

CHANGING CONCEPTS AND PRACTICES OF CITIZENSHIP: EXPERIENCES  
AND PERCEPTIONS OF SECOND-GENERATION TURKISH-GERMANS

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Approval of the Graduate School of Social Sciences

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## ABSTRACT

### CHANGING CONCEPTS AND PRACTICES OF CITIZENSHIP: EXPERIENCES AND PERCEPTIONS OF SECOND-GENERATION TURKISH-GERMANS

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The purpose of this thesis is to explore the challenges of immigration on the modern concept of citizenship by interpreting the perceptions of individuals. It tries to reveal the ways in which citizenship practices and conceptualizations of second-generation Turkish-Germans support and/or diverge from the theoretical approaches that attempt to explicate the immigration/citizenship problem. Second-generation Turkish-Germans' experiences and perceptions of citizenship are investigated with respect to three aspects of citizenship that are legal status, identity, and civic virtue.

Keywords: Immigration, Nation-State, Citizenship, Rights, Identity, Turkish-Germans.

## ÖZ

### VATANDAŞLIĞIN DEĞİŞEN KAVRAM VE PRATİKLERİ: İKİNCİ KUŞAK TÜRK-ALMANLARIN DENEYİM VE KAVRAYIŞLARI

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Bu tezin amacı, uluslararası göçün modern vatandaşlık kavramı üzerindeki etkilerinin, bireylerin kavrayışları üzerinden incelenmesidir. İkinci kuşak Türk-Almanların vatandaşlık pratikleri ve kavramsallaştırmalarının, liberal siyasi kuram içinde modern vatandaşlığın krizine çözüm olarak sunulan önerileri ne ölçüde destekledikleri ve onlardan hangi noktalarda ayrıldıkları ortaya çıkarılmaya çalışılmıştır. İkinci kuşak Türk-Almanların vatandaşlık deneyimleri ve kavrayışları, hukuki statü, kimlik ve sivil erdem boyutlarına referansla açıklanmıştır.

Anahtar Kelimeler: Uluslararası Göç, Ulus-Devlet, Vatandaşlık, Kimlik, Haklar, Türk-Almanlar.

To My Parents

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## CHAPTER 1

### INTRODUCTION

The present inquiry has two dimensions: first it is concerned with the changing concept of citizenship in the liberal polities with respect to increasing diversity within these societies –with special reference to the impact of immigration on diversity. Second, it tries to explore the impact of immigration on the conceptualization of citizenship from the standpoint of individuals. Until recent times, individual level analysis has been neglected both in immigration and citizenship studies. This study tries to contribute to the literature by investigating the experiences and perceptions of the individuals as the main actors of immigration and the bearers of citizenship –as an identity and as a legal status.

Citizenship is a legal status regulating the individual-state relationships through the medium of rights and obligations. It is developed in parallel with nation-state building process. Since modern state is composed of a bounded territory and a -supposedly- homogenous nation within that territory, citizenship had national connotations. Furthermore, national citizenship serves as an important source of individual identity. Modern citizenship is established on two conflicting dimensions: on the one hand, it is an expression of liberal principle of equality (universalism); on the other hand, it excludes those who do not belong to the nation (particularism), namely ‘aliens’. While a formal equality is granted to citizens, the aliens living in a state’s territory are prohibited from the privileges of citizenship and precisely categorized. This diversity itself exacerbated the sophistication of the exclusionary policies.

With the increasing significance of transnational migration, two dimensions of citizenship (universality and national homogeneity) are losing

their grounds. Immigrants<sup>1</sup> in Western Europe, who were recruited half a century ago for the sake of cheap labor, now constitute cultural, ethnic and religious enclaves within larger societies. This situation, together with demands of 'new social movements', has provoked a re-evaluation of political membership in contemporary liberal nation-states. Some scholars offer a solution to the 'crisis of citizenship' with the modern constraint of nation-state (multicultural citizenship), while others, relying on the premise that nation-state has eroded; develop schemes for universal models (postnational and cosmopolitan citizenship).

### **1.1. Challenges of Immigration<sup>2</sup>**

Migration has been an important phenomenon since the earliest times of human history. It was not an invention of modernity with its twin aspects of capitalism and colonialism. However, international migration has grown in volume and significance since 1945, especially since mid-1980s. Migration seems to be growing in the new millennium, may be one of the important factors in global change (Castles and Miller 1998). An important point to underline is that in the immigration literature the impacts of global changes on immigration have been overemphasized (e.g. Castles and Miller 1998; Castles and Davidson 2000), however, immigration itself has started to have an impact on established structures. Political scientists have been critical of globalization arguments which stem from the world systems theory -including center-periphery approaches such as Castles and Kosack (1972). As the logic of world systems theory is sociological and structural, it disregards the role of politics and the state in social and economic change (Brettell and Hollifield 2000: 9).

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<sup>1</sup> Immigrant is a person who moves from one country to another.

<sup>2</sup> Immigration denotes 'international migration' in this study. These two terms will be used interchangeably.

In Western Europe, the process of developing and consolidating welfare states has changed the character of international migration in the period of economic boom of the 1950s and 1960s. First, the massive migration from the European periphery and the Third World provided the labor to sustain the expanding European economies. Second, the economic gap between the rich industrial states and the rest of the world has been widened. Then, membership to an industrial welfare state has become attractive for those who could achieve it. This membership provides access to employment, income, decent accommodation, education and health care for family members and social security benefits for the unemployed. Migrant workers could achieve access to these material benefits after they achieve the status of permanent residents (or denizens<sup>3</sup>) of these states (Layton-Henry 1990c: 187).

By the beginning of the economic recession in the mid-1970s, many of the guestworkers<sup>4</sup> had settled in their host countries. Moreover, their families joined them which remained a magnet for economic immigrants, refugees and asylum seekers (Modood 1997: 1). They transformed West European countries from relatively homogeneous nation states to multi-national and multi-cultural societies. They had transformed many inner-city areas with their shops, businesses, churches and mosques. Above all, they were taxpayers. However, despite the deep roots they had put down in Western Europe, they were excluded from full membership because they lacked citizenship. The democratic precept 'No taxation without representation' did not apply to them. For foreign citizens, the precept was 'No representation without naturalization' (Layton-Henry 1990c: 189). Aside from political rights, there exists no sharp distinction between the rights enjoyed by citizens and those of non-citizens. Thus, the distinction between citizen and non-citizen has been eroded. Now, all residents

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<sup>3</sup> Foreign citizens who have legal and permanent residence rights in their host countries.

<sup>4</sup> Guestworker (or *Gastarbeiter* in German) is an immigrant worker who invited to come to work but his/her stay was assumed to be temporary.

benefit from the legal and constitutional rights in Western Europe. Those with the least rights are those who 'aspiring to membership', or *de facto* members who have not rights to work and reside. Aspiring members are either political refugees whose status has not been recognized, or illegal entrants who try to gain entry but who have been detained. These aspiring members have very few rights –except the basic human rights like the right to humane treatment and to a fair hearing of their case, and the right of appeal (Layton-Henry 1990c: 189). They usually live in insecure conditions in the host countries. From the point of view of host societies, they are seen as a danger to living standards, life styles and social cohesion (their image is that of masses of people flowing from the poor south and the turbulent east, taking away jobs, pushing up housing prices and overloading social services) (Castles and Miler 1998: 13).

The case of international migrants triggers some challenges to European nation-states such as accepting these migrant workers as permanent settlers requires integration of them into their economic, social and political systems. The challenges from the perspective of the immigrant groups are related to how to achieve social justice, respect and fair treatment for themselves and their families without making concessions about their national identities, cultural heritage and aspirations for their children (Layton-Henry 1990b: 1). The challenge from the perspective of individuals is related with ambiguities of their sense of belonging reflected in their legal status and identity.

## **1.2. Multidisciplinary Nature of the Subject Matter**

Until recent times, immigration had been the subject of a few number of social science disciplines (such as sociology, demography, etc.) but definitely not political science (in particular not political philosophy). Now, the issue of immigration is studied by disciplines of law, history, psychology, etc. And governments have not seen it as a central political matter to be settled at least till 1980s. Rather migrants were divided up into categories, such as permanent

settlers, foreign workers or refugees, and dealt with a variety of special agencies (immigration departments, labor offices, aliens police, welfare authorities and education ministries) (Castles and Miller 1998: 9). International migration began to be given systematic attention within the public policy agendas in the late 1980s. Then, it emerged as a field of study in the disciplines and subdisciplines associated with politics and government –such as political science, public policy, public administration and international relations. In 1980s and 1990s, the field of the *politics of international migration* began to emerge, and one of the theoretical discussion is how to ‘bring the state back in’ to the analysis of migration (Hollifield 2000).

In the migration literature, there are convergences and divergences concerning the research questions, levels and units of analysis, and hypothesis and theory construction among different disciplines (Brettell and Hollifield 2000). For instance, the main question of demographers is the nature of population change. Sociologists interested in the question why migration occurs. Anthropologist share sociologists’ theoretical framework, both underline social relations as central to understanding the process of immigration and immigrant incorporation.<sup>5</sup> Ethnic identities are studied through cultural construction in anthropology, and in sociology through the institutions that manifest ethnic differences (Heisler 2000).

In the field of political science immigration is dealt within three themes: (1) the role of the nation-state in controlling migration follows; (2) the impact of immigration on the institutions of citizenship and sovereignty; (3) the question of incorporation (political incorporation in terms of rights and citizenship) (Hollifield 2000). The primary unit of analysis for political scientists and legal scholars is the state.

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<sup>5</sup> While sociologists work in the receiving society, anthropologists have often worked at the sending, receiving, or at both ends. This difference is a result of the historical origins of these disciplines: sociology in the study of Western institutions and society, anthropology in the study of ‘the other’ (Brettell and Hollifield 2000: 4).

There is a similar handicap in the citizenship literature, too. In the contemporary political philosophy literature, citizenship is mostly dealt within the scope of liberalism/communitarianism debate. In practice, on the other hand, citizenship regimes of liberal democracies have generally featured the following elements: birthright citizenship, citizenship acquired through naturalization, disfavor of 'dual citizenship'<sup>6</sup>, and policies that limit certain rights and opportunities to citizens (Aleinikoff and Klusmeyer 2002: 2). Given the fact that the nation-state and its citizens are two main actors of the domain of citizenship, the position of the individual in this domain is often neglected (İçduygu 2005: 196) both in theory and practice. It may be argued that neither abstract theoretical level nor the legal-statist approach can properly help us in interpreting specific contexts –such as the case of Turkish-Germans.<sup>7</sup>

The divergence among the disciplines is evident in the issue of the relationship between immigration and citizenship: political scientists are concerned with the national security implications of immigration, for example, regulating legal immigration and integrating settlers; restraining unwanted immigration (see e.g. Castles and Miller 1998); sociologists are interested in institutions (see e.g. Soysal 1994); anthropologists focused on the meaning of citizenship for individual immigrant –whether and how it is incorporated into a 'new identity' (see e.g. Baykan 1997). While anthropologists discount political mechanisms, the political/sociological literature dealing with the immigration/citizenship problematic has other shortcomings: they approach the problems either from the community perspective or from a statist perspective. They disregard the individual perspectives which can be perceived through everyday life practices. İçduygu (1996b) states that the consequences of immigration policies and practices of citizenship are experienced at three levels;

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<sup>6</sup> The holding of two state citizenships.

<sup>7</sup> The label implies second-generation Turks living in Germany as competent members of German society.

that of migrants themselves, that of the country they enter, and that of the country they leave. While most of the studies of citizenship and immigration have focused on the second level, the first and third levels were ignored (İçduygu 1996b: 150).

Related with the subject matter, political philosophers have intensely dealt with two topics in the last decade: the rights and status of ethnocultural minorities in multi-ethnic societies, and the virtues, practices, and responsibilities of democratic citizenship. Will Kymlicka and Wayne Norman (2000) underscore the importance of connecting these two topics that were hitherto discussed separately. They try “to explore how emerging theories of minority rights and multiculturalism affect the virtues and practices of democratic citizenship, and to see how emerging theories of citizenship and civic virtue affect the rights and status of ethnocultural minorities” (Kymlicka and Norman 2000: 1).

### **1.3. The Inquiry**

The aim of the present study is to explore the changing concepts and practices of citizenship by clarifying how Turkish-Germans perceive citizenship regarding the aspects of ‘legal status’, ‘identity’, and ‘civic virtue’. Through the scope of perceptions, the implicit social, cultural, and psychological dimensions of changing conception of citizenship are tried to be investigated in the context of citizenship/immigration debates, and of the German foreigner/citizenship regimes.

The emphasis on perceptions drives from an anthropological/sociological theoretical assumption that “human beings are narrative animals” (Eder 2001: 230). This claim implies that individuals give meaning to realities through stories. And the arguments are embedded in stories that give meaning to them. The meaning-giving frames are bounded by a shared knowledge of the world through social interactions –that is to say they are culturally and historically

bound. Theorizing citizenship –either liberal-individualist or the civic-republican conception- has been constructed on the abstract assumptions that do not take into account the individual perceptions or the social contexts within which those perceptions are formed. Perceptions are employed here to see how far the theoretical constructions and the policies concerning citizenship are compatible with everyday practices of individuals. Moreover, to see to what extent those perceptions are shaped by the specific social contexts –through interactions. Individual experiences and perceptions are investigated with reference to three aspects of citizenship offered by Kymlicka and Norman (2000): legal status, identity, and civic virtue.

After all, the purpose of exploring experiences and perceptions of individuals is to transgress the rigid statist and legalist notions of citizenship. In order to understand the changing meaning of *political* citizenship in societies where loyalty is no more directed to a single collective identity, but transpose with respect to multiple identities, we have to inquire into the practices, experiences, and perceptions of the individuals who experience this situation. This attempt is expected to reveal different dimensions of citizenship.

The multiple dimensions of citizenship can only be captured through a contextual approach which could enable the convergence of theory and everyday experiences; because, the specificity of the case suggests unfolding new theoretical scope. In the initial phase of this research, immigration and citizenship theories –both of which have the nation-state frames- were overviewed. The topic guide for focus groups and questioning route for interviews were designed in the light of presuppositions that stem from these theoretical debates –questions were about: identity (definitions of ‘Turk’, ‘German’ and self); citizenship (Turkish, German, and dual); cultural interaction; social inequality; and group rights . However, in the process of data analysis, it was realized that the theories at hand would not allow to judge respondents’ standpoints for some specific issues. For instance, they did not give the

anticipated responses to the questions concerning group rights. Besides, some of them have different opinions than expected about the issues concerning national identity –that were not counted in question designing. Some of the theoretical presuppositions appeared to be irrelevant to the Turkish-German case. That is why after conducting the qualitative research, the importance of a contextual approach was apparent. A contextual approach, as developed by Joseph Carens (2000)<sup>8</sup>, offers three interrelated advantages:

First, it can clarify the meaning of abstract formulation. Secondly, it can provide access to normative insights that may be obscured by theoretical accounts that remain at the level of general principle. Thirdly, it can make us more conscious of the blinkers that constrain our theoretical visions when they are informed only by what is familiar. (Carens 2000: 2)

The situation of Turks living in Germany presents an interesting case for immigration/citizenship studies. The specificity of the case stems from the two facts: first, a vast majority of them are not immigrants –neither the first generation nor their descendents. Migrants, whether they migrate voluntarily or they are obliged to due to economic, political or any other reason, consciously decide to live in a certain society. The first generation Turks went to Germany on the basis of ‘guestworker’ (*Gastarbeiter*) system during 1960s and early 1970s. The second-generation, even if they grew up with the ‘myth of return’ and either integrated to German society or not, seem to spend their life in Germany.

Second peculiarity of Turkish community is that they are, as an ethnic and cultural minority, living in a country where immigration is officially denied,

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<sup>8</sup> Carens links Will Kymlicka’s question about how to respond to cultural diversity within a liberal state to questions about the differences among liberal democratic cultures. He offers a contextual approach to recognition of distinct cultures and identities. As a contributor to Rawls’s understanding of ‘justice as fairness’ which implies state neutrality to different cultures and identities, he espouses another conception of justice: *justice as evenhandedness* “which is derived from the assumption that to treat people fairly we must regard them concretely, with as much knowledge as we can obtain about who they are and what they care about” (Carens 2000: 8). Instead of general principles and formal rights, justice as evenhandedness favors contextually sensitive judgments and seems a way of achieving equality by means of differentiated citizenship.

and *ethnic nation* was the basis of political membership until 2000 (see Chapter 5). Besides, they were inherited a similar kind<sup>9</sup> of citizenship understanding from Turkey based on a homogeneous national identity and culture (İçduygu et al. 1999). Kemalism, the official ideology of Turkish Republic, grounded the state legitimacy on the strong linkage between national identity and the state (Köker 1997: 157). Indeed, national identity was intrinsic to the political-organic society notion of Kemalist discourse (Keyman and İçduygu 1998). The state is identified with the collective identity of the nation, thus, with citizens (Bora 1997: 177), and the individual can only have access to national identity through the medium of the state. The Kemalist ideology conceptualized the nation-state as an organizing sovereign-subject in determining social relations –instead of regulating (Keyman 1997: 91). The determining role of the state had a crucial role in the process of the construction of national identity. As a result, the notion of *homogeneous* and *organic*<sup>10</sup> nation had been based on the state's privileged position.

The creation of a Turkish identity was one of the principle tasks of the founders of the Republic in their social engineering. The conceptualization of Turkish citizenship is manufactured in the simultaneous processes of 'state-building' and 'nation-building' by state elites in accordance with the principles of Kemalist project. The new form of membership to the created nation had to be modern, civilized, non-religious, and egalitarian (İçduygu et al. 1999: 201). The

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<sup>9</sup> In German case, national identity and citizenship notions were solely based on 'cultural' dimension, whereas for Turkish case we can speak of a paradoxical synthesis of cultural (German tradition) and civilizational (French tradition) dimensions (Kadioğlu 1996a: 184; Kadioğlu 1999: 57). Another comparison made by Kadioğlu (1999) is the sequence of nation and state formations in these two countries: German nation was belated in founding its state ('a nation in search of its state'), however, the nation-state building process was in reverse for Turkish state ('a state in search of its nation').

<sup>10</sup> There are divergent interpretations on the ethnocentric tone of the Turkish national identity and citizenship: Some authors emphasize the role of ethnocentrism in construction of national identity (Bora 1997), and in the formation of state policies and laws (Yıldız 2001), or the relation between Kemalism and ethnocentric historicism and its transformation into a sort of Hegelian notion of unified state and nation (Öğün 1998); while some other scholars argue that Kemalist discourse does not favor ethno-nationalism (Keyman and İçduygu 1998); and Turkish citizenship was not defined simply in ethnic terms (İçduygu et al. 1999).

role of the citizen, within this project, was determined with regard to his/her obligations towards the state which was the promotion of 'common good' (Keyman 1997: 91-92), and citizenship is constructed as a social practice rather than status (İçduygu 2005: 204).

Therefore, the notion of citizenship in Turkey implies the sense of belonging to a nation on the basis of loyalty to the state (İçduygu et al. 1999: 197). If citizenship is regarded as representative of belonging to a national community and of his/her allegiance to both the nation and to the state concurrently, then one can assume that this ideal of citizenship could be a hindrance in taking the decision to acquire another state's citizenship. For this reason, Turks were reluctant to acquire German citizenship until the transformation of citizenship laws in Turkey and Germany.

Turks, being the largest immigrant group settled in Germany (more than 2.4 million), have challenged German foreigner policies, and have usually been the target group of policy makers. First of all, by not returning to their home -as expected from 'guests'- and settling in Germany, they frustrated all presuppositions of guestworker policy. Secondly, it is said to be that Turks are less willing to assimilate among the other immigrant groups in Germany. Thirdly, they represent the true 'foreigner' in the eyes of Germans. According to a research hold among Eastern Germans after unification, Turks were the first coming to their minds as 'foreigner' (not Vietnamese or Poles), even though they had never even been in contact with them. Maybe for this reason, immigration problems usually were associated with Turks, as it is mentioned by a member of the parliament in the beginning of the 1980s that foreigner problem is a Turkish problem in Germany (Joppke 1999: 78).

Many of the people with whom this research is concerned are not Turkish immigrants in Germany themselves, but the most integrated segment of second-generation Turks. Since, first-generation immigrants were interested in earning their living in Germany and perhaps in attaining the social and civic

rights, they were not interested in political rights at all. The growth of second-generation Turks who were born and brought up in Germany who do not have German citizenship, raise the questions of citizenship, identity and political rights. Although the participants of the empirical research of this thesis define themselves as 'Turks living in Germany', 'Turks native of Germany' (*Almanyalı Türkler*), or 'Germans of Turkish descent', they are called as 'Turkish-Germans' in the text –for the sake of brevity. Instead of 'German-Turks' (as it is sometimes used in the official and public discourses in Germany), the name 'Turkish-Germans' is preferred in order to emphasize the 'German' constituent of the hyphenated identity.

Since one aspect of this research is related with the changing concepts of citizenship in multicultural societies where diversity results from the immigration, we pay attention to the the relationships between the nation-state, and immigration within Western European context; and the changing conditions of political membership for those who are not citizens of the the countries where they reside. Besides, alternative citizenship conceptions (postnational, multicultural, and cosmopolitan) that were developed for liberal polities were elaborated. These theoretical evaluations will serve as a frame of reference in our investigation of how individuals experience and perceive citizenship (as a legal status, identity, and civic virtue) in the case of second-generation Turks living in Germany.

As already pointed out, the emphasis in the thesis is on the perceptions of the people who experience this situation (multiple identities, multiple allegiances) in their daily lives. Their perceptions are tried to be understood by penetrating into the characteristic language they use and their symbolism, and by construing the concrete judgments they make and the specific problems they mention. The task of grasping the content of perceptions is proceeded through:

- (i) Questions concerning self-understanding: on what bases they differentiate themselves from Germans and from the Turkish community?; how they name

themselves?; what symbolic meanings they give to 'Turkishness'?; to what extent self-understanding depends on their culture?; (ii) Questions concerning citizenship: how they give meaning to German and Turkish citizenship?; what are the reasons behind their decision to acquire German citizenship?; what are their opinions on dual citizenship? (iii) Questions concerning formal equality and social inequality: if citizenship rights were given without renouncing their Turkish citizenship, would they still be willing to apply for German citizenship?; are the rights they gained by means of German citizenship sufficient for sustaining social equality? (iv) Questions concerning social interactions: do they see any difference between themselves and German youth at the same age and status?; what do they think about mixed marriages?; are there any circumstances in which they feel themselves different? (v) Questions concerning group-specific rights: what are their opinions on giving special representation rights, and cultural and religious rights to Turkish minority in Germany?

Their perceptions of citizenship are explored in terms of three categories that are suggested by Kymlicka and Norman (2000): *status*, *identity* and *activity* (*civic virtue*). Kymlicka and Norman (2000: 30-31) argue that talk of a person's citizenship at the individual level can refer to three distinct ideas:

(a) *status* as a legal citizen defined by rights (civil, political, and social) and duties (to obey the law, pay taxes, perform military service);

(b) *identity* as a member of political community which is often contrasted with other more particular identities of the individual based on class, race, ethnicity, religion, gender, profession, sexual preference, etc.

(c) *activity* implies *civic virtues* required for a flourishing democracy. According to William Galston responsible citizenship requires four types of civic virtues: (i) *general* virtues: courage; law-abidingness; loyalty; (ii) *social* virtues: independence; open-mindedness; (iii) *economic* virtues: work ethic; capacity to delay self-gratification; adaptability to economic and technological change; (iv) *political* virtues: capacity to discern and respect the rights of others; willingness

to demand only what can be paid for; ability to evaluate the performance of those in office; willingness to engage in public discourse (Galston 1991: 221-224 quoted in Kymlicka and Norman 2000: 7).

Their emphasis on these ideas of citizenship derives from the premise that “functioning of society depends not only on the justice of its institutions or constitution, but also on the virtues, identities, and practices of its citizens” (Kymlicka and Norman 2000: 10). These three ideas are conceptually and empirically interlinked. To illustrate, the citizen rights define both their citizenship status and identity, and also the variety of political and social activities available to them. The form of identity has an impact on civic virtues of citizens; and so on (Kymlicka and Norman 2000: 31).

Kymlicka and Norman add a fourth aspect of citizenship: the ideal of *social cohesion* that include concerns about social stability, political unity, and civil peace. This ideal of citizenship is relevant at the level of the political community as a whole. Kymlicka and Norman include the social cohesion aspect of citizenship as a response to critics worried about multiculturalism and cultural rights –that they might engender ‘politicization of ethnicity’ or in an extreme case civil war (Kymlicka and Norman 2000: 10). Since the present study is concerned with the individual perceptions, the social cohesion aspect of citizenship will not be referred in the analysis of empirical findings.

To inquire into perceptions of individuals through the concepts of legal status, identity, and civic virtues is expected to expose what sort of a citizenship is emerging among Turkish-Germans. The aim is to clarify the conceptual and practical characteristics of emerging citizenship. The significance of perceptions also lays in giving insight to how national, multicultural, and postnational theoretical perspectives and the citizenship regimes of Germany are understood, accepted or ignored in daily lives of people. This is an effort to overcome the distance between abstract theories and concrete practices. Although, the citizenship theories –specifically the theories of Brubaker (1992), Soysal (1994),

and Kymlicka (1995)- are employed as a frame of reference in designing empirical study, the thesis aims to dwell upon the three aspects of citizenship, and to re-assess those theories mentioned above in light of empirical findings.

The individual perceptions are exercised here to overcome the statist/legal understanding of citizenship which is common in mainstream political scientific studies in citizenship. By looking at the concept and practices of citizenship from the standpoint of 'actual' individuals –through judgment and construe of their perceptions-, it is intended to transcend the prevailing approaches' handicap of dealing with abstract individuals. Another significance of introduction of perceptions and experiences into the citizenship studies is related with uncovering the mechanisms of power relations and inequalities prevailing in the society (Baykan 1997).

#### **1.4. Method**

This thesis has two dimensions: changing concepts of citizenship, and experiences and perceptions of individuals. For the theoretical and conceptual discussions about immigration, nation-state, and citizenship, related literature reviewed at the initial phase of the research. This theoretical overview provided a frame of reference for inquiring into the perceptions in the empirical stage of the research. The topic guide for focus groups and questioning route for interviews were designed in the light of these theoretical debates.

The observations used in this study are based on qualitative research in the form of two focus group discussions and nine in-depth interviews (structured and unstructured). The initial three interviews were unstructured and conducted before the focus group discussions (in İstanbul, August 2003). The later six structured ones were held after focus groups (in Marmaris, September 2003), however in each case additional questions are improvised during the interviews (thus, semi-structured).

To find participants, 'on location' strategy was used. Focus groups and interviews were held on locations where the respondents came for the purposes of recreation and education. The first focus group (with eight individuals) was conducted in İstanbul (August 2003) with university students (between the age of 20-26) who were attending a summer school at the University of İstanbul; the second focus group was conducted in Marmaris (September 2003) with seven professionals (between the age of 25-36) who were attending a summer program at the International Academy of Marmaris.

After a brief description of the research, and invitation, those who were interested participated in the groups. The purpose of conducting focus groups is to encourage self-disclosure among participants. The researcher was involved in the focus groups as moderator to ask questions, to listen, to record the conversations and make sure everyone has a chance to participate. The first focus group discussion took two hours, and the second one took one and half hours.

Of the nine in-depth interviews five of the interviewees were chosen among the second focus group participants. The purpose of these interviews was to enable individuals to express themselves in a more intense conversation in which they can reveal their sentiments, opinions and experiences about the crucial subjects such as identity and discrimination. It can be argued that the participants were more reflective and exhibited great insights in the interviews. The interviews took half to one and half hours.

Discussion and interview questions revolved around basically five themes: (1) identity (definitions of 'Turk', 'German' and self); (2) citizenship (Turkish, German, and dual); (3) cultural interaction; (4) social inequality (5) group rights. For some matters, no formulated question was asked -such as for the motherland, the researcher just said the word like "Motherland?"-, in order to enable them to say whatever resonates in their minds. For some issues, the questions were not directly asked. For instance, they were not asked whether

they face racism or discrimination, but they were asked: “Would you tell any incidence (or memory) that you felt you were from a different culture?”. For some questions, another testing question was asked. For example, they are asked if they see any difference between themselves and German youth at the same age and status. Nobody gave a negative reply. However, for the question of “Would you marry with a German?”, everybody had reservations.

The respondents are bi-lingual, however, most of them speak German better than Turkish. They mainly speak German among themselves. Since the discussions and interviews were in Turkish, the scripts used in the thesis are translated into English by the researcher. It is a handicap that they (probably) translated the responses from German into a kind of ‘poor Turkish’, and then the researcher translated them into English<sup>11</sup>. It might be more appropriate to conduct the research in German

All interviews and discussions were recorded and transcribed by the researcher. In the analysis of interview and focus group results, unabridged transcripts were used as the basis for analysis. The observations of this research are compared and contrasted with three researches: (i) the research of Ayhan Kaya and Ferhat Kentel (2004) on Euro-Turks (Turks in Germany and France); (ii) the work of Turkut Göksu (1999) on the problems faced by Turks in acquiring German citizenship; (iii) the documentary survey held by Ergün Tepecik (2002) on the situation of first-generation Turks in the multicultural German society.

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<sup>11</sup> One of the respondents said at the end of the interview that since he is bi-lingual, in his daily life there are things he thinks in German and things he thinks in Turkish. The subjects that we discussed (such as citizenship, rights, etc.) were the subjects which he thinks in German. Thus, he stated that it was difficult for him to express his opinions in Turkish, and each time he has to translate into Turkish before replying.

## 1.5. Profile of the Sample

The peculiarity of the sample group is that, being integrated segment of Turks in Germany, they represent 'elites' of the Turkish community. The measure of integration is high education which implies competence in German language, and a certain level of adaptation to German societal culture. The respondents define themselves as 'academics' which indicates to be a university student or to have a university degree. Second-generation Turks who become 'academic' are presented as an example of 'success stories': they are from working class families, their parents are usually not educated, and less integrated (if not at all) to German social life. They grew up in Turkish-speaking families which means an obstacle to be successful in German education system – at least in the early years. They had to compete with German fellows who had the privileged of getting help from their parents. They did not receive any assistance to do things the majority students can do unassisted. On the contrary, they were discouraged for higher education (for discrimination in German schools see Chapter 6, 3.1). They were not involved in the programs designed to integrate the children of ethnic German immigrants. For instance, they were not allowed to attend German courses which were added to school curriculums for the children of *Aussiedler* and *Übersiedler*. Under these circumstances, their endeavor to hold an honored position is appreciated by both Turkish community and the larger society, and made them 'model Turks'. It is also worth to underline that their experience is unique to second-generation –the third- and forth-generations are favored ones compared to them. So, the second-generation is a transitional generation.

