generation migrants among middle class have created a cosmopolite identity. Furthermore, when it is focused on the variety of discourses of Euro-Turks retrospectively, it is possible to state that the discourses of first-generation migrants in 1970s and 1980s are connected with economic issues while the discourses of second generation migrants in 1980s are related to political and ideological issues. Since the 1990s, third generation migrants have focused on tolerance, multiculturalism, cultural capital, intercultural dialogue, which can be identified as culture-specific discourse (Kaya & Kentel, 2005, p. 57).

In order to understand Euro-Turks within the context of citizenship, integration, assimilation and nationhood, it would be beneficial to focus on two main model, namely French form of statecraft which is grounded in material civilizational idea and German form of statecraft based on culturalist idea (Kaya & Kentel, 2005, p. 44). National historical experiences and main differences in the identity of nation play an important role in differences in these two model's understanding of integration (Bertossi, Duyvendak & Scholten, 2015, p. 59). While French form of statecraft is connected with Enlightenment tradition and aimed to spread Western universalist values to remote regions, the German form of statecraft stems from anti-enlightenment idea which laid weight on the importance of romantic culture understanding of regarding all cultures as equal (Kaya & Kentel, 2005, p. 44). The French idea of nation has been state-centered and assimilationist whereas German understanding of nation has been Volk-centered (Brubaker, 1992, p. 1).

Through the lens of French Republican model, communitarianism gives rise to the failure of integration in French society (Heine, 2009, p. 171). The reason why communitarianism is considered as a threat to the integration is that it leads to the creation of different ethnic, cultural, religious and social communities. In this context, communitarianism has been mainly used in order to show the intention of minorities for realizing their political, racial as well as ethnic goals opposite to French Republican norms and values. According to anti-communitarian discourse in France, differences arising from the ethnic background, color, or race do not have importance in French Republican society (Montague, 2013, p. 220). That

means the idea of nonracial and color-blind society is defended by anti-communitarianists. Thus, French Republicanism differs from other Western societies which have an understanding of communitarianism. The preservation of universal French norms and values from the expanding notions of the Anglo-Saxon world is the main aim of anti-communitarianists (Montague, 2013, p. 220). Moreover, in the French context, multiculturalism, which is seen as a political model based upon the ethnic minorities' recognition and representation, has been considered as a danger posing both national identity and republican norms as well as values. Especially, due to the fact that France has worried for not only the "balkanization of French society" meaning the fragmentation of the French region but also the political mobilization of racial, ethnic and even sexual minorities, it discredits the demand of these minorities for recognition (Simon & Pala, 2009, p. 92). Despite the fact that there have been some challenges to traditional French model of integration as a consequence of the increase in the awareness for discrimination as from the beginning of the new millennium and as a consequence of that the politics about equality in opportunity have been topical issue in return of internal pressure, it is possible to define current situation as inconsistent cohabitation of conflicting integration policy and anti-discrimination policy. On the one hand, integration policy tries to diminish cultural specificity and advocates to the invisibility of the minority population in order to attain social cohesion. On the other hand, anti-discrimination policy is based on the idea of diversity and the recognition of minority groups. Integration paradigm by and large clashes with anti-discrimination paradigm in France (Simon & Pala, 2009, p. 105).

In the context of German integration model, it is possible to state that although first-generation labor migrants were faced with a political and ethnic exclusion, second generation Turkish immigrants not only were integrated in a socioeconomic sense but also partially gained political participation at the local level. It is significant to point out that the level of education, status, and language proficiency of second-generation Turkish migrants in Germany has been higher in comparison with their parents. However, they have experienced low-growing upward social mobility from the working class to the middle class. Despite the fact that there has been a socio-economic integration, a number of second generation Turkish

migrants in Germany has been worried about unemployment. When compared to native-born young German people, second generation Turkish migrants have been at a disadvantage regarding unemployment, educational level, socio-professional status as well as housing. In spite of these socio-economic disadvantages, second generation Turkish migrants have a tendency to be acculturated into German society. However, this tendency cannot be named as assimilation. Contrary to France, which implements assimilation policy, Germany focuses on the cultural differences of ethnic minority groups. Even though a good deal of Western European countries has experienced a deep crisis connected with their immigration policies, Germany has to a certain extent managed its migrants' incorporation and reached a consensus on integration (Loch, 2014, pp. 675-681). It is significant to state that since 2000, German has implemented a more democratic and inclusive policy in point of citizenship policies. The representation of German-Turks in the public realm has recently actualized with the impact of prevalent discourses with regard to multiculturalism, pluralism and cultural diversity in Germany. Another impact of these dominant discourses strengthened by Social Democratic and Green policies has been the integration of German-Turks economically, politically and culturally in every sphere of life. In other words, because of these policies, German-Turks has gained a different viewpoint in the direction of interaction and integration with the majority. Social Democratic and Green polities have had a significant influence on the transformation of Germany to integrationist country and democratized the policies of immigration and integration (Kaya & Kentel, 2005, pp. 44-45).

Today, Germany cannot be imagined irrespective of its German-Turkish population. Since German Turks do not sever their ties with their home country, they become an important constituent of the phenomenon of "transnational space". In an environment in which there are social, economic, political as well as cultural interactions between the countries of origin and destination, a more transnational, syncretic, and rhizomatic identity has been indigenized by German Turks (Kaya, 2007, p. 483). On the one hand, flexible and active Turkish businesses in Germany such as restaurant industries, retail, trade, and service sector have a positive influence on Germany. On the other hand, transnational interactions have a significant influence on the homeland. For instance, the equivalents of religious

organizations like Alevi organizations and European Association of National Vision and some LGBT rights organizations have been constituted in Turkey and this has played a crucial role on the political and social life of the country of origin (Kaya, 2012, p. 158).

In addition to this, German-Turks have visited their home country, established closeness with both home country and host country, and they interested in the media of both countries. The researches regarding Euro-Turks shows that the percentage of German-Turks visiting their country of origin is 66 and this proportion is an indicator of the loyalty of German-Turks to Turkey. The main motivation behind German-Turks' visit their home country was seeing their own relatives. However, this situation has recently altered. In recent years, German-Turks has preferred to go to Turkey with the aim of both visiting their relatives in the homeland and seeing the sights of Turkey. While 97 percent of German Turks have a tendency to visit their relatives, approximately 47 percent of these people go away on holiday villages at the same time. From the viewpoint of German Turks, not only geographical proximity but also advancing communication and transportation technologies have a facilitator effect upon transnationalism (Kaya, 2007, pp. 488-489). In addition to this, research in Germany from late 2003 to early 2004 also demonstrates that instead of considering Turkey as an ultimate return country, they make objective analysis in respect to the advantages and disadvantages of life in both Germany and Turkey by taking into consideration factors like education, working conditions, human rights and values. For instance, this research revealed that while the percentage of German Turks affiliating with Turkey is about 49, the percentage of German Turks affiliating with Germany is approximately 22 and affiliating with both Germany and Turkey is 27 (Kaya & Kentel, 2005, p. 42). On the one hand, outsiderism may be one of the most important reasons for the affiliation of German Turks with Turkey. On the other hand, the economic crisis in this period is much more likely to affect the low ratio of the affiliation of German Turks with Germany. German Turks affiliating with Germany has demolished the perception of “*gurbetçi*” and become social agents. Moreover, German Turks affiliating both countries who are generally German-born have constituted much more transnational, active and cosmopolitan identities (Kaya & Kentel, 2005, p. 42).

All in all, upon the light of the scholarly discussions that I presented above, it can be argued that migration is a dynamic process in which the identity of migrants is shaped both in the migration process and at the end of the migration. Just like other immigrant communities, the Turkish population living in Germany is also a dynamic group whose identity formation is influenced by some factors such as culture, national implementations as well as language in the destination country. As already pointed out, the naming of the Turkish communities in Germany varies from some scholars to other scholars. Nevertheless, regardless of their denotation by various scholars, it can be stated that this special community is very diverse, changing and transforming in consequence of the existence of multiple loyalties as well as transnational links. Since Turkish communities in Germany have maintained their interactions between their home country and their country of destination economically, politically, as well as culturally, they have created more transnational identity in time. In this context, family migration including family reunification and family formation has had an important impact upon the identity formation of Turkish communities in Germany. In order to understand the family migration from Turkey to Germany, the next chapter would focus on changing immigration policies of Germany by focusing on laws and regulations having influence on the process of family migration.

3. LEGAL FRAMEWORK PERTAINING TO FAMILY REUNIFICATION AND FAMILY FORMATION: THE CONTEXT OF GERMANY

Germany's domestic policies on migration and integration were lacking in coherence and failed to ensure long reaching legal framework compatible with the immigration needs and social cohesion of Germany until 2000. Since then, some regulations were made with the aim of reforming laws. The logic of the new policy approach has become more managed and controlled migration and integration of third-country nationals. As stated by Green (2013), after the change of the German government, remarkable policy developments have occurred since 1998, the general political climate of which will be explored below. Policy theme, which was predominant from the termination of labor recruitment in 1973 to the change of German government in 1998, has transformed from the prevention into integration and the gradual recruitments of labor migration, especially highly skilled labor migrants. In this sense, the provisions for the dependents of the immigrants, their settlement and integration has become an important subject (Green, 2013).

In order to understand the dynamics of family migration from Turkey to Germany, it is necessary to focus on the changing migration policies of Germany. In accordance with this purpose, in this chapter, a particular attention would be given to the legal framework of laws and regulations in Germany since 2000 by making comparison with the old laws and regulations. By making an analytical and descriptive analysis of the legal framework especially concerning citizenship and residential permit, it is aimed to understand the impacts of these policies on all types of migration in general and on migration with family-based reasons in particular.

3.1. GERMAN NATIONALITY ACT OF 2000

Despite the fact that there were long-standing and intense political debates during the course of the 1980s with regard to nationality policies implemented by Germany and these debates gained momentum in the 1990s as a result of the inclusion of legal experts, the whole political parties and academicians, these political debates mostly remained at the level of the elite class until the date of January 1999. It is important to state that until 1999, there were some efforts for the liberalization of citizenship in Germany. For instance, Social Democrats (SPD) made a suggestion for the inclusion of *jus soli*, the place of birth principle, in a re-arranged nationality law in 1982. The main doctrine of *jus soli* was bestowing the right of German citizenship for foreigners who were born in Germany. This suggestion was repeated by SPD in the date of 1986, 1988, as well as 1989 on the regional level and in 1989 on the national level. In addition to this, a new bill was proposed by leftist Greens in 1989. The main focus of the proposed bill was introducing *jus soli*, legitimatizing dual citizenship and enabling the naturalization of foreigners who had dwelled in Germany for minimum five years. A set of laws containing national voting and residence rights were proposed by the Greens. Although these proposals did not bring about a change in the existing law of Germany, they made a contribution as a liberal counterbalance to restrictive policies of Germany. On the date of 1990, nationality law was revised as a result of the compromise of Free Democrats (FDP) and the coalition of Christian Democrats (CDU/CSU) and by this way, the requirements for the naturalization of foreigners was liberalized to a certain extent.

The Nationality Law of 1990 can be identified as a “first juridical change” in Germany’s protracted Nationality Law of 1913, which was based on only *jus sanguinis* principle identifying German citizenship as “community of descent” irrespective of the place of birth and residence (Howard, 2008, pp. 42-48). The people who the Nationality Law of 1990 contained can be categorized as first-generation immigrants residing in Germany for a long time and young immigrants at the age of between 16 and 23. According to the Nationality Law of 1990, provided that people immigrating to Germany has lived in Germany no less than fifteen years, they can gain a right for naturalization. Other requirements mentioned in this law were the lack of criminal past, the sufficiency for a living without social welfare or

jobless check-help-benefit, and the renounce of their core nationality. In the context of young immigrants at the age of between 16 and 23, the Nationality Law of 1990 allowed these young people to gain right for naturalization on the condition that they had lived in Germany for eight years rather than fifteen years regardless of their ability to earn their living. It is important to emphasize that neither adult immigrant foreigners living in Germany for at least fifteen years nor young generation immigrants at the age of between 16 and 23 were obliged to prove their language skills for having a right for naturalization (Oers, 2014, p.70). In the event of that necessary conditions were provided by these people, applicants from these people would be naturalized “as a rule” (Regelanspruch). However, in 1993, Regelanspruch was replaced by Rechtsanspruch meaning “permanent right” for the naturalization of both groups. Rechtsanspruch meant that the applications of people for naturalization would not be denied when they provided the necessary conditions. Thus, this revision provided maximum level of precision in nationality law of Germany at that time (Green, 2000, p. 111).

Although citizenship reforms in 1990 and 1993 made some reforms in the German conceptualization of citizenship which was based upon German descent, not only SPD but also the Greens recognized the nationality law of Germany as still very restrictive (Howard, 2008, p. 48). After parliamentary elections were won by SPD, it created a coalition in conjunction with Alliance 90/the Greens. The coalition under the leadership of Chancellor Gerhard Schröder emphasized that the integration of immigrants who lived in Germany permanently and acknowledged Germany’s constitutional values needed to be considered on a preferential basis. In direction of this, the coalition submitted a legislative proposal in November 1998. The fundamental goals of the coalition were introducing *jus soli principle* and by this way the automatic conferment of German citizenship to the children of immigrants who were born in German soil, paving the way for the naturalization process of foreigners residing in Germany, as well as allowing dual citizenship. In consequence of polarization of debates, namely SPD and the Greens on the one hand and CDU/CSU as well as partially FDP on the other hand, SPD and the Green coalition was obliged to compromise on the bill of law. Thus, a new Nationality Act of Germany entered into force in January

2000 with some requirement for the acquisition of German citizenship (Oers, 2014, pp. 71-75).

The German Nationality Act of 2000 included a number of changes in the previous law. *Firstly*, the period of residency requirement for adult foreigners was decreased from fifteen years to eight years. However, it is important to emphasize that as in the previous years, this law was only applicable for people having gainful employment, no criminal past, as well as a valid residency permit. Additionally, the German Nationality Act of 2000 contained not only the requirement of the loyalty to the democratic and free basic order of German Constitution but also a language requirement for naturalization despite the absence of a standardized level of language requirement on the national level (Howard, 2008, p. 53).

Secondly, *jus soli* for the children of immigrants who were born in Germany was introduced by the German Nationality Act of 2000. With this amendment, the long-established tradition of the blood-based definition of citizenship (*jus sanguinis*) was accompanied by birth-based definition of citizenship (*jus soli*). In other words, while the principle of *jus sanguinis* continued its existence, the principle of *jus soli* also was comprised by Article 4 of the law (Green, 2000, p. 113). With the combination of *jus sanguinis* and *jus soli*, the government of Germany aimed to make German nationality law more inclusive (Weil, 2001, p. 19). Accordingly, the children of immigrants born in German soil can automatically acquire citizenship at birth if one of the parents has had a legal residence permit for eight years or has been granted permission for unlimited residence for three years (Green, 2000, p. 113). However, due to the difficulties of gaining residence permit, many foreigners were precluded by this restriction in practice. For understanding the negative impact of the parents' legal residence permit requirement on the citizenship acquisition of the children of immigrants born in Germany, it is beneficial to focus on differences between the German model of *jus soli* and *double jus soli* which is present in the countries like France, Belgium, Spain and Netherlands. For example, in compliance with the principle of *double jus soli* in France, third generation children born in France can have a right to gain citizenship automatically at birth if at least one parent is French-born (second generation) irrespective of the condition of the residence permit of this parent. Taking into account the number of second and third

generation immigrants living in Germany, it becomes clear that this restriction in Germany has had a negative impact on the acquisition of German citizenship for many German-born children (Howard, 2008, p. 53).

Thirdly, new German Nationality Act of 2000 involved a clause in association with dual citizenship. According to the new law, dual citizenship could only be allowed up until the age of 23. At the age of 23, it was expected individuals to choose between two citizenships (Schönwälder & Triadafilopoulos, 2012, p. 54). As a result of restrictive requirements, the German National Act of 2000 made difficult the naturalization process and the naturalized individuals decreased in number after 2000. Indeed, while the number of naturalized immigrants was 190.000 in the year of 2000, it declined to 113.000 in 2007. The reason why great numbers of people were naturalized in 2000 was that there was a great number of people who applied for naturalization before the introduction of new national law in order to abstain from restrictive requirements. This situation shows that the German Nationality Act of 2000 did not attain its aim of increasing the number of naturalizations (Oers, 2014, p. 75).

3.2. THE GREEN CARD PROGRAMME

Green Card Programme was launched by the German government in May 2000 because German industry was at a disadvantage in high technology business due to the deficiency of foreign computer and software engineers (Hollifield, 2004, p. 885). With Green Card Programme, it was planned to employ 20.000 highly skilled workers of information technology from non-European countries and by this way eliminate the labor shortages in that industry (Hollifield, 2004, p. 885). The Green Card Programme was different from the 1955-1973 guest worker program on the grounds that the main goal of the Green Card Programme was the recruitment of fewer workers into a single market sector and the target group is highly skilled workers of information technology rather than industrial and farming workers (Jurgens, 2010, p. 353).

The Green Card Program initiative of Schröder ended up with political debates. For instance, the leaders of the opposition party had an intent to stop or at least significantly change this

initiative. They laid emphasis on that it was necessary to invest in the computer trainings in both German schools and universities rather than recruit highly skilled foreign workers (Blau, 2000, p. 6). Despite these oppositions, Schröder advocated that in an increasingly globalized world, the need for labor in a significant economic sector should be satisfied by the recruitment of non-EU foreign IT professionals. His statement is also that "*there's a huge amount of international competition for the best people and Germany would be making a big mistake if it didn't take part*"(Migration News, 2000). In the Green Card Programme, the most preferred computer and Internet experts were mostly from India, the leading country for the production of IT specialists (Blau, 2000, p.6). When Green Card Programme was firstly declared, it was stated that foreign labors of information technology would not have a right to carry their families along with them. However, this policy was amended in the direction of the potentiality of family reunification as a result of the reaction of human rights organizations (Hollifield, 2004, p. 886). Thereby, the family members of highly skilled IT specialists would have a chance to accompany them to Germany. In the event that family members had a desire for working, they had to obtain their own work permit (Migration News, 2000).

Green Card Programme officially started in August 2000. With the Green Card Programme, Germany accepted approximately 9.614 highly skilled information technology experts by the time December 2002 in an attempt to satisfy the need for labor. While 8.678 of these foreign labors of information technology immigrated from non-EU countries, the rest of the individuals were foreign students who had already studied in the German Universities. After the completion of their universities, they were allowed to work for five years in the German information technology industry. It is significant to emphasize that unlike American Green Card Programme, which grants a right of permanent residency, German type of Green Card includes some restrictions such as the limitation of residency permit to five years at the most (Oezcan, 2004). In other words, the contracts of employment of the highly skilled workers were made in line with Germany's economic interests and it included work and residence permits of limited duration. The programme did not bestow a right for permanent settlement or naturalization (Jurgens, 2010, p. 353). Therefore, although Germany aimed to open the

door to 20.000 information technology specialists and liberalize the labor market, it failed utterly render German version of Green Card Programme appealing for these highly qualified foreign individuals. For instance, America or Britain was favored by these people in consequence of lower taxes and a high probability of gaining permanent settlement in these countries (BBC, 2001). By focusing on international communication technology (ICT) and aiming to recruit foreign qualified IT specialists in increasingly globalized and knowledge-based economy, Chancellor Schröder made clear that the main aim of Germany was achieving growth on the basis of the ICT sector and that German Green Card Programme was designed for economic purposes (Boswell, 2009, p. 109).

The Green Card Programme gave rise to political discussions about the immigration policy of Germany. On the one hand, SPD and the Green coalition defended that German immigration legislation needed to be more sensitive in order to respond to the needs of the industry. In the direction of this aim, SPD and the Green coalition emphasized the importance of accepting the increasing migration of labors. On the other hand, the opinion of SPD and the Green coalition was criticized by opponents concentrating on high unemployment in Germany. They stated that the employment of foreign workers was not logical in the case of such a level of unemployment. For example, the argument of the CDU and CSU was that the employment opportunities of Germans were reduced by foreign labors. With this argument, CDU and CSU aimed to transform discussion from economic base into more ideological base by laying emphasis on the clash of interests between immigrants and nationals. They also defended the difficulty of integrating the scores of newcomer immigrants (Boswell, 2009, p. 110).

On the 12th of September 2000, a commission, which consisted of experts from politics, religious organizations as well as academy, was established by the German government in an attempt for the construction of a coherent immigration and integration policy. The report named as “Structuring Migration – Fostering Integration (*Zuranderung gestalten, Integration fordern*)” was issued by the commission (Korkmaz, 2005, p. 50). The report focused on some issues like globalization, demographic factors, and the need for the workforce in Germany. In this report, it was stated that the growth of Germany in an increasingly globalized world

was contingent upon the transmission of know-how. Additionally, the report highlighted that the birthrate in Germany consistently fell away and this affected the economy of Germany, national budget and employment market in a negative way. As a result of the increasing average age of Germany, the commission proposed the recruitment of foreign workers (Independent Commission on Migration to Germany, 2001, pp. 24-36). The commission laid stress on the necessity for a controlled immigration policy including the integration of foreigners into not only society but also employment market (Oezcan, 2004). From the viewpoint of the commission, immigration became a requirement because of economic and demographic reasons. In this direction, the commission made a proposal for the introduction of point system sharing similarity with Canadian point system and with the point system, it was aimed to choose immigrants by taking into consideration some criteria like language proficiency and age (Borkert & Bosswick, 2007, p. 8).

In line with these proposals, the German government prepared an immigration bill. However, in the wake of the September 11 terrorist attacks in the United States, some restrictive changes were made in the immigration bill as a result of security concerns. The immigration bill was passed by Parliament in March 2002 and signed by President in June 2002 (Cholewinski, 2004, p. 28). Due to the oppositional pressures, the new immigration law passed in 2004 with some amendments such as the cancellation of the point system and came into force in January 2005 (OECD, 2013, p. 65).

3.3. THE GERMAN IMMIGRATION ACT OF 2005 AND FOLLOWING AMENDMENTS

The Immigration Act of Germany, which came into force in January 2005, includes some judgments with regard to the admission requirements of foreigners into Germany, some objectives of residence as well as the ending of residence and asylum procedures. As a result of amendments to Immigration Act on 28 August 2007, some provisions was incorporated into the act with the purpose of tightening the internal security, performing the decision of German Conference of Interior Ministers on German nationality law, paving the way for not

only the immigration of the founders of company but also the integration of legal immigrants (Federal Foreign Office, 2015). The legislation of Germany concerning the immigration was reconstructed in consequence of the entry into force of Immigration Act because new legal legislation concerning residence, economic activities and the integration of legal immigrants replaced the 1991 Aliens Act (Hecht, Heine, Kohlmeier & Mananashvili, 2006, p. 3). Despite the fact that there were comprehensive provisions about residence permits in the Aliens Act of 1991, this act almost completely excluded Germany's integration policy (Bonin, Fahr, Hinte & Zimmermann, 2007, p. 10).

The German Immigration Act is composed of mainly the Residence Act, the Act on the General Freedom of Movement for EU Citizens, the integration courses as well as some amendments to Nationality Act. It caused the reduction of residence titles (Hecht, Heine, Kohlmeier & Mananashvili, 2006, p. 21). While temporary residence permit has time limitation in parallel with the sufficient time for realizing educational aim, permanent settlement permit has no time limit. Foreigners are allowed to obtain permanent settlement permit when they have already received a temporary residence permit for five years and meet other requirements such as gainful employment, enough knowledge of German language, basic level knowledge about Germany's social and legal system (Federal Ministry of Justice and Consumer Protection, 2017, pp. 7-8).

3.3.1. The Act on the General Freedom of Movement for EU Citizens

It is highly important to state that the EU citizens do not take place in the scope of Residence Act because the Residence Act regulates the legal position of third-country nationals rather than EU citizens. The entry and residence in the Federal territory by the nationals of other EU member states and their dependents is determined by the Act on the General Freedom of Movement for EU Citizens (Hecht, Heine, Kohlmeier & Mananashvili, 2006, p. 21). The Act on the General Freedom of Movement for EU Citizens accords EU citizens similar rights with German citizens in keeping with the EU right of free movement and residence. Hence, the provisions regarding the residence of the citizens of the European Union and their

families differ from the provisions regarding third-country nationals. In point of family reunification, it is bestowed some privileges on EU citizens such as minimum preconditions and the exemption of the criteria of integration (Grote, 2017, p. 13).

3.3.2. The Residence Act

As another component of Immigration Act, Residence Act, put it differently Act on the Residence, Economic Activity and Integration of Foreigners in the Federal Territory, has the aim of managing and limiting of the flow of immigrants (third country nationals) into Germany. It aims to regulate the entry, economic activities and the integration of legal immigrant in concordance with Germany's economic interests and humanitarian responsibilities. In the Residence Act, the purpose of residence is categorized as "residence for educational purposes", "residence for the purpose of economic activity", "residence under international law or on humanitarian or political grounds", and "residence for family reasons".

Firstly, in the Residence Act, which was lastly amended in 2017, within the context of "educational purposes", it is stated that foreigners whose target is studying at a state or state-recognized university or an educational establishment with the object of research, training, student exchange, or voluntary services shall obtain a temporary residence permit on the condition that educational establishments accept their applications. Although the time of temporary residence permit of these foreigners is determined at the outset, it shall be prolonged minimum one year and maximum two years. The extension of the temporary residence permit shall be possible provided that foreigners have not yet attained their educational objective and it is possible to realize this objective in a reasonable time. Furthermore, after successfully completion of their studies in Germany, it is possible to extend the residence permit of foreigners for maximum 18 months when they want to look for a job in conformity with their qualifications (Federal Ministry of Justice and Consumer Protection, 2017, pp. 1-19).

Secondly, in the context of the purpose of “economic activities”, The Residence Act states that the acceptance of foreign employees depends on the demand of German economy by taking into consideration labor market situation and the necessity for fighting against unemployment. In the Residence Act, it is indicated that it can be allowed highly skilled foreigners to have permanent settlement permit if their approval has been granted by the Federal Employment Agency or intergovernmental agreement. Highly skilled foreigners include not only researchers who have technical knowledge but also prominent scientists and teaching personnel. Furthermore, it is also stated that the temporary residence permit may be granted for a self-employed foreigner if the personal capital of the foreigner is sufficient to achieve the planned business project and the business activity is compatible with Germany’s economic interests and regional needs. Despite the fact that the validity period of temporary residence permit for a self-employed foreigner is up to three years, the foreigner can be granted a permanent settlement permit after the period of three years if the planned business activity has been performed with success and his income is sufficient for the livelihood of the foreigner and his family living with him (Federal Ministry of Justice and Consumer Protection, 2017, pp. 25-39).

Thirdly, the Residence Act also focus on the residence under “international, humanitarian or political” founded. According to the Residence Act, the temporary residence permit shall be granted for a foreigner who has temporary protection on the grounds of the Council of the European Union’s decision in conformity with the Directive 2001/55/EC. Additionally, a foreigner may be granted a temporary residence permit provided that he has been granted refugee status by the Federal Office for Migration and Refugees. It is important to state that a foreigner cannot be granted temporary residence permit if the foreigner has committed an offense against humanity and peace or had improper action to the goals and cardinal principles of United Nations (Federal Ministry of Justice and Consumer Protection, 2017, pp. 40-41).

Lastly, the Residence Act focuses on also the residence for “family reasons”. As a matter of principle, the Residence Act limited the meaning of family as a nuclear family at first. In other words, pursuant to the Residence Act, the temporary residence permit was granted to

the foreign minor, unmarried children and spouses of German nationals or third-country nationals living legally in Germany. It is significant to highlight that the content of regulations about the rights of entry and residence is shaped by the legal status of the sponsor living in Germany (Kreienbrink & Rühl, 2007, p. 12). However, with the entry of the Act Implementing Council Directive 2011/95/EU into force in December 2013, parents and siblings are also included in the scope of Residence Act (Grote, 2017, p. 14). Thus, in accordance with the Residence Act lastly amended in 2017, the temporary residence permit shall be granted to foreign dependents on the purpose of preserving the marriage and the unity of family in keeping with German Basic Law. The subsequent immigration of dependents cannot be allowed if the marriage has been only based upon the aim of providing people immigrating subsequently an opportunity for entering and residing in the federal territory and if there is a tangible data that one of the spouses has been forced to marry (Federal Ministry of Justice and Consumer Protection, 2017, pp. 46-47).

According to Residence Act, the foreign spouse, minor and unmarried children of a German national as well as the foreign parent of a minor and unmarried German national shall obtain a temporary residence permit provided that the place of the habitual residence of the German national is the federal territory. As a principle, necessary conditions that foreign dependents of a German national must fulfill for receiving a permanent settlement permit are to hold a temporary residence permit for three years, possess ongoing unity of family with the German national, have sufficient command of German language, earn his or her livelihood without being contingent upon subsistence allowance and not to clash with public interest. Otherwise, it is possible to extend the time of the temporary residence permit in case that the family unit with the German national continues (Federal Ministry of Justice and Consumer Protection, 2017, p. 47). It is worth noting that although the foreigners generally receive a permanent settlement permit after possessing a temporary residence permit for five years, this period for the foreigners having a family unit with a German national is three years (Fleischer, 2011, p. 247). This example indicates that although the provisions with regard to the family reunification of third-country nationals with German nationals and the family reunification of third-country nationals with third-country nationals share similarity to a large extent, some

conditions for the family reunification of third-country nationals with German nationals are much easier to meet (Grote, 2017, p. 28).

In the context of the subsequent immigration of dependents of a foreigner, Residence Act expresses that the immigration of dependents of a foreigner can only be possible on the condition that the foreigner possesses a permanent settlement permit, EU long-term residence permit, a temporary residence permit, an EU Blue Card, ICT Card or a Mobile ICT Card and there is an adequate living space. In the context of the subsequent immigration of spouses, it is stated that the spouse of a foreigner can get a temporary residence permit provided that both spouses are no less than 18 years old and the spouse has a basic knowledge of German language. However, when there are certain circumstances which make learning basic German difficult for the foreign spouse or when it is not possible for the spouse to prove the German language aptitude due to his/her physical or mental disabilities, the spouse can be granted a temporary residence permit. Furthermore, the Residence Act also focuses on the independent right of residence of spouses. According to the Act, it is possible the extension of the spouse's temporary residence permit by one year in the case of the marital breakdown if matrimonial cohabitation has been legally continued for minimum three years in the Federal Republic of Germany or the foreigner has passed away during the matrimonial cohabitation in the federal territory. Even, the spouse of the foreigner can also be allowed to get permanent settlement permit if the foreigner holds a permanent settlement permit or EU long term residence permit and if he regularly gives subsistence money for the spouse following the divorce.