That is why the second-generation 'academics', who constitute a small group in Turkish community, present a divergent standpoint in comparison to majority of Turks living in Germany who have relatively few skills, and whose attitude to citizenship is very similar to the prototype taken for granted by German policy makers. The second-generation Turks with high status,

professional skills, and large salaries are competent members of German society. As they are socially and culturally more integrated, they are more welcomed by German society. The opinion leaders are also from this section of Turkish-Germans. The remarks of Cem Özdemir, a deputy in *Bundestag* (the Federal Parliament) from the Greens, are noteworthy:

I don't want to make too much of an issue out of this, but look at me, I'm a representative in the German Parliament. I come from a working-class family. My father has very little schooling. My parents both came to Germany as guestworkers. I did very poorly in school, but I worked hard to improve myself and went on to the university and got my degree. I firmly believe that change can happen. I did all this as a member of just the second generation of Turks in Germany. Some say, well, I'm just an exception to the rule. This is not true. When I say to those who doubt, "I am just like you, my parents didn't have any better conditions than your parents did when they came over," they understand me. Then they listen to what I have to say. (Weber 2003: 2)

The empirical part of this study is concerned with the perceptions and everyday life experiences of those 'academic' Turks who already acquired German citizenship or planning to acquire. The findings resulted from the focus group discussions and interviews will be compared and contrasted with some recent researches related to Turks in Germany.

The focus groups are characterized by homogeneity in terms of education and age (see Appendix I). The first focus group (FGI) was composed of eight persons (seven female and one male), participants are university students who ranged in age from 20-26, with an average of 23. The second focus group (FGII) was composed of seven persons (five female and two male). The respondents ranged in age from 25-36, with an average of 29.5. Three of them are doctors; one architect; one studies political science and media, and works as translator and reporter for the German news media; one studies law; one does not have university degree and works in private sector. Since, only the people who were

interested participated in the focus groups, gender distribution does not represent equality. However, gender distribution of the in-depth interviews reflects more balanced gender representation: five female, four male. Interviewees are between the age of 22-35, with an average of 28.5. A vast majority of the discussion participants and interviewees were born in Germany and a few brought to Germany before they were six years old. Their fathers, in some cases both parents, are guestworkers. All of them are single (one is divorced).

## **1.6. Sketch of the Thesis**

The purpose of this thesis is to explore the challenges of immigration on the modern concept of citizenship by interpreting the perceptions of individuals. In what follows there is an overview of each individual chapter: The discussion in Chapter 2 is about economic causes and political and cultural consequences of international migration. The first part of the Chapter devoted to the theoretical explanations of immigration. Neo-classical, structural-functionalist, migratory systems and network theories highlights different aspects of immigration. The second part of the Chapter provides a historical perspective for immigration to Western Europe since the Second World War –which had been basically in the form of labor migration. In the third part, the impact of immigration on our prevailing notions of citizenship, identity, nationality, and rights was examined.

Chapter 3 focuses on the relationship between the nation-state, immigration, and changing conditions of political membership in liberal polities. In the first part, historical connection between nationality and citizenship is discussed. This discussion includes the normative grounds on which the modern concept of citizenship was constructed. The second part of the Chapter deals with the inadequacies of idealized understanding of citizenship with respect to challenges of globalization and immigration. And it examines how nation-states

respond to existence of non-citizen residents within their territories, and how the content of citizenship rights was extended as a response to cultural diversity.

Chapter 4 dwells upon the alternative citizenship conceptualizations for liberal democracies. First, Yasemin N. Soysal's notion of postnational citizenship, as a model for Europe, which suggests a kind of universal, deterritorialized concept of individual rights, is overviewed. Second, Will Kymlicka's theory of multicultural citizenship for nation-states with national and ethnic differences is discussed in a critical review. Finally, cosmopolitan citizenship is debated as the membership model for post-Westphalian order with reference to Martha Nussbaum's understanding of cosmopolitanism.

Chapter 5 addresses German immigration and citizenship politics. The specificity of German immigration/citizenship debate results from its nationhood tradition in which ethnic nationality converges with state membership; and Germany's denial of immigration. These two have been important handicaps for a liberal citizenship politics until the enactment of new citizenship law in 2000. This Chapter pays attention to changing immigration, foreigner, and citizenship policies over the course of time, and their relation to each other.

Finally, Chapter 6 considers how second-generation Turkish-Germans perceive citizenship with respect to legal status, identity, and civic virtue aspects of citizenship. The first part gives a brief history of Turks in Germany: how their demands have an impact on the conceptualizations and policies of citizenship in Germany and Turkey; and how they have responded to policy changes. Then, perceptions and experiences of second-generation Turkish-Germans are explored on the basis of empirical observations. In the last part of the Chapter, postnational and multicultural citizenship theories are reconsidered from the standpoint of individuals' perceptions.

## CHAPTER 2

### DYNAMICS OF IMMIGRATION: GLOBAL AND EUROPEAN TRENDS

This chapter is less directly concerned with the inquiry of the research; however, it is worthy to focus on the explanations for immigration to understand the broader context within which our inquiry stems. This theoretical overview will enable us to grasp why, how, and in what ways immigration started –with its varying content and volume- to be a challenge to our postulates about the nation-state and citizenship in general and specifically in Western Europe. Besides, it serves as a frame of reference for Chapter 5 in which German immigration policies will be elaborated.

#### 2.1. Theoretical Explanations for Immigration

International migration is an important contemporary issue, in the sense that it has economic, political and cultural results and also reasons. Although migration is not a new phenomenon - it has played an important role in the nation-building process of some European countries - its significance has been increased since 1945, especially since 1980s. Although, until recently, migration was not a crucial political issue, from the late 1980s onwards, systematic and macro-level institutional regulations started to be developed.

Modern information and communication technology is an important factor in the augmentation of population mobility, but it is also a result of other forms of cross-border flows such as finance, trade, and cultural and media products. The crucial organizing principle for all these flows is what Castles calls the *transnational network* which can be in the form of transnational corporations, global markets, international governmental and non-governmental organizations, global criminal syndicates, and transnational cultural communities (Castles 2000b: 271).

Factors such as population increase, poverty, structurally caused un- and underemployment, creation of new free trade areas, political conflicts or ecological pressures may have impact on the increase of international migration. Nonetheless, there are no clear causal links between these variables and international migration (Tamas 1996 quoted in Hammar and Tamas 1997).

### **2.1.1. Neo-classical explanation**

The first attempt to theorize migration came from the neo-classical economics based on the principles of rational choice, utility maximization, expected net returns, factor mobility and wage differentials. The basic assumption is that people are rational and they try to maximize their individual utility. A person decides to migrate if s/he expects a relative increase in quality of life.

Neo-classical economists claim that migration is a consequence of uneven distribution of labor and capital. In some countries or regions labor is scarce, thus its price is higher than the countries where labor is plenty but the capital is scarce. Since individuals want to maximize their income, they move from low-wage to high-wage economies. Due to this movement, wages in the low-wage country are increasing as the labor supply decreases. And the vice versa happens in the high-wage country (wages are decreasing as the labor supply increases). Thus, in turn they lead to redistribution of factors of production, elimination of the inequalities and dispensation of welfare. The underlying assumption of this explanation is that material wealth can be the best measure of life quality. Accordingly, individuals who want to maximize their personal utility of life are expected to search for alternatives to maximize their income and wealth.

From a developmentalist point of view, the main cause of migration is considered to be poverty: people migrate from low income level countries to high income ones. Economists conceive migration as a process of resource allocation between two geographical areas with differing factors such as skilled and unskilled labor, natural resources, and capital. When people leave the area

where labor is plenty and cheap, they indirectly contribute to the increasing marginal productivity of those who stay, and remittances increase the living standards of families remaining at home. It also has positive impacts on the accumulation of capital, technical and managerial know-how. Thus international migration in turn helps the international transmission of development. However, besides its initial positive impacts, transfer of funds has contradictory impacts in the long term, because they encourage new departures of family members who are stayed at home and of those families who are were not interested in migration (Tapinos 2000: 298).

Of course, migration cannot be explained in such a simple manner. The poorest, actually, are the ones who have the least chance to migrate, because they lack the economic capital to travel, the cultural capital necessary for becoming aware of opportunities elsewhere, and social capital (or networks) needed to find work and survive in a new environment. However, at intermediate levels, migration propensities increase because families become able to migrate abroad (Urzua 2000: 423). For instance, most of the immigrant workers from Central and Latin America to the US came from developed regions (from urbanized states of Mexico; from the most developed country of Latin America –Argentina- rather than the less developed ones such as Bolivia or Peru) (Portes and Bach 1985 quoted in İcduygu et al. 2001: 42)<sup>12</sup>.

Neo-classical economic theories are criticized in some respects: first, they focus on permanent individual migration and ignore other actors and other types of migration; it equates migrants with migrant workers. Migrants are assumed to be a homogenous group of individuals who have the same perfect information and behave in the same way (rationally choosing the best possible

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<sup>12</sup> By analyzing empirical data from Turkey, İcduygu et al. (2001) argue that a threshold of socio-economic development may lead to a higher level of emigration. Therefore, emigration is expected to increase under the conditions of low level of socio-economic development, while the propensity to emigrate declines in the excessively poor conditions. From the 1960s onwards, the middle-level developed districts of Turkey have been the main sources of emigration (İcduygu et al. 2001: 50).

alternative) (Fischer et al. 1997). Second, the neo-classical explanation conceptualizes migration simply as the movement of factors of production in accordance with their relative prices. This could be an explanation in an ideal situation where individuals can move freely, however, international order is based on the severe control of national borders. Actually migrants move despite the fact that there are lots of official and unofficial barriers to free movement (Arango 2000: 286). Third, these theories do not take into account institutional historical contexts, and links and differences between gender and ethnic groups (Urzua 2000: 424). The reason could be their one-dimensionality, and more importantly their exclusion of the political dimension. Political factors are much more influential in migration decisions than wage differentials in the contemporary world (Arango 2000: 286). If economic disparities were sufficient, there would be more people on the move. However, although there exist considerable differences among countries in terms of wages, income and welfare facilities, relatively few people migrate. That is why contemporary researchers find focusing on the question of why people are immobile valuable<sup>13</sup> –e.g. the works of Fischer and Martin, and Straubhaar (1997); Hammar and Tamas (1997).

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<sup>13</sup> To explain why so few people migrate migration costs are introduced: it is argued that the geographic distance between origin and destination is likely to reduce the migration (high level of Southern migrants in Europe and Mexican migrants in the United States serve good examples of this argument). Another factor is non-pecuniary costs and benefits that are socio-cultural, political and geo-ecological benefits and costs of migration (Fischer et al. 1997: 57). Another factor is the migratory decisions of ‘pioneer’ individuals. Chain-migration theories stresses that pioneers contribute to the level of information of those who stayed and this either increases or decreases their decision to move. Fischer et al. (1997) develops an approach towards immobility that stresses that individuals accumulate some location-specific skills, abilities and assets in the time of immobility, which increases their individual utility. These location-specific assets and abilities (‘insider advantages’) are economic, cultural, linguistic, social and political. “Gaining knowledge about location-specific economic, social, and cultural opportunities, building up a social network, or getting involved in democratic or political activities all require a certain immobility and represent an ‘investment’ that is lost in the case of a decision to ‘go’.” (Fischer et al. 1997: 89). For the explanation of micro-level individual migration, they hypothesize a number of reasons why most people usually prefer not to migrate (Fischer et al. 1997: 83): First of all most people are risk averse and not willing to move even if they expect an improvement in their life quality (because they are aware of the risks involved). Secondly, migration control increases the costs and risks of a decision to go, but usually not prohibitively. Thirdly, social security and public welfare systems reduce the costs of staying immobile. Finally, discrimination against immigrants by local people is a discouraging factor for those who want to migrate. The behavioral micro-economic

### ***2.1.1.1. The New Economics of Labor Migration***

An alternative economic approach was developed by Oded Stark, underlining the factors such as chances of secure employment, availability of capital for entrepreneurial activity, and the need to manage risk over long periods (Stark 1991 quoted in Castles 2000b: 272). The new economics of labor migration share the basic assumption of the neo-classical approach that is 'rational choice'. However, it contributed the neo-classical approach in certain respects (Arango 2000: 288):

- It is the families or households who want to maximize their utility not the individuals. Thus, migration is a family decision or strategy. It is introduced as a group decision by a number of sociological and political models of migration (e.g. Ahmed 1997, Faist 1997).

- Wage differentials are not indispensable for migration to occur.

- The theory pays more attention to information and to the interdependence between migrants and the context in which they operate.

### ***2.1.1.2. The Human-Capital Approach***

The human-capital approach is an important contribution in micro-economic migration theory. This approach implies two theoretical novelties (Fischer et al. 1997: 60-62): (a) Migration is regarded as a kind of investment in human capital; (b) It provides a theoretical justification for interpersonally different migration propensities. To illustrate:

- The longer one's 'investment horizon', the more likely s/he is to migrate.

Thus, young people are more willing to migrate.

- The bigger one's preferences for the present (e.g. due to age, wealth, or the arrangements of a social security system), less likely s/he is to migrate.

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model of the insider advantage approach assumes that individuals, families or groups 'rationally' ask themselves whether to migrate. This approach tries to overcome the shortcomings of macro- and meso-models of migration by introducing the dynamics of the decision-making process itself.

- Even if to migrate means a relative decrease in the quality of life in the initial stage, people can expect to compensate this loss with future benefits in the long run.

### **2.1.2. Structural-Functionalist Approach**

Departing from a Marxist point of view, Castles and Kosack (1972) analyze migration in Western Europe as a two-fold (but closely linked) mechanism of capitalist rule: the industrial reserve army and labor aristocracy. For Marx, the industrial reserve army is functional for the survival of the capitalist system which depends on capital accumulation, because it keeps wages down and profits up. It also condemns employed workers to accept poor working conditions. The labor aristocracy, on the other hand, is created by giving privileges to certain organized sectors of workers. The labor aristocracy is composed of those who can not be easily replaced, so in a way they are in a secure position compared to the other members of the reserve army. This situation causes them to identify their interests with those of the capitalist class which in turn undermines their class consciousness. Castles and Kosack (1972) claim that as a mechanism of domination both the reserve army and the labor aristocracy are important in the age of organized monopoly capitalism – although the way in which they function has changed significantly. They argue that the availability of a reserve army in Western Europe became difficult in the post-War period, because of the economic crisis, unemployment, and the growth of labor movement (Castles and Kosack 1972). Western European capitalism tried to overcome these problems by importing labor from under-developed areas of southern Europe or from the Third World. Apart from this economic function, Castles and Kosack argue that employment of immigrant workers has another socio-political function, the formation of the consciousness of a labor aristocracy. A labor aristocracy is created by dividing the working class into two as immigrants and indigenous, and by providing better conditions to the latter. Since the immigrants enter into the bottom of the labor market, many

indigenous workers are released from unskilled and semi-skilled work to skilled, supervisory, or white-collar employment (Castles and Kosack 1972).

Despite their differing status and working and living conditions, Castles and Kosack (1972) oppose labelling immigrants as 'lumpenproletariat', 'new proletariat' or 'sub-proletariat'. They argue that both indigenous and immigrant workers share the same relationship to the means of production: exclusion from ownership and control; selling their labor power; and working under the direction and in the interests of others. Thus, indigenous and immigrant workers belong to the same 'proletariat class'; it is, however, a divided class. By giving certain privileges to the indigenous workers and by intensively exploiting the immigrants, the capitalist class divides the proletariat into two distinct strata (Castles and Kosack 1972). This distinction has been further deepened by legal and political practices in the form of restrictions on the civic and labor market rights of the immigrants, together with the informal discriminatory practices in the form of xenophobia and racism (Castles and Kosack 1972).

To Castles and Kosack, racism and xenophobia split the working class on the international level and motivate the indigenous workers to help the exploitation of immigrant workers in the interest of the ruling class. Indigenous workers adopt racism because they see immigrants as a threat to their conditions. The employers, on the other hand, use them as a mean to keep wages down and to weaken the labor movement. The conditions of immigrants, who are usually vulnerable in social and legal respects, ease this ruling class strategy. A disguised feature of the racism is that the racism campaigns offering the repatriation of immigrants are directed by petit-bourgeois (that means the employers could not use the advantages of the reserve army anymore) against the industrial capitalists. It seems that racism is not in conformity with the interests of the capitalist class; on the other hand, it weakens the labor movement by reproducing the tension between indigenous and immigrant workers. Thus, the presence of immigrants contributes to the weakening of the

labor movement by means of the formation of an opportunist labor aristocracy (Castles and Kosack 1972).

During the growth of Western European capitalism, there were examples of employment of immigrant workers from the 19<sup>th</sup> century onwards<sup>14</sup>. However, there are two new characteristics of the contemporary immigration pattern. First, it has a permanent character (previously it was temporary). Second, it is the basis of modern industrial reserve army. Other groups which might form a reserve army (such as non-working women or the disabled) would increase the social cost - i.e. adequate kindergartens (Castles and Kosack 1972).

The impact of immigration on contemporary Western European society is summarized by Castles and Kosack (1972) as follows:

*Economic impacts:* The industrial reserve army of immigrant workers is an important precondition for capital accumulation because it represses the wage increases.

*Social impacts:* The poor working and living conditions of immigrant workers has caused to the division of the working class. Deepened by racism and xenophobia, this split contributes to the formation of a labor aristocracy.

*Political impacts:* As the voiceless and powerless section of the working class, immigrants are deprived of their political rights. This situation erodes the working class consciousness and labor movement.

### **2.1.3. Migration Systems and Network Theory**

As it is argued, there can be a number of reasons for immigration to begin. But the conditions that perpetuate it across time and space may be different from those that initiate immigration – the desire for individual income gain, an attempt to diversify risks to household income, a recruitment program to supply employer demands for low-wage labor, an international displacement of peasants by market penetration within peripheral regions, or some

combination of these (Massey et al. 1997: 263). Over the course of time, immigration starts to function as an independent cause in itself. This dynamic of immigration is explained by the migration systems approaches, and later by application of social network theory into migration studies.

Migration systems theories assume that migration systems pose the circumstances in which movement occurs and that these systems effect the decision on whether to stay or to move. Basically, a migration system consists of two or more places which are connected to each other by streams of people. Expanding upon dependency theories and world system approaches, migration systems theory has emphasized the link between countries other than people streams such as security alliances and colonial ties (Faist 2000: 50). Migration systems theory focuses on the processes within migration systems. Instead of defining movement as a one-time event, the migration systems theories state that it is a dynamic process which involves a sequence of events occurring through time. They stress migration as circular, self-modifying, interdependent, and complex systems (Faist 2000: 51).

Within the circumstances of immigration (economic inequalities between nation-states, the admission policies of the immigration states), individuals, households, and families develop strategies to cope with choosing to stay or leave (Faist 2000: 51). Then, system theorists applied social network theory. A network is a set of collective actors such as individuals, families, and nation-states, and the relations that link them. Migrant networks are sets of interpersonal ties that link migrants, former migrants, and non-migrants in origin and destination regions through ties of kinship, friendship and shared community origin (Massey et al. 1997: 264). They increase possible immigration because they lower the costs and risks of movement and increase the expected net returns. Network connections constitute a form of social capital through

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<sup>14</sup> Irish immigrants employed in railway, canal and road constructions in the industrialization period of Britain. In the same way, France, Germany and Switzerland recruited labor from Poland, Italy and Spain in the second half of the nineteenth century.

which people can gain access to employment opportunities in foreign countries. After the number of migrants reaches a critical threshold, the costs and risks of movement reduce due to the expansion of networks. Then, additional movements occur which in turn expand the networks further (Massey et al. 1997: 264).

The characteristics of this dynamic and self-sustaining immigration conceptualization can be summarized as follows (Massey et al. 1997: 264-5):

1) International migration tends to expand until network connections have diffused so widely in a sending region that all people who wish to migrate can do so easily (then migration begins to decrease).

2) The size of the migratory flow between two countries is not strongly correlated to wage differentials or employment rates, because of the falling costs and risks of movement stemming from the growth of migrant networks over time.

3) Once immigration becomes institutionalized through the formation and elaboration of networks, it becomes independent of the initiating factors (they can be structural or individual factors).

4) With the expansion of networks and together with decreasing costs and risks of migration, the flow becomes less selective and more representative of the sending community or society.

5) Governments' policies become ineffective in controlling immigration, because the process of network formation occurs outside their control.

6) Certain immigration policies, such as family reunification programs reinforce migrant networks by giving members of kin networks special rights of entry.

## **2.2. International Migration in Western Europe since 1945**

We can speak of political and economic factors causing immigration. A rough distinction can be made for Europe that the main reason of cross-border

movements within Europe: in between the two world wars the predominant factor behind mass migration was political; whereas after 1945 has been economic.

### **2.2.1. Economic Restructuring and Migration in Europe**

A number of economic processes such as operation of the business cycle and re-organization of the production process have an impact on the size and nature of migrations to, from and within Europe (Fielding 1993a). Economic growth in the initial phase has a self-reinforcing character: increases in sales lead to increases in profits which promote business confidence that results in new investments and increasing output. In turn, the strong demand for labor causes unemployment to decrease. However, then the circle is broken at some point, all these processes reverse: profits fall, business confidence collapses, output stagnates or falls, and unemployment rises. An explanation for the migration flows to Western Europe relies on this cyclical variability in the performance of the core economies of Europe (Germany, France, Benelux, Switzerland and UK). According to this line of explanation, migrant workers serve as a convenient buffer against labor shortages at the peak of the cycle and during recession (Fielding 1993a: 10).

The business cycles approach is not a satisfactory explanation alone, since there were more 'structural' changes taking place in the organization of production. The 'national sectoral specialization' in which certain countries were specialized in the production of certain good (core countries such as UK, France and Germany had been specialized in manufactured goods while peripheral countries of Europe such as Ireland, Italy and Spain had been specialized in agricultural products) changed into a new global division of labor that is known as the 'new international division of labor' (NIDL). With this new spatial division of labor, integration was achieved through the planned intra-organizational spatial separation of tasks: headquarters located in the 'global cities', research and development located in high income industrial countries

and the routine production located in low-cost areas –usually in the form of offshore production sites in the periphery of Europe or in the Third World. This change in the spatial division of labor had an impact on international migration to and from Europe. First of all, the core industrial countries had entered a de-industrialization phase that led to a decrease in employment opportunities and, thus, in labor demand. Secondly, the demand for highly qualified labor increased in the cities or regions where headquarters and research and development functions are located. Starting from the late 1960s and early 1970s, large metropolitan city regions became the areas of net migration lost, while the countries of origin of migration started to gain migration due to the return of migrants. So, we can speak of a reverse migration trend (Fielding 1993a: 12-13).

The common denominator of the national sectoral specialization and the new international division of labor is that both were stimulated mass migration. Although the spatial integration of production was differing, the organization of production was not. They were both characterized by Fordist production as both involved mass production of standardized goods for mass markets. The former was characterized by the migration of ‘mass collective workers’ towards the core countries, the latter encouraged the migration of professional, technical and managerial labor. Since the mid-1970s, the Fordist type of production and accumulation gave way to so called ‘flexible specialization’ or accumulation. Although both type of Fordist spatial divisions of labor continued after mid-1970s onwards, some important changes took place. Fielding (1993a: 14) lists a number of impacts of post-Fordist forms of production on migration in Europe. First, as a result of lower rates of growth and higher levels of unemployment, the need for mass migration to the core countries of Europe decreased. Second, marketization of relationships through subcontracting and franchise systems and focus on smaller internal labor markets decreased the spatial mobility of professional, technical and managerial employees. Finally, since the decentralized branch plant investments are reduced, the possibility of return

migration declined as well. To Fielding, mass migration was a corollary to mass production, mass consumption, mass culture and mass society, flexible specialization, on the other hand, permits only small-scale and individualistic forms of migration.

From this analysis we can conclude that international migration flows are sensitive to economic indicators like employment and the functioning of the international labor market. The governments' manipulative role in protecting their native work-force from unemployment (by hiring and laying off reserves of immigrant labor) is another determinant (King 1993: 36). Mass migration is a political phenomenon, even if its causes were economic and it has some significant political consequences. Moreover, many of the recent immigrations to Western Europe constitute groups that are not in conformity with the political and cultural character of their host societies (Fielding 1993b: 43).

#### ***2.2.1.1. Two Phases of International Migration***

The 1973 oil crisis is a breaking point for international migration in Europe: (King 1993: 22; Castles and Davidson 2000: 55-56):

##### ***2.2.1.1.1. From 1945 to 1973***

International migration within Europe in the post-war era gathered momentum in the 1950s and reached a peak during the 1960s. It occurred on a massive scale and has transformed the economic and social geography of the Western Europe. In order to supply the post-war economic boom's labor need, employers and governments encouraged labor migration. The purpose of the Western European guestworker recruitment policies was to provide unskilled and semi-skilled labor for expanding economies. As a result, a large-scale labor migration from less developed areas of the world to Western European countries had been witnessed. In the 1950s, Italy had been the main labor supplier, then Spain and later Greece and Portugal, then Yugoslavia and Turkey and finally North Africa and the Third World. Another reason for the introduction of the

guestworker system was to control the workers and to prevent them from permanent settlement (especially in Germany and Switzerland). In this period of immigration, consumer capitalism, the welfare state and the Cold War war-making machine were the mechanisms to sustain economic growth, and in turn labor demand.

A key characteristic of migration in Europe in the boom period was that migrants moved in waves. On the family level, workers migrated first, found work and arranged an accommodation, and later, dependents came. West European countries launched a number of family reunion programs for migrants from the 1970s onwards. The family-based migration can be associated with 'chain migration', whereby individual communities (villages or rural districts) channeled all of their members to a single destination town (King 1993: 23). Another characteristic of immigrants in the 1950s and 1960s was their age structure. Usually young adults immigrated and this had considerable impact on the demographic formation of immigrant settlements: since they were in the child-bearing age, their birth rate has been higher than that of the indigenous population. Thus the settled immigrant population has a tendency to grow faster than the indigenous population (King 1993: 24).

In this early phase of labor immigration, the labor market was highly segmented: immigrants had entered the labor market at the lowest level partly due to immigrants' lack of human capital (education, language, skills, training and industrial experience)<sup>15</sup> and partly because of racism in employment practices. Construction, factory employment and low-grade service occupations were typical sectors where immigrants were employed. Especially women migrants got the lowest-paid jobs in the textile and garment industry. Over the course of time, inferior labor market conditions reproduced the disadvantaged position of the immigrants as they were lacking the conditions for self-

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<sup>15</sup> This argument was not always true given the fact that many immigrants experience deskilling when they move to abroad.

improvement (opportunities for improving language, education and vocational training for promotion). Besides, legal principles of 'primacy for nationals' contributed to discriminatory practices in hiring and promotion of workers (Castles and Davidson 2000: 74-75).

#### ***2.2.1.1.2. From mid-1970s onwards***

After the oil crisis of 1973, the industrial economies of Western Europe had witnessed stagnation or economic decline accompanied with increasing unemployment rates. Migration policies were re-arranged in the period following the crisis. By 1974, all the labor-importing countries of Western Europe stopped recruiting foreign labor. As the capital investment shifted away from the old capitalist centers, migratory flows first declined, and then grew again.

International migration to Western Europe did not stop by the threshold of 1973-75 but it changed its character. The migration of family members replaced the migration of single workers. Governments expected guestworkers to depart, on the contrary, they settled and a family reunion phase started. While immigrants started to establish social, cultural and political networks and associations, governments re-organized their welfare and educational systems.

From the mid-1980s on, the dominant type of immigration has been in the form movements of refugees and asylum-seekers. Because, apart from political reasons, this became the only legitimate way to enter to Western Europe for people from the Third World. Since the inequalities in living standards increased between Western Europe and the Third World, the number of people who wanted to immigrate increased. As the pressure of immigration demand from the Third World increased, the controls on immigration became more restrictive. While previous immigration countries started to experience a new type of migration (migration of refugees and asylum-seekers), new receiving countries have emerged in Southern Europe such as Italy, Spain, Greece, and Turkey (also in other parts of the world like the Gulf oil countries, Latin America, Africa, and Asia). The traditional European labor supply countries

have themselves started to have migrants from North Africa and the Third World (King 1993: 35). Following the collapse of the Soviet Union, the regime change in Eastern Europe in 1989-91, and then the wars in former Yugoslavia in 1991-2 added an extra challenge to the restrictive immigration policies of Western European governments (Fielding 1993b: 44).

Another recent trend has been the 'feminization of migration' (Castles 2000b: 275): women used to immigrate as family members of male workers or refugees as dependents. However, lately the number of women who moved independently or as heads of households is increasing.

Labor market segmentation had remained as a handicap for immigrants and their descendants. In the service sector (especially in banking and finance) employment of immigrants has been still relatively low. Since the 1980s, the immigration strategies of receiving countries have been changing: they try to attract highly skilled personnel and entrepreneurs with capital and managerial skills. This contributes to the bipolar structure of the immigrant labor market with clusters at the upper and lower margins of the market (Castles and Davidson 2000: 75).

### **2.2.2. Instruments to Cope with Immigration**

With the 1990s, the nature of international migration changed because of economic stagnation and increasing unemployment rates. While the flows among Southern countries increased, the governments tried to strictly control the volume of migration towards Europe. Immigration to Western Europe is neither invited nor tolerated anymore. Although, there is still demand for cheap foreign labor in the informal market (black or gray), foreign labor is not welcome by native-born people in times of economic stagnation. On the other hand, hosting societies have the image of immigrants flowing in from the poor South and the turbulent East, taking away jobs, pushing up housing prices and overloading social services. Besides, right wing politicians spelling out their fear of 'being flooded' increased the xenophobic attitudes towards migrants

(Hammar and Tamas 1997: 11-12; Castles and Miller 1998: 13). Under these circumstances, controlling further immigration, and incorporation of settled immigrant groups have become two tools for the European states in dealing with immigration and its consequences.