In the context of the subsequent immigration law of children, it is generally stated that the minor and unmarried children of a foreigner shall get a temporary residence permit on the condition that the parents or a parent gaining the care and custody of children possess a permanent settlement permit, EU long-term residence permit, a temporary residence permit, an EU Blue Card, ICT Card or a Mobile ICT Card. While the minor, unmarried children under 16 years of age are granted a temporary residence permit, the minor and unmarried children at the age of 16 and older can be granted a temporary residence permit only under the condition that the children have a German knowledge and ability to be integrated into the society of the Federal Republic of Germany. In the event that the right of custody and care

belongs to both parents, the temporary residence permit can be granted for a minor, unmarried child joining just one parent if another parent accepts the stay of the child in Germany or if there is a judicial and binding decision of competent authorities concerning to the matter. Moreover, the Residence Act provides a minor foreigner for a permanent settlement permit if a temporary residence permit has been held by the minor foreigner for 5 years until the foreigner gets to the age of 16. Other requirements are the sufficient level of German language knowledge and guaranteed subsistence. It is important to emphasize that even if the subsistence of the minor foreigner is not ensured, having an education or training which paves the way for vocational or higher education qualifications is sufficient for being granted a permanent settlement permit. Moreover, the parents of a minor foreigner shall be granted temporary residence permit on the condition that no parent having the right of custody and care is resident in Germany and the minor foreigner holds a temporary residence permit or permanent settlement permit as an asylum seeker, recognized refugee or right owner of subsidiary protection. In addition to all these, in the Residence Act, the situation of a child born in Germany is also mentioned. It is indicated that a child can gain a temporary residence permit *ex officio* provided that the parents or a parent gaining the care and custody of children hold a permanent settlement permit, EU long-term residence permit or temporary residence permit at the birth time of the child. When father or mother of a child born in Germany who has visa or is allowed to the lawful visa-free stay in Germany at the birth time of the child, the child shall be allowed to live in Germany during the visa or legal visa-free period of the staying (Federal Ministry of Justice and Consumer Protection, 2017, pp. 47-53).

It is important to highlight that although the provisions of Residence Act can be applicable also for the family members of a foreigner who is granted to asylum seeker, recognized refugee or right owner of subsidiary protection, some conditions for family reunification such as ensuring subsistence may be renounced after these group of people makes an application for family reunification within three months as of the ultimate recognition of their status. Additionally, the requirement for sufficient command of German language also may be waived (Grote, 2017, p. 6). In addition to the Residence Act, the family members of the

foreigner who is granted to asylum seeker, recognized refugee or right owner of subsidiary protection have also another option, which can be identified as family asylum or the international protection of the family members according to Asylum Act (Grote, 2017, p. 41). According to Asylum Act, ultimately amended in 2016, the spouse of a foreigner entitled to asylum shall have a right to be identified as asylum upon application on the condition that the foreigner's asylum status is incontestably recognized, their marriage was already in existence in the country where the foreigner is exposed to political persecution, and there is no reason for canceling the recognition of the asylum status of the foreigner. In the case that the foreigner's child is minor and unmarried when the application for asylum is made, the child can be granted asylum status if the foreigner's asylum status is incontestably recognized and there is no reason for canceling the recognition of the asylum status of the foreigner. The parents of a minor and unmarried person gaining asylum status also can be granted asylum if the asylum status of the minor and unmarried person is undoable, if there was already a family unit in the country where the person experienced the political persecution, if the parents were already entered in the country prior to the person was entitled to asylum status or their application for asylum status was made immediately after entry, if there is no reason for repeal the recognition of the asylum status of the person, and if the right of custody and care for the person granted asylum status belongs to the parents (Federal Ministry of Justice and Consumer Protection, 2016, pp. 17-18).

3.3.3. The Integration Courses

Another component of the Immigration Act is the integration courses. By taking the Dutch model as an example, the integration courses consisting of 600 hours of language education and 30 hours of civic education was introduced by the Immigration Act. According to the Immigration Act, performing with success in the integration courses, achieving the B1 level of German language and holding basic knowledge of the legal system and social order in Germany would be considered as main requirements for gaining permanent settlement permit. With the integration courses, it was expected to prevent the parallel societies and by

this way hindering segregation. It is important to state that there is a shift in the approach. Whereas fighting against segregation is thought to be possible by granting the immigrants full membership rights before the Immigration Act, this understanding has changed with the Immigration Act in the direction of that the immigrants should firstly be integrated successfully and thereafter awarded by gaining residence rights in order to fight against segregation (Oers, 2014, pp. 80). It is significant to emphasize that the period of civic education increased from 30 hours to 100 hours as a result of the entry into force of the Integration Act in August 2016 (Grote, 2017, p. 38).

Like other immigrants, immigrants with the purpose of family reunification are liable to join the integration course in order to have a right to extend their residence title. Before the extension of residence title, an examination is held in order to understand whether the third country national joined integration courses or at least in part of the integration course and passed the final exam (Grote, 2017, p. 43). In case they do not attend the integration courses or failure to pass the final test, it is necessary for the competent authorities to acquaint the third country national with the results of his or her action. When the obligation for joining the integration course is not fulfilled by the person, “*the prospective charge to cover costs may also be levied in advance in a single sum by issuing an official notice of fees*” (Federal Ministry of Justice and Consumer Protection, 2017, p. 61). Not only the children and young adults receiving school education in Germany but also the foreigners having sufficient command of German language are not responsible for attending the integration courses. Moreover, a foreigner who is in vocational training-education in the Germany, or who shows evidence of the attendance in an equivalent education in the federal territory, or who demonstrates that he/she has already been joined in an integration courses in another member state of EU with the intent of getting his/her legal status as a long term resident, or for whom the participation to the integration courses consistently is unfeasible also is not liable at attending the integration course. It is important to emphasize that a foreigner who gain a permission to remain pending the asylum decision and believed to obtain permission to stay legitimately and permanently or whose deportation has been suspended is obliged to join the integration course if the foreigner gets benefits in accordance with the Asylum Seekers

Benefits Act and the national authority engaging in benefits requests the foreigner to attend the integration course (Federal Ministry of Justice and Consumer Protection, 2017, pp. 59-61).

3.3.4. The Amendments in The Nationality Act

Another important component of the Immigration Act is the amendments in the Nationality Act of 2000. For instance, according to a new article which was introduced in the Nationality Act as a result of the initiative of the CDU (Christian Democratic Union) / CSU (Christian Social Union) party, the competent authorities on naturalization were responsible for sharing the personal data of applicants at the age of 16 years and older for security reasons. From the viewpoint of CDU/CSU fraction, terrorist attacks such as 9/11 was a testament to the fact that considering all possibilities in the process of naturalization for excluding the terrorists from obtaining German citizenship was essential for security reasons. In addition to this, although the German Nationality Act consisted of language requirements for naturalization, there was no standardized language requirement. The Immigration Act amended the Nationality Act by standardizing language requirement, which means achieving B1 level of German language was identified as a common level of language requirement (Oers, 2014, pp. 79-81).

In this chapter, I tried to analyze the legal framework pertaining to family reunification and family formation in the German context as a first dynamic. By this way, I tried to evaluate the impact of the changing migration policies of Germany upon the whole types of migration in the general sense and upon the family-based migration in particular. In line with this purpose, I focused on the changes in the legal framework of Germany especially with reference to the residence titles for family migrants and acquisition of German citizenship. In this context, I focused on the German Nationality Act of 2000, The Green Card Programme, developments about German immigration policy up until 2004, and The German Immigration Act of 2005 and the following amendments. It is possible to state that national legislations of Germany were not successful to create social cohesion and meet the

immigration needs by the time 2000. Therefore, Germany aimed to form more controlled and managed migration policy with the regulations in the legal framework as from 2000.

These developments and regulations in legal sense have played a key role in the settlement, citizenship acquisition and integration of the foreign dependents. It is important to state that the scope of family migration is transformed by the ever-shifting legal framework. For instance, although only nuclear family members containing foreign minor, unmarried children and spouses of German nationals or third-country nationals living legally in Germany were scope of the foreign dependents, this situation changed after the entry of EU Directive 2011/95 into force, which paved the way for the inclusion of other dependents such as parents and siblings. However, it is crucial to state that in spite of the extension of the scope of the foreign dependents and the implementation of more inclusive migration policy since 2000, the legal provisions concerning family migration in Germany is still very restrictive because of the some requirements such as language requirement, guaranteed subsistence and the loyalty to democratic and free basic order of German Constitution which must be fulfilled by foreign dependents for gaining residence title, extending the title and then for acquiring German citizenship. In order to understand the family migration process from Turkey to Germany, it is necessary to focus on another important dimension namely citizenship. Therefore, in the next chapter, it would be focused on the citizenship theories and the citizenship dimension of family migration in the general sense.

4. MOVING FROM THE PRIVATE TO PUBLIC: CITIZENSHIP, NATURALIZATION AND MARRIAGE

Legal developments have had an important influence on family migration in Turkish-German context. In this chapter, it would be focused on citizenship as another crucial dimension which is strongly in association with the legal framework of Germany regarding family reunification and family formation. Focusing on citizenship would be beneficial on the ground that understanding how a private matter like marriage becomes a public issue can be possible only by analyzing it within the context of citizenship. Accordingly, this chapter firstly would put emphasis on the conceptual and theoretical framework of citizenship. In line with this purpose, different approaches of the scholars would be analyzed by focusing on the basic dimensions of citizenship. And then, the factors affecting the citizenship acquisition would be analyzed especially in the marriage and state axis.

4.1. A CONCEPTUAL FRAMEWORK ON CITIZENSHIP

In an increasingly globalized world in which international migration flows are on the increase, the matter of accessing citizenship rights has gained world-embracing importance. Not only ideological but also structural grounds have tended to challenge the ideas which give support to provide an opportunity for accessing to citizenship by foreign national residents. On the one hand, the focus of the ideological ground is the practical results of the connection between formal and informal implications of citizenship. In line with this idea, citizenship is perceived by the ideological ground as a cause or effects of the integration of immigrants into the receiving countries. On the other hand, the structural ground has brought a new perspective on the issue of citizenship by developing new forms such as dual

citizenship, transnational citizenship or post-national citizenship (İçduygu & Senay, 2008, p. 298).

In their study on the issue of citizenship, Kymlicka and Norman (2000) state that the legal status, identity and civic virtue are three main dimensions identifying the concept of citizenship at the individual level. Firstly, citizenship indicates a *legal status* which is acquired by citizens. Within the scope of the legal status of citizens, their rights and duties are specified. Secondly, another dimension of citizenship is *identity* which is associated with the membership to political communities. The identity aspect includes a variety of identities such as ethnicity, race, or gender. Thirdly, citizenship is associated with the *civic virtue* which is necessary for acting as a good citizen and taking part in the political community. Moreover, at the community level, there is another aspect namely *social cohesion* and this aspect is connected with social stability, political unity as well as internal peace. It is important to emphasize that these four dimensions of citizenship strengthen each other in consequence of their either dialogical or dialectic interrelationship (Kymlicka and Norman, 2000, pp. 30-31)

In addition, İçduygu and Senay (2008) emphasize that there is also a strong connection among the aspect of legal status, identity and civic virtue and this connection have a great impact on the embodiment of the perception of citizens in regard to their citizenship. For instance, legal status is a determining factor for the definition of citizenship rights and duties. The extent of these rights and obligations plays an essential role in shaping not only the identity formation of citizens but also the perception of citizens regarding their identities. In a similar manner, the identities of citizens can encourage citizens to participate in civic activities (İçduygu & Senay, 2008, p. 300).

As stated by Benhabib (2018), citizenship can be defined as “*membership in a bounded political community, which was either a nation-state, a multinational-state or a federation of states*” (Benhabib, 2018, p. 180). She continues to state that in a bounded political community, the definition and check of the citizenship is necessary for the running of the political regime. In this context, a citizen is defined as an individual possessing membership rights for residing in a territory and being contingent upon the administrative procedure of the state. The *collective identity, privileges of political membership* as well as *social rights*

and benefits are primary elements constituting the citizenship (Benhabib, 2002, p. 454). Delanty (2000) also states that citizenship is associated with being a member of a group in general manner. In addition to membership, the concept of citizenship has also other main components such as rights and duties, identity, and participation (Delanty, 2000, p. 9).

In the light of these, citizenship is not only related with being a member of a group. Citizenship also has other dynamics including identity, rights and duties as well as various civic virtues in order that immigrants have an opportunity to live in harmony in the host society. The immigrants can be part of host society under the condition that they have some rights and duties, sense of belonging and political as well as social participation in the host society. In migratory context, the inclusion or exclusion of the immigrants living in host countries is associated with the efficiency of these components which are main determinants of the process of citizenship. Like all types of migration, marriage migration is also strongly associated with these elements. For example, marriage is one of the most important means of identity formation. In this sense, the analysis of the notion of citizenship and its fundamental elements from the viewpoints of various prominent scholars, as mentioned below, would be first step to understand family migration within the context of citizenship.

4.1.1. Membership

As one of the most important representatives of the classical conception of citizenship, T.H. Marshall defines citizenship as a legal status granted to individuals by virtue of their membership to the community. This legal status provides these people an opportunity to gain equal rights for achieving their different targets (Marshall, 1964, p. 87). In other words, Marshall's citizenship theory indicates that membership is provided by citizenship by means of the foundation of equal rights. However, it is significant to highlight that the equality understanding of Marshall is fundamental public equality that stimulated inequality in the market (Lister & Pia, 2008, p. 14). Like T.H. Marshall, Brubaker (1992) also emphasizes the importance of membership as a component of citizenship. According to Brubaker (1992, p. 21), in the political system, citizenship is one of the most important universal concepts

because all modern states in all over the world officially categorize people as their members or foreign nationals. In line with their legal status of citizenship, these people are given some rights and duties by state. Despite the fact that modern states are domestically inclusive, citizenship does not simply mean the extension of residence title and prolongation of their status. Within this context, it is possible to state that every modern state is also a membership organization rather than merely a territorial organization. Additionally, as pointed out by Stewart (1995, p. 65), this kind of conception of citizenship regards states as main forces which have decision-making authority about membership.

Unlike the supporters of the norm of national citizenship, there are also other scholars emphasizing the irrelevance of the model of national membership and focusing on a new and stable model of post-national membership which is based upon international human rights regimes and discourses (Joppke, 1999, p. 630). For example, in her study, Nuhoğlu-Soysal (1994) considers national citizenship as a means of exclusion. She defends the notion of new form of post-national membership especially by focusing on the rights of guest workers in post-war Europe. In order to clarify her claim, she points out that despite the fact that the guest workers of post-war Europe did not acquire citizenship, they gained a safe membership status. This is the post-national membership which is based on the ground of the world-wide statements in regard to universal human rights rather than purely the sense of national belonging.

On the other hand, Kymlicka (1995) focuses on the notion of “multicultural citizenship” and, in this way, maintains a stance against not only national membership model but also post-national membership understanding. He disagrees with the post-national membership model on the ground that nationally bounded citizenship is still relevant. Furthermore, he does not also agree with national membership model for the reason that citizenship is shapeable as well as compatible with the cultural pluralism.

4.1.2. Identity

As one of the most important datum point, identities play a crucial role in world politics. Despite its increasing importance, there is a difficulty in not only defining the meaning of identity but also understanding how it is constructed in various sociopolitical climates (Inaç & Unal, 2013, p. 223). In this context, it would be beneficial briefly to focus on the concept of identity in general before analyzing the features of identity in the literature of citizenship.

Howard (2000, pp. 367-368) defines identity as a keyword in today's world. He states that identity was given rather than chosen in earlier times when there was a stability in societies identity. In this direction, it is possible to state that identities did not become more of an issue in old times. Nevertheless, the concept of identity has come into prominence in the recent times because of the changes in not only social groups as well as networks which shape the identities of people but also social structures containing these social groups and networks. Davis (1991) describes the concept of identity differently from both sociological and philosophical as well as psychological specifications. He states that:

"Identity ... is a concept that neither imprisons (as does much in sociology) nor detaches (as does much in philosophy and psychology) persons from their social and symbolic universes, [so] it has over the years retained a generic force that few concepts in our field have." (Davis, 1991, p. 105).

Weaver (2001, p. 240) stands for that there is a great variety of constituents of identity such as language, religion, race, ethnicity, as well as gender and that these components have had different impacts upon people in the course of time. Hall (1996, p. 4) argues that identities are fragmented rather than unified in modern times. In other words, they are constructed in an environment in which there are antagonistic speech, attitudes and behaviors. They are always subject to change and undergo a transformation over time. Inaç and Unal (2013, p. 223) supported this idea by stating that identity can be identified as an unstable structure which is in a constant state of flux by force of the current conjuncture. Additionally, Hobsbawm (1996, p. 41) has the opinion that it is not possible to identify human beings without taking into consideration of the combination of their characteristics despite the fact

that one of them can predominate over other characteristics. While defining collective identities, he points out that although identity groups can have some similarities and the members of identity groups such as ethnic groups have a tendency to define themselves as natural, identities are actually socially constructed and interchangeable.

It is significant to emphasize that although there is no common ground about what identity is, identity is considered by many scholars and theories as an important feature of the notion of citizenship. From the viewpoint of communitarians, citizenship is not solely composed of rights and duties. Identity is also an important component of citizenship. Unlike the liberal theory of citizenship that highly pronounces formal dimension of rights and duties, the communitarian model of citizenship focuses on the substantive dimension of identity and participation. Communitarian model of citizenship places a great emphasis on culture and especially national identity. It is significant to state that communitarian discourse is in the midst of the neo-republican conceptions of participatory democracy and the conservative model of citizenship that lays stress cultural particularness. Whereas the neo-republican model stands for that community is incomparably a political community, the communitarian understanding of citizenship considers the community as a cultural community and states that political community is closed. For communitarians, historical and cultural bonds characterize the community. In this context, it is possible to point out that the state is only a representative of a cultural community (Delanty, 1997, p. 291). Communitarians indicate that communal identity is originated from coming together in order to give the right decisions for the collective. Contrary to the communitarian model of citizenship, the traditional liberal model of citizenship defends the close relationship between citizenship and rights. In this direction, they continue to remark that citizens should be given a loose by the state for realizing their individual objectives (Bloemraad, 2000, p. 21). In a similar manner, Walzer (1995) states that communitarian understanding emphasizes that participation in the polity plays an important role in the establishment of the feeling of common identity. The participation can be actualized by means of the interaction process with other groups in civil society.

According to the post-national citizenship model, there are two fundamental types of citizenship, namely civic citizenship and ethnic citizenship. The post-national model focuses

on both formal dimension and substantive dimension of citizenship. On the one hand, civic citizenship is inclusive of strong sense of civic rights and participation in the polity to a certain extent. In this regard, it is possible to state that not only the formal dimension of rights but also the substantive dimension of participation are comprised of the post-national model of civic citizenship. On the other hand, ethnic citizenship is based on the ground of identity and duties and by this way contains not only formal dimension but also substantive dimension (Delanty, 1997, pp. 291-292). As a prominent advocate of the post-national citizenship model, Nuhoğlu-Soysal (2002, p. 18) states that new developments concerning membership in national polity came to existence for the reason that the ideology and organizational structure of the international system have complexified the national closure of citizenship in the post-war era. As a result of these radical changes, two fundamental elements of citizenship, namely rights and identity were decomposed. Within this context, rights which were formerly related to the sense of national belonging have ever-increasingly come in possession of abstract and widen to involve transnational rights. Nevertheless, it is still mentioned that identities are not inclusive and limited to territory.

4.1.3. Rights and Duties

Rights and duties are other main components of citizenship. However, not only the connection of rights with the citizenship but also the results of the connection theoretically and normatively has become a highly controversial topic by scholars studying connected with citizenship and migration (Bloemraad, 2000, p.17).

As one of the most important representatives of the classical model of citizenship rights, Marshall (1963) considers citizenship as “a status bestowed on those who are members of the community” and states that all people possessing a legal status are granted equal rights and duties. According to him, there are three types of citizenship namely civil rights, political rights and social rights. Civil rights guaranteeing the freedom of individuals include the individual freedom right, freedom of expression, the right to freedom of religion and right to own property. Individuals obtained civil rights in the eighteenth century in consequence of

the expansion of the law. Political rights such as the right to vote took root as a result of the improvement of the democratic system in the nineteenth century. Social rights such as the right to health, education and security become established in the twentieth century in the wake of the rise of welfare state (O'Byrne, 2004, p. 6). Previous types especially civil rights arose from the bourgeois liberation rebellion against the absolute state and were protection against violence committed by the state. On the other hand, with social citizenship, it was aimed to ensure protection against not only social inequalities but also market forces. In this context, from the viewpoint of Marshall, a citizen can be defined as right owner and the state has a duty to defend the rights of citizens (Delanty, 1997, p. 289). It is important to emphasize that Marshall regards citizenship as “the architect of legitimate social equality” (Marshall, 1964, p. 73). Marshall states that equality does not mean substantive equality. Equal rights providing every individual freedom and equal opportunity to reach their private aims mean the public equality which allows for the market inequalities (Marshall, 1964, p. 91).

Marshall's linear model has widely been criticized in consequence of the increasing global human rights perception and the existence of a vast number of immigrants living in liberal-democratic countries (Bloemraad, 2000, p. 17). It is possible to divide the criticisms into three categories. *Firstly*, Marshall was criticized because he only focuses on class disparities and glosses over another type of disparities such as gender inequality. *Secondly*, despite the fact that Marshall describes the improvement of citizenship as apolitical and all people holding a legal status are granted equal rights and duties passively, criticisms state that citizenship can be obtained as a result of a political struggle which is failed to notice by Marshall. *Thirdly*, Marshall was criticized also because he presumes that citizenship rights and duties are ensured only by the state. Criticisms emphasize that apart from states, there are also other sources namely local institutions and supranational organizations like the United Nations (Lister & Pia, 2008, p. 14). In addition to this, Marshall is criticized because he advocates that civil rights are antecedent to the political rights and the political rights are antecedent to social rights. He states that there is a progression of citizenship rights. For instance, he indicates that workers can lay claim to the social rights after gaining political rights. However, many scholars criticize his consideration by pointing out that people living

in a country can lay a claim to have social rights even though they are not citizens. For instance, there are a lot of non-citizens living in European countries for many years and they are entitled to the civil and social rights regardless of their legal status. They continue to state that a variety of people including illegal immigrants have become entitled to some civil rights and social rights in the late 20th century. Nevertheless, political rights have been granted only to citizens. (Bloemraad, 2000, pp. 17-18). In addition to this, Nuhoğlu-Soysal (1994) takes a stand that there is a transformation of citizenship toward the post-national citizenship. Within this context, she points out that national belonging lost its importance for gaining rights as a result of the increasing international migration, the establishment of new political organizations such as European Union, and the rise of the international discourses in regard to human rights. By this way, states do not have a power to withhold the non-citizens from rights.

Within the context of duties, it is possible to point out that it is not given wide coverage to the subject of duties. It is scarcely discussed by comparison with other components of citizenship. Although the duties are regarded in conjunction with the rights by the citizenship literature in most cases, it is actually not compulsory. For instance, when we look at the authoritarian states, people can fulfill duties without gaining any specific right (O'Byrne, 2004, p. 7). It is significant to state that unlike the liberal model of citizenship focusing on the rights, the duties have been mainly the discourse of the conservative model of citizenship. Rather than emphasizing the duty of state for providing individuals with rights, the conservative model of citizenship advocates that individuals must perform their duties such as the military service and tax payment in obedience to the state. According to the conservative model, citizenship can be defined as both active and passive. Indeed, the fact that citizens must perform some duties to state makes the citizenship active. However, they are not liable at engaging in the critical discourse. In this regard, citizenship is also passive (Delanty, 1997, p. 290).

4.1.4. Participation

Of all the components of citizenship, participation occupies an important position as one of the most conventional ways of seeing citizenship. In ancient Greek civilization, the concept of participation was studied by philosophers such as Aristotle and the basic approach of many of the philosophers was that citizenship is mainly related to participation. In other words, they stated that citizenship was linked to the reinforcement for being active in the governing of society. Nevertheless, because of the complexity of the concept of democracy, there is a need for shedding some light on the relationship between citizenship and participation by distinguishing the representative democracy from direct democracy. Whereas citizens elect representatives for taking resolutions on behalf of citizens in the representative democracy, citizens are individualistically involved in the decision-making process in indirect democracy. In either type of citizenship, participation is regarded as an element of citizenship (O'Byrne, 2004, p. 8). According to the sense of citizenship as is used in ancient Greek, only citizens put in a claim for political participation as well as participation to economic activities. For the reason that geopolitical borders are an important determinant of a great number of activities pursuant to traditional analysis of citizenship, nation-state has become the focal point of participatory citizenship. However, it is necessary to emphasize that participation is not only associated with the borders but also takes place in the scope of future innovation. In other words, geopolitical borders are not the sole identifier of participation in economic, political or social terms. The participation of immigrants crosses the border of socio-politic communities by means of international networks (Bloemraad, 2000, p. 25).

In her study, Mouffe (1991, p. 72) makes the comparison of *liberal* and *civic republican understanding of participation*. She states that despite the fact that the liberalism contributes by the formulation the notion of universal citizenship based on the ground of free as well as equal people innately, it degrades citizenship into only a legal status. In this direction, liberalism regards social cooperation as a tool for developing individual capacities and accelerating the process of the attainment of the individual objectives. Through the lens of liberalism, the combination of democratic institutions with the sense of common purpose is

not possible and individual liberty is ill-matched with political participation. In this sense, liberals stand for that individual liberty can be possible only in case that coercion is absent. In this context, it is possible to state that political participation and civic activity does not that it matters. Conversely, political participation has an important place for civic republicanism. Similarly, Habermas (1994, p. 25) clarifies the *republican meaning of citizenship* by stating that the political rights of participation take place in the scope of citizenship. According to him, democratic rights defining the status of citizens are demanded by individuals with the intention of change their material legal status. In addition to this, Gunsteren (1994, pp. 45-46) focuses on the *neo-republican conception of citizenship* which contains some components from the communitarian, republican and individualistic meaning of citizenship. *Firstly*, the neo-republican conception of citizenship includes some characteristics of the communitarian model of citizenship. In this direction, “*the citizen is a member of a public community*” and the republic has a responsibility to regulate the plurality. Despite the fact that there is a temporary and direct clash between the political community and other communities, it is all the time indirect in the last resort. This makes the political community special. Additionally, the freedom of individuals is built and preserved by the republic for the purpose of constituting and shaping communities. *Secondly*, the neo-republican conception of citizenship also includes some republican ideas of citizenship. Accordingly, the theory considers virtue as an important part of citizenship. However, virtue which is indicated is participation and associated with democracy, reasonability, and plurality rather than military virtue. In compliance with this understanding, it is stated that it is not sufficient simply to obey the rule. It is necessary for the reasonable treatment of authority. *Thirdly*, the neo-republican conception of citizenship also includes some components from the individualistic understanding of citizenship. In this direction, neo-republican understanding regards citizenship as a principal office in the public community. Citizens have to possess the required qualifications in an effort to acquire and exercise citizenship. At this point, republic has a responsibility to accelerate this process and designate the required qualifications.

Furthermore, according to Kymlicka and Norman (2000, p. 31), civic virtue that is necessary for acting as a good citizen and being a part of the political community is one of the most important elements of citizenship. It is important to emphasize that the element of civic virtue conceptually and empirically has a relationship with other elements namely legal status and identity. For instance, the motivations for social and political participation as a civic virtue are affected by identity on a large scale. Put it differently, shattered citizenship identities end up with the poor civic virtue. If immigrants feel like an outsider from national identity, they become also estranged from the political sphere. This is an important example of the strong interrelationship between the components of citizenship.

4.2. CITIZENSHIP, NATURALIZATION AND MARRIAGE

Naturalization which is the most contentious part of the citizenship policy can be defined as a fundamental way providing immigrants with an opportunity to gain national citizenship. Citizenship acquisition is based on not only the material conditions but also the procedural situations. In other words, the material conditions and the procedural situations either facilitate the citizenship acquisition by way of easy transmission from the residence permit to citizenship or make this process difficult. In this direction, it is possible to state that the requirements which must be fulfilled by immigrants and the process of naturalization become more of an issue in order to comprehend the citizenship acquisition of the immigrants and the attitudes of the immigrant-receiving countries (Goodman, 2010, p. 1). Despite the fact that some scholars such as Nuhoğlu-Soysal (1994) point out that it is not necessary to acquire citizenship for gaining a safe membership status and various rights are bestowed on non-citizens just like the citizens gain, other scholars like Goodman (2010, pp. 3-4) state that citizenship is of prime importance by reason of gaining political rights such as the right of voting, economic rights, free movements as well as right to family reunification. In this context, from the immigrants' point of view, naturalization plays a key role in accessing "full rights of citizenship".

As stated by Bloemraad (2000), the decision-making mechanism on the naturalization is the state. The naturalization of immigrants depends upon the laws and the requirements which are determined by the state. Due to this reason, the willingness of immigrants for being naturalized does not matter by comparison with the naturalization decisions of the state. Nevertheless, there are also studies about naturalization which use micro-level methods and focus on the importance of the motivations and key attributes of the immigrants who apply for acquiring citizenship (Bloemraad, 2000, p. 15).

Despite the fact that these motivations are subordinated to the attitudes of states towards citizenship acquisition, it would be beneficial to focus on scholarly discussion about the relationship between citizenship acquisition and factors which encourage individuals to be naturalized. These discussions mentioned below would be useful to make micro-level analysis regarding how immigrants exhibit attitudes towards naturalization. Although these factors also have an impact on the immigrants' naturalization decisions, they make a sense under the condition that national legislations allow the naturalization. Therefore, states are main forces in the citizenship acquisition of immigrants. This situation is valid also for citizenship through marriages. Immigrants cannot gain a right to be naturalized by means of marriage if laws and government policies militate against their citizenship acquisition. Therefore, marriage is a public matter.

Traditionally, the interrelationship between the naturalization of immigrants and their integration and adaptation process in the meaning of socio-economic and socio-cultural context in immigrant-receiving countries is explored by some studies such as Barkan and Khokhlov (1980), Beijbohm (1971) and Chiswick (1978) (Peters & Vink, 2016, p. 363). Ersanilli and Koopmans (2010, p. 773) also analyze the relationship between the naturalization and the socio-cultural integration level of immigrants by comparing the naturalized immigrants with the non-naturalized immigrants living in the in the Netherlands, France and Germany. In their studies, the determinants of the socio-cultural integration level of immigrants are "host-country identification, proficiency and use of the host-country language, and interethnic social contacts". Their studies show that there is a positive

correlation between the naturalization and socio-cultural integration level solely in France and Germany.