#### ***2.2.2.1. Control of Immigration***

Since there is no right to immigration, it is expected that most people are to pursue and promote their interests within the states they born. As a result, according to international law, migration control and the regulation of the population movements across borders is an imperative of states' sovereignty (Ahmed 1997: 164). Apart from the sovereignty perspective, it is believed that the nation state is the optimal level for liberal and democratic polity, thus to restrict membership is a necessary policy for a well-functioning political community. The underlying assumption is that immigrants from 'non-liberal' or 'undemocratic' societies would pose a threat to the maintenance of public order. Of course, there are counter arguments: Joseph Carens (1995) questions the moral grounds of immigration control and argues that there is little justification in the liberal theory for restricting immigration. He favors (relatively) open borders for a just liberal society.

One tool for control of international migration is the categorization of the migrants (Castles 2000b):

*Temporary labor migrants* (guestworkers or overseas contract workers): People who migrate for a limited period of time in order to take up employment and send money home (remittances).

*Highly skilled and business migrants*: People with qualifications as managers, executives, professionals, technicians or similar, who move within the international labor markets of transnational corporations and international organizations, or who seek employment through international labor markets for scarce skills.

*Irregular migrants* (undocumented or illegal migrants): People who enter a country, usually in search of employment without the necessary documents and permits. Many labor migration flows consist predominantly of undocumented migrants.

*Refugees*: According to the 1951 United Nations Convention relating to the Status of Refugees (and its expansion in 1967), a refugee is a person residing outside his or her country of nationality, who is unable or unwilling to return because of a 'well-founded fear of persecution on account of race, religion, nationality, membership to a particular social group, or political opinion'. Signatories to the Convention undertake to protect refugees by allowing them to enter and granting temporary or permanent residence status.

*Asylum-seekers*: People who move across borders in search of protection, but who may not fulfill the strict criteria laid down by the 1951 Convention. During the 1980s, important issues were whether the gate-keepers fulfill their moral obligations, and whether the asylum seekers are actually persecuted or only concealed economic migrants (Hammar 1990: 11).

*Forced migration*: This includes not only refugees and asylum-seekers but also people forced to move by environmental catastrophes or development projects (such as new factories, roads or dams).

*Family members* (family reunion or family reunification migrants): Migration to join people who have already entered an immigration country under one of the above categories.

*Return migrants*: People who return to their countries of origin after a period in another country; they may bring with them capital, skills and experience useful for economic development.

Governments in the economically developed regions (Western Europe, North America, Australia, and Japan) and international organizations have launched comprehensive policies to control immigration which might threaten their stability and security. In addition to border controls, visa systems,

deportations, and anti-trafficking legislation, these include programs for development assistance, international trade and foreign investments. The political rhetoric of addressing the 'root causes' of emigration aims to control future refugee flows by promoting peace, political stability, democracy and respect for human rights in the underdeveloped regions of the world (Hammar and Tamas 1997: 11).

The policy of strict migration control is most likely to cause a two-tier society to emerge: legal immigrants as the first division and illegal as the second. From the perspective of receiving countries, illegal immigrants reduce benefits from migration, and increase the risks –in terms of social security. However, to what extent the threat of illegality prevents people from going, depends on the magnitude of the other remaining benefits of immigration (Fischer et al. 1997: 82).

#### **2.2.2.2. *Incorporation of Immigrants***

For the incorporation of immigrant populations, there exist three models in Europe (Hollifield 1997 quoted in Entzinger 2000: 103):

1. *The guestworker model*: Immigration is largely determined by the needs of the labor market, and the immigrants' presence is assumed to be temporary. Thus, there is no need either to reinforce their legal status, or to reflect on the consequences of increased cultural diversity. Germany is prototypical for this model.

2. *The assimilation model*: Immigration is seen as permanent. Immigrants are welcome, and they are given legal status as long as they are willing to assimilate to the dominant culture. Immigrants are expected to show a significant degree of cultural adaptation to their new environment. Immigrants are treated as individuals instead of immigrant or minority communities. France is a prototype for the assimilation model.

3. *The ethnic minorities model*: Immigration is considered to be permanent, and immigrants are described with respect to their ethnic or national origin. Ethnic minorities constitute culturally different communities that are expected to live together harmoniously via special policies that would enable them to exist side by side. The United Kingdom serves as a prototype for this model.

Entzinger argues that although there are ideological differences between, for example, Germany and France, the actual course of immigrant integration processes in these two countries is quite similar (Entzinger 2000: 104). Indeed, it is important in what terms integration is defined<sup>16</sup>. No matter what model is adopted by host countries, the position of ethnic minority communities generates public debates on the national level. For example, in Britain the Rushdie affair has given a new impetus to debates about immigration, integration, and public order. In France, the *foulard* affair compelled the government to re-evaluate questions of integration, assimilation, and religion (Solomos and Schuster 2000: 88).

### **2.3. Some Reflections on Immigration and Citizenship in Western Europe**

Since the Second World War, immigration to Western Europe had an important impact on social, political, and cultural institutions. The prevailing notions about the nation-state, national culture, and identity started to be questioned. Current debates are about the changing meanings of citizenship, identity, and cultural difference. These issues are on the agenda of local and

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<sup>16</sup> A research on Turkish immigrants in Germany and in France indicates that: “German-Turks, generally speaking, are more communitarian, religious, and conservative than the French-Turks. Compared to the French-Turks, the German-Turks seem to be less in favour of integration as they are content with their ethnic enclaves, religious archipelagos and traditional solidarity networks. However, other findings of the research indicate the other way around. Although compared to the German-Turks, the French-Turks seem to get engaged more in modern way of life orientating themselves to integration, French language, secularism, laicism, and French media on the other hand, they are engaged less in French domestic politics, political parties, internet, theatres, and cinemas. However, German-Turks seem to generate more cosmopolitan, hybrid, global, and reflexive identities...” (Kaya and Kentel 2004: 100)

national politicians and policy makers, as well as academics (Solomos and Schuster 2000: 74).

*Citizenship and rights:* Citizenship is associated with a range of rights (as well as duties), such as the right to personal security, freedom of speech, the protection of the law, the right to participate in the labor and business markets and, above all, the right to participate in politics. The existence of large numbers of residents who are excluded from political participation means that representative government is no longer truly representative (Layton-Henry 1990b: 24). On the side, ethnic, religious and cultural pluralism has been developing in Western European immigration countries –though not to the same degree in every country. The Rotterdam Council thus strongly supported the extension of voting rights at the local level to foreign citizens. However, in Germany, the local authorities with large foreign minorities are often opposed to the extension of voting rights to immigrant workers<sup>17</sup> because this would change the political character of the municipal councils and would also provoke extreme popular hostility (Layton-Henry 1990b: 24).

*Citizenship and nationality:* In Europe, nationality and citizenship have been considered closely related concepts from the beginning of the nineteenth century. Nationality constructs a group of people distinguished by common descent, language, culture or historical tradition. At the same time, nationality offers membership to a state through the medium of citizenship by implying certain rights and duties to its citizens. Citizenship determines those who have citizenship rights. The migrant workers have challenged these traditional notions of citizenship, nationality and membership of a nation state. Those immigrant workers who became permanent settlers without applying for citizenship have created a new situation which poses a threat to theories of representative democracy.

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<sup>17</sup> Immigrant worker is a person who moves from one country to another specifically to find work.

Through the common membership of the national community, citizenship indicates a sense of mutual solidarity between citizens and also between the governors and the governed. National unity and the legitimacy of the rulers were reinforced by citizen participation in elections in liberal democracies. Thus, the relationship between the state and the citizens was seen as reciprocal that has been strengthened by the rise of the welfare state (Layton-Henry 1990c: 187).

*Citizenship and identity:* Citizenship, as a privileged possession in advanced industrialized countries, provides access to security, employment, high wages, a good standard of living, educational opportunities, health care, and a minimum salary even if the individual is not employed. As a control mechanism, states limit admittance of citizenship. Apart from security reasons and maintaining high living standards, another reason for states to confine citizenship only to those who belong to their 'own nation' relates to the concerns of preserving their national identity.

If we approach the problem from the perspective of settled immigrants who constitute ethnic and cultural minorities in Western Europe, we see "conflicts over meanings of citizenship, identity, and cultural difference that resonate in public debates on multiculturalism as a form of 'identity politics'" (Solomos and Schuster 1999). These conflicts indicate that minorities are facing new modes of social, economic, and cultural exclusion, and the political struggle by minorities is a manifestation of their discourses about identity and belonging (Solomos and Schuster 1999).

*Cultural pluralism and multiculturalism:* Accommodation of cultural differences is the challenge of modern nation-states. The term 'multiculturalism' is used in different senses, it either refers to multinationalism within a state or any sort of non-ethnic social groups marginalized within the larger society -such as 'new social movements'. The latter refers to group identities based on class, gender, sexual practices, political ideology or religion. It is assumed that a

multicultural society is composed of organized cultural communities with their distinctive conception of the good life and with their own different history, social structure, traditions and needs. Such a multicultural society is expected to have a common sense of belonging to the larger society, for the sake of stability. So, common citizenship is a tie that binds citizens, because the concept of liberal citizenship represents both a legal status, in the form of rights and responsibilities, and an identity as an expression of membership in a political community. For this reason, collective rights given to cultural minorities are a means of maintaining the stability of liberal states<sup>18</sup>.

Western liberal democracies focus on cultural conformity outside the private sphere –for example in the sphere of law, the education system, or the media. There are also clear boundaries to cultural pluralism which are usually related to the respect of individual human rights or notions of equality (Koopmans and Statham 2000b: 21). However, apart from legal concerns, in concrete practice, there still marginalization and isolation still exist on the basis of ethnic and cultural difference. In many countries, culture has become a marker for exclusion by certain segments of the majority population, and a mechanism of resistance by the minorities (Castles and Miller 1998: 296).

The rights of religious minorities across Europe (such as the Rushdie Affair in Britain, or the *foulard* affair in France) have highlighted the importance of the issue of cultural differences and processes of integration in current political debates. As the multiculturalist and anti-racist policies did not bring the expected solutions to these problems, controversies brought about a more critical debate about the role and impact of policies which are premised on notions such as multiculturalism (Solomos and Schuster 2000: 88)

There are severe critiques for ‘politics of multiculturalism’, as Tariq Modood puts: “‘multiculturalism’ and related discourses assume that for each

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<sup>18</sup> Self-government rights, however, pose a threat to ‘unity’. “[T]he denial of self-government rights is also destabilizing since it encourages resentment and even secession” (Kymlicka 1995:

identifiable group there is a single culture, that it is homogenous, that it has always been the same, that wherever the group is found or travels to the same culture is found, so that one can talk about a group and its culture without any reference to context, to contact or interaction with other groups, to economic circumstances, political power and so on" (Modood 1997: 10). What is needed for the multicultural citizenship proposals seems to combine the cultural rights dimensions of the multiculturalism debate with the formal criteria for access to citizenship that is central in Rogers Brubaker's analysis (see Chapter 3).

## **2.4. Concluding Remarks**

Theories of migration, until recent times, focused on the causes of migration or the determinants of its volume. Two main strands of explanation that we traced above have the common deficit of economic reductionism. Traditional economic migration theories explain immobility as an outcome of rigidities and market imperfections. The Marxist approach to international migration ignores the non-economic reasons for migration. Migration systems and network theories, on the other hand, take multiple levels into account. There are millions of political and humanitarian refugees who flee to 'liberal democratic' countries for democratic freedoms and religious toleration. There are also large diasporas settled in the West and lobbying governments and human rights groups to gain support for their self-determination (cultural autonomy or independence) (Ahmed 1997: 169-171).

A substantial volume of Europe's post-World War II immigration has been as a result of needs of the economy, and has been defined as temporary – the so-called guestworker model (Entzinger 2000: 100). Starting from the end of the 1980s onwards, Western European countries have had large populations of foreign citizens who pay taxes, benefit from the social services, participate to trade unions and associations etc., but they are not represented in politics. The

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incorporation of immigrants into nation-states has raised the question of the relevance of the nation-state and its constitutive elements (citizenship and nationality), as well as that of the relation of nation-states and citizenship to identity (Kastoryano 2002: 120). Since immigration questions the link between citizenship and nationality, it becomes a fundamental issue for nation-states “to reinterpret their traditions, to reshape their institutions, to rethink the meaning of citizenship –to reinvent themselves, in short, as nation-states” (Brubaker 1989a: 1). The task of the following chapter is to dwell upon this split.

## CHAPTER 3

### THE IMPACT OF IMMIGRATION ON THE NATION-STATE AND ON CONCEPTION OF NATIONAL CITIZENSHIP

This chapter attempts to construct a general framework within which the relationships between the nation-state, immigration, and changing conditions of political membership can be understood and analyzed. It aims to discuss deep-rooted inconsistencies between the nation-state and the ideal of citizenship vis-à-vis the empirical, conceptual, and theoretical challenges.

The first part of the chapter discusses the historical link between nationality and citizenship within the modern construct of 'nation-state'. Nationality and citizenship (sometimes used interchangeably) refer to membership into a homogeneous political community. This membership has served both as a legal status and a source of personal identity. The normative principle of 'national self-determination' implied the convergence of nation, state, and a bounded territory. Nations became the source of legitimacy for states; and nationality is considered as a prerequisite for the exercise of citizenship. However, the links between national citizenship and national identity are beginning to loosen. Existence of large populations of foreign citizens in Western Europe challenges both the nation-states and their citizenship. The traditional universal, nation-state bounded, and homogenizing citizenship is not adequate to include some societal enclaves into the political community

#### **3.1. Nation–state and Citizenship: The Modern Construct**

The nation-state is a political unit which controls a bounded territory (the state) and a national community (the nation). The notion of peoplehood plays a role in both 'nation' and 'state', and they almost converge in everyday language

(Entzinger 2000: 98). The concept of 'nation-state' suggests that all people who live in the territory of one state are members of the same nation. Indeed, most European states are characterized by one dominant national community and one or many smaller 'nations' or minority communities.

In the modern sense, citizenship practices have been hand in hand with nation building processes through out the Western and (later) developing world.<sup>19</sup> It determines the mutual rights and obligations of groups of people living within a certain *territory* and their *state*, namely the 'nation-state'. With the French Revolution, the nation-state emerged as the form of political organization and nationality as the condition of political membership. After the Revolution, individual rights and freedoms are bestowed to individuals through national citizenship which established a link between the individual and the nation-state. Besides, the labor of individuals was reconstructed as a national resource (Soysal 1994: 17). Thus, nationalism has political-economic implications both for individuals and states.<sup>20</sup>

National identity is perhaps the most fundamental and inclusive of all the collective identities in which human beings share today (Smith 1991: 143).

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<sup>19</sup> Eley and Suny (1996) speaks about three periods of nationalism: (1) between structural processes of state formation (nation building process), mainly in the countries of western and northern Europe between the fifteenth and late eighteenth centuries; (2) emergence of nationalism as a specific ideological and cultural innovation, particularly among peoples aspiring political independence; (3) process of cultural unification, continuing over generations and by means of penetrating central government (mainly in the three areas of schooling, railway building, and conscription (p. 9). On the other hand, Partha Chatterjee (1996) distinguishes between the Western type of nationalism (Anderson's 'imagined communities') and a kind of 'anti-colonial nationalism' in Asia and Africa. Thus, the experience of Western Europe, the Americas, and Russia cannot serve as a 'modular' form for the 'nationalism's of the rest of the world.

<sup>20</sup> For Marx and Hobsbawm (quoted in Smith 1995: 25), the nation had an economic 'threshold': it provided a ground for capitalist economy to flourish with its population and territorial scale sufficient for economic development and political independence. Nations offered territorial markets for labor, production, and trade. Otto Bauer (1996) argues that capitalist development required to struggle against the political fragmentation, because capitalism needs a large and populous economic space. Ernest Gellner (1997) also believes that nationalism is essentially linked to the industrialism. Miroslav Hroch (1996), on the other hand, underlines the variability among nationalist movements depending on their different social and economic circumstances. As opposed to Gellner, Hroch argues that the relation between the rise of modern society and nationalism is weak, and nations are real anthropological formations (quoted in Anderson 1996: 10).

Anthony Smith argues that there are three reasons why national identity and nationalism become fundamental in the modern world. First, its ubiquity: the globalization of nationalism is a fact which conditions our cultural outlook and political endeavors. Second, national identity today is not only global, it is also pervasive. In most spheres of life, it pervades the life of individuals and communities. In the cultural sphere, national identity dominates myths, values and memories, and also language, law, institutions and ceremonies. In social life, the national bond which defines the 'insider' and 'outsider' is the most inclusive aspect of the community. In political terms, national identity legitimates and influences policy goals and administrative practices that regulate the everyday lives of citizens. Thus, the nation and national identity have become the mere source of inter-national legitimacy and the validity of a system of states in the world (Smith 1991: 144). Third, national identity is an abstract and multidimensional construct that has many combinations. Smith points that national aspirations often combine with other non-national economic, social or political issues. This combination, indeed, is often the power of the nationalist movements. It is usually assumed that nationalism feeds on other 'rational' issues and interests. On the contrary, "neglected, oppressed or marginalized ethnic communities or categories fuse their national grievances and aspirations with other non-national aspirations and grievances; so that at a particular point in time there is often a single set of interests being pursued by a given population, which we divide for analytic purposes into 'national' and 'non-national' categories, to isolate the 'national factor'" (Smith 1991: 145).

The modern concept of citizenship constructed on the Rousseau's notion of self-determination is represented by a contract between the people (*free and equal*) and the government. In the course of time, citizenship meant more than political membership but possession of certain civil rights. It gained a pluralist content in addition to membership into a democratic homogeneous community. Modern citizenship consists of three features (Leca, 1992: 17-18): (1) a judicial

status which confers rights and obligations vis-à-vis a political collectivity; (2) a group of social roles for making choices in the political arena (political competence); (3) an ensemble of moral qualities required for the character of the 'good' citizen. Citizenship conceptualizations concern the questions of national identity, civic allegiance, and membership.

### 3.1.1. Convergence of National and Political Boundaries

Modern state based on the normative principle of 'national self-determination' or the so called 'principle of nationality'. Although we can speak about different kinds of 'nationalism's<sup>21</sup>, nationalism, in its rough manner, "conjures up the idea of nations as organic wholes, whose constituent parts may properly be made to subordinate their aims to common purposes, and the idea that there are no ethical limits to what nations may do in pursuit of their aims, that in particular they are justified in using force to promote national interests at the expense of other peoples" (Miller 1995: 8). Eric Hobsbawm defines nationalism as a *political program* which in practice means exercising sovereign control over a clearly defined territory inhabited by a homogeneous population that forms its essential body of citizens (Hobsbawm 1996: 256).

The nineteenth-century phrase, 'the principle of nationality', advocates the convergence of state and nation<sup>22</sup>. The principle of national self-determination assigns moral agency and political authority to nations. It asserts

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<sup>21</sup> The term nationalism indicates a number of meanings: (1) the process of forming and pursuing nations or nation-states; (2) a consciousness of belonging a nation (together with sentiments and aspirations for its security and prosperity); (3) a language and symbolism of the 'nation'; (4) an ideology (including a cultural doctrine of nations and the national will for the realization of national aspirations); (5) a social and political movement to achieve the goals of the nation and realize its national will. (Smith 1991: 72)

<sup>22</sup> In the nineteenth century, the transformation of the traditional state system was effected in the name of principle of nationality according to which each nation should form one state, each state embrace only one nation. "The struggles for German unity and Italian freedom, the liberation of Greece, Romania, Serbia and Bulgaria from Turkish domination, the struggle of the Irish for home rule and of the Poles for the restoration of their state, the breakaway of the Latin American states from Spain, are all forms of the great struggle to realize the principle of nationality." (Bauer 1996: 70-1) The principle of nationality involves two demands: (1) national freedom, rejection of foreign rule; (2) national unity, rejection of particularism (Bauer 1996: 71).

that nations are entitled to form their own states and to govern their own affairs. Thereby, it “provides a powerful lever for evaluating, and redrawing, state boundaries, for legitimating, or delegitimizing political frontiers according to a kind of ‘correspondence theory’ of justice” (Brubaker 1998: 274). The principle of national self-determination and the related principle of nationality have been closely related to a particular account of nationalism which is fundamentally nation-centered. Nationalism, in this sense, is a nation-based and state-seeking activity (Brubaker 1998: 276). However, nationalism should not be conceived as essentially state-seeking.<sup>23</sup>

Anthony Smith (1991) argues that Western nationalism is ‘civic territorial’ (implying a people who share a common territory and are subject to a common set of laws and involved in common civic culture); while Eastern nationalism is ‘ethnic-genealogical’ (implying a people bound together by common descent and shared ancestral culture). These kinds of distinctions are made to claim that ‘Western’ nationalism is compatible with a liberal state, whereas ‘Eastern’ nationalism leads to authoritarianism and cultural repression (Miller 1995: 9).

The sovereign state set the boundaries of territorial and political units, as well as economic and military forces. So, the modern state monopolizes the

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<sup>23</sup> Brubaker gives examples of four different forms of non-state-seeking nationalism: (1) *Nationalizing nationalism*: Within this form, claims made in the name of a ‘core nation’ or nationality, defined in ethnocultural terms, and sharply distinguished from the citizenry as a whole. Although, it has its own state, the core nation is often in a weak cultural, economic or demographic position within the state. The state power used to promote the specific interests of the core nation –like newly independent states in interwar Europe, and in postcommunist era. (2) *Homeland nationalism*: This nationalism is oriented to ethnonational kin who are residents and citizens of other states. Transborder homeland nationalism affirms a state’s right to monitor the condition, promote the welfare, support the activities and institutions, and protect the interests of its ethnonational kin in other states –such as Weimar Nazi Germany, and Russia today. (3) *Nationalism of national minorities*: This involves a demand by minorities for state recognition of their distinct ethnocultural nationality, and the assertion of certain collective, nationality-based cultural or political rights –such as Germans in many eastern European countries in the interwar period and Hungarian and Russian minorities today. (4) *National-populist nationalism*: This form has a defensive and protective character in terms of the national economy, language, or cultural patrimony against threats from outside –such as from foreign capital, transnational organizations (e.g. the IMF, WB), immigrants, powerful foreign cultural impacts.

legitimate means of violence. "With the support of military and police, the state maintains its autonomy inside and outside; sovereignty means that the political authority maintains both law and order within the boundaries of its territory and the integrity of these boundaries against an international environment, where competing states recognize each other under international law" (Habermas 1996: 281-2). It had become the recognized norm of political association in most parts of the world by the early twentieth century. The state derived its legitimacy from the nation it sought to represent. Apparently, only nations with states of their own could feel secure and autonomous in a world of 'nation-states'. In this way state and nation became confused (Smith 1991: 168). Their symbiosis has strengthened the legitimacy of the state and its bureaucratic apparatus. On the other hand, states are legitimated by expressions of national identity and of the national will. In these terms, to be legitimate a nation-state's citizens have to be differentiated from 'foreigners', concurrently undifferentiated from each other internally –internal homogenization (Smith 1991: 169).

Modern nations are usually related to older, long-lived *ethnies*, which provides the nation a distinctive mythology, symbolism and culture that differentiate a nation from other nations (Smith 1996: 124). The distinction between ethnic group and nation is based on sovereignty in Anglo-American conceptualizations: An ethnic group that controls a bounded territory becomes a nation and establishes a nation-state. Then a common economy and legal system complemented shared history and culture. Whereas, continental European views on the difference between nation and ethnic group have differentiated the *Kulturnation* (ethnic nation) from the *Staatnation* (civic nation) (Castles 1998: 230). While the German notion of *Kulturnation* was based on descent and common culture, the French *Staatnation* developed through the democratic revolution of 1789. It was based on common will –not on common culture. In the pre-1914 German *Rechtsstaat*, citizens had obligations towards the state and rights to protection from unlawful state action, but had no right to question state

authority. However, the French Revolution led to a notion of citizenship as an allegation of political will which is to be constantly regenerated through participation in decision-making (Castles 2000: 189). It founded its expression in Rousseau's idea of the 'general will' and in Renan's famous expression of the nation as 'a daily plebiscite':

A nation is therefore a large-scale solidarity, constituted by the feeling of the sacrifices that one has made in the past and of those that one is prepared to make in the future. It presupposes a past; it is summarized, however, in the present by a tangible fact, namely, consent, the clearly expressed desire to continue a common life. A nation's existence is, if you will pardon the metaphor, a daily plebiscite, just as an individual's existence is a perpetual affirmation of life. (Renan 1882 in 1990: 19)

This implies that citizens of a nation form a community because they constantly express the will to do so. The common will creates and maintains the political unit.<sup>24</sup> On the other hand, *Kulturnation*, as an organic notion of nation, denies this implied contractual basis and insists on the inherited, historic character of national identity (Eley and Suny 1996: 4).

There is a historically established link between nationality and citizenship in the modern conception of the state. Nationality is considered as a necessary condition for the exercise of citizenship. Beginning from the nineteenth century, nationality, citizenship and cultural community are superimposed (Leca 1992: 21). Jürgen Habermas (1995) claims that semantic connections between national citizenship and national identity are loosening which is a sign of disintegration of classic form of the nation-state. He rejects the idea that there is a conceptual link between national identity and citizenship, but only a historically contingent one. Roger Scruton (1990: 299-337 quoted in Beiner 1995: 6), on the other hand, argues that what sustains modern liberal state is not a political membership in the state but the social loyalties and allegiances that

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<sup>24</sup> This republican idea intends to assimilate ethnic or religious minorities (Castles 1998: 232).

define nationhood. He implies that citizenship as a political concept is parasitic upon nationhood as a social concept.

Focusing on the constitutive role of 'nationality' in modern nation-building, Verena Stolcke argues that nationality became *naturalized* throughout the formative period of the modern nation-state. Citizenship and nationality assumed to be indistinct status inherent to modern individual. The indistinct usage of the terms, she claims, tends to disguise the constitutive role of nationality for citizenship and national identity (Stolcke 1997: 63).

Throughout the nineteenth century, territorial states contended for sovereignty and dominance. And within this process "a clear regulation of membership in the emerging states, the focus of loyalty of its inhabitants and the source of expanding civil rights and duties but also of disdain of all strangers, became thus imperative" (Stolcke 1997: 64). Here comes the paradox of modern state: on the one hand, it advocates a universalist and voluntarist ideal of citizenship; on the other hand, claims the right to control its population and to exclude 'aliens'. Thus, modern state's model of inclusion always meant exclusion (Castles and Davidson 2000: 81). Nationality laws were designed to overcome this contradiction: while creating a formal legal bond between an individual and a state, they regulate the reproduction of a national community (Stolcke 1997: 63).

Citizenship presupposes a shared culture, and nationalism reflects the imperative of cultural homogenization. Thus, cultural and political boundaries are meant to coincide but in practice they are not. In some countries the idea of ethnic homogeneity is built into the notion of citizenship itself such as Germany and Japan. In others such as Switzerland or Belgium, homogeneity is replaced by the exclusivity of an already established pluralism of linguistic and cultural groups. In others the notion of citizenship is less connected to nationhood -like France, Britain or traditional immigration countries such as the USA. However, "the democratic ideas of the French revolution, the British notion of common

subjecthood within a world empire, and even the US-American self-representation as an immigrant nation, have all been gradually reinterpreted to express a cultural identity superimposed upon the varying political contents and are exclusive towards those seen as alien to the traditions of the nation" (Bauböck 1991b: 28). In the early stages of nation-building, demand for cultural homogeneity was connected to the aspirations to extend equal rights within a politically powerless and dispersed community (Bauböck 1991b: 28).

The terms 'nationality' and 'citizenship' are sometimes used synonymously, both meaning nominal membership of a state (referring to the passport-carrying person). Nationality means: (1) membership to a nation, (2) membership to a state. Citizenship also means (1) membership to a state, (2) a set of rights and duties in a polity. The former is called 'formal citizenship' and the later 'substantial citizenship' (Kondo 2001: 228-9; Ahmed 1997: 163). Citizenship also has different meanings when translated into different languages. In German, Staatsbürgerschaft (nominal citizenship) stands for a nominal relationship between an individual and the state without reference to specific rights. The French concept of *citoyenneté* implies a content of citizenship with a bundle of rights. In English and French the conceptions of nationality and *nationalité* are used as *Staatbürgerschaft*. While the term 'nationality' refers to nominal relationship, it also refers to 'nationhood' which should be separated from the concept of citizenship (Bauböck 1991a: 2). Thus, as mentioned by Tomas Hammar (1990) and Rainer Bauböck (1991a), there is a contradiction between nationalism and citizenship. In an adverse manner, Rogers Brubaker (1992) advocates the notion that the politics of citizenship is a politics of nationhood which will be elaborated below.

### **3.1.2. Citizenship as a Politics of Nationhood**

Contemporary debates about citizenship are simultaneously debates about nationhood (Brubaker 1989a: 2) –in one way or another. Rogers Brubaker argues that membership in nation-state model is based on a number of ideals (Brubaker 1989a):

*Egalitarian*: State membership should be egalitarian that there should be a status of full membership and ranking of membership status is unacceptable.

*Sacred*: Citizens should be prepared to make sacrifices –for instance willing to die for it if needed.

*National*: Members of the state should be members of the nation. The political community should be a cultural community at the same time –a community of language, mores, or belief.

*Democratic*: Full membership should mean participation in political decision-making.

*Unique*: Each person should belong to one and only one state. Statelessness can be catastrophic and dual (or multiple) citizenship is considered undesirable both for states and individuals.

*Socially consequential*: Membership should be articulated in a community of well-being. Members should have important privileges. “Membership should be objectively valuable and subjectively valued –it should be prizeworthy and actually prized” (Brubaker 1989a: 4).

Bauböck asserts that only the criteria to be egalitarian, democratic and consequential are related to citizenship, while the rest is implied in the concept of nationhood. He explains the main difference between the two sets of criteria denoting citizenship and nationhood as follows:

Whereas egalitarianism, democracy and social rights may always be limited to members of a community, these principles themselves do not define limits to membership, but only refer to rights that are implicit in citizenship. Sacredness, cultural homogeneity and uniqueness of membership, however, are not about rights, but about limitations of membership. Persons who

are not committed to the community, who are culturally different or who are already members of another community, may be legitimately excluded from membership (Bauböck 1991a: 5-6).

Brubaker (1992) develops a historical approach to explain how different definitions of citizenship have been formed by different traditions of nationhood by comparing citizenship institutions in France and Germany. France has a state-centered and assimilationist understanding of nationhood, whereas Germany has a *Volk*-centered and differentialist understanding. He claims that national self-definitions of citizenship shape the different political responses of states' to migration. The implication of these two traditions on the immigrants issue is that the assimilationist citizenship law of France automatically transforms second-generation immigrants into citizens. Brubaker argues that this reflects the state-centered, assimilationist self-understanding of the French definition. German definition of citizenry is restrictive toward non-Germans, nevertheless it is expansive toward ethnic Germans (those from Eastern Europe and the post Soviet Union countries). This apparently shows that the German self-understanding is ethnocultural.

For Brubaker, citizenship, as an instrument and object of social closure, defines the bounds of belonging differently in different politics. This reflects in the rates of civic incorporation for migrant workers and their descendants: the rate of incorporation is more than ten times in France than in Germany, the difference is even greater for second- and third-generation immigrants<sup>25</sup> (Brubaker 1992: 75). These two countries have different policies towards naturalization: Germany has more restrictive naturalization policies compared to France. In German self-understanding, "one cannot join the nation-state by voluntary adhesion (the North American model) or state-sponsored assimilation

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<sup>25</sup> In France, a generation of young Franco-Portuguese, Franco-Algerians, and Franco-Moroccans, who hold French citizenship, is emerging. On the contrary, approximately half a million second-generation Turkish immigrants do not acquire German citizenship in Germany (Brubaker 1992: 75).

(the French model)" (Brubaker 1992: 77). Parallel to this attitude naturalization rates for migrant workers and their dependents in France are four to five times higher than in Germany.

Brubaker (1992) stresses another divergence between the French and German citizenship regimes -more important than naturalization- is their adoption of *jus soli* or *jus sanguinis* principles as a legal tradition of citizenship: *jus sanguinis* (literally, 'law of the blood' in Latin), which is based on descent from a national of the country concerned; *jus soli* (literally, 'law of the soil'), which is based on birth in the territory of the country. Under *jus sanguinis*, children take their parents' nationality regardless of where they are born. For example, a child born to Italian parents in Britain is a citizen of Italy. According to the blood law, child born within a marriage takes its citizenship from its father and a child born out of a marriage from its mother. On the other hand, the rule of *jus soli* says that children are citizens of the nation in which they are born, no matter what the parents' nationalities are.

*Jus sanguinis* is often related with German *Kulturnation* as an ethnic or folk model of the nation-state. It is appropriate for emigration countries which want to keep the allegiance of people who have settled elsewhere (like Germany, Spain and Greece). They can try to reintegrate former emigrants by preparing a 'law of return' based on this principle. For instance, Germany had such a law for its ethnic Germans from Eastern Europe (*Aussiedler*). *Jus soli*, on the other hand, is linked to nation-states founded out of diverse groups within a territory. It has its roots in feudal and absolutist systems where the rule over people is derived from ownership of the land (Bauböck 1994b: 212). This principle is especially useful for immigration countries who built a new nation out of the immigrants having differing national origins –such as former British colonies in North America and Oceania, and former Spanish colonies in Latin America (Castles and Davidson 2000: 85).

These divergent systems may lead to conflicts that often result in dual nationality or loss of citizenship (statelessness). Since most nations apply both of these rules, a person can become a citizen of two nations. This is called dual citizenship. Dual citizenship can result from naturalization, which is the legal way in which people change their citizenship. A child of immigrants who is born in the country where his or her parents live does not enjoy the new citizenship but has to take their citizenship. This principle binds the family to its country of origin and wants to maintain this link from one generation to the next (Simon1998). In most of such laws, the citizenship of children depends exclusively upon the citizenship of the father. Now citizenship normally passes through either parent: if the parents have different citizenships, the child will possess both. Some states (like Canada and Australia) do not require renunciation of one's previous citizenship as a condition of naturalization. However, in Germany, immigrants cannot retain their old citizenship after acquiring German citizenship. In some states (like the United States and Turkey) laws do not take away people's birthright citizenship as a consequence of naturalization in another country. Objections to dual citizenship are linked to the notion of the nation-state. In a world of independent sovereign states, each state is supposed to bear certain responsibilities for its own citizens. Dual citizenship causes an uncertainty on the question of which state bears the responsibilities. And dual citizens are potentially subject to two (sometimes conflicting) sets of laws (e.g. with respect to marriage and divorce) and to two (sometimes overlapping) sets of obligations (e.g. with respect to taxation and military service) (Carens 2000: 163). In practice, conflicts in legal rules and obligations are resolved through bilateral or multilateral negotiations that normally give priority to the place of domicile. So, dual citizens pay taxes and fulfill military or other obligations in the state in which they reside and that state's laws take precedence in cases of conflict (Carens 2000: 163).

The two principles (*jus soli* and *jus sanguinis*) are not mutually exclusive. For example, a country trying to restrict the inflow of immigrants will endeavor to set aside *jus soli* in favor of *jus sanguinis*. Actually these principles of citizenship reflect some moral understandings of nations. The doctrine of *jus soli* is typical of France (*Staatsnation*) –today a combination of *jus soli* and *jus sanguinis* is used in the definition of French citizenship. *Jus sanguinis* originates from German conception of citizenship and nationality (*Kuturnation*). (Some states apply a mixture of these two, to illustrate U.S. and Turkey.) The rule of land is inclusive and open. The rule of blood is exclusive, even it (*jus sanguinis*) had been a ground of nineteenth century scientific racism in France, and then in Germany under Nazi rule. Stolcke (1997: 70) underlines the fact that the bond of blood conflicts with the modern individualism. Another newly growing principle is *jus domicili* (law of residence) which allows people to gain access to citizenship through residence in the territory of a country.

According to Brubaker, existing definitions of citizenry in France and Germany express deeply rooted national self-understandings: more state-centered and assimilationist in France and more ethnocultural in Germany. He claims that because of this compatibility between the conceptions of citizenship and of nationhood, citizenship regimes –in the legal sense- have not been fundamentally changed in the countries concerned. These legal traditions are in harmony with political and cultural traditions.

The liberal naturalization policies are one element of the expansiveness of French citizenry. Another one is automatic workings of *jus soli* which enables the incorporation of second and third generation immigrants (Brubaker 1992: 85). Although some scholars argue that the reason why French state established *jus soli* (in 1851) was based on the demographic and military interests, Brubaker claims that the reason was political and ideological. Because the citizenship law reform in 1880s occurred within a Republican institutional reform –including the introduction of universal conscription, and of free, compulsory, secular primary

education. Within this context, Brubaker argues, assimilationist and state-centered nationhood was reinforced by elites who advocated civic and military incorporation of immigrants. In a similar vein, the system of pure *jus sanguinis* is the primary cause of the exclusion of non-German immigrants in Germany. The 1913 citizenship law, which was inclusive toward Germans residing in abroad (*Auslandsdeutsche*) and exclusive toward immigrants, characterized by the nationalization of German citizenship.

Thus, it is argued that citizenship regimes can be categorized into three ideal types with reference to two dimensions (Koopmans and Statham 1999: 660): (a) whether the criterion for formal access to citizenship is ethnocultural (*jus sanguinis*) or civic territorial (*jus soli*); (b) whether the cultural obligation of the access to citizenship is assimilationism or cultural pluralism. These dimensions are to determine the inclusiveness/exclusiveness of national regimes vis-à-vis the ethnic differences. The combination of them reveals a three-fold categorization: (a) *ethnocultural exclusionist* (Germany); (b) *civic assimilationist* (France); (c) *multicultural pluralist* (Australia, Canada, Britain and Netherlands).

In Brubaker's view "[t]he politics of citizenship ... is first and foremost a politics of nationhood. As such, it is a *politics of identity*, not a *politics of interest*. It pivots more on self-understanding than on self-interest... The central question is not 'who gets what?' but rather 'who is what?'" (Brubaker 1992: 182). By claiming that the politics of citizenship is a politics of nationhood, and a politics of identity (not a politics of material interest), Brubaker ignores the real consequences of the determination of relationship of migrants to the nation-states. Koopmans and Statham call attention to this important point: "The different symbolic labels that nations attribute to migrants directly influence the distributions of material resources to them, and their potential for mobilizing challenges and participating within the political community of a society" (1999: 662). The labels such as 'foreigner', 'immigrant', or 'ethnic minority' are not simple symbols but forms of social relationships that legitimating certain types

of participation. Thus, citizenship rights mean certain material interests that are significant in changing individuals' potential and opportunity to participate social and political life.

Moreover, the role of the market has to be taken into account in the analysis. In essence, the rules of the market are supposed to be 'color blind'<sup>26</sup>. However, cultural differences stemming from the differences in national origins are often reflected in (labor) market positions (Entzinger 2000: 99). For instance, members of immigrant or national minorities may be faced with obstacles to access not only labor market but also to housing, education, or health care. This kind of restrictions often arises from racism, prejudice, or discrimination, or from a cultural bias in mechanisms for recruitment, selection, and attribution of scarce resources (Entzinger 2000: 99).

Brubaker overlooks the fundamental changes in the relationship between the individual, the nation-state, and the world order (Soysal 1994: 139). His 'cultural idiom' approach to nationhood leaves too little room for contingency. For instance, Germany, which Brubaker sees forever locked into an ethnocultural mode of citizenship and nationhood, is moving towards civic-territorial citizenship in order to integrate second- and third-generation immigrants<sup>27</sup> (Joppke 1999). The data gathered in an empirical research (Kaya

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<sup>26</sup> Entzinger argues that there is a tension between 'state' and 'market' and consequently, between 'nation' and 'market'. This tension results from the state intervention into the market forces in order to maintain the welfare of its citizens (nation). As he puts it: "The expansion of the public sector and the establishment of the welfare state largely found their legitimation in the desire to control the impact of market forces on European societies, and to limit the degree of social and economic inequality that these forces generated. To achieve this, the classical state functions were supplemented by the introduction of large scale education, and of sophisticated mechanisms of redistribution and protection from exploitation. The aim of all this was to ban poverty, to keep the people healthy and happy, and to maintain social order without the use of force. In fact, the establishment of the welfare state –even after the recent trimmings that many European countries have witnessed- has had a lasting impact on the relationship between market and state. The social and economic situation of citizens is no longer determined by market forces alone. Market forces may be redressed through government intervention, for instance in an effort to provide more and better opportunities, and to create more equity for citizens, irrespective of their belongingness to a specific community." (Entzinger 2000: 99)

<sup>27</sup> That will be discussed in Chapter 5.

and Kentel 2004) indicates that Brubaker's statements concerning the citizenship regimes of the two countries no longer comply with reality. Those countries which used to be known as having inclusive, democratic and universalist incorporation regimes vis-à-vis migrants (such as France, England, USA, Ireland and Holland) have turned out to be more restrictive and exclusive –they do not the principle of *jus soli* in granting citizenship to the migrants. Germany, on the other hand, which was differentialist, particularist, culturalist, ethnonationalist and exclusive in terms of citizenship policies, has become more democratic and inclusive since the enactment of new citizenship law in 2000 (Kaya and Kentel 2004: 63).

In his later work, Brubaker (1998) makes a remarkable turn in terms of his conceptualization of citizenship-nationhood relation. He admits that what he labels 'Manichean view' is both analytically and normatively problematic. The Manichean view implies that "there are two kinds of nationalism, a good, civic kind and a bad, ethnic kind; and two corresponding understandings of nationhood, the good, civic conception, in which nationhood is seen as based on common citizenship, and the bad, ethnic conception, in which nationhood is seen as based on common ethnicity" (Brubaker 1998: 298).<sup>28</sup>

In analytical terms the Manichean view is uncertain on how to conceptualize the cultural dimension of nationhood and nationalism. There are two different ways of mapping culture onto the civic-ethnic distinction (Brubaker 1998: 299-300):

(i) Ethnic nationalism involves an emphasis on descent, and, eventually, on race, on biology. In this case, there is very little ethnic nationalism around, for on this view an emphasis on common culture, without any stress on common descent, has to be coded as a form of civic nationalism. Then the category of civic

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<sup>28</sup> Brubaker argues that the Manichean view is related to an Orientalist conception of east European nationalism. Because, in general, civic nationalism is seen as characteristic of Western Europe, whereas ethnic nationalism as characteristic of Eastern Europe.

nationalism becomes too heterogeneous to be useful, while that of ethnic nationalism is underpopulated.

(ii) Ethnic nationalism may be interpreted broadly, as ethnocultural, while civic nationalism may be interpreted narrowly, as involving an acultural conception of citizenship. This interpretation leads a sharp separation of citizenship from cultural as well as ethnic nationality. In this case, civic nationalism gets defined out of existence, and all nationalisms would be coded as ethnic or cultural. Even the paradigmatic cases of civic nationalism (France and USA) cease to consider as civic nationalism, because they have an important cultural component.

The normative weakness of the distinction similarly arises from the ambiguous place of culture:

(i) If ethnic is interpreted broadly as ethnocultural, then the normative condemnation of ethnic nationalism is problematic, since in certain circumstances defensive power of ethnocultural nationalism can be normatively sympathetic (e.g. that of Poland during the time of partition, that of the Baltic nations under Soviet rule, even that of minority cultures anywhere).

(ii) If culture is classified with civic nationhood and nationalism, then many nationalizing 'civic' nationalisms, can be categorized with cultural chauvinism, and against cultural heterogeneity within a state (however, indifferent to ethnicity in the sense of descent), are normatively ambiguous.

Thus, in the normative sense, there is not necessarily anything 'civic' about state-framed nationhood or nationalism. "It is the state - not citizenship - that is the cardinal point of reference; and the state that frames the nation need not be democratic, let alone robustly so. Moreover, the notion of state-framed nationhood or nationalism can accommodate linguistic, cultural and even ethnic aspects of nationhood and nationalism in so far as these are (as they often are in fact) framed, mediated and shaped by the state" (Brubaker 1998: 300-301). He cites France as a paradigmatic case of state-framed nationhood. So, culture

becomes constitutive of French nationhood, however, it is a state-framed culture –not independent of the territorial and institutional frame of the state. Brubaker argues that by escaping the constraining definitional antithesis between civic and ethnic (or ethnocultural) nationalism, we can see that state-framed nationalisms are often have strong cultural meaning (even may be ethnicised)<sup>29</sup> (Brubaker 1998: 301).

Therefore, although national identity still continues to be an important aspect of citizenship (at least in legal-formal sense), membership to a polity today is more than a politics of identity, especially for immigrants.

### **3.2. Disintegration of National Identity and Citizenship: Ambiguities of Membership**

In the modern world, the nation-state is idealized as a culturally homogeneous form of political community in which citizenship means primarily a universal, equal, and democratic legal status. In this idealized conception, the nation-state is the only locus of political community and citizenship implies just membership in a nation-state. This modern understanding of citizenship is inadequate in many respects: *Conceptually*, it does not appreciate the multiple dimensions of citizenship and the complex relationships among these dimensions; *empirically*, it does not correspond to actual practices that embody a recognition of multiple forms of belonging and of overlapping citizenships; *theoretically*, it fails to see the ways in which recognition of difference may be essential for the commitment to equality as a basis of citizenship (Carens 2000: 161).

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<sup>29</sup> On the other hand, counter-state nationalisms, need not be specifically ethnic; nationhood conceived in opposition to an existing state need not be conceived in ethnic terms. Counter-state definitions of nation may be based on territory, on historic provincial privileges, on distinct political histories prior to incorporation into a larger state. These are all cases of counter-state but non-ethnic definitions of nationhood. In this sense, the nation defined in opposition to the institutional and territorial framework of an existing state (or states) without reference to a distinct ethnicity. Besides, counter-state nationalisms may involve some sense of ‘civic’ virtue –“which the conventional civic-ethnic antithesis definitionally, but mis-leadingly, associates with ‘civic’ and denies to ‘ethnic’ nations and nationalisms” (Brubaker 1998: 301).

### 3.2.1. The Impact of Globalization and Emerging Cosmopolitanism

Since the nation-state model itself is being eroded, Stephen Castles (1998: 223) argues that “basing citizenship on singular and individual membership in a nation-state is no longer adequate”. There are four main consequences of globalization for citizenship: First, globalization disintegrates the territorial principle which implies the articulation of state, society and nation in a particular form. Nation-states are not the main point of reference for most of the political, economic, social and cultural issues. Governments are far from controlling economic dynamics. “What, then, does it mean to be a citizen, if the autonomy of the nation-state is being eroded, and the vote which one wields cannot influence key political decisions, because they are no longer made by national parliaments?” (Castles 1998: 226). Second, globalization subverted the ideology of relatively autonomous national cultures –through improvements in transportation and communication, and domination of global cultural industry and media. The vast networks of telecommunications together with the impact of the visual mass media have promoted the standardized products, images and markets of the transnational companies. They prepared a homogeneous ground on which a new cosmopolitan global culture to emerge that leaping over national boundaries and free of national limitations<sup>30</sup> (Smith 1995: 17). Also, there appears a revival of ethnic cultures at the sub-national level as a reaction to both nationalization and globalization of culture. The very same systems of mass communications enable small social and political groups, and ethnic and linguistic communities to nourish their own culture (Smith 1995: 17). Within this

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<sup>30</sup> On the issue of ‘cultural homogenization’, Miller (1995) argues that “convergence in patterns of consumption by no means necessarily indicates convergence in political identity. To suppose so would be to ignore the distinction... between private and public culture, where a public culture is a set of understandings about the nature of a political community, its principles, and institutions, its social norms, and so forth, and a private culture is all those beliefs, ideas, tastes, and preferences that may be unique to an individual, or more likely shared within a family, a social stratum, an ethnic group, or what has been called a ‘lifestyle enclave’. Just as a common culture can coexist with a multiplicity of private cultures, so there can be convergence in private culture without there being any tendency for public cultures and national identities to assimilate to one another.” (p.157-8)

context, national identity based on nationhood and uniqueness becomes discredited. Because nationalities can not be defined purely on 'blood' or 'lineage'. Similarly, national canons that address ancestral warmaking and symbols of patriarchy are less effective vehicles for making identity. So these recontextualizations of 'nationness' blur the meanings and boundaries of the nation and the nation-state (Soysal 94: 162). Third, the traditional language of nation-state citizenship is confronted by the alternative discourse of universal human rights -as a normatively superior paradigm of political loyalty (Turner 1994: 157). Fourth, the globalization of human mobility has helped to increase inter-national migratory movements (İçduygu 2000). As a consequence, more and more social groups become rootless. Transnational migration influenced the social meaning and stability of the three kinds of political boundaries: territorial boundaries of states, boundaries of polity (membership in political communities defined by citizenship), and boundaries of cultural communities (Bauböck 1998).

Here the question is whether these global changes can pave a way towards a 'cosmopolitan culture' that transcends national boundaries. The components of such a global culture would be: "effectively advertised mass commodities, a patchwork of folk or ethnic styles and motifs stripped of their context, some general ideological discourses concerned with 'human rights and values' and a standardized quantitative and 'scientific' language of communication and appraisal, all underpinned by the new information and telecommunications systems and their computerized technologies" (Smith 1991: 157). This eclectic culture is indifferent to place or time, and fluid and shapeless. Previous cultural imperialisms were rooted in an ethnic time and place of origin, whereas the new global culture is universal and has no history or histories. Smith (1991) claims that the folk motifs used in global culture are for surface decoration of a present-and future-oriented scientific and technical culture. He further argues that in the modern world, identities, images and cultures remain plural and ethnic or national. A global culture could be only a memory-less

construct of its constituent national elements. Thus, there is no 'global identity-in-the-making'. "But a memory-less culture is a contradiction; any attempt to create such a global culture would simply accentuate the plurality of folk memories and identities that have been plundered in order to constitute this giant *bricolage*" (Smith 1991: 159). In Smith's view a global culture that is a pastiche of the past underpinned by science and telecommunications is an imagination –just as the nation itself may be regarded as an 'imagined community' (referring Benedict Anderson's book). Thus, it is not enough to imagine a global culture without having new cultural community and political associations (Smith 1991: 160).

### **3.2.2. Persistence of the Politics of Nation and of Nation-State**

Some scholars, either from Marxist tradition -like Hobsbawm (1990)- or from liberal tradition -like Carr (1945); Kohn (1967); Smelser (1968); Breuilly (1982)- argued that the nation is depoliticized through turning into a purely cultural or folkloristic phenomenon deprived of political significance (quoted in Smith 1995). Their aim in separating nation from political domain is to confine nation to the sphere of culture and civil society. In Anthony Smith's view, the development of any nationalism depends on bringing the cultural and moral regeneration of the community into a close relationship with the political mobility and self-determination of its members (Smith 1995: 13).

It is usually argued that the emergence of new regional political configurations (such as EU) is a proof of the erosion of nation-states. Contrary to this view, Smith (1991) asserts that these regional systems help to entrench the power of the nation and nationalism. "It is therefore not to any new regional alignments or 'supra-national' blocs of 'nation-states' that we must look for the super-session of nations or nationalism; for such inter-state groupings, be they Leagues, Communities or Organizations, only help to perpetuate, if they do not inflame, the hold of national identities and nationalist aspirations..." (Smith 1991: 169). Even in the European case, there is so far little indication of shift of

the locus of power from nation-state. Of course, increased transnationalization of capital caused nation-states to lose their capacities to pursue nationally-defined welfare programs. However, although their autonomous capacity declined, nation-states still have sovereignty. "The loss of regulatory capacity of nation-states as a result of processes of globalization has not been compensated at the supranational level" (Koopmans and Statham 2000b: 44). The political integration of Europe and its proposed "European citizenship" is in lack of any strong foundation –like nation-state. European citizenship has nothing to do with the rights of third-country citizens (such as million of immigrants living in European countries), because it is derivative of national citizenship in one of the member states (defined in Maastricht Treaty Article 9). So, European citizenship and the rights it entails (e.g. rights concerning freedom of movement, settlement, and seeking employment within EU) have not improved the rights of immigrants from third countries (Koopmans and Statham 2000b: 41). Moreover, EU itself seems to develop regulation mechanisms over the issues of immigration, of political membership, and of cultural pluralism.

On the other hand, national identity continues to provide the dominant criterion of culture and identity –the mere principle of government. The nation-state is still the most important source of sovereignty and collective identity. Ethnic protests and nationalist uprisings are common in everywhere. Therefore, the age of globalization is also a time of nationalism, of ethnic mobilization, of the rise of xenophobic movements, and of a proliferation of new nation-states with newly invented national histories, anthems, flags, and languages (Koopmans and Statham 2000b: 45). Thus, the nation and nationalism still have critical popular power and far from being transcended (Smith 1991: 170).

There are also some ethical concerns about nationality: At one extreme stands the view that the nation should be the supreme object of our loyalty. At the other extreme stands the view that we are citizens of the world, and that we should pay no more regard to the claims of our co-nationals than to those of any

other human beings (Miller 1995: 3). Moreover, in the modern world, there is no state which does not have a plurality of cultures within its borders. Thus, questions and policies concerning foreigners and immigrants pose a threat to the demands of nationality. Foreigner and immigration policies cannot be legitimated on the priority of 'nation' –especially those who are seen as already sharing important elements of society are concerned.

There are also strong arguments on theoretical level that base citizenship on the ethical sources of a nation. For David Miller (2000), citizen identity primarily originates from his/her nationality. The principle of nationality in Miller's model includes three propositions: (1) a national identity is a defensible source of personal identity; (2) nations are ethical communities that impose reciprocal obligations on members which are not owed to outsiders; (3) nations have a good claim to be politically self-determining (Miller, 2000: 6).

He claims that the nation-state model can be adapted to deal with the heterogeneous structure of contemporary states. His argument rests upon a model of democratic decision-making, so called 'deliberative democracy'. A body of citizens can reach a substantial degree of consensus on issues of common concern through open discussion which is called general or common will (Miller, 2000: 54). Deliberative system indicates that groups with differing views enter into an open discussion, listen to the views and interests of others, and revise their own opinions. This is a way to find compromise solutions to political issues that members of each group can accept.

The kind of republicanism advanced by Miller, can accommodate pluralism in so far as group identities gain legitimacy through public recognition. Groups may have access to decision-making forums, and raise their claims and demands. However, the demand needs to be linked to principles that are generally accepted by citizens, no matter how it is essential for the group. Republican conception of citizenship does not limit the demands that are put

forward in the political forum, but this does not mean that any specific demand will be accepted (Miller, 2000: 56-57)<sup>31</sup>.

The attempt of Miller seems to reinvigorate the nation-state in the context of immigration and integration of minorities in the Western countries. As economic globalization is an indispensable phenomena, those policy areas where the nation-state still has power to regulate, become the focus of such reinvigoration attempts –such as immigration control and policies concerning integration of immigrants (Koopmans and Statham 2000b: 45).

### **3.2.3. The Inclusion of Denizens**

Although the nation-state and nationalism continue to demonstrate their strength, the existence of large populations of foreign citizens in Western Europe challenges both the nation-states and their citizenship (Hammar 1990: 26-7). As a political community, the nation-state claims to be inclusive of its inhabitants as equal citizens (Castles 2000: 188). And as a normative principle, a liberal democracy should include all those who are affected by political decisions into the polity (Bauböck 1994b: 200). However, there are certain exceptions that arise from the inherent limitations of this so-called ‘democratic inclusion’<sup>32</sup> (1) external exclusion, (2) internal exclusion and (3) internal exclusion with reference to external affiliation.

External exclusion occurs when the citizens of a state are strongly affected by the political decisions of another country –e.g. war or occupation and colonization of another country. The other examples are depletion of natural

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<sup>31</sup> While Milller advocates a kind of republican politics at nation-state level for meeting the challenge of pluralism, Richard Bellamy, for the very same purpose, argues that we have to move away from the nation-state model and “conceive of politics as operating within a complex plurality of interrelated political units” (Bellamy, 2000: 182). Bellamy rejects the liberal idea of rights, which regards them as having a privileged status in securing the protection of individual liberty. He treats rights-based forms of citizenship as passive and anti-political. The universalizing and homogenizing nature of rights locates politics at comprehensive levels such as at nation-state or more recently at global level.

<sup>32</sup> Bauböck argues elsewhere (1991a:7) that the internal and external exclusiveness of the modern, liberal, Western type of citizenship are legitimated via nationalism.

resources by neighboring countries, environmental pollution across borders, economic difficulties posed on so-called Third World nations by the states controlling the operations of the global economy. These external exclusions are the results of the territorially bounded nature of the modern state and, therefore, the democratic legitimation refers to that territory's population. Internal exclusion is the exclusion of some of the population living in the territory of a state. In the contemporary liberal democracies there are three internally excluded groups: minors, mentally handicapped persons and criminal convicts.

Internal exclusion with reference to external affiliation is the status of resident aliens in the contemporary democracies who are affected by political decisions in the same way as citizens. Their status is paradoxical because they are affected by the political decisions as much as citizens, they (most of them at least) speak the language of the country of residence, they enjoy fundamental rights (e.g. equal rights in courts, civil liberties, social rights to education and social security) which are granted to them as residents (Bauböck 1994b: 2003). Thus, the basic discrimination that foreign residents face is concerned with voting and permanent resident rights.

According to Bauböck (1994b) there are two kinds of reasons behind the exclusion of foreign residents: first their alien status is a chosen one (except refugees) that they choose to come with their free will and accepted their exclusion and discrimination. But he disagrees with voluntary choice argument since: not all migrants are voluntary; most foreign residents are not given the option of naturalization; admission procedures are discretionary (the final decision taken by the naturalizing state, not by the applicant); and the acquisition of these rights by native citizens does not depend on choice but given by birth. For this reason, the exclusion of a considerable number of people from the polity, renders the legitimacy of political decisions disputable.

Second reason for the exclusion of foreign residents in contemporary liberal democracies is about the mutually exclusive nature of sovereignty: the

norm of inclusion does not apply where another sovereign state has a prior claim over an individual as its member.<sup>33</sup> Here, membership is defined principally as a legal status rather than a social. However, this idea ignores the dynamics of the extension of legal rights for long-term resident foreigners, and the fact that immigrants can demand naturalization on moral grounds. Moreover, societal membership is not concerned in the legal relations of individuals with the state –although the state regulates the life prospects and opportunities of all individuals living in its territory (Bauböck 1994b: 210). On the other hand, there are no established indicators for deciding a person’s membership to a society. Bauböck argues that the facts of societal membership depend on the time of residence rather than on legal status (Bauböck 1994b: 217).

According to international law theory, full residence rights are given solely to citizens. States have regulation mechanisms for the length of stay and expel of aliens within their territory when their situation contradict to the state’s interests<sup>34</sup>. However, in practice, many foreign citizens gained secure residence status in many European countries. In the post-1960 period there have been a movement from alienship to denizenship among immigrants (see Figure 3.1) (Faist 2000: 165). They may be granted many citizen rights without being members of the state (Bauböck 1991a: 10). They have lived long periods of time in the host countries (15-20 years or more), their family ties may be strong (parents or children are citizens), or they may hold an honored position (scientists, artists, sportsmen, etc.). And they started to constitute a new category

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<sup>33</sup> “A foreigner may live permanently in the territory of state A, but, as a citizen of B, all claims of democratic legitimation which she or he might raise are addressed to that state. Such membership is not a social relation which might become weaker as time passes but a legal one that retains its binding force over time and might even be transferred to the immigrants’ children... this argument about the mutually exclusive nature of sovereignty does not apply to refugees and stateless immigrants. But it is still the conventional wisdom which supposedly justifies the legal discrimination of foreigners and the discretionary procedures of naturalization.” (Bauböck 1994b: 205)

<sup>34</sup>The reasons can be the behavior of the foreigner (criminal offense or an immoral act), unemployment and related social welfare costs. There can be political reasons: a persona non

of foreign citizens whose residence status is fully guaranteed (Hammar 1990: 13). Turks living in Germany are a conspicuous example of this category of 'foreign citizens'. In German language, the word for foreigner is *Ausländer*, where 'Aus' stands for the outside, while *Inländer* refers to persons from the inside. Turks, although they are called *Ausländer*, they are in practice *Inländer*, because they have been entitled to equal treatment in all spheres of life: full access to the labor market, business, education, social welfare. Hammar (1990) calls this group of alien residents, whose members are not regular and plain foreign citizens anymore, but also not naturalized citizens of the receiving country, as *denizens*<sup>35</sup>. Denizens are foreign citizens having legal and permanent resident rights.

Thus, in practice the notion of citizenship goes beyond its nominal meaning of 'membership of a state'. Citizenship cannot be used as a synonym for 'membership' anymore. While Brubaker (1989b: 15) argues that "citizenship is a neat category... membership, in contrast is a messy category", Bauböck (1991a: 11) claims that citizenship is the messy category when it is not restricted to its nominal content. Citizenship, as a normative concept, "is a set of rights, exercised by the individuals who hold the rights, equal for all citizens, and universally distributed within a political community, as well as a corresponding set of institutions guaranteeing these rights" (Bauböck 1991a: 11). The two fundamental principles of citizenship, that of egalitarianism and universalism, have been used one against the other. Extension of the universality of citizenship was used as a justification for restricting the range and equality of rights. And the demand for equality was used as a justification for limiting universality (usually in maintaining external boundaries, and in denying internal members'

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grata, a threat of disturbance of public order, or a threat to national security, etc (Hammar 1990: 12).