In his study, Yang (1994, pp. 451-452) introduces the utility model and focuses on the cost and benefits which have a great influence on the citizenship acquisition process. He points out that there are benefits of acquiring citizenship, on the one hand, including some political, civic as well as social rights which are entitled to the immigrants. On the other hand, there are also costs involving in the effort and time in the citizenship application process, the risk of losing their main citizenship and the financial charges. In a similar manner, by using Public Use Microdata Files (PUMF) from 1991, 1996 and 2001 Censuses of Canada, DeVoretz and Pivnenko (2005, pp. 443-463) investigates the relationship between the immigrants' naturalization decision and its costs-benefits across their citizenship. In this study, the target group was limited to the age group between 25 and 65 who possess either permanent residence title or Canadian citizenship. The result of their study shows that there is a strong relationship between the naturalization rate of immigrants and cost-benefits of the citizenship acquisition. Economic forces have a great impact upon the immigrants' decision to naturalize in Canada. When taking the naturalization decision, especially the immigrants from the less developed countries are much more likely to be influenced by economic costs and benefits of the citizenship acquisition. In this context, the result of the study is in conformity with the socio-economic model. The study also shows that there is an increase in the earnings of not only male but also female immigrants in consequence of the citizenship acquisition.

Furthermore, as a result of subsequent development in researches, the relevance of other factors which determine the citizenship acquisition has also been discussed by literature on naturalization. The main focus of the researches has been the origin context, personal features and the conditions which encourage or discourage immigrants to acquire citizenship (Peters & Vink, 2016, p. 363). For instance, Yang (1994) investigates the impact of the personal features and the social situation in the home country of the immigrants on the possibility of citizenship acquisition by utilizing the Public Use Microdata Sample (PAMS) data from 1980 census of United States. According to the study, the tendency of the immigrants to citizenship acquisition has been affected to a large extent by not only immigrants' ethnic group but also

political, cultural, social as well as geographical situations in immigrants' home country. In addition to this, the demographic characteristics of a vast majority of immigrants also have a significant influence on the probability of the immigrants' citizenship acquisition. Likewise, Dronkers and Vink (2012, p. 394) point out that despite the fact that legal framework plays a determining role whether the immigrants can acquire citizenship, institutional situations also have a great impact on the naturalization. In other words, the naturalization rates are affected also by the socio-economic environment. For explaining this, they use the pull-push hypothesis. According to the hypothesis, if the social and economic conditions in the country of origin are less attractive in comparison with the conditions in the immigrant-receiving country, the immigrants will be much more likely to naturalize. Peters and Vink (2016, p. 363) support this idea by stating that the deprivation of social and economic freedom, security in political terms and poor quality of life in the country of origin encourage the immigrants to stay in the destination country and naturalize on a large scale. Further research conducted by Breuer, Dronkers and Vink (2013, p. 1) investigates the citizenship acquisition rates in terms of the level of the development of the country of origin. This analysis shows that immigrants from underdeveloped countries attach more importance to easily accessible citizenship policies in comparison with immigrants from developed countries.

Language, the length of residence of the first-generation immigrants and age of second generation immigrants are other factors which determine the naturalization rates. It is important to emphasize that the length of residence is directly positively associated with citizenship acquisition (Dronkers & Vink, 2012, p. 390). One of the most important requirements for naturalization is residing long period of time in the destination country. The loyalty of the immigrants to the host country compounds proportionally by the residence time by way of stepped accumulation of socio-economic, cultural as well as political values which are special to the host country. In contrast to literature including the relationship between the length of residence and naturalization rates, the literature on the relationship between age and naturalization rates is less conclusive (Peters & Vink, 2016, p. 364).

Despite the fact that there is a broad literature on the relationship between the naturalization and the factors mentioned above, the relevance of the *marital status* is far less discussed with

literature. A great number of scholars analyzing the relationship between the citizenship acquisition and marital status suggest that marriage has a positive impact on naturalization (Peters & Vink, 2016, p. 364). For example, Yang (1994) states that the tendency of married immigrants to acquire citizenship is far more than the tendency of single immigrants. According to him, this situation can be explained with three main reasons. *Firstly*, since the lives of the married immigrants are much more stabilized in comparison with the single immigrants, the probability of the repatriation of the married immigrants is respectively lower. In this situation, it is possible to remark that married immigrants are much more likely to reside in the host countries. *Secondly*, the loyalty of the immigrants to the host society can be deepened in consequence of the marriages with the native population. Thus, marriages pave the way for both stability and social integration, which make naturalization easier (Yang, 1994, p. 455). The idea of that marriages have a positive influence on the citizenship acquisition is also supported by the studies of Bueker (2006), Beijbom (1971) and Liang (1994). Furthermore, the impact of marital status on the citizenship acquisition is also analyzed by Bevelander and Helgertz (2017). As it is mentioned in their study called “The Influence of Partner Choice and Country of Origin Characteristics on the Naturalization of Immigrants in Sweden: A Longitudinal Analysis”, they use the data comprising the period between 1968 and 2001 for analyzing the impact of family dynamics on the tendency of the immigrants to acquire citizenship in Sweden. This study reveals that the higher likelihood of acquiring citizenship can be observed in the situation of marriage with a foreign-born citizen. In addition, another result of the study is that the decision of the immigrants in the direction of naturalization is the result of a concurrent resolution between married couples and their decision is substantially affected by a common purpose for long-term settlement in the receiving country (Bevelander and Helgertz, 2017, pp. 686-697).

In contrast to many scholars advocating the positive relationship between being married and the propensity to naturalize, some scholars predicate no relation. The lack of consensus on the relationship between marital status and naturalization stems from the differences in the methodological analysis (Bloemraad, 2000, p. 15). For example, using logit models, Evans (1988, p. 259) defends that there is no relation between marriage and naturalization by stating

that citizenship rights and duties of unmarried immigrants are almost tantamount to the married immigrants.

Identity and a sense of belonging are associated with citizenship through marriages. In this context, it is important to emphasize that not only identity but also a sense of belonging is acknowledged by the state. Especially, as of the emergence of modern nation states, the influence of states on the marriages has increased. States have played a fundamental role for deciding what is legal with regards to the citizenship through marriages, which enables the state to protect their sovereignty not only externally by preventing the interferences of other states but also internally by exercising control over its population and prospective citizens (Kaufman & Williams, 2007, p. 20). Although marriage is considered as a private contract, it is also a public institution since the rights and obligations are created and arranged by public authority. In other words, due to the fact that states have a great impact upon the private realm by determining the status and citizenship rights of the married people in the public realm, marriage cannot be limited to the private realm (Cott, 2000, p. 107).

Within the context of the rights and obligations connected with the citizenship acquisition, it is necessary to focus on gender-based differences. Despite the fact that some groups such as Jews in Europe and black men in the United States were given free rein in consequence of the developing civil rights of citizenship in 19th and 20th centuries, it was obvious that just women continued to be subordinated in terms of the rights and obligations of citizenship (Vogel, 1991, p. 75). Until the end of the WW1, the citizenship of a married women was generally contingent upon the citizenship of his husband in nearly all states. For example, it would be beneficial to focus on Napoleonic Codification of civil law in order to comprehend the scope of citizenship rights through mixed marriages and the control of states over the private sphere. Pursuant to the Napoleonic Code, a woman who was not French had a right to acquire French citizenship in the case of her marriage with a Frenchman. However, when a Frenchwomen married with a foreigner, she gained the citizenship of her husband's country. Additionally, the nationality of children could be transmitted from the father. Like France, many other countries in the world regarded the citizenship of married women as subordinated to their husbands (Sluga, 1998, p. 94). In the course of WW1, European

Feminists kept together in an attempt to raise awareness about the subordinated status of married women. They pointed out that equal opportunities for deciding their own nationality should be provided to married women in just the same way as men. On the other hand, not only regional treaties but also international conventions for the prevention of gender discrimination in terms of citizenship was concluded later on. As a result of these developments, the long-standing patriarchal structure of citizenship acquisition in terms of both children and women arrived at the conclusion (Kaufman & Williams, 2007, pp. 22-25). For instance, by 1980s, the dualistic system, which enables a woman to have another citizenship beside the citizenship of her husband, took the place of the unitary system compelling women to gain her husband's citizenship in several West European states by 1980s. By this way, the target was that mixed marriages between two people from a different nation or ethnic origin would not necessarily give rise to acquire or lose of the citizenship automatically (Vink & de Groot, 2010, p. 716). Furthermore, in consequence of the developments, the notion of that dual nationality endangers the state lost its importance. In other words, dual nationality hereinafter has not been considered as a danger to the state. In addition to this, the nationality of children born as a result of mixed marriages has been determined in the sense of gender equality by equal treatment principle between men and women in respect to the transmission of citizenship to their children (Kaufman & Williams, 2007, p. 25).

Nevertheless, there are still states whose laws with regard to citizenship are still discriminating and their nationality laws have still a tendency to subordinate women to men. These states make sex discrimination in the acquisition of citizenship rights such as right to education, political participation and right to own property (Kaufman & Williams, 2007, p. 25). Discrimination in the citizenship acquisition is also mentioned in the paper called *"Women 2000 and Beyond: Women, Nationality and Citizenship"* by the United Nations. As stated in the paper:

"Problems can also occur where a married couple of different nationalities lives, or seeks to live, in the State of the wife's nationality. The laws of a number of countries impose longer residency requirements on a husband who wishes to acquire the nationality of his wife than on a wife to acquire that of her husband. Indeed, the laws of some countries make it impossible for the

husband to become a national of his wife's State.... the restrictions are based on discriminatory attitudes based on stereotypical expectations—that a wife should follow her husband and that a married couple should live together in the husband's State of nationality” (United Nations, 2003, pp. 7-8).

Moreover, gender inequalities for the transmission of citizenship to children still remain a challenge. For instance, despite the fact that many Arab countries adopted CEDAW, *The Convention on the Elimination of All Forms of Discrimination against Women*, they continued to subordinate women to men within the context of the transmission of their citizenship to their children. It is significant to point out that as long as states continue to enforce discriminative nationality laws, it is impossible women to possess rights and to become equal citizens in comparison with men (Kaufman & Williams, 2007, pp. 25-26).

In sum, in this chapter, I tried to focus conceptual and theoretical framework of the second dynamic named as citizenship and the main elements influencing the naturalization process for understanding the family migration of the Turkish communities living in Germany and its consequences. In the light of the information mentioned above, it can be asserted that citizenship acquisition through marriage cannot be only individual decision. Despite the fact that immigrants' decision on the citizenship acquisition is determined some factors such as cost and benefits of the naturalization, states are predominant in the naturalization process. Even if individuals are enthusiastic about the naturalization, they cannot obtain citizenship of a given state if the national legislations of the country do not permit the citizenship acquisition. In other words, legal frameworks including laws and legal requirements are the most determinative force in the citizenship acquisition. For example, when it is focused on the citizenship acquisition in regard to Germany, it is possible to state that with the amendments in Nationality Law by the addition of the *jus soli* principle to *jus sanguinis* principle (blood-based definition of the citizenship), the second generation children of the immigrants have had an opportunity to become naturalized at birth on the condition that one of their parents has possessed a residence permit for eight years in full compliance with the laws. However, a great number of children cannot take advantage of this opportunity in practical terms as a result of challenges in gaining residence title. Therefore, it is possible to emphasize that citizenship acquisition through family-based migration is influenced a lot by

legal framework which is identified by states. Moreover, citizenship is not just relevant to being the member of a group. It is also a matter of identity and belonging and marriage is one of the most important means of identity formation. States have control over citizenship through marriages, which paves the way for the preservation of the sovereignty of states. Given these realities, it can be argued that marriage is not just a private issue regarding two private individuals. It is also a public matter which is affected by states and their legal regulations.



5. MARRIAGE AS A COMMUNAL AFFAIR: MIGRATION AND INTER/INTRAGROUP MARRIAGE

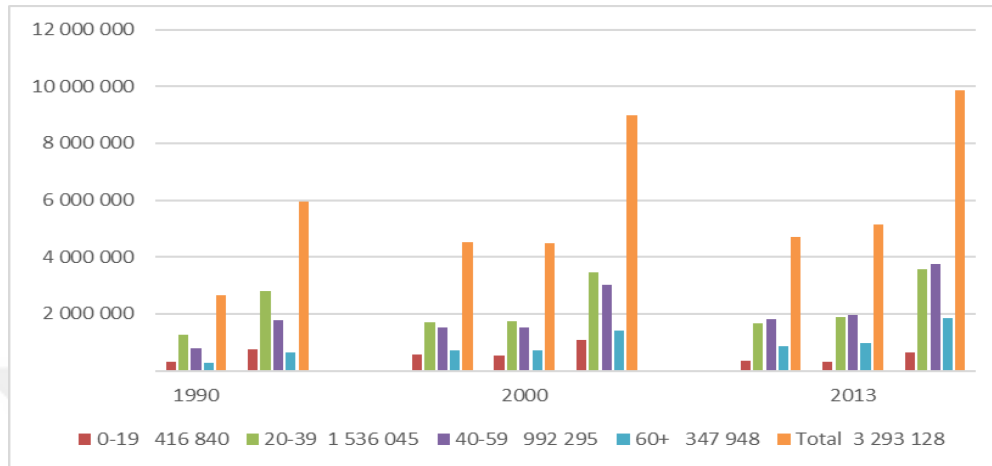
In the previous chapters, for shedding light on the family migration and its impacts on Turkey-German context, family reunification and family formation is analyzed by focusing on two basic dynamics namely legal framework dynamic and citizenship dynamic. In this chapter, as a third dynamic, it would be focused on family and marriage within the context of its status as a communal affair. It is important to state that there is an interrelationship between marriage and migration. In this regard, marriage is also a communal affair because marriage is not solely love-based process. There are some factors which have a great impact upon inter/intragroup marriage patterns and the partner selection decisions of the unique Turkish population living in Germany. In this context, this chapter would focus on these factors which are composed of ethnicity, culture, religion, family intervention, generational differences, structural factors like sex imbalances, and individual preferences such as physical attractiveness and socio-economic conditions. Before analyzing these factors within Turkey-Germany context, it would be beneficial to focus on the migrant population and ethnicities in Germany as a general outlook at first. Later on, it would be analyzed family migration flows into Germany, the issue of the feminization of migration and changing the picture of Germany in general terms. Lastly, the analysis of family migration within the context of Turkey and Germany would be examined by focusing on the factors which have an influence on inter/intragroup marriages and mate selections of Turkish immigrants living in Germany. Additionally, the age factor, fertility and divorce risks of immigrants would be discussed by making a comparative analysis.

5.1. A GENERAL OUTLOOK ON THE ISSUE OF MIGRANT POPULATION IN GERMANY

Based on the definition of the German Federal Office, people having migration background can be identified as “the whole immigrants inflowing the Federal Republic of Germany following 1949” or “all foreigners born in Germany” or “the whole Germans born in Germany whose minimum one parent was born abroad and did not acquire German citizenship at birth” (Salentin, 2014, p. 26). According to statistics, in Germany, the number of people who have a migration background is almost 19,3 million in 2017. This shows that the number of people with migration background was on the rise in comparison to the previous year. The statistic also shows that in Germany, while the percentage of the German people having migration background was approximately 51 percent in 2017, this rate was 49 percent for the foreigners of the countries such as mostly Turkey, Poland, Russian Federation, Italy, and Syria (Statistisches Bundesamt, 2018a). In the same year, the amount of net immigration was valued at 416.000, which means the number of migration flow to Germany was more than the number of people emigrating from Germany to other countries. While there were 1.551.000 people migrating to Germany in 2017, the emigrations from Germany was 1.135.000. In 2016, net immigration was approximately 500.000. This shows that net immigration in Germany had a tendency to decrease between 2016 and 2017 (Statistisches Bundesamt, 2018b).

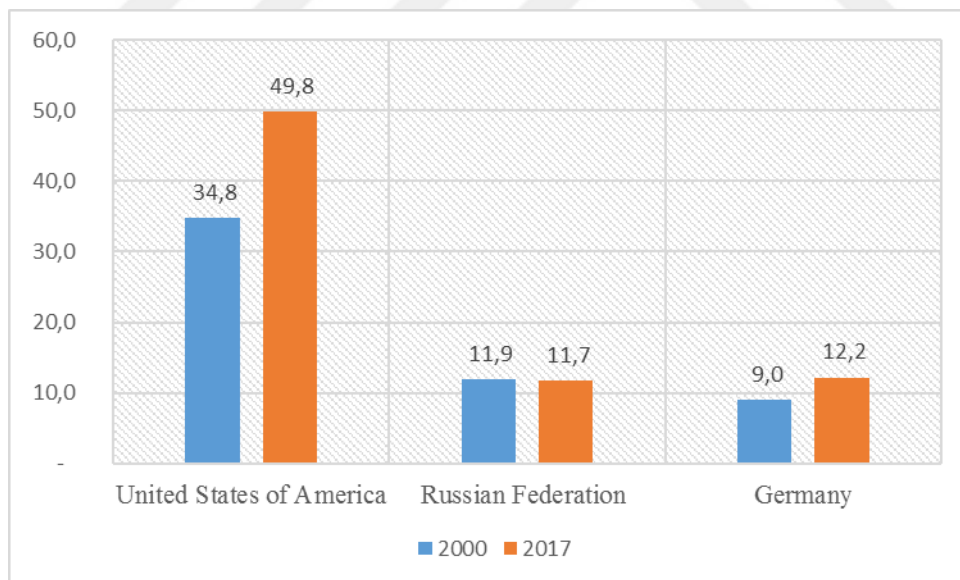
It is important to indicate migrant flows and migrant stocks are fundamental measures of international migration. Data related to the migration flows is generally presented in conjunction with the data regarding migrant stocks. Despite the fact that both of them focus on the number of migrants, they differ in terms of their benchmark. In other words, the differences of data on migrant stock and data on migration flow stem from what they measure. While the migration flows data represents the number of people who either arrive (inflow) or depart from the host country (outflow) over the course of one year, migration stocks data can be identified as static measures of the total number of migrants who are existing in a specified host country at a given time (UN Statistical Commission, 2017, p. 9).

Figure 5.1. Germany's international migrant stock (age-based)



Source: UN DESA & UNICEF (2014), <https://esa.un.org/migmgprofiles/indicators/indicators.htm>

Figure 5.2. International migrant stock on the basis of the top three countries (million)



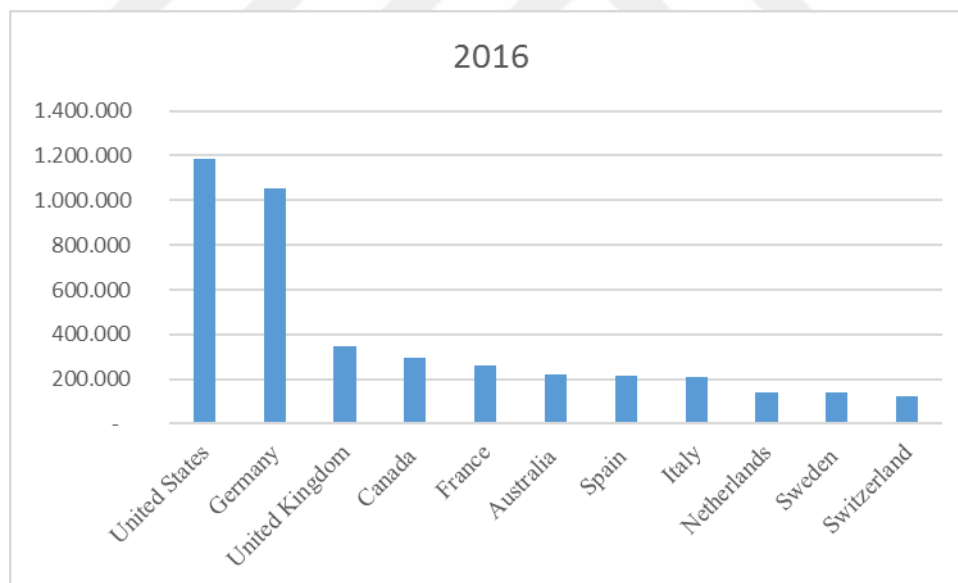
Source: UN International Migration Report (2017)

As seen in Figure 5.1. and Figure 5.2., there is an increase in the number of international migrant stocks of Germany considering not only female migrants but also male migrants. Especially, Figure 5.2. shows that although Germany is ranked as third with nine million

international migrant stock in the date of 2000, it climbs into second by getting ahead of Russian Federation in 2017 with approximately 12,2 million international migrant stock.

Taking into consideration that the number of countries or areas hosting 50 percent of the whole international migrants is just ten and hosting all international migrants is twenty, it is possible to state that a limited number of countries host the immigrant population of the world (United Nations Department of Economic and Social Affairs, 2017, p. 6). Within this context, Germany plays an essential role as one of the most foremost immigrant-receiving countries. In order to show this, it is beneficial specifically to focus also on the number of migration inflows into Germany.

Figure 5.3. The inflow of immigrants into some OECD countries, 2016



Source: OECD International Migration Statistics, <https://data.oecd.org/migration/permanent-immigrant-inflows.htm>

In consequence of the cross- country comparisons in 2016, Figure 5.3 shows that Germany is the second largest immigrant-receiving country with approximately 1.051.014 migrating people.

It is important to state that the data regarding migration flows includes only permanent migration inflows which cover not only regular movements of the foreign immigrants into the host country but also free movement migration. Here, it is significant to indicate that because administrative sources mostly understate the total flows, these data reflect only permanent immigrant inflows. Indeed, despite the fact that some kind of temporary migrants such as highly qualified temporary guest workers gains a right to bring their spouses as well as children along with themselves, the findings with regard to migration flows include mostly only permanent migration flows (OECD, 2017a, p. 111).

5.2. A DEEP EXAMINATION: FAMILY MIGRATION FLOWS INTO GERMANY

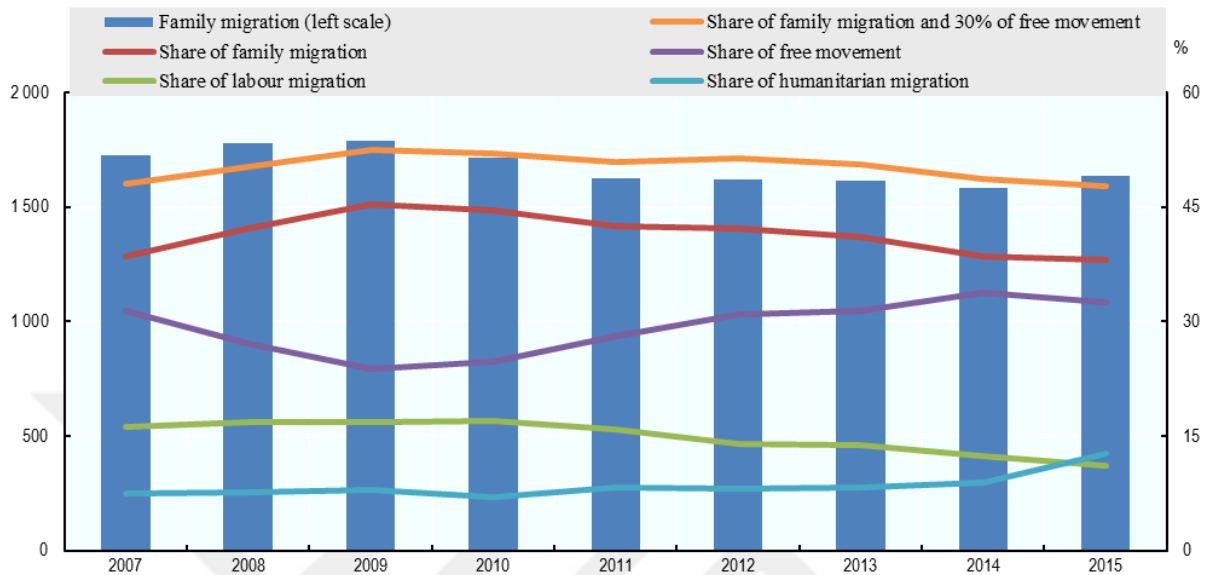
World Migration Report 2008 analyzes family migration under four categories. The first one is *family reunification*. By this way, foreign immigrants can have a right to carry their immediate family members, including their spouses, children and even their parents in some countries, along with them. However, it is significant to indicate that this is a process and there are some requirements such as housing and income for the admittance of these family members. The second one is *family formation* or in other words *marriage migration*. It is important to state that family formation can be analyzed into two sub-categories. One of the sub-categories is the second and subsequent generations citizen or non-citizen children who prefer a spouse either from their homeland or their diaspora space. As another sub-category, either citizens or permanent residents can marry a partner from another country where they contact for work, holiday or study. The third one is the *migration of the entire family*, which the temporary migrants bring their entire family along them. Nevertheless, bringing the entire family members along with the temporary migrants is not generally allowed by a great number of countries. In this situation, highly qualified immigrants make an exception. Especially, in some countries like Germany, it is likely that migration of entire family of highly skilled immigrants working especially in the information technology and welfare sector will be more widespread in consequence of the rising demand for this type of qualified labor. The fourth one is the *migration of the sponsored family members*. In this regard, it is important to state that family members in this sub-group do not have to be the first-tier kin.

Hence, discretionary flows are part of the category of the migration of the sponsored family members (Kofman & Meetoo, 2008, pp. 155-156).

Family migration can be considered one of the most important way of migration into OECD countries. When it is focused on 2015, it is possible to state that the number of people migrating into OECD countries with family-based reasons is approximately 1,6 million. Despite the fact that this showed a great number of people had a tendency to migrate, this number was less than the number of people flowing into OECD countries in 2008 and 2009 when the number of people migrating with family-based reasons is about 1,8 million (OECD, 2017a, p. 110).

It can be argued that the decrease in the number of people flowing to not only United States but also some European countries from 2009 to 2014 developed out of the global financial crisis of 2008, which had a great impact on the labor market situation. As is known, the demand for workers such as manufacturing and service industry automatically reduced because one of the most crucial results of the 2008 global crisis was the decrease in the Gross Domestic Product (GDP) in a great number of developed countries. Moreover, one the one hand, the migrant-receiving countries repatriated the existing immigrants to their home country by reason of the fact that these migrant workers lost their jobs in connection with the impacts of the global crisis. On the other hand, repatriation of the existing migrant workers discouraged the potential immigrants living in the underdeveloped or developing countries from entering the migrant-receiving country. Taking into account that family migration associates with the labor migration, it can be stated that the decrease in the labor migrants brought about the decrease in the number of family migrants at the same time.

Figure 5.4. The classification of migration flows by the types of migration, 2007-2015



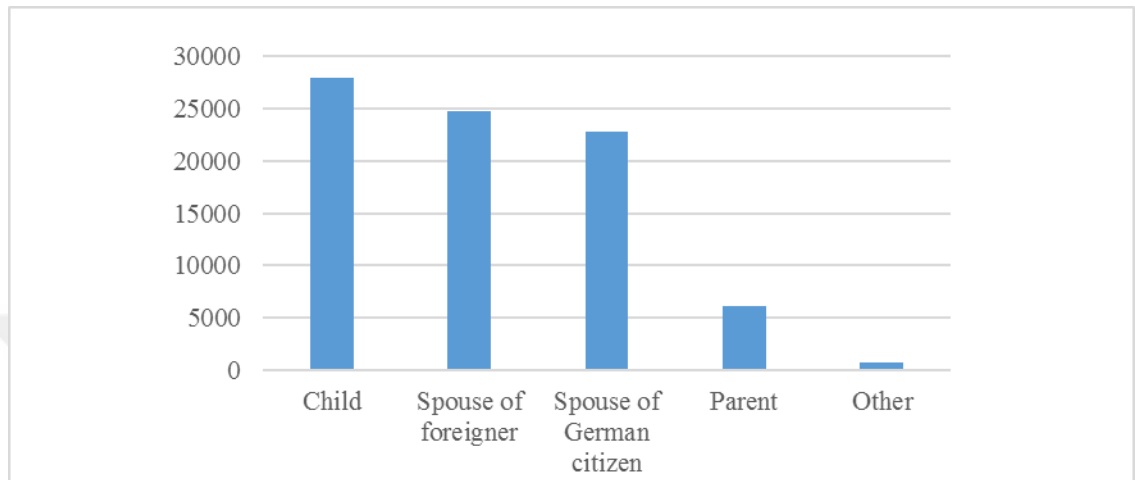
Source: OECD (2017), *International Migration Outlook 2017*, https://doi.org/10.1787/migr_outlook-2017-en

The decreasing number of people migrating into OECD countries with family-based reasons from 2009 to 2014 can be clearly seen in Figure 5.4. However, it increased in the date of 2015. When it is focused on the share of family migration in 2015, it can be seen that the share of family migration is 38 percent of all types of permanent migration. Even, this ratio has started to rise in recent years. In fact, the share of family migration has gone beyond 40 percent which is the one-half of the total permanent migration on the date of 2009. As can be seen in the figure above, of all types of permanent migration inflows, migration based on family reasons is the most foremost type of migration with its biggest share in 2015. When compared to the share of family migration in the total permanent migration inflow, the share of labor migration and the share of migration with humanitarian reasons is a lot fewer, respectively 11 percent and 12 percent. The second biggest share in the total permanent migration inflow belongs to free movements. However, it is necessary to point out that some family-based migrations, who are unregistered and not within the scope of official records due to the fact that they do not possess an official residence title, may be involved in the type of migration with free movements (OECD, 2017a, pp. 110-111).

Unlike the United States and some European Countries such as Italy, Portugal and Spain, the number of family migration into Germany from 2009 to 2014 did not decrease. It was either stable or go up in small quantities. Nevertheless, the share of family migration at the same time interval was decreased. The reason for this situation can be explained by the increase in the other types of migration, especially migration with free movements. When it comes to the date of 2015, the number of people migrating to Germany with family-based reasons increased by additional 18.000 people in comparison with 2014, when the inflows of family migrants were approximately 64.000. However, Germany had one of the lowest shares of family migrants inflows in 2015. In this date, the share of family migration in the total permanent migration was just 32 percent. In this context, it can be seen that the share of family migrants flowing into Germany has been dwindling away (OECD, 2017a, p. 113).

Within the context of the total number of family migrants in Germany in 2015 by categorizing the family members, it would be very beneficial to focus on the figure below, which makes family member classification and shows the total number of family-based migration especially from the fundamental migrant-sending countries such as Turkey, Russian Federation and Syria to Germany in this regard. Here, it is important to emphasize that the category including the spouse of foreigners represents the dependents of the foreigners who migrate to the host country either by the way of family reunification or by accompanying with their partners. In addition to this, the category including the spouses of German citizens represents foreign people who immigrate to Germany through their marriage with German citizens. German citizens can be either German native or people with migration background who have already been naturalized.