<sup>35</sup> "'Denizen' is an old English word that up to the 1840s was used for an alien to whom the sovereign has by letters of patent under the prerogative granted the status of a British subject but who was not allowed to hold public office or obtain a grant of land from the Crown" (Hammar 1990: 14).

full citizenship). The justification of the exclusion of some parts of the society was based on the idea that some people were either dependent or undeserving. Thus, “equality could only exist between economically and politically independent individuals” (Bauböck 1991a: 13).

Contrary to normative assumptions about the citizenship, denizens –as a new category of members- are accepted, and treated like citizens without having citizenship and political rights (Hammar 1990: 40). Indeed, citizenship rights gradually expanding beyond the national and territorial boundaries of the original concept through the introduction of human rights, rights of legally immigrating aliens, and rights of long term resident foreign citizens (Bauböck 1991a).

<b>Legal status</b>	<b>Immigrant categories</b>
<b>Alienship</b>	<ul style="list-style-type: none"> <li>- immigrants with temporary residence and work permits</li> <li>- asylum seekers, <i>de facto</i> refugees</li> <li>- undocumented aliens, illegal immigrants</li> </ul>
<b>Denizenship</b>	<ul style="list-style-type: none"> <li>- labor migrants with permanent residence status</li> <li>- recognized refugees</li> </ul>
<b>Citizenship</b>	<ul style="list-style-type: none"> <li>- citizens of immigration nation-states</li> <li>- citizens of EU member states</li> </ul>

Figure 3.1. Alienship, Denizenship and Citizenship (Source: Faist 2000: 166)

### 3.2.4. The Changing Content of Citizenship Rights

Cultural diversity stemming from immigration creates a new context for the formulation of citizenship rights. Citizenship rights, first defined by Marshall as civil, political, and social rights, do not take into account the demands of cultural minorities. Like civil, political, and social rights, cultural rights are offered for the sake of liberal principle of equality.

### 3.2.4.1. *Marshall's Formulation*

Thomas H. Marshall's point of departure in analyzing the relation between citizenship and social class, in his essay *Citizenship and Social Class* (1949) (Marshall, 1965), is the possible conflict of citizenship (as a system of equality) with capitalism (as a system of inequality). Marshall believes that the modern drive towards social inequality is the latest phase of an evolution of citizenship that has been in continuing progress for more than two centuries.

Marshall considers citizenship in three elements: *civil*, *political* and *social*. The civil component includes the rights necessary for individual freedom: liberty of person, freedom of speech, thought and faith, the right to own property and to conclude valid contracts, and the right to justice. The institutions most directly associated with civil rights are courts of justice. Political element is the right to participate in the exercise of political power. The corresponding institutions are parliament and councils of local government. By the social element he means the whole range from the right to economic welfare and security to the right to live the life of a civilized being according to the standards prevailing in the society (Marshall, 1965: 78). The related institutions are the educational system and the social services. He mentions that these three elements of citizenship were developed separately, because they were depended on distinct institutions. He assigns formative periods to each element: civil rights to the eighteenth century; political rights to nineteenth century; and social rights to twentieth century – with an overlap between last two (Marshall, 1965: 81).

Marshall's historical analysis reveals that (Marshall, 1965: 84-90): Civil rights were held to belong to all adult members of a community in the eighteenth century in England. At first, the terms *freedom* and *citizenship* were interchangeable in the towns. Then, when freedom became universal, citizenship transformed from a local into a national institution. Although, freedom and citizenship gave legal powers, class prejudice and lack of unity were obstacles to their use. In the early nineteenth century, the formative period of political rights

began, when civil rights (attached to the status of freedom) had already associated with a general status of citizenship. The nineteenth century was a period in which the foundation of social rights were laid (in the case of education and factory legislation) but the principle of social rights as an integral part of the citizenship status was either denied or not clearly admitted. Marshall argues that the right to education is a genuine social right of citizenship, because the aim is to shape the future adult. For him, it should be regarded “not as the right of child to go to school, but as the right of the adult citizen to have been educated” (Marshall, 1965: 89). The growth of public elementary education during the nineteenth century was the first attempt for the re-establishment of the social rights of citizenship in the twentieth century. Civil rights, which were intensely individual in origin, harmonized within the individualist phase of capitalism. However, unlike the civil rights, the political rights of citizenship have posed a threat to the capitalist system. One of the important achievements of political power in the nineteenth century was to enable the workers to use their civil rights collectively -by means of trade unionism. “This was an anomaly, because hitherto it was political rights that were used for collective action, through parliament and local councils, whereas civil rights were intensely individual, and had therefore harmonized with the individualism of early capitalism” (Marshall, 1965: 122). Therefore, trade unionism created a set of secondary industrial citizenship. By the twentieth century, citizenship and the capitalist class system have been in an obvious conflict.

The need to diminish economic inequality between social classes has been met by incorporating social rights in the status of citizenship. The purpose of social rights was ‘class-abatement’ by creating a universal right to real income which is not proportionate to the market value of claimant (Marshall, 1965: 106). Apart from equalizing incomes, social services aimed an equalization between the more and the less fortunate (between the healthy and the sick, the employed and the unemployed, the old and the active) as individuals (Marshall, 1965: 113).

Marshall stresses that there are limits inherent in the egalitarian movement. For him, the movement is a double one: It operates together with citizenship and economic system. The purpose in both cases is to eliminate the illegitimate inequalities, but the standard of legitimacy is not the same. "In the former it is the standard of social justice, in the latter it is social justice combined with economic necessity" (Marshall, 1965: 129). Thus, Marshall conceptualized capitalism as a dynamic system in which social and political life determined by the tension between egalitarian citizenship and unequal economic relations.

In Marshall's account, citizenship evolves from civil over political to social rights. However, "[w]hile the spread of nation-building over the globe in a way really resembles an irresistible progress of a new species of political communities, citizenship was and is dependent on political struggles between collective actors and foremost between economic classes" (Bauböck 1991a: 12).

Bryan Turner (1992: 33-62) criticizes the work of Marshall in certain respects: First of all, Marshall's theory was undeveloped in the sense of a state theory; and Turner claims that a theory of citizenship must also produce a theory of the state. Secondly, for Turner, Marshall failed to explain how the resources which are necessary for welfare are to be generated and redistributed by the state to claimants. Thirdly, in defining state as a stabilizer, Marshall did not emphasize the role of violence or threats of violence in the growth of citizenship.

Turner underlies the fact that Marshall's theory is no longer relevant to a period of disorganized capitalism. He associates the decline of the welfare system with the decline of organized working class communities which also makes the articulation of interests more problematic (Turner, 1992: 39). It is obvious that Marshall's analysis was based on the economic relations of a specific phase of capitalism. On the other hand, he developed his theory with reference to a nation-state immune from global pressures. His account of

citizenship is a typical *passive* or *private* citizenship (Kymlicka and Norman, 1994: 354) guaranteed by a liberal democratic welfare system.<sup>36</sup>

#### **3.2.4.2. Fourth Generation Rights: Cultural Rights**

The idea of 'cultural rights' as an addition to Marshallian triad is based on the liberal principle of 'equality'. Indeed, cultural rights are introduced to comply differences in 'reality' with the abstract notion of 'equality' prevailing in the liberal societies. Cultural commitments conflict with liberal principle, and arise questions about the meaning of equality (Carens 2000: 161). It is argued that in a liberal society, cultural minorities, like their fellow citizens, should enjoy cultural rights which refer to rights to express, maintain and transmit the cultural identity of a community.

Parekh (1999) justifies cultural rights on four grounds: First, cultural rights are part of human rights, because culture is an integral part of an individual's sense of identity and well-being. Second, in all societies the culture of the majority community dominates and its members are able to express its cultural identity. In a just society the same right should be extended to the minority communities as well. Third, cultural rights facilitate minority cultures' integration, promote social harmony, and earn their loyalty and goodwill. Forth, cultural rights express the wider society's respect for its minority cultures by

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<sup>36</sup> "Marketization reforms undermined the status equality through which citizenship had abated the polarization effects of capitalism. 'Consumer' as an alternative status, even when this appears with the proviso of rights or charters, has no such equalization tendency: it actually serves to reproduce inequality as consumer power differs hugely across socio-economic categories. A defender of current reforms may argue that markets are sufficient in the making of political citizens in today's late capitalist, post-scarcity societies. This argument would propose that marketized societies do make good citizens, since they are more competitive and efficient, regardless of the rise in absolute inequality that they entail. Such a view reflects naïve assumptions regarding political citizenship, however. Equal participants in contemporary society are not to be defined in terms of absolute calculations of the minimum requirements of literacy, shelter, and nutrition, but in terms of relative measures: in particular, those that ensure that no interest group (for example, an underclass) is consigned to a trap of second-class citizenship, reproduced by poor education and other services. That political citizenship in a polity is a matter of degree (and in terms of opposing class interests often a zero-sum game), rather than an absolute threshold to be reached, is a key to evaluating current reforms in terms of citizenship." (Crouch et al. 2001: 265-6)

giving them the confidence to express their identity. This in turn contributes to cultural diversity. "Multiculturalism, the right to be different and to foster one's own culture, is elementally asserted as the natural and inalienable right of all individuals" (Soysal 1994: 155). So, cultural rights are legitimized by human rights discourse, as well.

### **3.2.5. Citizenship with respect to Cultural Pluralism**

Today, culture and polity do not converge, that nearly all existing polities are in some sense 'multicultural' (Brubaker 1998: 294). The raising interest on citizenship concept in political theory is the result of an increasing cultural diversity in contemporary societies. Given the fact that there is a crisis of national identities in Western societies, *cultural pluralism* is proposed as a model for the construction of political identities. The identities referred by cultural pluralism are based on sub-national or transnational elements such as language, ethnicity, religion and race. With the advent of cultural pluralism, certain transformations are coming to existence in the life practices of plural societies.<sup>37</sup> We can speak of a number of handicaps of the political implications of cultural pluralism: First of all, the 'new social movements' (like feminist movement, movements of people of color, nationalist movements, the gay and lesbian movements, and the ecological movement) are based on a sense of absolute and prescribed identity (such as race, ethnicity, gender, age and sexual practices), rather than a position in the social contract (in the labor market, for example). Thus, these movements demand representation to establish their autonomy on a metaphorical terrain in which identity is non-negotiable (Leca, 1992: 25). Secondly, cultural fragmentation causes societies to appear as a mosaic of compartmentalized solidarities, each with its own political community.

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<sup>37</sup> For example, education systems become less sufficient for the minorities, so they are started to be arranged in more pluralist ways -in terms of cultural differences, languages, religious values and opinions.

Some scholars praise the advantages of cultural fragmentation in the name of the 'identity politics', 'the politics of difference', or 'the politics of recognition'. For instance, Iris Marion Young advocates the idea of 'politics of difference' for providing inclusion for traditionally excluded and marginalized groups. Her point of departure is the modern political assumption that the universality of citizenship "implies a universality of citizenship in the sense that citizenship status transcends particularity and difference" (Young, 1989: 250). She claims that while equality is conceived as sameness, universality is defined as in opposition to particular, and these misconceptions, in turn, perpetuates oppression and disadvantage.

Although liberals committed to both pluralism and equality, some scholars underline the contradiction between the two. In egalitarians' view, the emphasis on group identities and cultural difference may cause to legitimate social and economic inequalities. Pluralists, on the other hand, argue that a commitment to equality may cause an assimilationist overriding of the respect due to group differences. Thus, a commitment to pluralism requires the acceptance of inequalities that result from the cultural differences (Simon 1990 quoted in Carens 2000: 88). Will Kymlicka who develops a kind of multicultural citizenship concept, asserts that culture provides a context within which people choose. This implies that the liberal commitment to equal opportunity requires people to have the same cultural framework which he calls 'societal culture'<sup>38</sup>. It can be argued that pluralism poses a treat to the idea of citizenship by causing individuals to stick together within their group identity and let them to ignore a larger common culture –that is what Beiner (1995) calls 'groupism'. When citizens become fixated on cultural differences, it is difficult to maintain a common ground for the members of the society. In that case, politics is likely to be far from mutual understanding, deliberation, trust, and solidarity.

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<sup>38</sup> Kymlicka's concept of societal culture will be elaborated in the following chapter.

Other authors worry that the claims raised within the debates of 'multiculturalism', 'group rights', 'differentiated citizenship', or 'minority rights' will erode citizens' capability of fulfilling their responsibilities as democratic citizens by weakening the sense of solidarity. Some argue that since minority rights suggests a sort of 'differentiated' status among citizens, it is by definition opposed to the notion of society based on citizenship (Porter 1987 quoted in Kymlicka and Norman 2000: 31). Because citizenship concept is based on the ideal of treating individuals with equal rights before the law. Hence, it is claimed that differentiated status creates first- and second-class citizens.

An absolute liberal citizenship, on the other hand, would lessen the distinctiveness of a group (it can even promote oppression by not letting them to pursue their distinctiveness). Joseph Carens (2000) asserts that pluralism and equality are compatible and mutually reinforcing. He speaks about a 'right sort of egalitarianism' that does not try to make everyone similar to everyone else or to make minority groups conform to the majority. In order to make substantive judgments about the inequalities that stem from the cultural differences between groups, he suggests investigating the contexts in which the group differences have emerged (Carens 2000: 88). He indicates that the inequalities may not originate from cultural differences but from domination and enforced subordination.<sup>39</sup>

Kymlicka and Norman (2000) argue that minority rights may be the best way to encourage alienated groups to come to identify with the larger political community. Moreover, the refusal to grant recognition and autonomy to minorities may alienate them further from their identity as citizens of the state. Minority rights, however, acknowledge that minorities are full members of the society, and their contributions will be welcomed. Thus, they conclude that

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<sup>39</sup> "Showing that inequality results from a group's own distinctive culture is not sufficient to establish the moral legitimacy of the inequality. We have to consider both the wider social context in which the group currently exists and the context in which the group's culture has developed

minority rights have the potential to enhance, as well as to erode, a common citizenship identity (Kymlicka and Norman 2000: 37).

A radical democratic conception of citizenship developed on the Left as an alternative to the liberal one within the project of radical and plural democracy. As national homogeneity can no longer be the basis of citizenship, the radical democratic citizenship aims to express the demands of the 'new movements' and to acknowledge concerns relating to ecology, gay issues, ethnicity, as well as the struggles around class, race, and gender. This perspective tries to go beyond liberal individualism to the questions of justice, equality and community.

For Chantal Mouffe modern democratic politics, based upon pluralism, individual liberty, secularism, and civil society, requires separation of private domain (the realm of morality) and public domain (the realm of politics). At this point, neither liberalism nor communitarian alternative can suggest a satisfactory model for modern democratic citizenship. While, liberals tend to ignore concepts such as public-mindedness, civic activity and political participation, communitarians tend to favor a pre-modern view of politics which is based on a single idea of the common good (Mouffe, 1992b: 227). Departing from Quentin Skinner's argument that modern liberal idea of individual liberty is compatible with the republican understanding of common good, Mouffe claims that the notion of common good is a precondition for enjoying individual liberty. For her, articulation between individual freedom (negative freedom – the absence of interference by others) and civic participation is essential for the realization of a radical democratic project. Because in a democratic regime, what citizens share is not a substantive good but liberal democratic principles of freedom and equality for all. The contribution of liberalism to a radical democracy is its substitution of a sense of commonality among the citizens that

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before we can use the distinctiveness of culture as a justification for inequality." (Carens 2000: 100).

is not based on any substantive idea of good but based on the acceptance of the principles of freedom and equality.<sup>40</sup>

David Held challenges the idea of appealing to democracy as a solution to the problems of liberal citizenship. Although there is a need to reformulate and give institutional expression to the demands of citizenship and democracy, according to him, we should keep these questions distinct. “Democracy can only really exist on the basis of ‘free and equal citizens’, but citizenship requires some specification, and some institutional and political protection, separate from and beyond the simple extension of democracy” (Held, 1991: 23). He argues that the relationship between citizenship and democracy entails a new settlement between liberty and equality. His solution is based on a legal and constitutional framework that protects individuals, and other social categories as *free* and *equal* citizens; and enhances political participation. “This requires us to recognize the importance of a number of fundamental tenets, often dismissed because of their association with liberalism: for example, the centrality, in principle, of an

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<sup>40</sup> In order to maintain a participatory political community, Mouffe suggests a return to the civic republican tradition. Citizens should accept a public concern, a specific language of civil intercourse: the *respublica*. Michael Oakeshott’s term *respublica* denotes the power of the conditions specifying public concern, ‘a practice of civility’ (Oakeshott, 1975 quoted in Mouffe 1992b). The political community defined by Mouffe is different than liberal political association (which indicates a purposive association) and public concern is different than communitarian common good. This type of political community offers a bond among citizens that is ethical and non-instrumental. Individuals can participate to public as far as they accept the public concern expressed in *respublica*. She emphasizes that *respublica* is a construct of power relations, the product of a given hegemony. Politics is about the possible interpretations of the *respublica*, thus, it is about the constitution of the political community (Mouffe, 1992b: 234). Mouffe defines a *radical democratic citizen* as an active citizen who conceives of herself as a participant in a collective undertaking. Radical democratic citizen is a common political identity that is to make possible a hegemony of the democratic forces. This is a collective identification with a radical democratic interpretation of the liberal-democratic regime: liberty and equality (Mouffe, 1992b: 236). She claims that the ideal of citizenship could contribute to the extension of the liberal principles of freedom and equality. The radical democratic interpretation of these principles should take different social relations and subject positions (such as class, gender, race, ethnicity, sexual orientation etc.) into consideration. As she puts it: “By combining the ideal of rights and pluralism with the ideas of public spiritedness and ethico-political concern, a new modern democratic conception of citizenship could restore dignity to the political and provide the vehicle for the construction of a radical democratic hegemony” (Mouffe, 1992b: 238). The radical democratic citizenship is based on a rejection of universalist definition of the public that treats the private sphere as the realm of particularity. Mouffe’s model is, indeed, a critique of foundational principles of modernity: rationality and universalism.

‘impersonal’ structure of public power; the need for a constitution to help guarantee and protect rights; a diversity of power centers; mechanisms to promote open debate between alternative political platforms; an institutional framework of enforceable and challengeable rights” (Held, 1991: 23-24).

### **3.2.6. Multiplicity of Membership and Different Dimensions of Citizenship**

It is explored in this chapter that the traditional universal, nation-state bounded, and homogenizing citizenship is inadequate to entail some societal enclaves into the political community. Joseph H. Carens shows that the practices of citizenship differ sharply from the unitary conception of citizenship that emerges from a conventional view of the nation-state. Departing from the examples from Canada and some other states, Carens explores that political memberships and national identities are multiple and overlapping along legal, psychological, and political dimensions.<sup>41</sup> His arguments on these three dimensions of citizenship can be summed up as follows (Carens 2000: 162-176):

*The Legal Dimension:* To possess the legal status of a citizen is one way for an individual to belong to a political community. The unitary model of the nation-state assigns that every individual possess the legal status of citizenship only in relation to one nation-state. However, there exist some practices that do not in conformity with this unitary ideal. For example, dual citizenship is an arrangement that enables people who have substantial ties to more than one nation-state (because of their residence, family ties, or place of origin) to protect their interests in each. There is another kind of dual citizenship that is membership in two political communities within the same state. In a federal system, everyone belongs to at least two political communities with peculiar jurisdictions and limited sovereignties. The notion of state sovereignty does not comprise this reality that the units in a federal system are actually political

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<sup>41</sup> This study investigates a forth dimension of citizenship, namely the *pragmatic* dimension, in addition to Carens’s formulation, concerning the situation of Turkish-Germans (in Chapter 6).

communities and that membership in such communities is an important form of citizenship.

Apart from federal unit, there are supra-national political communities to challenge the legal dimension of nation-state citizenship. For instance, the development of the European Union (EU) has led to the creation of legal rights and duties for individuals –distinct from the ones by given by member states. The EU citizens can advance legal claims before European courts apart from and even in opposition to the legislation and court rulings of their original states. However, within the EU model, citizenship is linked to nationality -article 8 of the Maastricht Treaty (1992). According to article 8, citizens of the Union have the right to free circulation and the freedom to reside and work on the territory of a member state. The Treaty sets out basic political rights such as the right to vote and stand as a candidate in local elections in the member countries and to vote or stand as a candidate for the European Parliament. These developments extend previous measures that were designed for national citizenship within a state (Linklater 1998: 199). Article 8 of the Treaty introduces *de facto* a new conception of citizenship that is *extraterritorial* as it dissociates citizenship from national territory (Kastoryano 2002: 133). Its application enables the existence of multiple allegiances of citizens.<sup>42</sup>

Finally, legal citizenship is closely linked to a norm of equality. The principle of equality prescribes that every citizen is equal before the law. Thus, there can be no second-class citizens. When it is argued that a commitment to

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<sup>42</sup> “In the country of residence, citizenship identity is shaped by political participation and collective action. On the European level, citizenship identity is forged in relation to supranational institutions that help to construe Europe as the public good, thereby generating a new kind of political identification for individuals and groups involved in transnational mobilization. The relevant mode of participation can be seen as a second stage of immigrants’ political socialization in European space, a space where they now exercise citizenship beyond national boundaries and beyond the political territories of the state. In this regard, individuals –be they immigrants or legal citizens of a member state- act together in this new space and transform it into a common space for political socialization and the exercise of power. Participation thus becomes a way of asserting ‘political acculturation’ on a national level as a precondition for political involvement on the European level.” (Kastoryano 2002: 134).

equal citizenship requires distinct legal rights for minorities (minorities of culture, gender, sexual orientation, race, physical or mental condition), the legal dimension of citizenship becomes more complex and multiple than the one proposed by the unitary model.

*The Psychological Dimension:* The psychological dimension of membership refers “to feel that one belongs, to be connected to it through one’s sense of emotional attachment, identification, and loyalty” (Carens 2000: 166). The conventional understanding of citizenship expects that people will feel a strong sense of emotional identification only with one state in which they possess legal citizenship. It is assumed that primary political identity of the people stems from their membership in the state, and citizens are supposed to be patriotic. The basic reason behind the objections to dual citizenship is that those hold more than one citizenship are likely to have dual loyalties, identities, and attachments –which is not permissible from the conventional point of view.

In practice people’s attachments, loyalties, and identities may not correspond to their legal status. For instance, immigrants and their descendants often feel a sense of loyalty and attachment to the country of origin. Jews present a similar example as they often feel a powerful sense of loyalty and attachment to Israel –even if they have no formal legal connection. In the same way, people who have legal status as citizens sometimes may feel very little attachment to or emotional identification with the political community of their citizenship. So, Carens distinguishes between identity and attachment: “Identity may depend significantly on one’s personal geographical history and on the availability of alternative political identities, while attachment may depend more on the congruence between one’s own commitments and those of the community, including the extent to which people experience a sense of welcome in the political community for other aspects of their identities (e.g. race, religion, culture, sexual orientation, and so on)” (Carens 2000: 168).

*The Political Dimension:* The political dimension of citizenship is concerned with the issue of representational legitimacy. On the conventional view, representational legitimacy depends upon being selected by voters in fair and free elections. Carens think that this is not sufficient and mentions some problems with respect to elected officials: the issue of alienated or apathetic voters and the deep skepticism about all elected officials. There are other problems of legitimacy when key decisions are made by people not subject to elections and formal democratic control (central bankers, the World Bank, the International Monetary Fund, European Community bureaucrats, capitalist investors) (Pauly 1997 quoted in Carens 2000: 173). Thus, in assessing representational legitimacy, there should be a fit between electoral mechanisms and political identities –even under the condition that people share a common legal citizenship.

### **3.3 Concluding Remarks**

In modern nation-states the relationship between the ‘free and equal citizens’ and the state is mediated through the institution of citizenship. The inclusion of immigrants and cultural plurality pose a threat to ‘national homogeneity’ of states. Immigration is disintegrating the traditional citizenship based on nation-state membership. The traditional citizenship model determined by territorially bounded cultural belonging is losing its ground. The rights associated with citizenship are inadequate to meet the demands of cultural minorities; on the other hand they are still bestowed only to citizens as privileges. Thus, universalist liberal citizenship model has to be reconsidered in a more inclusive manner; and need to accommodate cultural pluralism.

## CHAPTER 4

### CITIZENSHIP IN RELATION TO IMMIGRATION: ALTERNATIVE CONCEPTIONS FOR LIBERAL POLITIES

This chapter deals with three theoretical perspectives developed as an alternative to traditional citizenship. Postnational citizenship idea proceeds from the guestworker experience of West European countries; and to incorporate immigrants, it suggests a citizenship model that goes beyond the exclusionary boundaries and uniform rights of national citizenship. The aim of multicultural citizenship is to accommodate ethnic and national diversity within liberal nation-states. It offers group-differentiated rights (self-governance, polyethnic, and special representation rights) for ethnic and national groups; and claims that these rights are consistent with liberal principles of individual freedom and social justice –contrary to ‘benign neglect’ approach. Finally, cosmopolitan citizenship drives from Kantian universalism; and grounds in a universal and stateless community in which nationality is ‘morally irrelevant’.

#### 4.1. Postnational Citizenship

Scholars of postnational citizenship argue that transnational migration is disintegrating the traditional citizenship based on nation-state membership. Yasemin N. Soysal (1994) offers a new model of citizenship based on her analysis of the different dimensions of membership practices of immigrant laborers (guestworkers<sup>43</sup>) in Europe in the post-war era. Guestworkers have been incorporated into various aspects of social and institutional order of their host

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<sup>43</sup> By ‘guestworker’ she refers all noncitizen people, although postwar migration is characterized by a variety of forms: “labor migration, political migration, postcolonial migration, and migration within common markets. These migratory flows, in turn, have produced a host of immigrant strata: legal temporary or permanent migrants, political refugees, illegal migrants, ex-colonial citizens, and common-market citizens. While the rules governing their entry, residence, and employment differ, the common characteristic of these populations is their noncitizen status. Though, strictly speaking, the term *guestworker* does not represent all of these forms and strata, I employ it as a general category in reference to noncitizen migrant populations.” (Soysal 1994: 9)

countries. They enjoy rights and duties with respect to host state without holding formal citizenship. Thus, they constitute empirical anomalies with regard to conventional understandings of citizenship. "The participation of guestworkers in the host polity as social, political, and economic actors with a wide range of rights and privileges contests the foundational logic of national citizenship" (Soysal 1994: 2).

The national citizenship model determined by territorially bounded cultural belonging is losing its ground to a more universal model of citizenship. Soysal calls this new model of citizenship *postnational* membership which is based on a kind of universal, 'deterritorialized' notion of individual rights. The normative grounds of this model derive from the global discourses of human rights which enable guestworkers to be incorporated into host polities. She claims that there is a paradoxical correlation between national sovereignty and human rights: "While the source and legitimacy of rights is increasingly located in the transnational order, individual rights continue to be organized differentially, country by country, and bear the imprint of polity-specific forms of membership and incorporation" (Soysal 1994: 8).

In the same manner, two major components of citizenship, that are rights and identity, are decomposed. Rights associated with the belonging to a national community are started to be defined and legitimated at transnational level. Soysal claims that rights are increasingly attaining a universal content, legal uniformity, and abstractness, and are defined at the global level. Identities, on the other hand, are still locally and territorially bounded. Soysal admits that national citizenship, as an identity, still prevails, however, in its relation to rights, it is no longer a significant construction. Thus, in her conceptualization the universalistic status of postnational membership coexist with assertive national identities and intensifying ethnic struggles. (Soysal 1994: 159)

Soysal points out that states' responsibility extended beyond the national frameworks in the postwar era. She underlines, elsewhere, some global

developments that undermined the grounds of national citizenship in the same period (Soysal 1996: 18-19):

*Internationalization of labor markets:* In the post-war era most of the European countries received immigrants both from the periphery of Europe but also from distant lands. Immigration flows expanded from center to the peripheral countries (e.i. Vietnamese in Romania, Chinese in Moscow, Nigerians in Turkey, Turks in Israel, etc.).

*Broadening of the global discourse of rights:* After 1945, due to the decolonization process, newly independent states asserted their rights via universalist parameters. On the other hand, transnational agencies like UN and UNESCO provided the ground for the celebration of 'different but equal cultures'. Thus cultures and identities incorporated into the institutions of citizenship on the basis of individual and collective rights through new social movements.

*Emergence of multi-level politics:* Developments of the EU created multi-level polities via local, national, transnational political institutions which in turn altered the nature and possibilities of mobilizing identities, making claims and acquiring rights beyond national boundaries.

*Emphasis on global ideologies of human rights:* Human rights that are legitimated through various international codes and laws provide a 'hegemonic discourse'<sup>44</sup> for claims of rights above and beyond nation.

In the twentieth century human rights become a general feature of global public culture beyond formal international arrangements and laws. The concept of human rights, together with freedom, progress and development, provides a framework through which certain actions gain meaning or legitimacy. Since they serve as distinguishing criteria among East and West or South and North,

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<sup>44</sup> Since human rights discourse hegemonically encompasses new domains, it is used to legitimize a set of inconsistent actions on transnational level –e.g. the embargo to punish Iraqi government for human rights violations, ironically, legitimized the cut of humanitarian aid to Iraq. (Soysal 1994: 165)

governments put effort to embody these 'high' principles and to move ahead in the ranking statistics of international agencies' evaluation schemes (e.g., productivity counts, measures of educational output, health care inventories, accounts of cultural multiplicity, and registries of political dissent). Once human rights are codified and materialized through conventions and laws<sup>45</sup>, the discourse of human rights become a focal point for migrant self-organizations, advocacy groups, and international agencies and sending governments (Soysal 1994: 43-44).

Post-war immigrants in Europe have been mostly affected from the growing discourse on rights –both as individuals and as groups. Since by means of these rights they started to enjoy the citizenship rights although they were not belonging to the nation of their host countries. National court systems have also contributed to the expansion of foreigners' rights by applying international conventions on human rights to cases of immigrants. Also, many transnational organizations (e.g. ILO, Council of Europe) contributed to the recognition of immigrants' rights within the framework of human rights (Soysal 1996: 20). "The trends toward elaboration and standardization of the legal status and rights of migrants, and expansion of national and transnational institutional arrangements for incorporating them signify a reconfiguration in the predominant European schemes of citizenship" (Soysal 1994: 44).