Figure 5.5. The categorization of the total number of family-based migration in terms of family members, 2015, Germany



Source: OECD (2017), *International Migration Outlook 2017*, https://doi.org/10.1787/migr_outlook-2017-en

As seen in the Figure 5.5., the number of the children of the immigrants migrating to Germany was 27.933 in 2015 and they were the biggest part of the total family migration inflows into Germany with 32 percent. Following, the number of the spouses of foreigners are 24.798, of the spouses of German citizens are 22.769, of parents are 6.178, and of others including siblings are 762 (OECD, 2017a, p. 125).

Generally, it is important to point out that based on the reports of the Federal Statistical Office, there were about 21 million couples in Germany in 2017 regardless of their migration status. In other words, this number includes all couple population irrespective of being immigrant or not. The entire couples mentioned represents a broad range of pool containing not only married couples but also unmarried couples living together. However, it does not include homosexual couples. In this community, while the percentage of the German-German partnership was 85 percent which amounts to approximately 17,5 million couples, the rest of the community included German-foreign couples and foreign-foreign couples. The number of German-foreign couples living in Germany was approximately 1,5 million and 1,2 million of them were wedded (*The Local*, 2018). To be clear, it is crucial to indicate that each couple was enumerated as a unit rather than one by one. The reason for this is that

statistics on couples are based on household surveys. In this direction, it is possible to state that approximately 21 million couples are tantamount to 42 million individuals.

5.3. THE ANALYSIS OF FAMILY MIGRATION WITHIN THE SCOPE OF GENDER-BASED DIMENSION

Despite the fact that the international migration flows of women have not played an active role in the migration researches for a long time, it is not a new phenomenon (Boyd & Grieco, 2003). Until the early 1980s, the predominant idea was that while men are the primary actors of international migration flows, women were perceived as only passive actors following their husbands (Vause & Toma, 2015, p. 39). These women were named as “trailing wives”, which were not the major immigrants, but migrate to the host country either by the way of family reunification or by accompanying with their partners. In this direction, it is possible to point out that the likelihood of the migration of a male partner as a major, leading and primary immigrant was much more in comparison with a female partner. Since a female partner migrating to the host country either by the way of family reunification or by accompanying with her partner was much more likely to look for a job upon arrival even if she was well-qualified, their financial income was decreased automatically (Cooke, 2008, p. 255). Even, they could not be capable of work in the labor market later on due to some difficulties such as the necessity for looking after their children. (OECD, 2017b, p. 10). Here, it is significant to highlight that the main reason for the gender-based differences is that a male partner has much more job opportunity in comparison with a female partner. In consequence of this, while a male is major and leading immigrant, his partner was forced to either accompany directly or reunite with her partner (Cooke, 2008, p. 255). Nevertheless, there has been an increasing tendency to the feminization of migration across the world since the early 1980s, which has led the migration researches to show great interest to women and the issue of female involvement in international migration flows (Tacoli, 1999, p. 659).

Since then, the main focal point of scholars in the migration scholars have started to transform from passive “trailing wives” into autonomous people who migrate independently of their

partners for working (Tacoli, 1999, p. 659). The reasons why the attitudes towards women have started to change are the increasing the level of education of female partners and growing demand for women especially in some sectors such as domestic works and health. With these changes, women have no longer been just family migrants. They also have had an opportunity to fall within the scope of primary immigrants who flow into the migrant-receiving countries with the aim of education or financial gain (OECD, 2017a, p. 127). But, women have still fewer opportunities to migrate through legal means by comparison with men in many countries. One of the most important countries which is an example of the male-affected policies of migration is Germany. When it is focused on some legal ways for migration such as seasonal worker immigration in the agriculture or immigration working on a project basis in the construction sector of Germany, it can be stated that men dominate these sectors (Chammartin, 2002, p. 39).

5.4. THE CHANGING PICTURE OF FAMILY MIGRATION IN GERMANY

In order to understand the dynamics of the family migration, marriage and migration behavior within the context of Germany and Turkey, it is necessary primarily to focus on the changes in the situations with regard to the family migration in Germany. When it is focused on the migrant families in Germany, it is possible to point out that there has been a good deal of changes in time. On the one hand, there have been some changes in the situation of the labor migration which has a strong connection with the family migration. Put it differently, despite the fact that the immigrant workers were the most predominant group compared with the other migration flows especially in the labor requirement process, a great number of both asylum seekers and German repatriates also migrated to Germany later on. Taking into account these new comers with their families, the changing picture of the family migration can be understood (Nauck, 2007, p. 35). On the other hand, there have been some changes in the families of the existing immigrant workers. For instance, the children of the family migrants named as “second generation immigrants” have married and started a family. Hence, not only third generation immigrants have been formed but also the ongoing

immigrant generations are generated as a result of marriage migration (Wolf, 2016, p. 732). In consequence of this, it can be stated that heterogeneity in the German society, the socioeconomic as well as legal status and the level of the integration in every sense are fundamental elements determining and having an effect upon the character traits of the today's family migrant families. In addition, there has been also changes in the political right of participation and civic activity of migrant families as a result of the changing legislations on the integration and naturalization (Nauck, 2007, p. 35).

It is important to emphasize that the decisions with regard to the marriage and mate selection are the result of both the preferences of the parents of the children of the immigrants and the strategic decision-making process of the minorities who aim to be integrated with the majority in the society. In this context, minorities in the host country have three main options for partner selection. Firstly, an immigrant can marry with a partner from their country of origin especially based upon some criteria such as kinship and ethnicity. Secondly, an immigrant can choose to marry a person from the native population of the host country. Lastly, an immigrant can make a partner selection from their own migrant minority. When it is focused on the family-based migration, it can be stated that the number of foreign immigrants choosing to marry up with a German has increased since the 1990s. In other words, intermarriages in Germany has increased. For instance, the numeric data related to the intermarriages in Germany shows that 35.000 female immigrant and 25.000 male immigrants chose to get wedded with Germans at the marriage offices of Germany in 2013. In the same date, the number of marriages between foreigners was only 11.000. However, it is important to indicate that the attitudes of the immigrants towards the intermarriages vary by country. For instance, the number of intermarriages between an Italian immigrant and German native is far more than the number of intermarriages between a Turkish immigrant and German native (Nauck, 2007, p. 36-39).

5.5. THE ANALYSIS OF FAMILY MIGRATION WITHIN THE CONTEXT OF TURKEY AND GERMANY

As already mentioned above, migration flows containing several migration types such as labor migration, family migration and migration for seeking asylum has led to the creation of over 2,5 million Turkish people who live in Germany. On the consequence of social, political, economic as well as cultural interactions between their home country and their destination country, this unique population has become more transnational (Toktaş, 2012, p. 5).

Despite the fact that there has been an increase in the pre-marital cohabitation, the most common way of partnership and cohabitation not only for Germans but also immigrant population living in Germany is still marriage. The proportion of people living together without marrying in Germany varies from the immigrant population to the immigrant population. Of all the migrant groups in Germany, Turkish immigrants living in Germany have far less given preference to pre-marriage cohabitation. Religious and cultural values have an important impact on the identification of Turkish immigrants' tendency to get married rather than pre-marital cohabitation. Furthermore, marriage is considered as the norm which legitimizes having a child (Milewski, 2003, p. 291). It is important to emphasize that intermarriages between German natives and the Turkish population in Germany with their immigrant background can be seen as an important sign for the cultural affiliation or distance of this community to Germany. In addition to this, intermarriages can also be considered as a criterion for understanding the attitude of German society towards the Turkish population and as a significant indication of the creation of the sub-ethnicities. Accordingly, it is possible to state that social structure in Germany is influenced to a large extent by intermarriages (Klein, 2001, p. 325).

In order to understand inter/intragroup marriages and the elements that have influence on the preferences for partner selection in Turkey-Germany context, it would be beneficial to focus on some factors namely ethnicity, culture, religion, the preferences of the parents, generational differences, structural factors like sex imbalances, and individual preferences

such as physical attractiveness and socio-economic condition. It is not possible to explain the partner choices and marriage preferences only with one factor. Partner selection is a result of the combination of all these factors.

Ethnicity is one of the most important factors which affects the establishment of individual social relations to a great extent. Considering the possible three fundamental marriage markets for immigrants that comprise the partners from their country of origin, partners from the majority population in the migrant-receiving country and partners from their own migrant minority in the host country, it is possible to state that ethnic affiliation and the preferences of parents play a key role in the identification of partner selection of Turkish population living in Germany. The partner selection based on the ethnic framework namely interethnic or intra-ethnic marriages dramatically affects not only the process of the individual integration and but also children who are born by virtue of marriage (Sürig & Wilmes, 2015, p. 173). According to the Nottmeyer's study (2015), which focuses on the intermarriages rates both first-generation and second generation immigrants living in Germany, the ethnic proximity determines the proportion of the intermarriages for both generation immigrants in Germany. Her study shows that the percentage of the first and second generation Turkish immigrants having intermarriages is far less in comparison with other immigrants from other countries like Spain (Nottmeyer, 2015, p. 5).

The partner selection cannot be defined as only the individual-based process. Third parties such as *parents* and *their preferences* also have an important impact upon it. As stated by Kağıtçıbaşı (1996), ethnic and cultural values are inherited from generation to generation. These values in the families to a large extent determine the decisions of the second generation Turkish immigrants in Germany in every aspect of life. This situation is rooted in the collectivist nature of the culture of Turkish people which necessitates the not only interdependence but also a commitment to norms and values (Kağıtçıbaşı, 1996, pp. 180-186). However, there are different models with regard to familial values in Turkey. Despite the fact that majority Turkish immigrant families living in Germany have a traditional family understanding by giving importance to the norms and values and they are decisive in the partner choice decisions of their children, there are also other Turkish immigrant families

raising their children more independent and autonomous. In this family structure, parents generally not only display less loyalty to religious values but also have a higher educational level, weaker commitment to their home country and mostly urban origin. The children in these families are much more likely to have the right to comment on the decisions on their own life and make marriages based on love. In line with this, it is possible to state that the second generation Turkish immigrants in Germany who have transnational family structures and make their partner selections in accordance with family intervention are much more likely to make intra-marriages. Their marriages are generally arranged by their families. Accordingly, it is expected that their tendency to make intermarriages is far less in comparison by the tendency of the second generation Turkish immigrants whose parents can be named as “modern family” (Huschek, de Valk & Liefbroer, 2012, p. 247).

Considering the Turkish families in Germany majority of which fit in with the traditional family model, it can be stated that intra-marriages such as arranged and consanguineous marriages take an important place in the Turkish community in Germany (Hooghiemstra, 2001, p. 603). However, the study of Mehrländer, Ascheberg and Ueltzhöffer (1996), which focused on the changes in the manner of the foreign parents between the years of 1985 and 1995, shows that there have been some changes in the stance of the Turkish parents living in Germany in respect of the marriages of their children with Germans. According to the result of this study, the willingness of the Turkish families for marrying their children to Germans in 1995 was far more than the willingness of them in 1985. While 31.2 percent of Turkish mothers and 35.3 percent of Turkish fathers gave the approval to marry their children to Germans in 1985, this ratio showed an increase in the year of 1995 by approximately 50 percent of Turkish mothers and 55.9 percent of Turkish fathers. In this direction, it is possible to point out that the Turkish families recognizing the inter-ethnic marriages of their children with Germans increased in number (Mehrländer, Ascheberg & Ueltzhöffer, 1996, p. 227).

In spite of the increase in the number of Turkish parents approving the intermarriages of their children with Germans, many of Turkish families living in Germany still have a desire to marry their children to partners brought from their country of origin. The partners brought from the country of origin are named as “imported brides” or “bridegrooms” and these

marriages are mostly arranged marriages. The reason why partners from Turkey are preferred is that German-Turkish families believe that the bridegrooms are culturally more pure and capable of raising well-educated children in this sense. In addition to this, it is believed those marriages with partners from Turkey provide an opportunity to keep in touch with Turkey and protect cultural values (Kaya & Kentel, 2005, pp. 67-68). This statement is supported by a questionnaire study conducted by the Institute for Migration and Ethnic Studies in 2015 for analyzing the second generation children of Turkish immigrants at the age between 18 and 35 in eight European countries including Germany. According to the research, the second generation Turks born and raised in Germany have much more likely to choose endogamous partners compared to other immigrant groups. For example, the percentage of second generation Turks having intra-marriages is approximately four times more than second-generation Yugoslavs immigrants in Germany (Sürig & Wilmes, 2015, p. 175).

Although the Turkish population living in Germany generally prefer to make intra-marriages, the intermarriage rates between second generation Turkish immigrants and German natives is more than the intermarriage rates between first-generation Turkish immigrants and German natives (Nottmeyer, 2009). One of the most important reasons why the intermarriages are more frequent among second generations in comparison by first-generations can be *cultural factors*. To be clear, the second generation Turkish immigrants make use of an advantage of being acquainted with both the maternal language of Germany and the general customs of German society since they were raised in Germany, which makes easier the formation of intermarriages (Hannemann et al., 2018, p. 491). The differences in the generational sense are also analyzed in the study conducted by Schroedter in 2006. According to this study, second generation Turkish females living in Germany have a more tendency to make intermarriages than first-generation Turkish females. While the share of intermarriages for first-generation Turkish females is 11.5 percent, it increases to 24.8 for second generation Turkish females (Schroedter, 2006, p. 428).

Structural factors such as *sex imbalances* is another important determinant of partner choices. There is a positive relationship between the extent of the group and the intra-marriages of members of the group. In other words, if the size of the group is broad, people belonging to

the group are much more likely to make intra-marriages rather than intermarriages. On the contrary, people incline to establish exogamous connections as a result of the sex imbalances in their own group (González-Ferrer, 2006, p. 172). This situation is valid for Germany. Although a great number of marriages took place between a German woman and a foreign man, this situation has started to get changed as of the 1990s in consequence of the changes in the gender-based proportions. As is known, because the number of male immigrants increased in consequence of both the migration flows into Germany and the existence of foreign forces from the WW2 to 1990s, this created an excess of males. Correspondingly, German unmarried women inclined to marry with the military unit of the allied powers and thereafter got hitched with immigrant workers. Since the 1990s, the German males have also had a tendency to marry up with foreign women. However, it is significant to emphasize that even if the tendency of German males to marry with a minority women has been increasing, minority males, especially with Turkish origin, have still had a higher incidence of marrying with German women. More precisely, the willingness of a German female to get hitched with an immigrant is still far more than the willingness of a German male (Nauck, 2007, pp. 36-38). This situation can be explained by sex imbalances. Put it differently, the reason why the proportion of Turkish male immigrants getting married to German females are higher than the proportion of Turkish female immigrants marrying German males is that male immigrants at marriage age in almost all types of migration in Germany are high in number compared to the female immigrants (Milewski, 2003, p. 291).

Furthermore, while German female citizens prefer to marry with partners respectively from Turkey, Italy and Austria, German males tend to marry with partners respectively from Poland, Russia and thereafter Turkey (Schram, 2013, p. 119). The fact that Turkish males are much more likely to marry up with German natives than Turkish females may stem from *religious reasons*. In other words, pursuant to Islam, only Muslim men are allowed to get married to non-Muslim women. This situation is not valid for Muslim women because the marriage of a Muslim woman with a non-Muslim man is forbidden (Schram, 2013, p. 119). Within the context of religion, it is significant to emphasize that since there is no sufficient amount of research focusing on the relationship between religion and marriage behavior of

immigrants living in Germany and the existing studies mostly put emphasis on un-Islamic religions such as Catholicism and Judaism, there is a difficulty in analyzing the link between religion and the marriage preferences of Turkish immigrants living in Germany. Nevertheless, it can be presumed that immigrants are much more likely to choose partners from the same religion. Therefore, it can be argued that Turkish immigrants in Germany, who are largely Muslim, are far less likely to make marriages with German natives in comparison by other Christian immigrant groups in Germany (Milewski, 2003, p. 292). The study of Lucassen and Laarman (2009), which focuses on the marriage behavior of both European and non-European immigrant groups in five countries involving Germany, demonstrates the impact of the religion upon marriage behavior and partner selection of immigrants. According to the study, religious beliefs play an important role in the formation of inter/intragroup marriages. Although there are other variables, religion is one of the most important factors which explains why Turkish population living in Germany have a more tendency for endogamous marriages than exogamous marriages (Lucassen & Laarman, 2009, p. 52).

Just like any other variables of partner selection decision such as family preferences, ethnic, cultural and religious factors, *individual preference* is also a key parameter. Even, individual preferences sometimes can take precedence over other factors including ethnic affiliation (Kulu & González-Ferrer, 2013, p. 5). The individual preferences contain *physical attractiveness*, *socioeconomic factors* such as *educational level* and *social status*, and *some cultural particulars*. When there is an affiliation between the host society and the immigrant population in terms of socioeconomic conditions and cultural particulars, mixed marriages can come to exist. However, it is important to indicate that individual preferences are not the sole determinant of partner selection. The decision on partner selection is the unintended consequence of the combination of all factors (González-Ferrer et al., 2016, pp. 6-7). Individual preferences influentially explain the intermarriages between native German society and the second as well as ongoing generation Turkish immigrants. The second generation Turkish immigrants are raised in Germany and familiar with the native language of the host country. Moreover, their educational background is shaped by German schools.

These situations pave the way for their integration in German society either to a certain extent or completely. By this way, they are much more likely to come into contact with the German population, which increases the possibility of choosing a partner from the native population (González-Ferrer, 2006, p. 172).

The *educational level* of immigrants also has a great influence on partner selection decisions. While poorly educated male and female immigrants generally prefer to get married to a partner from their home country, well-educated immigrants have a reverse situation. It is expected that higher education can diminish the loyalty of immigrant to the traditional values of their home country, remove the cultural borders, bring higher social status and create an opportunity for the immigrants' acquaintance with native prospective partners (Hooghiemstra, 2001, pp. 608-609). This situation is applicable to the immigrants living in Germany. In Germany, there have been profound developments in the education system which give rise to some differences between the groups living in Germany. Second generation immigrants have more opportunities for being integrated into the native society and for choosing a German native partner for marriage in comparison by first-generation immigrants (Kalter & Granato, 2002, p. 199). In their study focusing on Turkish immigrants living in Germany, Huschek, de Valk and Liefbroer (2012) support this idea by stating that higher educational level has a great impact on the formation of individuals who are capable of deciding with regard to their own life autonomously. Thus, when compared to first-generation Turkish immigrants, second generation well-educated Turkish immigrants are much more likely to tend towards family formation with German natives (Huschek, de Valk & Liefbroer, 2012, p. 262).

When it is focused on marriage behavior of Turkish immigrants living in Germany, it is necessary also to focus on the *age factor*. The marriage age of German natives is approximately two years late than immigrant groups. This can be affected by the education level of immigrant groups. The educational level of the majority of the immigrant groups living in Germany is not mostly equivalent to the education level of the average German natives, which may lead to early marriages. Furthermore, the attitudes towards marriage in the home country may affect the marriage age of immigrants. In other words, the marriage

culture of the origin country plays a role in the marriage decisions of immigrants. For example, compared to German females, the tendency of Turkish women living in Turkey to make their first marriages at an early age is higher regardless of their educational level. This can be explained by the marriage culture of Turkish immigrants in Germany (Milewski, 2003, p. 292).

Furthermore, the *fertility behavior* of Turkish immigrants in Germany also deserves attention. It is important to emphasize that the fertility ratio of first-generation Turkish immigrants in Germany is higher than the fertility ratio of German natives (Milewski, 2009, p. 133). However, it is significant to emphasize that educational level is important to determine the fertility behavior of the first-generations, which means the birth risk of the well-educated first-generation Turkish immigrants is lower than the fertility risk of less-educated first-generations (Baykara-Krumme & Milewski, 2017, p. 430). Moreover, the study conducted by Wolf (2014) focuses on the impact of the duration of stay in Germany on the fertility risk level. Despite the fact that the Turkish immigrants are much more likely to have their first child in the first year of their migration in comparison by German natives, the fertility rate of them falls below the German fertility level in the later years. However, the level of older birth risks including second and subsequent children is always higher for the Turkish immigrants in spite of the decrease in the level more than nine years later upon arrival. Although it is not possible to explain the exact reason for the decrease in the fertility rate, it can be associated with the advancing age or the adoption in the host society. In addition to this, the study also focuses on the relationship between age in the course of migration and fertility risks. Compared to younger ones, the Turkish immigrants who are in the age of above thirty while the migration far less incline to give birth (Wolf, 2014, pp. 29-32). Further research conducted by Wolf (2016) also shows that the high fertility ratio of Turkish immigrants upon arrival to Germany is only valid for family formation migrants (marriage migrants) rather than family reunification migrants (Wolf, 2016, p. 731).

Additionally, there are some studies focusing on the impact of inter/intragroup marriages upon the *divorce*. For example, Milewski and Kulu (2014) make an analysis of divorce risks among the immigrant populations in Germany by using event-history techniques. This study

shows that German native couples are much more likely to get divorced by comparison with immigrant couples living in Germany. When it is focused on the divorces in the context of intermarriages, it is possible to state that compared to the intra-marriages between two immigrants or between two German natives, the intermarriages between German natives and immigrants are much more likely to end up with divorce in consequence of cultural differences (Milewski and Kulu, 2014, p. 89). Furthermore, Güvendik (2016) also indicates that although intermarriages of young generation Turkish immigrants are more than first-generations, these marriages largely eventuate in divorce and this situation puts the Turkish female immigrants to trouble.

In sum, upon the light of the discussions that I presented above, marriage is a communal issue because various factors have an influence on marriage behavior. The Turkish immigrant population living in Germany is a unique immigration group in which the factors including ethnicity, culture, religion, the preferences of families, generational differences, structural factors like sex imbalances, and individual preferences such as physical attractiveness and socio-economic conditions are determinative in the marriage behavior of immigrants. Considering the partner choice decisions of the Turkish immigrants in Germany and their attitudes towards inter/intragroup marriages, it can be argued that it is not possible to expound their preferences merely with one factor. Their preferences regarding partner choice are the result of the synthesis of all the factors. Despite the fact that religious, ethnic and cultural factors have an important impact on their preferences, other factors sometimes can surpass them. For instance, higher socioeconomic status can eliminate ethnic, cultural and religious borders, which paves the way for the intermarriages between Turkish immigrants and German natives.

6. CONCLUSIONS

International migration has a complex and dynamic structure. There are a variety of migration types including labor migration, family migration which includes family reunification and family formation, irregular migration, forced migration as well as return migration. In consequence of not only the growing importance of family migration but also the increasing number studies about family migration, I gave preference to focus on the family migration which comprises of both family reunification and family formation (marriage migration) in this study. Turkish communities in Germany (including first, second, third and subsequent generations) is a very special group due to its volume and scope and the migration flows from Turkey to Germany have had significant impacts upon the communities of both countries. Therefore, in this study, I focused on family migration from Turkey to Germany as a case study and examined this migration profile under three main dynamics.

Before focusing on three basic dynamics of family migration in regard to Turkey-German context, I focused on the historical frame of the migration flows into Germany in general and then the historical frame of the migration from Turkey to Germany in particular in the second chapter. In the light of the discussions mentioned in this chapter, it can be seen that scholars differently call this unique group such as “Turkish diaspora in Germany”, “Euro-Turks” or “German-Turks” specifically, and “Turkish-Germans”. Regardless of how Turkish immigrants living in Germany is termed, it can be concluded that their identity formation has a very complex structure because it comprises of multiple loyalties as well as transnational connections. A variety of elements including not only cultural factors but also national legislations and regulations of Germany have a great impact upon the identity formation process of Turkish communities. In consequence of ongoing interactive relation between their country of origin and receiving country in various ways, the identity of Turkish immigrants in Germany has become more transnational in progress of time. In this sense, their identity formation has been influenced a lot by family migration.

In the third chapter, I focused on the *first dynamic* named as legal framework pertaining to family reunification and family formation in the German context. For understanding the impacts of changing migration policies of Germany upon the residence title and citizenship acquisition process of Turkish family migrants, I focused on the legislative amendments in Germany consisting of German Nationality Act of 2000, the Green Card Programme, developments about German immigration policy up until 2004, the German Immigration Act of 2005 as well as following amendments. In order to analyze the impacts of these amendments, I made a comparative analysis by focusing on older laws and regulations with regard to family migration in Germany. Taking into account all these amendments, it is possible to state that although the migration policies of Germany has been more inclusive and amendments have widened the scope of foreign dependents of Turkish immigrants, regulations related to family migration are still considerably restrictive in practice due to the requirements such as the accomplishment of integration courses, the obedience to democratic and free basic order of the German Constitution and the existence of ensured subsistence. Legislations are also restrictive within the context of the acquisition of German citizenship. Despite the fact that German Nationality Act of 2000 made some changes in the previous nationality law such as the decrease in the period of residency requirement for adult foreigners from 15 years to 8 years and the addition of jus soli principle meaning birth-based definition of citizenship in the law about nationality, many foreigners and foreign dependents do not still have an opportunity to gain not only residence permit but also citizenship in practice in consequence of the restrictive requirements such as language requirement.

In the fourth chapter, I focused on citizenship as a *second dynamic* which is directly associated with the dynamic of the legal framework. In this context, I analyzed the citizenship through the lens of conceptual as well as theoretical framework for understanding family migration within the context of citizenship. Moreover, I shed light on the micro-level factors which have influence over the citizenship acquisition process and discussed this issue most particularly in the context of marriage and state. In the light of all of these, it can be indicated that although there are a variety of factors having an effect upon the citizenship acquisition, the predominant powers are states which make a decision on whether the immigrants will be

naturalized or not. Citizenship through marriage is affected by the legislative regulations of states in a considerable extent. Therefore, it can be asserted that marriage is not solely a private matter which is based on the decision of two independent individuals. It is also a public issue which is shaped by the laws and policies of the states.

In the fifth chapter, I set sight on family formation as a communal affair, which is the *third dynamic*. It is important to emphasize that the decision on partner selection is not just a love-based process. There is also a variety of factors which have influence over the mate selection decisions. These factors composed of ethnicity, culture, religion, the preferences of parents, generational differences, sex imbalances, and individual preferences such as physical attractiveness and socio-economic conditions. I investigated the impacts of all these factors on the partner choice decisions of Turkish immigrants living in Germany in detail for understanding how they adopt an attitude towards inter and intra-group marriages. To sum up, ethnic, cultural and religious proximity is an important determinant of partner selection decisions of not only first but also second generation Turkish immigrants. However, there are also other determinants such as individual preferences which sometimes surpass ethnic, cultural and religious affiliation. The family intervention is also another important factor influencing their partner selections. According to this, second generation Turkish immigrants who have traditional family bonds decide on partner selection which is directly linked to the preferences of their partners, which means they are much more likely to make intra-marriages rather than intermarriages. On the contrary, the second generation Turkish immigrants raising in more modern families who treat their children as autonomous individuals are more likely to make inter-marriages. Considering that a vast number of Turkish families in Germany have a traditional family structure, it can be stated that intra-marriages have an important role in these families. Despite the fact that there has been an increase in the number of Turkish parents in Germany who are willing to marry their children to German natives, many of families still have a preference to match their children with partners from Turkey. Sex imbalances as a structural factor are also effective in mate selection decisions. As is known, the percentage of Turkish male immigrants marrying up with German women is far more than the percentage of Turkish female getting wedded to German men. This situation can be

explained by sex imbalances, which means the number of Turkish male immigrants in Germany is more than the number of Turkish female immigrants. In addition to this, individual preferences such as physical attractiveness and the level of education also have an important effect on the attitudes of Turkish immigrants towards inter/intragroup marriages. Even, they can override the importance of ethnic, cultural and religious proximity in some cases by removing ethnic, cultural and religious barriers. It is possible to state that since second generation Turkish immigrants are educated in Germany, high level of education can create an opportunity to interact with partners from native society. Moreover, second generation Turkish immigrants are more conversant with the mother tongue and values of Germany by comparison with their first-generation families. Therefore, the tendency of well-educated second generation Turkish immigrant to make exogamous marriages is higher by comparison with first-generations. Taking into account all of these factors, it can be stated that marriage is also a communal affair.

In conclusion, it can be reached three basic results. *The first of these* is that family migration has a dynamic structure. As seen in the Turkey-German case, constantly changing national and international legislations which regulate family migration have a great impact on the process of the family formation and family reunification. In this context, the process of the acquisition as well as the extension of the residence titles, and the naturalization process is excessively influenced by these ever-shifting legislations. Furthermore, identity is in the process of formation. It is not a completed process. In this context, migration flows including family migration have a great influence on the evolution of identities. *The second of these* is that marriage is not just a private issue. It is also a public issue. To make it clear, marriage basically is a private contract between a man and woman and the couples formally register their relationship with the marriage contract. For this reason, marriage can be essentially regarded as a private issue. However, analyzing the marriage only at the individual level is problematic on the ground that the impacts of the regulations of states nationally and internationally are the realm of politics. In consequence of the rising importance of the family within the context of migration, a great number of national as well as international legislations and amendments has been made in order to identify the scope of the family

migration in the countries. Since a private realm like marriage and family can be easily controlled by a public authority especially through determining the status and citizenship rights of family-based immigrants, it cannot be limited only to the private realm. National and international legislations have a direct influence on the framework of family migration, which makes marriage and family a public and international matter. *The third of these* is that marriage is also a communal affair because there is a variety of variables such as ethnic, cultural and religious factors, structural factors and individual preferences which have an important impact on the mate preferences of Turkish immigrants in Germany.

Just like in every study, this study also has some imperfections. The limitations of this study are as follows. *First of all*, as is known, enumeration in the migration studies is troublesome. Although the administrative sources provide an opportunity to make approximate predictions, they may not completely reflect the truth. Therefore, statistical data in migration studies is controversial. *Secondly*, this study requires fieldwork, surveys, or ethnographic research as important methodological tools because they may be beneficial for the production of new data which will be used in future studies. If future studies use these additional methods while analyzing the unique Turkish migration group in Germany, they will make a great contribution to the academy. *Thirdly*, since I did not know the good command of German language, I was obliged to analyze Germany's laws and regulations from their English translations. This can be an obstacle due to the fact that translations sometimes give rise to the semantic shift. *Lastly*, in this study, I focused on family migration on the part of the Turkish immigrants in Germany. Nevertheless, it is important to emphasize that migration flows pave the way for the creation of a transnational space which establishes between the origin country and destination country. In this respect, this subject can be evaluated also on the part of the Turkish side. In other words, the population which migrates from Germany to Turkey for family-based reasons can be also investigated. Additionally, I did not also focus on the statistics of the emigrations of Turkey for family reasons. These emigrants can also be analyzed in the future studies. However, it is needed for further thoughts for realizing this. This study contains the borders of the Master's thesis.

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