Actually, many immigrants in Europe today are non-citizens of their host countries, although they have equal rights and privileges of the citizens. Soysal asserts that this condition of immigrants causes 'an anomaly for predominant conceptions of citizenship which assumes a natural dichotomy between citizens and aliens' (1996: 21). This anomaly situation has some crucial implications on the organization of citizenship in Europe. First, the source of legitimacy for individual rights is no more the nation-state, so the institutional basis of

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<sup>45</sup> e.g. The Universal Declaration of Human Rights (1948); The European Convention on Human Rights (1950); The Geneva Convention on the Legal Status of Refugees (1951); The International

citizenship shifted to the transnational level. Second, the rules of membership in European polities have changed. In the new model of membership, rights, participation and representation are not bounded with national citizenship but rooted in deterritorialized notions of personal rights. The emerging mode of membership is constructed at differing levels –local, regional, and global- with multiple rights, duties, and loyalties.

#### **4.1.1. Incorporation Regimes**

Soysal explains the macro-level process whereby guestworkers become part of the polity of the host country.<sup>46</sup> She calls these processes *incorporation regimes* which refers to the institutions, models and resources of the host society through which migrants interact with host polities. An incorporation regime, as a pattern of policy discourse and organization, includes officially stated policy goals and language; the specific policy instruments and budgets; the administrative and organizational structures for the formulation and implementation of policy; the legal framework defining the status and the social, economic, political, and cultural rights of migrants; and the migrants' associational and participatory schemes (Soysal 1994: 32).

She develops two arguments related with the incorporation regimes: First, the differentiation of incorporation regimes is originated from the prevailing principles, discourses, practices, and organizational structures that address membership. Second, the normative framework of incorporation regimes is under the influence of transnational discourse and structures. The importance of incorporation regimes is that they determine the way new

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Covenant on Civil and Political Rights (1966)

<sup>46</sup> Soysal takes a different approach to the incorporation of guestworkers than the studies emphasizing how well migrants adjust to host society culture and institutions: “Whether they call this process ‘assimilation’, ‘integration’, or ‘adaptation’, such studies share a common approach. They assume an individual level process, and they emphasize the demographic, social, or cultural characteristics of migrants as the major explanatory variables... Such research attributes variations in the nature and degree of integration mainly to factors specific to migrant groups: their demographic characteristics, labor market and social status, and cultural and religious elements brought from their home countries.” (Soysal 1994: 30)

immigrants are become a member of the host societies: the ways individuals are authorized to participate in authority structures and take part in public life, and the ways their rights and duties are organized.

Soysal claims that policies concerning family reunification and extension of rights of foreign immigrants (health, education, welfare benefits like unemployment, sickness, and old age pensions) render the functionalist explanations of transnational immigration (that consider guestworkers as shock absorbers or labor substitutes<sup>47</sup>) disputable. As long as guestworkers gain rights and privileges of citizens, categorical differentiation between foreign and native workers becomes blurred. Functionalist explanations fail to recognize to what extent the institutional rules of the global system influences the self-definitions and interests of nation-states. Soysal argues that European states started to articulate their interests and mobilize new policies and strategies according to what is 'acceptable' and 'available' within the broader institutional environment. Instead of insisting on repatriation policies, they have found interest in strategies that promote labor-market training for second-generation guestworkers. The theme of 'the need to incorporate' guestworkers has replaced by the discourse of their 'temporariness' (Soysal 1994: 33).

In Europe incorporation regimes are either determined by state and its centralized organizations or by society (individual or group corporate groups) and decentralized organizations. Depending on these two dimensions Soysal develops four membership models (Soysal 1994: 37-39):

*The corporatist model* organizes membership around corporate groups and their functions. Corporate groups –defined by occupational, ethnic, religious, or gender identity- have certain 'natural' rights vis-à-vis the state. Individuals gain legitimacy and access to rights through participating collective groups. The corporatist model is centrally organized and collectively oriented, and

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<sup>47</sup> Recall Chapter 2, 1.

emphasizes public interest and the welfare of social groups. Corporate groups are linked to the administrative structures or state-sponsored institutions that provide social services.

*The liberal model*, on the other hand, gives priority to individuals and their interests. Instead of formal centralized structures, most political action and organization is managed by individuals and private associations. The liberal polity is characterized by weak central authority and a loosely organized state apparatus. Local authorities play an active role in developing and implementing welfare policies, thus the decision-making process is decentralized. Since there exist no administrative agent favoring collective interest, the labor market serves the function of incorporation –together with private and voluntary associations. Therefore, in the liberal model migrants are incorporated as individuals through local voluntary associations.

*The statist model*, in contrast, locates the state as the legitimized locus of action and authority. Individuals and their activities are subject to the state. The central state is the main provider of most public services. Like liberal polities, statist ones interact with the citizens as individuals, but their mode of operation is top-down –unlike the horizontal pattern in liberal model. However, both of these models lack intermediary structures relating migrant groups and their collective interests to the state. Migrants are incorporated as individuals through state initiative. Migrant groups organize in opposition to the state, usually by creating ‘social movements’.

*The fragmental model* characterized by weak state-society interaction. Instead, social and public life is controlled by ‘primordial’ groups –such as the family, clan, and church. In the fragmental polities, migrants incorporate to labor markets, but not always to other societal or institutional structures. Figure 4.1 indicates the typical examples of these models:

<b>Locus of Action and Authority</b>	<b>Centralized</b>	<b>Decentralized</b>
<b>Society</b>	Corporatist <i>(Sweden, Netherlands)</i>	Liberal <i>(Switzerland, Britain)</i>
	<i>(Germany)</i>	
<b>State</b>	Statist <i>(France)</i>	Fragmental <i>(Gulf Oil Countries)</i>

Figure 4.1. Typology of Membership Models (Source: Soysal 1994: 37)

#### 4.1.2. Postnational Citizenship Model

In Soysal's conceptualization postnational membership differs from classical national concept of citizenship in a number of dimensions:

	<i>Territorial dimension</i>	<i>Rights</i>	<i>Basis of membership</i>
<b>National Citizenship</b>	Well-defined, exclusionary boundaries	Formal equality in the form of uniform citizenship rights	Shared nationhood (might indicate a political ideal, culture or ethnicity)
<b>Postnational Citizenship</b>	Fluid boundaries (claims and demands are independent of national boundaries)	Uneven distribution of rights among citizens and various immigrant groups	Transnational ideologies of human rights (legitimized through international codes, conventions and laws)

Figure 4.2. Three Dimensions of National and Postnational Models of Citizenship in Soysal's Conceptualization

While the source of legitimacy is nation state in the national citizenship, it is transnational community in the case of postnational. But in both case organization of membership is the nation-state. Thus, postnational national citizenship does not render nation states obsolete; on the contrary exercise of them depends on the institutions of the state. "The state is the immediate guarantor and provider, though now for 'every person' living within its borders, noncitizens as well as citizens" (Soysal: 1994: 143). Soysal even goes further in

emphasizing the paradoxical relation between national sovereignty and human rights by claiming that “the same global level processes and institutional frameworks that foster postnational membership also reify the nation state and its sovereignty” (1996: 24). Although, the basis and legitimation of membership rights have shifted to a transnational level, membership is still organized by nation-states. Because, they are the only institution for implementing individual rights.

Stephan Castles (1998) criticizes Sosyal for emphasizing ‘world-level pressures’, but ignoring political mobilization by immigrant groups in securing their rights. However, a significant contribution of Sosyal’s analysis is that it underlines the growing trend of transnationalization of migrant organizations. She gives some examples<sup>48</sup> of migrant umbrella organizations working on European level in order to carry the socio-economic, legal, political and cultural issues of migrants to international institutional frameworks.

However, first of all, Sosyal seems to exaggerate the extent to which immigrants in Western European countries have gained most of the citizenship rights without formal membership. If it would be so, for instance, there would be no need to apply for acquisition of citizenship for Turkish minority in Germany. In many countries, immigrants are still denied significant rights, and have to confront restrictive naturalization policies. Secondly, her conclusion that the universal personhood is eroding the territorially bounded nation-state and paves the way for the emergence ‘postnational citizenship’ can be disputed: International conventions and charters are often not ratified by most countries or are not implemented if ratified. More importantly, they are disregarded by the countries where abuses are worst. The number of countries where human rights exist is not much. It seems misplaced to argue that is about to be achieved.

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<sup>48</sup> e.g. The Council of Associations of Immigrants in Europe (CAIEUROPE), SOS Racism, European Council of Moroccan Associations (CEDAM), the Coordination of Associations of Spanish Immigrants in Europe (CEAEE), the Assembly of Portuguese Communities in Europe

“Despite the globalization of economy and culture, nation-states will remain the main location of political belonging for the foreseeable future” (Castles 1998: 235).

## **4.2. Multicultural Citizenship**

The challenge of multiculturalism is endemic to liberal democracies since they are committed to the principle of equal representation of all (Gutmann 1994: 3). As a result of treating people as equals, liberal public institutions are impersonal and neutral in the sense that there is no identification with respect to ethnic, religious, racial, or sexual identities. Thus, the equality and freedom of citizens refer to universal needs for ‘primary goods’ such as income, health care, education, religious freedom, freedom of conscience, speech, press, and association, due process, the right to vote, and the right to hold public office (Gutmann 1994: 4). This means that public institutions should not try to recognize particular identities for the sake of equal treatment. However, what if people need a secure cultural context in order to pursue a ‘good life’, then cultural context becomes one of the primary goods itself. Thus, equal treatment requires public institutions to acknowledge cultural particularities -at least for those people whose self-understanding depends on the vitality of their culture (Gutmann 1994: 5).

The tension in the liberal polities arises from this conventional understanding of equality and current demands that arise from the cultural pluralism. The disputes mainly focus on cultural conformity outside the private sphere such as in the sphere of law, the education system, or the media. There

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(ACPE), the European Federation of Associations of Italian Immigrants (FILEF), European Immigrant Women’s Organization (EIWO).

are clear boundaries to cultural pluralism, too. Liberal democracies sometimes set restrictions for the sake of equality or to respect individual human rights.<sup>49</sup>

In his work titled *Multicultural Citizenship* (1995), Will Kymlicka offers a new liberal approach to the problems posed by cultural diversity -such as conflicts concerning language rights, regional autonomy, political representation, land claims, immigration and naturalization policies. He tries to show that the demands of ethnic and national groups are consistent with liberal principles of individual freedom and social justice. He also claims that his theory is a satisfactory liberal reflection for the demands of other social movements like movements of women, gay and lesbian, the poor or the disabled. Because these groups are marginalized on the basis of their 'difference' like national and ethnic minorities and they cut across ethnic and national belongings. But, still, he distinguishes new social movements from national or ethnic minorities, claiming that they raise their own issues which must be examined on their own merits (Kymlicka 1995: 19).

#### **4.2.1. Kymlicka's Theory of Multicultural Citizenship**

Kymlicka refers to national and ethnic differences by multiculturalism. His point of departure is injustices that arise from advantageous position of majority nations within nation-states. The advantageous position of majority stems from the national character of the political life that is reflected in the drawing of boundaries and distributing of powers; in decisions about the language of schooling, courts, and bureaucracies; and in the choice of public holidays. (Kymlicka 1995: 194). This situation alienates and is disadvantage to others who do not belong to majority nations. He claims that without some polyethnic and representations rights for ethnic and other disadvantaged

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<sup>49</sup> For instance, female circumcision is not legalized in any of Western democracy –only some advocates of multiculturalism propose to tolerate it in a 'limited' form so as to respect cultural pluralism (Koopmans and Statham 2000b: 21).

groups, “talk of ‘treating people as individuals’ is itself just a cover for ethnic and national injustices” (Kymlicka 1995: 194).

For Kymlicka there are two common sources of cultural diversity in modern states: (1) Incorporation of previously self-governing, territorially concentrated cultures into a larger state (national minorities). (2) Individual and familial voluntary immigration (ethnic minorities)<sup>50</sup>. He distinguishes two types of state with respect to their source of diversity. He calls the former as multination state (such as New Zealand, Belgium, Switzerland), and the latter polyethnic state (Australia, Canada and the United State). Apparently, there are countries which are both multinational (as a result of colonizing, conquest, or confederation) and polyethnic (as a result of immigration) such as United States and Canada. National minorities are incorporated cultures, and may demand various forms of autonomy or self-government in order to maintain their survival as distinct societies. However, immigrants typically wish to integrate into the larger society, and their seek for recognition of their ethnic identity is not a demand for separation or self-government. They differ from the main society on the basis of their family lives and in voluntary associations which do not impede their integration. They can participate within the institutions of dominant culture and speak the dominant language. They demand recognition of their ethnic particularity (regarding to pursue their customs, religion, dressing, etc.) but, unlike national minorities, they do not ask to establish a society apart from the main one (polyethnicity). These ethnic groups constitute loosely aggregated subculture (Kymlicka 1995: 10-17).

Kymlicka defines national minorities in terms of integration to cultural community rather than race or descent. He is critical of the liberal conception of ‘civic’ or ‘constitutional’ nationalism which stresses democracy and rights as the main principles binding a liberal society. For him, anyone from any race or color

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<sup>50</sup> Of course, there are social groups who contribute to cultural diversity but do not fit any of Kymlicka’s categories such as African-Americans or refugees.

can gain political membership through integrating into the common culture: “What distinguishes ‘civic’ nations from ‘ethnic’ nations is not the absence of any cultural component to national identity, but rather than the fact that anyone can integrate into the common culture, regardless of race or color” (Kymlicka 1995: 24). However, Kymlicka encounters the problematic definition of culture specifically of ‘common culture’ which, indeed, indicates the culture of dominant group or of majority. He uses ‘a culture’ as “an intergenerational community, more or less institutionally complete, occupying a given territory or homeland, sharing a distinct language and history” (Kymlicka 1995: 18). A culture is synonymous with a nation or a people.

The main argument of Kymlicka is that liberalism is able to accommodate cultural differences through the protection of civil and political rights of individuals. In order to pursue their group difference, the members of a group should have some individual rights such as freedom of association, religion, speech, mobility, and political organization. He strictly refuses the usage of the terms ‘collective rights’, ‘community rights’ or ‘group rights’, instead he uses group-differentiated rights. Because it is not important, for him, whether some rights are enjoyed by an individual or a group, but what is important is why the members of certain groups should have language, land, representation, rights. Kymlicka’s problem is not a debate on individualism versus communitarianism.

#### ***4.2.1.1. Group-Differentiated Rights***

For accommodation of national and ethnic differences, he formulates three group-specific rights:

- *Self-government rights* refer to delegation of the political power to a national minority within their historical homeland or territory. National minorities within multination states may demand to secede if they think their self-determination is not possible under a sort of federalism. Indeed, federalism most of the time does not provide a solution for self-determination. National

minorities must be territorially concentrated and federal boundaries must be drawn so that the national minority forms majority in one of the subunits (province, state, or canton). Federalism can provide self-government for Quebec province in Canada by giving extensive political control in the areas of education, language and culture. However, in the USA, federalism cannot be a mean to accommodate self-government rights of national minorities. Moreover, in many countries federalism is a form of administrative decentralization (Germany) or arose as a result of colonization (Australia) (Kymlicka 1995: 27-8).

- *Polyethnic rights* are group-specific measures for ethnic groups and religious minorities to express their cultural particularity in form of legal protection and financial support. Unlike self-government rights, polyethnic rights are aimed to promote integration into the larger society. Through these rights ethnic minorities can have public funding of their cultural practices – funding of ethnic associations, magazines, and festivals. More important and problematic is the religious practices of ethnic minorities where liberal state clashes with ethnic differences. Ethnic groups in many liberal societies demand for exceptions from laws and regulations that disadvantage them. For example, Jews and Muslims demand exception from animal slaughtering legislation in Britain; Sikh men from motorcycle helmet laws in Canada; or Muslim girls from school dress codes in France (Kymlicka 1995: 31).

- *Special representation rights* are for the inclusion of the national or ethnic minorities by maintaining seats within the central institutions of the state. Special representation rights also seen as a solution to under-representation problem of non-ethnic groups in the society –such as women, the poor, the disabled.

#### ***4.2.1.2. A Liberal Defense of Group-Differentiated Rights***

For Kymlicka “a liberal view requires *freedom within* the minority group, and *equality between* the minority and majority groups” (Kymlicka 1995: 152). His

defense of minority rights is based on two arguments: (1) individual *freedom* is linked to membership in one's national group; (2) group-specific rights can promote *equality* between the minority and majority. These arguments are worth to elaborate in detail:

#### **4.2.1.2.1. Culture and Freedom**

Kymlicka defines culture as a societal culture "that is, a culture which provides its members with meaningful ways of life across the full range of human activities, including social, educational, religious, recreational, and economic life, encompassing both public and private spheres" (Kymlicka 1995: 76). Societal cultures are territorially concentrated, and based on a shared language. The condition for survival and development of any culture in the modern world is to be socially institutionalized with public schools and so forth. Kymlicka argues that this capacity to form a distinct culture is a characteristic of nations. Thus, societal cultures are national cultures with common memories, values, institutions and practices. A societal culture is "more or less institutionally complete" (Kymlicka 1995: 18).<sup>51</sup> Kymlicka's conceptualization is problematic in the sense that institutional practices are both the condition and the result of societal cultures.

The importance of societal cultures for liberalism lies in its relation to individual freedom. Liberalism presupposes that individuals are capable of choosing and revising a good life for themselves.<sup>52</sup> Societal culture provides

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<sup>51</sup> Carens (2000: 66) reminds the point that the states with national minorities are characterized by incompleteness of the all nations that compose it. Because no nation, be it the majority, can claim all of the economic, social, and political institutions as its own. Thus, Kymlicka's argument about the societal cultures of national minorities does not tell much in the sense of a 'just' solution for national minorities. His conceptualization is more ambiguous in the case of immigrants –that will be elaborated below in this Chapter.

<sup>52</sup> "... [W]e have two preconditions for leading a good life. The first is that we lead our life from inside, in accordance with our beliefs about what gives value to life. Individuals must therefore have the resources and liberties needed to lead their lives in accordance with their beliefs about value, without fear of discrimination or punishment. Hence the traditional liberal concern with individual privacy, and opposition to 'the enforcement of morals'. The second precondition is that we be free to question those beliefs, to examine them in light of whatever information, examples,

options for leading a good life and makes them meaningful to individuals and supports self-identity<sup>53</sup>. “Cultural membership provides us with an intelligible context of choice, and a secure sense of identity and belonging, that we call upon in confronting questions about personal values and projects” (Kymlicka 1995: 105). Societal culture involves shared traditions and conventions which are the base of social practices and institutions. Following Ronald Dworkin (1985), Kymlicka asserts that in order to make meaningful judgments about how to lead a good life, we have to be aware of the ‘shared vocabulary’ of social life – expressed in the social practices that are based on a shared language. He suggests that societal culture contributes to individuals’ autonomy, because they are deeply connected to their own culture. “Whether or not your culture is also the majority culture of the state in which you live is an unchosen and arbitrary condition which nevertheless influences the way in which those liberal ideals are fulfilled, and that is why Kymlicka holds cultural inequality to be morally relevant” (De Schutter 2003: 3).

Kymlicka also argues that culture of national minorities have to be protected, while immigrants are expected to be integrate into, and thereby enrich the culture of majority. If culture is tied to individual autonomy, why he rejects immigrants’ rights to develop their own societal cultures? Moreover, he admits that there are quite a number of nations composed of colonial settlers uprooted from their lands and established in a new land. For him, colonizers were different than immigrants: the former aimed to systematically re-create an entire

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and arguments our culture can provide. Individuals must therefore have the conditions necessary to acquire an awareness of different views intelligently. Hence the equally traditional liberal concern for education, and freedom of expression and association. These liberties enable us to judge what is valuable, and to learn about other ways of life.” (Kymlicka 1995: 81)

<sup>53</sup> This principle cannot provide a sufficient guide, since it does not capture the variety of ways in which liberal states take culture and identity into account in their institutions and politics (Carens 2000: 260). Moreover, “the idea that people should be free to pursue their own conceptions of the good stands in some tension with the idea of equal opportunity. We cannot try to equalize every opportunity, and choosing which opportunities to make equal (however equality is defined), we cannot avoid employing some determinate conceptions of good... (like Rawls’s primary goods)” (Carens 2000: 261).

society in a new land, the latter choose to leave their society and join another existing society (Kymlicka 1995: 95). Why the aim of colonizers' is more just than the immigrants? Did they have the right to establish an entirely new society? From his explanation, it can be drawn that the destructive nature of colonization renders the aim, action and the results of colonization morally just. To claim that there was no societies, thus societal cultures (society and culture in Kymlicka's understanding), in the colonized lands, means to ignore the existence of societies in the colonized lands when the colonizers arrived. Furthermore, it contradicts with Kymlicka's defense of self-government rights for aboriginal people and polyethnic rights for colonized or conquered national minorities.

Following Glazer (1983) and Walzer (1982), Kymlicka believes that, it is not legitimate for immigrants raise claims about national self-government, because they voluntarily enter to a particular society. Their argument is that whatever the reason they are uprooted, they uprooted themselves while the others like themselves preferred to remain. However, by adopting this voluntaristic approach to immigration, they overlook the reasons behind migration like poverty, political persecution, or religious or ethnic discrimination. Faulks states that Kymlicka does not address the question of how the state system and its promotion of neo-liberal market reforms has undermined the rights of many across the developing world, which in turn has intensified migratory flows (Faulks 2000: 103). In fact, when talking about immigration, Kymlicka, as well as Glazer and Walzer, has the situation of Canada and the US in their minds. Immigration context of New World is quite different from the current situation in Europe. The white European immigrants who went to New World could be expected to be assimilated, learn English etc., but the recent immigrants are basically from Asian and Muslim cultures and it is

not fair to expect them to totally integrate given their religious and cultural difference<sup>54</sup>.

However, Kymlicka argues that the expectation of integration is not unjust. And he drives this argument from his line of reasoning on the connection between choice and culture:

... people should be able to live and work in their own culture. But like any other right, this right can be waived, and immigration is one way of waiving one's right. In deciding to uproot themselves, immigrants voluntarily relinquish some of the rights that go along with their original national membership. (Kymlicka 1995: 96)

What if people can not be able to live and work in their own culture? What if it is an involuntarily taken decision? If it is a matter of right, in this case, its foundation is quite different than his claim: it must be the right to immigrate not the right to renounce the rights arose from the original membership. To formulate immigration right in terms of national membership is another handicap: He argues that nations are appropriate units for liberal theory because "national groupings provide a domain of freedom and equality, and a source of mutual recognition and trust, which can accommodate the inevitable disagreements and dissent about conceptions of the good in modern society" (Kymlicka 1995: 105-6). In basing his theory of citizenship on national culture (by assuming that choices that citizens make are meaningful only in the context of the nation) Kymlicka runs into the problems associated with the theory of nationality (Faulks 2000: 96). Because the concept of national culture hides many divisions such as class and gender.

When he admits that there exist 'involuntary' immigrants, he faces another difficult problem of giving national rights to economic refugees or immigrants from poor countries. Because, he links individual freedom to

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<sup>54</sup> To say this does not mean to attribute an essential meaning to culture but underlining the differences in immigration both in the sense of immigrants and of driving forces.

culture: "Enabling immigrants from poor countries to re-create their societal culture may be a way of compensating for our failure to provide them with a fair chance at a decent life in their own country." (Kymlicka 1995: 99)

Since liberalism is based on premises about individual rights, it seems to contradict with group-differentiated rights that are categorized by Kymlicka. In order to show it is not, Kymlicka distinguishes two kinds of claims that an ethnic or national group might make to protect the stability of community: internal restrictions and external protection. The first involves the claim of a group against its own members. The aim is to protect the group from internal dissent and to maintain group solidarity or cultural purity. The latter involves the claim of a group against the larger society. The purpose is to protect the group from the impact of external decisions (for example, the economic and political decisions of the larger society). Internal restrictions raise danger of individual oppression in the sense that they restrict the basic civil and political liberties of group members. The danger raised by external protection is the potential unfairness between groups: measures designed for the preservation of one group's distinctiveness may marginalize or segregate another group. According to Kymlicka, those three kinds of group-differentiated rights can serve to overcome both dangers. All three group-specific rights serve to protect a minority from the economic or political power of the larger society. He argues that liberals should support certain external protections where they promote fairness between groups. Internal restrictions, on the other hand, are unacceptable from the liberal point of view because they violate individual autonomy through oppressing individuals in the name of religious orthodoxy, group solidarity or cultural purity. Kymlicka aware of the danger of polyethnic rights to be used for imposing internal restrictions on the individual members of minorities<sup>55</sup> (Kymlicka 1995: 40). Although, both internal restrictions and

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<sup>55</sup> Particularly religious communities demand internal restrictions rather than immigrant groups. For example, a Christian sect in the USA, the Amish, has some legal exemptions concerning their

external protections serve to eliminate the influence of the larger society on the members of the group, the former prevents them from choosing another life style. This is, in fact, a limit on the individual autonomy and conflicts with liberalism. Because there is no mean to measure to what extent it is the individual's choice or imposed on him/her by the group.

#### ***4.2.1.2.2. The Equality Argument***

“The root meaning of equality is negative; egalitarianism in its origins is an abolitionist politics” (Walzer 1983: xii). The target of political egalitarianism is *equality* which implies a society free from domination. It aims to eliminate the means of domination such as birth and blood, landed wealth, capital, education, divine grace, or state power (Walzer 1983: xiii).

On the question of ‘how liberal state should treat ethnic or religious differences’ liberals (especially liberals on the right) thought that people should be free to express their ethnic or religious identity in the private life but it is not a state duty to nurture such expression. The state should not recognize, endorse, or support any religious or cultural group, or identity. Adapting Nathan Glazer (1987)’s phrase, Kymlicka calls this attitude as ‘benign neglect’. Endorsement of this position precluded any legal or state recognition of ethnic groups, or any use of ethnic criteria in the distribution of rights, resources, and duties (Kymlicka 1995: 4). For the advocates of ‘benign neglect’, true equality requires equal rights for each individual, regardless of race or ethnicity. According to Barry differences ought to be treated equally instead of differently and the position of groups that are unfairly disadvantaged, have to be rectified through income redistribution.<sup>56</sup>

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children’s education. In order to prevent their children from leaving the community and being a part of the larger society, they can withdraw their children before the legal age of 16 or they may use a different curriculum.

<sup>56</sup> According to Brian Barry differences ought to be treated equally instead of differently and the position of groups that are unfairly disadvantaged, have to be rectified through income redistribution. His dislike of recognition and minority rights is primarily based on the consequences of a policy that emphasizes cultural differences. For instance, grounding

Kymlicka asserts that liberals should not disregard the importance of group-specific rights for justice, because the members of national minorities face systemic disadvantages which the members of the majority do not face. And true equality requires differential treatment in order to accommodate differential needs, not identical treatment (Kymlicka 1995: 113). The economic and political decisions of majority may undermine the viability of minority cultures –the members of majority cultures do not face this problem. This inequality can turn into a serious injustice. Kymlicka argues that “[g]roup-differentiated rights – such as territorial autonomy veto powers, guaranteed representation in central institutions, land claims, and language rights- can help rectify this disadvantage, by alleviating the vulnerability of minority cultures to majority decisions” (Kymlicka 1995: 109). These provisions give right to the members of minority to have the same opportunity to live and work in their ‘own culture’ as members of the majority.

Following Rawls and Dworkin, Kymlicka emphasizes that “justice requires removing or compensating for undeserved or ‘morally arbitrary’ disadvantages” (Kymlicka 1995: 126). He raises an equality-based argument in defense of polyethnic rights for ethnic groups as well. Although immigrants choose to settle in a new country where state should ease their access to majority culture and integration, some group-specific rights are justifiable for the sake of separation of state and ethnicity. For example, public holidays, government uniforms and many state symbols such as flags, anthems, and mottoes in the major immigration countries reflect a particular religious and ethnic origin (Christian and Anglo-Saxon). For Kymlicka, by redesigning public holidays, uniforms and symbols, these states can recognize the identity of ethnic

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multicultural politics in such claims pits people each other, which elicits conflicts (2001: 12, 15, 21, 88-89, 309 quoted in De Schutter 2003: 6). Another counterargument of Barry against the politics of difference is that multiculturalism is a sideshow which distracts attention from the ‘real problems’ –that are the worldwide problems concerning inequality of opportunity due to material, cultural or educational differences. Thus, the politics of difference is in contradiction with the politics of solidarity and damaging the left-liberal egalitarian commitment to income redistribution (Barry 2001 quoted in De Schutter 2003: 6).

minorities. But, there is no need to separate state and ethnicity completely (Kymlicka 1995: 115).

#### ***4.2.1.3. Problems of Kymlickian Multiculturalism***

Multicultural citizenship offered by Kymlicka is problematic on a number of points: First, Kymlicka seeks to justify his theory according to liberal value of equality. The aim of equality is to recognize diversity by respecting the rights of all individuals, regardless of their beliefs or identity. For this reason, it is potentially dangerous to base an individual's citizenship on any single aspect of their identity or membership (Carens: 2000: 101).

Second, by acknowledging the state as the only plausible polity and linking this to a national culture, Kymlicka unwittingly contributes to the possible tensions between majorities and minorities (Faulks 2000: 98). His defense of state sovereignty reproduces problematic aspect of liberal citizenship that is the contradiction between equal rights and national sovereignty.

Third, his theory is bounded by a monolingual and monocultural interpretation of societal culture. Kymlicka's model presumes that we live in a world divided into separate homogenous societal cultures which offer monocultural contexts of choice to their members who share a common language, history and territory. This is an improper reduction of cultural reality (De Schutter 2003: 13). In reality, there are vague boundaries, gray zones, bi- and multilingualism, etc. However, he constructs his theory on a monocultural assumption. "Things that do not fit very well into this (such as cultural overlap, bilingualism, cultural diffusion, diglossia, minorities within minorities, ...) are then treated as insignificant and vague details, which are to be smoothed away, again by monocultural and monolingual solutions (self-government rights, territoriality, or monolingual politics)" (De Schutter 2003: 13). Moreover, based on his definition of culture, equivalent of nation, Kymlicka's usage of 'multiculturalism' refers either national or ethnic differences within a state. This

parochial, statist understanding of culture enables him to exclude lifestyle enclaves, social movements, voluntary associations and some of the immigrant groups –those who do not share ‘common history’- from his theory of rights. In Carens’s view, Kymlicka’s monocultural understanding of the relationship between politics and culture impedes rather than enhances the quest for a multicultural conception of citizenship (Carens 2000: 56). Kymlicka’s concept of societal culture is much better suited to a monocultural conception of citizenship (Carens 2000: 65). Furthermore, he argues that Kymlicka implicitly commits to a version of liberalism that requires the state to be neutral between the different conceptions of good. “Given this commitment, culture can be morally relevant to politics only as a precondition of choice, not as an object of choice. By insisting that a societal culture only provides a context of choice, that it makes choices possible, Kymlicka hopes to defend the claims of cultural minorities without abandoning the ideal of neutrality.” (Carens 2000: 57) In Carens’s view, the reason Kymlicka adopts such a monolithic account of culture stems from his commitment to the norm of liberal neutrality (Carens 2000: 72).

Finally, his liberal society seems to be immune from all power relations. He argues that ‘[N]ational membership should be open in principle to anyone, regardless of race or color, who is willing to learn the language and history of the society and participate in its social and political institutions’ (Kymlicka 1995: 23). Işın and Wood claim that this argument implicitly approves an assimilation paradigm. As they put it:

“What is the hidden in the phrase ‘in principle’? More importantly, who defines these ‘social and political institutions’ and measures legitimate participation? Who writes the history? ... [H]is idea of integration of newcomers into established institutions is clearly not retroactive. The first immigrants (the colonizers) did not assimilate into Aboriginal culture, but later immigrants should assimilate into that of the colonizers. It is the quintessential logic of maintaining the status quo. Ultimately, then, this is unequal citizenship, whereby one’s cultural rights are

determined by length of residence and access, to power, not by legal citizenship.” (Isin and Wood 1999: 59)

Kymkicka misses another point which also has implications on power relations: As he links societal culture strictly to politics, state appears as an agent only in its diffusion of national culture (Carens 2000: 67). There is no place of shared political culture in his logic. If there exist only one societal culture to recognize and address the cultural differences, that means it is a hegemonic culture. In a multicultural state “politics cannot be only about what goes on within a societal culture. It must also be about what goes on between societal cultures” (Carens 2000: 67).

#### **4.3. Cosmopolitan Citizenship<sup>57</sup>**

Cosmopolitan citizenship notion that is based on liberal universalism goes back to Kant, and the source of Kant’s idea can be traced back to Stoics. Cosmopolitanism comes from the Western cultural and political tradition. Western political thought, beginning with Cicero (*De Officiis*) and extending through Grotius to Kant and Adam Smith and straight on to modern international law, appeals to Stoic norms in justifying certain maxims of domestic and international political conduct (Nussbaum 1996b: 133-4). It rests on the idea of the oneness of humankind and the existence of a universal Natural Law. In period of Renaissance and Enlightenment, the commitment to the moral value of cosmopolitanism revived<sup>58</sup> (Heater 1999: 135).

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<sup>57</sup> Cosmopolitan citizenship is not definite in theory –and not in practice at all. Its meaning lacks the legal and political precision of the term ‘citizenship’ that we understand as a relation between an individual and a state. The reason to discuss it in this chapter is the arguments of some of the Turkish-Germans interviewed who described their status as a cosmopolite individual. Of course, the respondents did not imply the thin concept of cosmopolitan citizenship but a stance which involves multiple attachments, loyalties, and identities which transcends concrete national boundaries.

<sup>58</sup> From Locke to the French Revolution, it is believed that the notion of Natural Law could be translated into an outline of natural human rights. Thus, human rights, as they are protected by the international declarations and treaties, can be assumed to be the rights of world citizens (Heater 1999: 139-140).

Cosmopolitanism is different from humanism: while the former acknowledges the fact that there are different local human ways of being, the latter implies a global homogeneity. There are different sorts of cosmopolitanism. Liberal cosmopolitans defend the existence of the variety of cultural forms, and disfavor that everybody to become part of a homogenous global culture (Appiah 1996: 25-6). They value human diversity, and aim to promote diversity without hierarchy. Because, liberals committed diversity, but also equality. Equality, in their view, serves as a constraint on the forms of diversity that may reasonably be fostered (Nussbaum 1996b: 138). Cosmopolitan liberals insist on what is called 'the priority of the right to the good': giving priority to structures (including structures of equal liberty) that will enable people to choose a form of life in accordance with their own lights –whether cultural or religious or personal (Nussbaum 1996b: 137).

#### **4.3.1. Martha Nussbaum's Conception of Cosmopolitanism**

When someone asked to Diogenes the Cynic where he came from, he replied "I am a citizen of the world" (Nussbaum 1996a: 6). This means that he refused to be defined by his local origins and group memberships. After him, the Stoics developed his image of the *kosmou politês* (world citizen) arguing that each of us dwells in two communities: the local community of our birth, and the community of human argument and aspiration (Nussbaum 1996a: 7). The human community is the source of our moral obligations and values –such as justice. Martha C. Nussbaum argues that the idea of world citizen of both Diogenes and of Stoics is "an invitation to be an exile from the comfort of patriotism and its easy sentiments" and implies that "we should not allow differences of nationality or class or ethnic membership or even gender to erect barriers between us and our fellow human beings" (Nussbaum 1996a: 7).

In the Stoics' view to be a citizen of the world does not exclude local identifications<sup>59</sup>. They suggest to think of ourselves as surrounded by a series of concentric circles: The first one encircles the self, the next takes in the immediate family, then follows the extended family, then, neighbors or local groups, fellow city-dwellers, and fellow countrymen, and finally outside all these circles is the humanity as a whole (Nussbaum 1996a: 7). To be a citizen of the world does not need someone to give up his/her special affections and identifications, whether ethnic or gender-based or religious.

Contrary to some cosmopolitans, Nussbaum claims that such identifications are not superficial, since they are constitutive parts of the identity. In a similar vein, Kwame Anthony Appiah writes about the possibility of becoming a 'cosmopolitan patriot' who is "attached to a home of his or her own, with its own cultural particularities, but taking pleasure from the presence of other, different, places that are home to other, different, people" (Appiah 1996: 22).

Nussbaum advocates that world citizenship should be the focus of civic education in the United States, and develops four arguments related with this issue: (1) We learn more about ourselves through cosmopolitan education. That is by looking at ourselves through the lens of the other, we can see what is local and nonessential and what is shared in our practices. (2) We can progress in solving problems that require international cooperation. Because, we need global knowledge and planning for a deliberation about ecology, the food supply and population. (3) We recognize moral obligations to the rest of the world, since the high living standards that Americans enjoy cannot be universalized. And Americans should educate their children to be troubled by this fact. (4) We

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<sup>59</sup> However, there is a difference between the ancient Stoics' cosmopolis and the modern understandings of a world state. Heater points out that: "The Stoics could manage to balance their loyalty to the state and their adherence to a universal morality by separating them into virtually distinct public and private spheres. A fully-fledged modern world state, in contrast, might well require a transfer of civic allegiance from the state to the universal polity." (Heater 1999: 151).

make a consistent and coherent argument based on distinctions we are prepared to defend (Nussbaum 1996a: 11-4).

Nussbaum asserts that becoming a citizen of the world (like Diogenes) is often a lonely business. It is a kind of exile “from the comfort of local truths, from the warm, nestling feeling of patriotism, from the absorbing drama of pride in oneself and one’s own” (Nussbaum 1996a: 15). However, her understanding of cosmopolitanism does not offer such refuge; but *reason* and the *love* of humanity, which may seem less colorful than other sources of belonging. Indeed, she believes that to put right before country and universal reason before the symbols of national belonging, need not be boring, flat, or lacking in love (Nussbaum 1996a: 17).

Nussbaum speaks of ‘the world citizen’ and ‘world citizenship’, and these terms have a meaning only in the context of a state, however, she does not mention creation of a ‘world state’ (Himmelfarb 1996: 74). Thus, she grounds a universal morality in a universal and stateless community<sup>60</sup> in which nationality is ‘morally irrelevant’. “If nationality, as she says, is “morally irrelevant” to the cosmopolitan ideal, so is the polity that defines the nation, and so is the idea of citizenship. And so too is all of history. And not only modern history, whose fundamental categories are nationality and statehood, but even the ancient history that is her special forte” (Himmelfarb 1996: 74). Charles Taylor speaks against Nussbaum’s proposal of cosmopolitan identity as an alternative to patriotism, because he believes that “we cannot do without patriotism in the

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Although there is a nuance between those two imagined cosmopolitanisms, it is not possible to test Heater’s argument, as there is no such universal polity emerging yet.

<sup>60</sup> Michael Walzer also does not persuade Nussbaum’s stateless world community. He puts it thus: “I am less convinced by her underlying and overriding world view –perhaps because I am not a citizen of the world, as she would like me to be. I am not even aware that there is a world such that one could be a citizen of it. No one has ever offered me citizenship, or described the naturalization process, or enlisted me in the world’s institutional structures, or given me an account of its decision procedures (I hope they are democratic), or provided me with a list of the benefits and obligations of citizenship, or shown me the world’s calendar and the common celebrations and commemorations of its citizens. I am wholly ignorant; and although a cosmopolitan education would be a very good thing, I don’t see, from Nussbaum’s account, that it would teach me the things any world citizen would need to know.” (Walzer 1996: 125)

modern world” (Taylor 1996: 119). The functioning of a liberal democracy is dependent on participation of its members as free and equal citizens. And such participation requires, Taylor argues, a commitment to the common project, and also a special sense of bonding among the citizens –to keep democracy functioning. Modern democratic states require much greater solidarity toward compatriots than toward humanity in general. Because, Taylor implies that, democracy needs strong common identification in the form of patriotic identities.

Nussbaum’s Stoic-Kantian cosmopolitanism does not reconcile with the actuality of contemporary globalism, because her vision disregards current globalism of the neoliberal economic model. Richard Falk argues that “[T]o project a visionary cosmopolitanism as an alternative to nationalist patriotism without addressing the subversive challenge of the market-driven globalism currently being promoted by transnational corporations and banks, as well as currency dealers and casino capitalists, is to risk indulging a contemporary form of fuzzy innocence” (Falk 1996: 57). The rationale of the present structures of global and regional governance (such as the European Community, NAFTA, the economic summits of the Group of Seven, the World Trade Organization, IMF and World Bank) are market-oriented and economistic –in the sense that they emphasize contributions to trade and investment, efficiencies of production and distribution, and procedures for reducing the relevance of sovereign states. Such a globalism is nothing to do with the kind of ethical imperatives for human solidarity suggested by Stoics.

This vision also does not reconcile with the political realities of the present world. Unless, there is no ‘global identity-in-the-making’ (Anthony Smith’s phrase), we cannot expect a kind of ‘cosmopolitan political loyalty’. The world of reality consists of nations, countries, peoples, and polities (Himmelfarb 1996: 75). Nation-states are still continuing to be the main source of identity and

loyalty, and sources of legitimacy of rights<sup>61</sup> (Smith 1991; Soysal 1994). Although, various international treaties and commitments begin to limit the behavior of states for the good of the entire world (as in agreements on the environment, on the treatment of refugees, on the rights of women), they depend on the acceptance of sovereign states to make them effective (Falk 1996: 64). On the other hand, this kind of loyalty needs an actual political community at global level. From a democratic humanist perspective, Amy Gutmann criticizes Nussbaum's notion of loyalty to a world community as a moral allegiance. As she puts it:

Our primary moral allegiance is to no community, whether it be of human beings in our world today or our society today. Our primary moral allegiance is to justice –to doing what is right. Doing what is right cannot be reduced to loyalty to, or identification with, any existing group of human beings. Morality extends even beyond the current generation, for example, requiring that we consider the well-being of future generations... Deliberating about the demands of justice is a central virtue of democratic citizenship, because it is primarily (not exclusively) through our empowerment as democratic citizens that we can further the cause of justice around the world. (Gutmann 1996: 69)

Nussbaum's aim in appealing to cosmopolitanism is to try to transcend nationalist patriotism. But her argument exceeds all particularities and realities of life that constitute one's identity –such as parents, ancestors, family, race, religion, heritage, history, culture, tradition, community, and nationality. In Himmelfarb's view these givens of life are not 'accidental' attributes of the individual, but essential attributes:

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<sup>61</sup> “As for more specific principles and policies that Nussbaum presumably cherishes –the social programs associated with a welfare state, or public education, or religious liberty and tolerance, or the prohibition of racial and sexual discrimination– these depend not on a nebulous cosmopolitan order but on a vigorous administrative and legal order deriving its authority from the state. The first requirement of a welfare state is a state. So too the first requirement of international cooperation, which Nussbaum regards as essential for economic development, environmental protection, and ‘quality-of-life issues’, is the existence of states capable of undertaking and

We do not come into the world as free-floating, autonomous individuals. We come into it complete with all the particular, defining characteristics that go into a fully formed human being, a being with an identity. Identity is neither an accident nor a matter of choice. It is given, not willed. We may, in the course of our lives, reject or alter one or another of these givens, perhaps for good reason. But we do so at some cost to the self. The 'protean self', which aspires to create an identity de novo, is an individual without identity, just as the person who repudiates his nationality is a person without a nation. (Himmelfarb 1996: 77).

#### **4.3.2. Cosmopolitan Citizenship as the Membership Model of Post-Westphalian Order**

Scholars of International Relations argue that a new style of polity is emerging which is superseding the sovereign territorial state: the post-Westphalian state. In their view, post-Westphalian structures developed out globalization and fragmentation that eroded the monopoly powers of the modern state and reduced the moral significance of national boundaries (Linklater 1998: 5). Andrew Linklater argues that globalization and fragmentation create the possibility of forms of community, which are simultaneously more universalistic and more sensitive to cultural differences. He speaks about the "the ideal of a universal communication community which confers rights of dialogue and citizenship on the hitherto excluded" (Linklater 1998: 9). These emerging structures are paving the way for multiple authorities and loyalties. Thus, a new conception of citizenship is required for the post-Westphalian condition of multiple political authorities and allegiances (Linklater 1998: 200).

Linklater argues that universalistic loyalties have to be reconciled with strong emotional attachments to specific communities. In defending the widening of the moral boundaries of political communities, he appeals to the

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enforcing international agreements. 'International' has 'national' as its necessary and primary ingredient." (Himmelfarb 1996: 76).

cosmopolitan critique of the sovereign state-system. Since cosmopolitanism suggests that primary loyalties should be directed to the whole of humanity (because differences between insiders and outsiders are morally irrelevant), cosmopolitan citizenship invites fellow-nationals to extend feelings of compassion to outsiders. Cosmopolitanism aims to protect the alien from the tyranny of unjust exclusion, and claims that there are no reasons for privileging the interests of another person just because s/he is a fellow-citizen (Linklater 1998: 57). The reason why he appeals to cosmopolitanism is to defeat the conflicts raised within the contemporary societies due to differences (the overall purpose is to realize the neo-Marxian ideal of overcoming asymmetries of power and wealth). He asserts that political communities embodying universality would not attach deep moral significance to difference of class, ethnicity, gender, race and alien status (Linklater 1998: 5). Moreover, he claims that the commitment to the ideals of citizenship requires engaging excluded aliens in dialogue (Linklater 1998: 7). And this dialogue can only be maintained through enlarging the moral boundaries of the political community.

The function of cosmopolitan citizenship is “to promote the goal of the universal communication community by ensuring that pluralist, solidarist and post-Westphalian arrangements respect the principle of equal autonomy” (Linklater 1998: 212). The main point is to guarantee an open dialogue for systematically excluded by maintaining their effective participation.

Nevertheless, cosmopolitan identification with the human race is a thin and abstract situation compared to nationalist attachment. It is a thin concept because nobody would ‘willing to die for it’ as it is claimed for the nation by Benedict Anderson (1998). Human beings have strong feeling towards the ones with whom they have close relations. Rorty argues that under the Nazis, those who risked their lives to save Jews did so not because they considered the Jews fellow human beings. But, because, they belonged to same smaller social

grouping, the same city, or neighborhood with them (Rorty 1985 quoted in Robbins 1998: 4).

In exploring the relationship between cosmopolitanism and immigrants, it is important to keep two levels of cosmopolitanism distinct: cosmopolitanism as a way of life; and cosmopolitanism at the level of the polity. The former refers to the nature of attachments and belongingness the individuals –in this case the immigrants- have, while the latter deals with the nature and the boundaries of the polity the immigrants are incorporated into (Çağlar 2002: 9). Cosmopolitanism at the level of polity is related with the question of drawing the boundaries of the polity: who belongs to the polity; on what terms. From this perspective, cosmopolitanism suggests a political community that goes beyond the limits of ethnic and national frameworks. Immigrant communities are important in this respect: “The overlapping pattern of minority communities whose political and cultural affiliations transcend the national framework of the state where they live offers promising sites for studying the potential of cosmopolitan democracy” (Çağlar 2002: 12).

#### **4.4. Concluding Remarks**

Three theoretical perspectives discussed above are developed for reconceptualization of citizenship: Firstly, Yasemin N. Soysal’s model of citizenship offers a kind of *postnational* membership which is based on universal, ‘deterritorialized’ notion of individual rights. The normative grounds of this model derive from the global discourses of human rights which enable guestworkers to be incorporated into host polities. While the source and legitimacy of rights is increasingly located in the transnational order, individual rights continue to be organized by specific polities. Her main argument is that two major components of citizenship, that are rights and identity, are decomposed. Secondly, Will Kymlicka offers a new liberal approach to the problems posed by cultural diversity within a nation-state -such as conflicts

concerning language rights, regional autonomy, political representation, land claims, immigration and naturalization policies. He tries to show that the demands of ethnic and national groups are consistent with liberal principles of individual freedom and social justice. When we compare Soysal's and Kymlicka's conceptualizations of 'rights', we see a crucial difference: while Soysal universalizes rights, Kymlicka specifies and differentiates. This difference has important implications on our evaluation of the case of Turkish-Germans. Finally, the cosmopolitan citizenship is problematic in the sense that to be citizens of the world, there should be a world polity, and, in liberal terms, citizens of a polity need to be free and equal (Gutmann 1996: 68). Since, there exists no world polity to participate, and we have only the nation-states, for the moment we can only speak about cosmopolite stance for immigrants who go beyond national boundaries with their life practices.

## CHAPTER 5

### IMMIGRATION AND CITIZENSHIP POLITICS IN GERMANY

In order to evaluate the Turkish-Germans' perceptions on citizenship, one needs to consider the peculiarities of German foreigner and citizenship politics. Because, people's conceptions of citizenship grow out of the political and social arrangements that they live in. The nationhood tradition in Germany is important to understand the debates on immigrants, foreigners, and on citizenship in Germany. The Basic Law (German constitution), recognizes two categories of rights: general and reserved. General rights apply to all individuals in Germany and include freedom of expression, liberty of person, and freedom of conscience. Reserved rights are restricted to German citizens, and include the right of peaceable assembly, freedom of movement, freedom of association, and freedom of occupation. The Basic Law does not determine how citizenship is recognized or conferred, but the criteria are based on ethnic (or organic) nationality.<sup>62</sup> The imprints of these criteria are evident in immigration and citizenship politics.

#### 5.1. The Nationhood Tradition

Until the end of the eighteenth century, Germany was a backward patchwork of principalities and mini-states with absolutist rulers. Nation-state formation came as reaction to conquest by Napoleonic armies –not come through internal forces. People formed an organic whole under the influence of romanticism. It was believed that individual freedom could be gained through the acceptance of his/her role in the greater organism. The *state* was the embodiment of this meaning of freedom, which could only be interpreted by

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<sup>62</sup> Organic understanding of nationality originates with Herder and the German romantics, and usually associated with an intellectual and political reaction against the French Revolution (Eley and Suny 1996: 4).

great leaders. (Hoffmann 1994: 108-130 quoted in Castles 1998: 231). In the German tradition 'state' is a legal term that refers at the same time to *Staatsgewalt*, an executive branch securing sovereignty, to *Staatsgebiet*, a determined territory, and to *Staatsvolk*, the totality of citizens. "The latter is the symbolic carrier of the legal order that constitutes jurisdiction within the limits of the state territory" (Habermas 1996: 281). Thus, it is not a coincidence that the concept of 'nation' ambiguously refers to both a *Volksnation* (a prepolitical nation) and *Staatsnation* (a nation of legally empowered citizens). But, *Volksnation* concept is the dominant understanding of the German tradition. This is mostly due to the Germany's historical processes of nation and state formation followed a different path than the classical nation-states in the west and north of Europe. German people as a 'belated' nation (like Italy) founded their state on the basis of national consciousness build on common languages, cultures and histories (Habermas 1996: 283).

However the problem of drawing the boundaries of their national community prevailed throughout German history: what it means to be 'German', who is and who is not 'German', and what are the geographical and political borders of 'Germany'? These remain the preeminent questions especially after the unification. These questions turn on the issue of defining the criteria for membership in the German national community that have particular importance for foreign minorities settled in Germany (Klusmeyer 1993: 83).

'Germanness', in popular discourse, involves an attachment to the 'land', and attachment to, and responsibility for the land is regarded part of the responsibility of citizenship. The notion of *Heimat* (homeland) reflects this complexity: Although difficult to translate, it means home, but a particular German home connected to German landscape, a German history, and a feeling of being German (Peck 1992: 171 quoted in Solomos and Schuster 2000: 84). In other words, German land is for Germans. The repercussion of this conception in

the immigration and foreigners debate is to see non-German immigrants as exploiters<sup>63</sup>.

## 5.2. Immigration Politics

The most problematic aspect of Germany's immigration debate is the political denial of immigration vis-à-vis the practical situation. And the official refusal of immigration determined the legal and political aspects of German foreigner policy until recent times.

### 5.2.1. Germany: Not a Country of Immigration

Governments repeated the maxim that Germany is 'not a country of immigration' (*kein Einwanderungsland*) since it was first officially adopted by the federal government in 1977. However, guestworkers who were the target of this maxim did not return to their home. "In fact, the no-immigration imperative is conditional upon the context of de facto immigration, because otherwise there would be no point of raising it" (Joppke 1999: 63). The reason behind to stop the guestworker policy is that it contradicts with the ethnocultural tone of the German nationhood. Apart from its illegitimate nature in the Nazi regime, ethnocultural nationhood was indirectly reinforced by scattering of German diasporas in communist Eastern Europe and the Soviet Union at the end of World War II. Following the division of Germany, Federal Republic defined itself as the homeland for all Germans and encouraged immigration of ethnic Germans (Joppke 1999: 63). Accordingly, the Basic Law (the constitution) assigned automatic citizenship to ethnic Germans.

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<sup>63</sup> "Confronted with a housing shortage, protecting the German landscape from exploitation has come to mean controlling population increases, even for some associated with radical parties such as the Greens. Since Germany's birth-rate is negative, any increase in population is due to migration. Protecting Germany's green spaces becomes contingent on keeping out non-Germans. This logic explains the sentiments of Herbert Gruhl, a founder of the Greens—which he subsequently left—who claimed that 'most refugees are essentially, biologically or organically incompatible with Germans' (Mattson 1995: 71)." (Solomos and Schuster 2000: 84).

The ethnocultural view of German national identity has shaped laws, policies, and public attitudes toward immigration. Its most obvious effect has been the absence of an immigration policy. The official stance has been the denial of immigration expressed in the motto that Germany is 'not a country of immigration' (*kein Einwanderungsland*). However, Germany has experienced significant immigration since the end of the World War II (Table 5.1). Brandt (2000: 220) distinguishes five different immigration cycles: (1) the immigration of approximately 12 million ethnic Germans (*Vertriebene* and *Flüchtlinge*), which lasted until 1961; (2) the recruitment of guestworkers during the economic boom of the 1960s, and their transformation into immigrant communities following the ceasing of recruitment in 1973; (3) the influx of asylum seekers in 1980s; (4) the immigration of ethnic German *Aussiedler* and *Übersiedler*; (5) the new wave of short-term contract workers as well as undocumented workers mainly from countries of the former Eastern Bloc. The sixth cycle will arise soon, as German government decided to intake highly qualified immigrants in some specific sectors.

Governments' reaction to these immigration movements has a dual character in terms of the policies directed towards ethnic peers and those towards non-Germans: "an emphatic integrative concept versus an exclusionist head-in-the-sand approach and an open door policy versus a fortress mentality" (Brandt 2000: 220). Although ethnic Germans are officially not perceived as immigrants (because they are by definition a member of German *Volksgemeinschaft*), in practice, there are three groups of immigrants: Ethnic Germans, guestworkers, and political asylum seekers –who are admitted under article 16(2) of the Basic Law. Germany's sensitivity toward asylum seekers generally treated as its commitment to universal human rights in response to the Nazi legacy of persecution and genocide. Individuals, involved in one of these groups can obtain permanent residence and/or citizenship.

Table 5.1. Immigration Chronology

Year	Event
1955	Recruitment agreement with Italy
1960	Recruitment agreement with Spain and Greece
1961	Recruitment agreement with Turkey
1963	Recruitment agreement with Morocco
1965	Recruitment agreement with Tunisia
1965	Foreigners Law: EC nationals have the same labor market rights with Germans. Non-EC foreigners to be rotated in and out of Germany
1968	Recruitment agreement with Yugoslavia
1973	Recruitment stop: No more unskilled non-EC foreign workers
1975	Only children living in Germany get full allowance
1975-77	Non-EC foreigners can not move into 'overburdened' cities with 12 percent or more foreigners
1977	Federal-State Commission recommends a foreigners policy
1978	New regulations: Residence permit ( <i>Aufenthaltserlaubnis</i> ) after 5 years; residence right ( <i>Berechtigung</i> ) after 8 years
1979	Kühn memorandum on need for an integration policy
1981-82	Migration goals: reduce non-EC immigration, promote voluntary returns, and integrate those who choose to stay
1983-84	Foreign worker departure bonus program
1989-90	New 'truly temporary' foreign worker programs launched
1990	Foreigners Law revised: more security for settled foreigners, but newly-arrived foreigners find it harder to obtain secure residence rights
1993	Asylum law reform: 220,000 annual quota on the number of persons who can be recognized as ethnic Germans
1997-98	German Bundestag rejects dual citizenship
1999	1913 Citizenship Law reformed: introduction of <i>jus soli</i> ; shortening the transition period from residency to citizenship from 15 to 8 years
2000	Enactment of new Citizenship Law

Source: Until 1998, Martin 1998: 5-6.

### 5.2.1.1. Ethnic Germans (Refugees and Expellees)

From the end of World War II to the erection of the Berlin Wall in 1961, ethnic German refugees and expellees formed the largest group of immigrants in

Germany.<sup>64</sup> Ethnic Germans fell into four categories: (1) *Vertriebene*: Expellees in the aftermath of World War II; (2) *Flüchtlinge*: Refugees from the (German Democratic Republic); (3) *Übersiedler*: Immigrants from the former East Germany<sup>65</sup>; (4) *Aussiedler*: Ethnic Germans living in other countries. The number of ethnic Germans entering into Germany increased during the 1980s and started to decrease after the mid-1990s –from 134,419 in 1997 to 72,000 in 2003 (Figure 5.1). Most of the ethnic German immigrants are predominantly from former Soviet Union, Romania and Poland (Table 5.2). All ethnic Germans have been entitled to the full rights of citizenship under article 116 of the Basic Law because they were considered ‘German’ by blood and culture. This reflects the ethnocultural character of German citizenship politics.

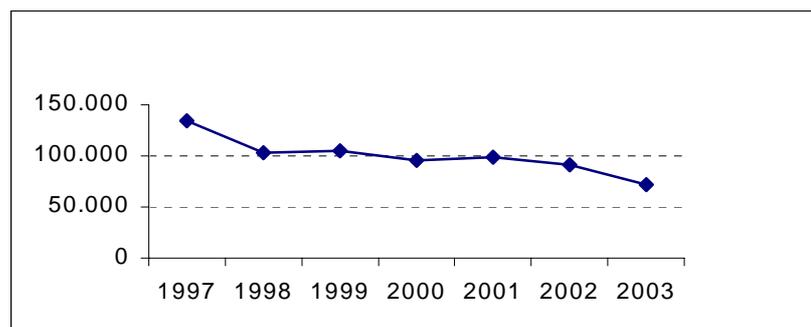


Figure 5.1. Total Number of Ethnic Germans Immigrating to Germany: 1997-2003 (Source: *Bundesverwaltungsamt*, 2004 in Bundesministerium für Wirtschaft und Arbeit).

Germany’s attitude differs according to the ethnic origin of the immigrant –ethnic German or from another ethnic group. Thus, there exists a double standard towards immigrants. If we consider that Germany has no officially stated immigration policy, it faces a difficulty to explain this. This

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<sup>64</sup> In 1950, they composed 16.7 percent of the population, and this percentage rose to 23.9 percent by 1960 (Herbert 1990 quoted in Klusmeyer 1993: 86).

paradox has been overcome by labeling the admissions of the *Aussiedler* as ‘repatriation’. Ethnic immigrants, then, called as ‘resettlers’ who are simply returning to their ancestral home<sup>66</sup>. By means of this policy, Germany’s restrictive naturalization rules with respect to other ethnic groups can be legitimized without changing its attitude towards immigration (‘not a country of immigration’). The policy implications of this attitude are the provision of a comprehensive support system to guarantee quick integration of ethnic Germans (Brandt 2000: 221).

Table 5.2. Number of Ethnic Germans Immigrating to Germany: 1998-2002

Year	Poland	Former Sov. Un.	Romania	Other
1998	488	101.550	1.005	37
1999	428	103.599	855	34
2000	484	94.558	547	26
2001	623	97.434	380	47
2002	553	90.587	256	20

Source: *Bundesverwaltungsamt*, 2004 in Bundesministerium für Wirtschaft und Arbeit.

However, public opinion surveys in the late 1980s and early 1990s show that West Germans themselves considered all newcomers altogether as ‘foreigners’ (Klusmeyer 1993: 100). The native German population has a strong resentment against the coming of *Aussiedler* from the former Soviet Union, Poland and Romania. Eastern Germans (*Ossis*) are also viewed as “constantly whining people who are unable to take the initiative to improve their lives but nurse their feelings of being betrayed by the West” (Brandt 2000: 121). It is argued that the *Aussiedler* have encountered greater difficulties than the *Übersiedler* in integrating (Klusmeyer 1993: 100). There are two assessments with

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<sup>65</sup> Their number fluctuated annually from 38,655 in 1984 to 18,961 in 1988, and then to 343,845 in 1989 and 238,384 in 1990 (Klusmeyer 1993: 99).

regard to the immigration of ethnic Germans: First, the refugees and expellees initially met inhospitable by native West Germans who worried those new arrivals would bring new burdens. Second, these immigrants actually contributed much more to the economy than they took from it (Wallich 1955 quoted in Klusmeyer 1993: 86).

After the German reunification the myth of German nationality became obsolete, as it is stated in German nationality law that the right of nationality based on family ties maintains a bond between citizens who are dispersed over the territory of several states (Weil 1996: 82). When the citizens of Eastern and Western Germany intermingled after forty years of separation, they were different from each other in the sense of social habits and values –despite their common descent. After 1989, a sort of strict notion of West German identity has been developed at grass roots, excluding not only long-term foreigners but also ethnic Germans from the east (Fulbrook, 1996: 95). In this period, an old debate over the meaning of to be ‘German’ started again. Are the *Aussiedler* genuinely ‘German’? If the claim of the *Aussiedler* is suspect, what about the other groups of foreigners? The issue of the *Aussiedler* combines the concept of ethnicity, which is a cultural construct, with the concept of race, which is biological. If ‘Germanness’ is a matter of culture (not blood), then it should be adopted not inherited (Klusmeyer 1993: 107). Apart from these discussions the acceptance of *Aussiedler* has some economic reasons as well. They were expected to perform jobs that native Germans did not want because of the low wages or the nature of the work –like in the case of guestworkers. The fundamental difference between the policies toward the *Aussiedler* and the guestworkers has been rooted in the fact that the former has right to acquire citizenship based on bloodlines (Klusmeyer 1993: 101), while descendents of the former are denied such membership. On the other hand, it is argued that the bonds that had developed

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<sup>66</sup> Alfred Dregger (Christian Democratic Union –CDU) expressed this view as: Germany is the *Heimat* (homeland) of all persecuted and oppressed Germans. (quoted in Brandt 2000: 220).

between the Western Germans and the foreign residents are such that those foreigners are sociologically more citizens than the Eastern Germans (Weil 1996: 82-3).

#### 5.2.1.2. *Asylum Seekers*

The right to political asylum in the Basic Law is based on the recognition that certain basic rights are universal and can not be reserved to the German people. Article 16(2) states: "Persons persecuted on political grounds shall enjoy the right of asylum" (quoted in Klusmeyer 1993: 98). Despite its narrow (ethnic) definition of citizenship, the Basic Law has uniquely generous asylum policies – double legacy of the Third Reich (Fulbrook 1996: 101). This meant that while it was hard to acquire rights of citizenship, it was relatively easy to enter Germany as a refugee.

Although the right to asylum is universal, the criteria for determining eligibility for asylum are restrictive to particular categories of individuals. Refugees fleeing from famine, civil war, terrorism, or other threats of personal injury do not naturally qualify for asylum status. In the same way, victims of human rights violations are not automatically entitled to asylum status. Applicants must prove that they have a reasonable fear of persecution in their home states, and this persecution is originated from applicant's religion, political beliefs or other personal attributes (Klusmeyer 1993: 98).<sup>67</sup>

Germany first experienced a rush of asylum seekers in 1980. The crisis tried to be solved by asking entry visas of Turks, who constituted half of the applicants for asylum. While the number of applicants for asylum exceeded 100,000 in 1980, it reduced to less than 20,000 in 1983 (Martin 1998: 3). The issue of asylum seekers culminated the problems concerning the incorporation of immigrants in the 1980s and the 1990s. Even though the procedure was lengthy

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<sup>67</sup> In the 1992, over 1,200 foreigners applied for asylum in Germany everyday, and over 90 percent were not recognized as refugees (Martin 1998: 3).

(in some cases lasting more than five years), in the course of time other mechanisms were introduced to limit the entries through asylum. In July 1993, government amended the asylum laws in order to restrict entry and withhold the right to asylum from those who were seeking to enter the Federal Republic from all EU states and from 'safe third countries' with borders neighboring Germany. Closing the doors to asylum seekers by this way was a response to increasing racist attacks –actually more likely to be response the demands of popular right-wing prejudices (Fullbrook 1996: 102).

In the new system applicants who passed through safe third countries into Germany had to apply for asylum there –not in Germany. Limiting access in this way reduced the number of applications by 75 percent (Martin 1998: 3). However, Germany is still a magnet for asylum seekers (see Table 5.2).

Table 5.3. Number of Asylum Applicants from Selected Countries: 1998-2003

Year	Former Yugoslavia	Turkey	Iraq	Afghanistan	Iran
1998	34.979	11.754	7.435	3.768	2.955
1999	31.451	9.065	8.662	4.458	3.407
2000	11.121	8.968	11.601	5.380	4.878
2001	7.758	10.869	17.167	5.837	3.455
2002	6.679	9.575	10.242	2.772	2.642
2003	4.909	6.301	3.850	1.473	2.049

Source: *Ausländerzentralregister*, 2004 in Bundesministerium für Wirtschaft und Arbeit.

### 5.2.1.3. Guestworker Policy

During World War II, Germany used *Fremdarbeiter* (foreign worker) in agriculture and factories.<sup>68</sup> War time employment of foreigners gave German employers experience in dealing with foreign workers. Following the foundation

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<sup>68</sup> In 1944, 7.5 million foreign workers (war prisoners constituted 2 million) were employed in Germany, and they were about one-third of the total labor force (Herbert 1997 quoted in Martin 1998: 5).

of Federal Republic of Germany (1949), a sustained economic growth had been realized by means of a currency reform, Marshall Plan aid, and by developing a 'social market economy' (Martin 1998: 5). The West German economic recovery proved so successful that by the mid-1950s regional labor shortages had developed.

As a response to this problem, the federal government signed its first employment contract with Italy in 1955 to import workers for the agricultural and construction sectors. However, by the early 1960s, the West German economy's demand for new labor increased especially the erection of the Berlin Wall which largely stopped the influx of refugees from the German Democratic Republic (Klusmeyer 1993: 87). During the early 1960s, West Germany had signed recruitment agreements (*Anwerbeabkommen*) with a number of Mediterranean countries: Spain and Greece in 1960, Turkey in 1961, Portugal in 1964, Tunisia and Morocco in 1965, Yugoslavia in 1968. The German Federal Labor Office (*Bundesanstalt für Arbeit* –BFA) set up recruitment offices in these countries. Employers seeking workers applied to the BFA and paid a fee, then the BFA selected appropriate workers (Kaya and Kentel 2004: 15). When the number of foreign workers rose<sup>69</sup>, they moved into new occupations in manufacturing, mining and service sectors.

For labor recruitment, field offices were opened by the Federal Employment Office in Athens, Verona, Madrid, Istanbul, Belgrade, Lisbon, Casablanca, and Tunis that choose suitable applicants, issue their work and residence permits, and organize their collective transportation –with chartered trains directly to their prospective employers. A pure form of client politics followed, without any parliamentary involvement or public debate, involving only employers, the labor-recruiting government bureaucracy, and trade unions (Joppke 1999: 65).

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<sup>69</sup> The Turkish population in the FRG rose from 6,700 in 1961 to 605,000 in 1973 (Kaya and Kentel 2004: 15).

The initial assumption of guestworker policy was that these foreign people would rotate in and out of the labor market as needed, and finally return to their home. During the recession in 1966-67, the rotation principle was tested and worked: Between 1966 and 1967, the employment of guestworkers fell by 25 percent, while German employment fell only 3 percent (Martin 1998: 2).

In Germany a centralized and corporate pattern of incorporation has developed, in accordance with other institutional structures (Soysal 1994). This pattern is most visible in the organization of social services to immigrants. The welfare of foreigners is mainly the responsibility of trade unions and the major social service organizations, which are highly centralized and financially connected to the state. Immigrants are assigned to these agencies according to their religious and national orientations.

There is no nationally formulated immigrant policy except for some principles that serve as guidelines for the local states (*Länder*). The implementation of these principles differs considerably among local states, and between the states and the federal government. The principle of integration does not refer to specific collective groups, but to all foreigners in general. Different cultural groups are acknowledged, but they are not given an institutional status. Even though German integration policy is not centrally defined or coordinated, it has centrally organized instruments. For instance, there is a federal budget allocated for foreign populations' language and vocational education, social services, and publicity and information issues. An important part of this funding goes to centralized, semi-public institutions which are responsible for social and educational services for migrant groups (Soysal 1994: 62-3).

There are two important consequences of the guestworker policy: First, it has been an economic success for Germany: these workers were young, healthy and industrious. Their inputs into the German economy exceeded their demand. Especially the social security system has been partially financed by the contributions of them. In 1989, foreign workers paid approximately 12.8 billion

DM into the old age insurance fund and they received only 3.7 billion DM out of it themselves (Rittstieg 1994: 112). Second, guestworker policy divided the population into nationals and resident foreigners: With the guestworker policy, German government demanded labor but they received human beings<sup>70</sup>. They are perceived as guests who would return to their home someday. However, guests settled as non-citizen foreigners. The legal discrimination of foreign immigrants and their offspring as foreigners, in turn, deepened social, linguistic, cultural and ethnic fragmentation.<sup>71</sup>

### 5.2.2. Foreigner Policy

In Germany, there was no legal-political framework concerning the foreigner residents –other than temporary stays. Foreigner policy was basically a labor market policy set as a response to inflationary pressure of a full employment economy (Joppke 1999: 65).

#### 5.2.2.1. Legal Aspects

Before the enactment of a new Foreigner Law in 1965, the Nazi Foreign Police Regulation (*Ausländerpolizeiverordnung* –1938) was the only legal framework for dealing the issues concerning foreigners. According to the prior law the entry and stay of foreigners was contingent upon their ‘worthiness’

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<sup>70</sup> As Max Frish stated: “Wir haben Arbeitskräfte geholt, aber es sind Menschen gekommen” (quoted in Arslan 2002: 81).

<sup>71</sup> The position of guestworkers in Germany can be regarded as modern live-in servants similar to Michael Walzer’s analogy. Walzer makes an analogy (within his analogies of neighborhoods, cubs, and families with political communities) between a country with resident non-citizen guestworkers and a family with live-in servants as follows: “The principles that rule in the household are those of kinship and love. They establish the underlying pattern of mutuality and obligation, of authority and obedience. The servants have no proper place in that pattern, but they have to be assimilated to it. Thus, in the pre-modern literature on family life, servants are commonly described as children of a special sort: children, because they are subject to command; of special sort, because they are not allowed to grow up. Paternal authority is asserted outside its sphere, over adult men and women who are not, and can never be, full members of the family. When this assertion is no longer possible, when servants come to be seen as hired workers, the great household begins its slow decline. The pattern of living-in is gradually reversed; erstwhile servants seek households of their own... Live-in servants have not disappeared from the modern world. As ‘guest workers’ they play an important role in its most advanced economies” (Walzer 1983: 52-3).

criterion, while the Foreigner Law introduced the principle of 'state interest'<sup>72</sup> instead.

Christian Joppke (1999: 66-67) speaks of three deficiencies of German foreigner law: First, extreme discretion on part of the executive and the absence of rights on part of foreigner –which resulted in vast variations with respect to regions. Second, the initial lack of differentiated residence permits, and absence of provision for more than temporary stays in Germany.<sup>73</sup> Third, the absence of rules for family reunification.<sup>74</sup> “This was within the logic of a guestworker regime, which conceived of the foreigner as a return-oriented, isolated carrier of labor power, devoid of family ties” (Joppke 1999: 67).

Until the enactment of a new Foreigner Law in 1990, Foreigner Law of 1965 regulated the basic terms under which foreigners were admitted, the conditions and duration of their stay, and the grounds for deportation (Klusmeyer 1993: 88). The weaknesses listed above were tried to be overcome by *ad hoc* administrative decisions. As a result, there appeared huge variations among the regions, because states have extreme power in German-style 'co-operative federalism'. Local foreigner offices are liable not to the federal state, but to the *Länder* (local states), and *Länder* governments could have radically different foreigner policies –depending on the party in power.<sup>75</sup> From the side of federal government, this was a proper attitude since the purpose of the 1965 law

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<sup>72</sup> Paragraph 2(1) of the Foreigner Law: “A residence permit may be issued if the presence of the foreigner does not harm the interests of the Federal Republic of Germany.” (quoted in Joppke 1999: 66)

<sup>73</sup> In 1978, 'permanence regulation' (*Verfestigungsregelung*) introduced by means of which an unrestricted residence permit (*unbefristete Aufenthaltserlaubnis*) could be issued after five years of stay; and then a residence entitlement (*Aufenthaltsberechtigung*) could be given after eight years of residence.

<sup>74</sup> In 1972, only the foreign spouses of German nationals were granted unconditional residence rights.

<sup>75</sup> The CDU/CSU-governed southern states of Bavaria and Baden-Württemberg have generally pursued a restrictionist line by imposing tougher family reunification rules than recommended by the federal government. On the other hand, SPD-ruled Hesse and Bremen have followed a liberal line (Joppke 1999: 68).

was to give the government a flexible policy instrument to meet the changing needs of the labor market. From the side of foreigners, they had quite different chances in having a residence permit renewed, a deportation stayed, or a spouse and children joining them from the home country (Joppke 1999: 68). A number of vague grounds were listed in the law for deportation such as threats to 'public morality' and to the 'constitutional order' –without specifying any criteria to weight these threats. The purpose was, indeed, to preserve foreign residents' second-class status (Klusmeyer 1993: 88).

While, state interest had been favored in the Foreigner Law, primary concern of the Basic Law was universal human rights. This put a considerable burden on judiciary in reconciling them in their decisions. Due to constitutional protection of individual rights, and the court rules applying those principles, foreigners are entitled to extensive civil and social rights in Germany. Once the state has admitted foreigners to the labor market, the principle of equal protection of the law forbids certain discriminations such as higher taxes, bans on joining unions, or the priority hiring of Germans (Joppke 1999: 70). It is claimed that depending on the length of residence, foreigners gain constitutional protection that is equal or close to that of Germans (Schwerdtfeger 1980 quoted in Joppke 1999: 71). So, the restrictive foreigner policy had been in contradiction with the constitution. On the other hand, this restrictive attitude was undermined by actual court rules which confirmed that the temporary guestworker program turned into a self-reinforcing immigration (Joppke 1999: 72).

By the beginning of 1980s, the existence of large numbers of non-citizen residents compelled the governments to reconsider foreigner policy. In 1981, Berlin *Bürgermeister* (mayor) declared that foreigners must eventually choose between remaining in Berlin and becoming German citizens or returning to their country of origin (Brubaker 1989: 164). Of course, this severe formulation had

not been accepted officially. However, a commission appointed in 1983 to work on the foreigner law to encourage naturalization.

The new Foreigner Law was enacted in April of 1990 –in the aftermath of unification. It liberalized some provisions from earlier legislation, such as allowing women and children to receive a separate resident permit. It also eased the acquisition of citizenship for second and third generations between the ages of sixteen and twenty-three. On the other hand, it imposed new restrictions on the upgrading of residence rights –such as applicants have to made contributions into social insurance funds for sixty months in order to get the right to unlimited residence. Moreover, in order to gain this right the minimum period of residence extended from five to eight years.

The most secure residence permit is the one with the ‘right of unlimited residence’ (*Aufenthaltserlaubnis*), which protects the person from expulsion - except the concerns about the public order and security –by the end of year 2003 only 10.5 % of foreign residents had achieved this status (Table 5.4) . The second most secure residence authorization is a permit allowing unlimited residence (*unbefristete Aufenthaltserlaubnis*). This authorization gives individuals a right of unlimited extension under certain conditions such as having a special work permit and an adequate living space for themselves and their families. In principle, *unbefristete Aufenthaltserlaubnis* can be received after five years of residence, and an *Aufenthaltserlaubnis* after eight years (Klusmeyer 1993: 97).

The new Law did not solve the problem of dual citizenship which is important for guestworkers. Thus, the new law also embraced “the notion that ‘integration’ of foreigners is only possible through their adoption of the German way of life, which illustrates again how closely the idea of civic membership in Germany is linked with an ethnocultural concept of national identity” (Klusmeyer 1993: 96). And it did not change the conditions of three generations of the foreigners living in Germany as guestworkers, unless they are prepared to

renounce their cultural heritages and affirm full commitment to a 'Germanic' culture (Fulbrook 1996: 102-3).

Table 5.4. Foreigners in Germany According to Main Residence Statuses at 31.12.2003

<b>Residence title</b>	<b>Number of holders</b>	<b>% within total foreign population (7,334,753)</b>
limited residence permit ( <i>Aufenthaltserlaubnis befristet</i> )	1,637,359	22.3
unlimited residence permit ( <i>Aufenthaltserlaubnis unbefristet</i> )	2,036,480	27.8
limited EU residence permit ( <i>Aufenthaltserlaubnis EU befristet</i> )	413,230	5.6
unlimited EU residence permit ( <i>Aufenthaltserlaubnis EU unbefristet</i> )	678,758	9.2
unlimited residence right ( <i>Aufenthaltsberechtigung</i> )	770,344	10.5
residence authorization ( <i>Aufenthaltsbewilligung</i> )	343,293	4.7
residence warrant ( <i>Aufenthaltsbefugnis</i> )	264,176	3.6

Source: *Ausländerzentralregister*, 2004 in Bundesministerium für Wirtschaft und Arbeit.

#### 5.2.2.2. Political Aspects

The Foreigner Law of 1990 abolished radical solutions regarding the foreigners. Joppke lists a number of reasons for this abolishment: First, political elites have been aware of the legal impossibility of forced repatriation or rotation schemes. Second, the drastic solutions did not result in expected way. For example, denying work permits to young foreigners who had joined their parents in Germany threatened to create a demoralized, crime-prone sub-proletariat in the inner cities. Thus, this restrictive measure had to be abandoned. Third, a consensus developed within the political elite for an

obligation toward the recruited guestworker population. Froth, a liberal public and an organized foreigner lobby of churches, charity organizations, and unions stressed moral obligations toward foreigners in Germany, not only toward the historical guestworkers (1999: 76-77).

In contrast with the official no-immigration policy, migration to Germany continued after the recruitment stop of 1973. One source of this migration was asylum and the other was the chain migration of families of guestworkers. Since December 1981, the federal government recommended to restrict the entry of foreign spouses of second-generation guestworkers, and make such family reunification contingent upon an eight-year residence minimum of the resident spouse and a post-marital waiting period of one year (Joppke 1999: 74). However, this recommendation was implemented differently by different states.<sup>76</sup>

The decision to stop recruitment was related to the federal government's considerations on domestic security.<sup>77</sup> However, the problem of urban ghettoization and lacking social integration, and the problem of growing domestic unemployment have fed the resentment of Germans against the foreigners (Joppke 1999: 77). This reaction is the outcome of what Habermas calls the *chauvinism of prosperity*: "The relatively deprived classes, whether they feel endangered by social decline or have already slipped into segmented marginal groups, identify quite openly with the ideologized supremacy of their own collectivity and reject everything foreign" (Habermas 1995: 272).

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<sup>76</sup> Liberal Hesse government lowered the residence requirement to five years; restrictionist Bavaria increased the waiting period for spouses to three years; and hyper-restrictionist Baden-Württemberg extended the three-year rule for family reunification from second- to first-generation guestworkers (Joppke 1999: 74).

<sup>77</sup> The following quotes are from a cabinet paper of the social-liberal coalition government explaining how much security concerns were determinant in the political discourse of foreigner policy: "the foreigner population was increasingly dominated by nationalities that 'stand at greater distance from our culture'. If this development continued unchecked, as the government justified its planned restrictions on family reunification, 'the point could be reached from which the resentment of large parts of the German population turns into open hostility. The result would be

In the period following the recruitment stop of 1973 until 1978, immigration was under control. But starting from 1979, the number of foreigners increased.<sup>78</sup> By 1981, it was estimated that 450.000 foreigners had entered on the basis of family-reunification within the last three years (Joppke 1999: 78). Then, this new immigration through family reunification became a focus for the federal government foreigner policy. On societal level, it fed the 'chauvinism of prosperity' among Germans. There were a number of reasons behind the 'society-wide backlash against foreigners': First, with the second oil crisis unemployment rate augmented and the symmetry of 2 million unemployed Germans and 2 million employed guestworkers was used for populist disturbance. Secondly, in 1980 the increased number of asylum-seekers (over 100,000), became a source of uncontrolled mass immigration and deepened the foreigner-related concerns. Thirdly, the ethnic composition of the foreigner population was for the first time brought to the public agenda. Because Turks had become the largest foreigner group –with 1.4 million in 1981- in Germany. A SPD member of parliament drastically stated that “the foreigner problem ... is a Turkish problem” (Joppke 1999: 78).

At the end of 2003 approximately 7,3 million foreigners were resident in Germany, constituting 8.9% of the total population. Turks constitutes the largest group with about 1.9 million<sup>79</sup> (25.6% of the total foreign population), followed by Italians, those from Serbia/Mountain Negro, Greeks, Polish, Croatians, Austrians, Bosnians, Spanish, and Romanians.

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social and political tensions that threaten the societal peace in the Federal Republic” (quoted in Joppke 1999: 79).

<sup>78</sup> The number of foreign workers fell from 2,595,000 to 2,070,000 from 1973 to 1980; but at the same time, the absolute number of foreigners increased from 3,966,200 in 1973 to 4,450,000 in 1980 (7.5 per cent of the total population) (Herbert, 1986:188 quoted in Joppke 1999: 78).

<sup>79</sup> This number indicates the number of Turks who hold Turkish citizenship. There are approximately 700,000 Turks who acquired German citizenship.

Table 5.5. Foreign Population<sup>80</sup> (selected countries) Living in Germany at 31.12.2003

Nationality	Total Number	%
All EU Countries	1.847.712	28.9
Austria	189.466	3
Bosnia-Herzegovina	167.081	2,6
Croatia	236.570	3.7
Greece	354.630	5.6
Italy	601.258	9.4
Poland	326.882	5.1
Romania	89.104	1.4
Serbia/Mount. Negro	568.240	8.9
Spain	125.977	1.2
Turkey	1.877.661	29.4

Source: *Ausländerzentralregister*, 2004 in Bundesministerium für Wirtschaft und Arbeit.

### 5.3. Citizenship Politics

The rules governing the acquisition of German citizenship derive from the *Reichs- und Staatsangehörigkeitsgesetz* (RSG) (the Imperial Naturalization Law) of 1913, the *Ausländergesetz* (Foreigner Law), and *Einbürgerungsrichtlinien* (administrative rules) from 1977. There are two ways of acquiring citizenship: by birth or via naturalization. The basic legal source of citizenship had been RSG which was in force until 1999. The paragraph 4(1) of the RSG states that the attribution of citizenship is based on the *jus sanguinis* (Brandt 2000: 223). Thus, only the ones who have at least one German parent automatically become German by birth. This ethnic concept of nation stands behind exclusive citizenship.

RSG had double purpose of making the acquisition of German citizenship difficult for foreigners, in order to protect the Reich from the flow of immigrants from the East, especially Poles and Jews (Klusmeyer 1993: 84), and of continuing to include Germany's overseas emigrants in the citizenry (Joppke

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<sup>80</sup> These statistics does not include those who were naturalized.

2000: 152). The most important factor in the survival of the concept of ethnic nation was the division of Germany after the World War II. During the consolidation of communism in Eastern Europe and the Soviet Union, ethnic Germans in the Eastern state territories were repressed by Soviet governments. Accordingly, West Germany defined itself as homeland (*Heimat*) for the repressed and dispersed ethnic German diasporas in the Soviet empire, and as a provisional state oriented to national reunification (Joppke 2000: 152). A vehicle of the unity mandate, which had constitutional status according to the preamble of the Basic Law, was the legal fiction that the German Reich of the pre-war period continued to exist in the incarnation of West Germany. And the construct of an all-German citizenship, heavily criticized in the times of '*detente*' but decisive for reunification after the collapse of East Germany (the GDR), was best maintained by simply prolonging the old *Reichs- und Staatsangehörigkeitsgesetz* of 1913. For these reasons the West German citizenship regime was exclusive toward foreigners, and inclusive toward the citizens of the GDR and the ethnic Germans in the other states of the Soviet empire.<sup>10</sup> There certainly was no *logical* connection between excluding foreigners and including East Germans and ethnic Germans. However, it was the *empirical* connection made by the political elites of pre-unity Germany, for whom meddling with citizenship law meant meddling with the legal bridge to national unity.

In the case of naturalization, citizenship law prescribes two kinds of naturalization: (1) based on legal claim; (2) based on discretion. The first one applied until 1993 to those persons who are Germans according to Article 116 (1) of the Basic Law –Germans who either possess German citizenship or are *Flüchtlinge* and *Vertriebene* of German origin (as well as their spouses and offspring) (Brandt 2000: 223). The Law of the Regulation of Questions Regarding Citizenship (*Gesetz zur Regelung von Fragen der Staatsangehörigkeit*) sets the rule that a 'German' without German citizenship has the right to be naturalized unless s/he is regarded to be a threat to security. The number of naturalizations

on the basis of a legal claim was about 80% of the total number of naturalizations in 1993, and the naturalized persons were predominantly from the former Soviet Union, Poland and Romania (Brandt 2000: 223).

The non-ethnic German immigrant had the right to be naturalized on the basis of discretion until 1993. Paragraph 8 of the RSG specifies that foreigners who permanently settle in Germany can be naturalized if they meet the following conditions: (1) legal competence according to the laws of the country of origin and to those in Germany; (2) good reputation; (3) ability to finance him- or herself as well as dependent family members; (4) evidence of accommodation. Paragraph 8 does not require the applicant to renounce his/her original citizenship unless the applicant loses it automatically. However, Paragraph 9 which regulates the naturalization of the foreign spouse of a German citizen requires him/her to relinquish the original citizenship (Brandt 2000: 224).

The third legal ground on which one can acquire German citizenship is the regulations of the *Einbürgerungsrichtlinien* (administrative rules) which are subject to varying interpretations of autonomous state (*Land*) authorities. The *Einbürgerungsrichtlinien* decrees that: (1) the granting of dual (multiple) citizenship shall be avoided in principle, although exceptions can be made; (2) residence in Germany for approximately 10 years (can be shorter for spouses of Germans or for political refugees); (3) evidence of 'sufficient' accommodation; (4) good reputation; (5) financial independence; (6) a high degree of integration: 'attachment to Germany' that may encompass political and cultural orientation (Brandt 2000: 224).

Immigrants in Germany gained the right to claim citizenship for the first time with the enactment of the new *Ausländergesetz* (Foreigner Law) in 1991, and of the *Gesetz zur Änderung asylverfahrens-ausländer und staatsangehörigkeitsrechtlicher Vorschriften* (amendment of the Foreigner Law) in July 1<sup>st</sup> 1993. Paragraph 85 and 86 of the Foreigner Law states two categories of

*Ausländer* who are legally entitled to naturalization: the young generation (85) and the rest (86):

Paragraph 85 eases the access to citizenship for foreign youth on the condition that: (1) they apply between the 16<sup>th</sup> and 23<sup>rd</sup> birthday; (2) they renounce their former nationality; (3) they have eight years of legal residence in the Federal Republic; (4) they have been to school in the Federal Republic for at least 6 years; (5) they have not been sentenced of a crime (Rittstieg 1994: 114). If an applicant was convicted for slight offences and has been sentenced to detention, community work or fines upto a certain amount as well as suspended sentences upto six months, those do not have an impact (Brandt 2000: 225)

According to paragraph 86 other immigrants have a right to German citizenship if they: (1) have legally resided for 15 years in Germany, and who possess a residence permit (*Aufenthaltserlaubnis* or *Aufenthaltsberechtigung*); (2) renounce their former citizenship, (3) have not been convicted of a crime, (4) have an adequate private income which also guarantees sufficient financial means for family-members who are entitled to maintenance (Rittstieg 1994: 115; Brandt 2000: 226).

Since the claim to naturalization is an individual right, children and spouses are not automatically granted citizenship. In case they want to acquire German citizenship but do not fulfill the above requirements, there are also some means available<sup>81</sup>. After the enactment of new Foreigner Law, the number of naturalizations among the foreigners living in Germany increased. In 1993, 6,948 persons were naturalized on the basis of paragraph 85, and 22,160 on the basis of paragraph 86 (Brandt 2000: 226). In 2002, there were more than 6 million

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<sup>81</sup> In the case of spouse, it is sufficient that s/he has lived in Germany for five years but partners have to be married for at least two years. The period of five years may be diminish by one year if the marriage has lasted four years, the partner has lived in Germany legally during this time and holds an independent residence permit. If both parents (or a single parent) aquired German citizenship, minor children shall be naturalized. If only one parent has been naturalized, and the other does not live with the children in Germany, the minor child has to have lived in Germany at least half of his/her lifetime. In this case, the law states that all children living in Germany shall be naturalized. (Brandt 2000: 226)

foreigners living in Germany<sup>82</sup> with one of the residence permits, however, only 154,547 of them acquired citizenship<sup>83</sup>. One of the reasons behind low rate of naturalizations is the legal impossibility of retaining their original citizenship. However, although dual citizenship (or multiple nationality) is *de facto* tolerated in Germany, it is not officially permitted.

Germany's reluctance to accommodate dual citizenship is based on two justification: First, it emphasizes objections in principle such as questions of loyalty, diplomatic protection etc. Second, it refers to national and international law, in particular to the 'Convention on the Reduction of Cases of Multiple Nationality and Military Obligations in Cases of Multiple Nationality' (passed by the Council of Europe in 1963). Nevertheless, the international law discourages but not prohibits the granting of dual/multiple citizenship. Article 1 of the 'Convention on the Reduction of Cases of Multiple Nationality and Military Obligations in Cases of Multiple Nationality' specifies that: citizens of one of the contracting nation states who gain the citizenship of another signatory country are not allowed to hold more than one of the contracting nation's citizenship if they are older than 18 (in special cases this regulation is also applicable for minors) (Brandt 2000: 227). The treaty was ratified by Belgium, the Federal Republic of Germany, France, Italy, Sweden, Norway, Luxembourg, Denmark, Austria and the Netherlands, Britain, Spain and Ireland signed only the second part of the treaty which regulates the conscription of persons holding multiple citizenship (Hailbronner 1992: 24 quoted in Brandt 2000: 227). The application of the treaty is explicitly limited to signatory states. Thus, according to international legal definition, there is no legal obstacle for Germany to grant citizenship to citizens of Turkey and of the former Yugoslavia (who constitute the majority of long-term foreign residents in Germany) in addition to their original citizenship (Hailbronner 1992: 28 quoted in Brandt 2000: 227).

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<sup>82</sup> *Ausländerzentralregister*, 2004 in Bundesministerium für Wirtschaft und Arbeit.

<sup>83</sup> *Statistisches Bundesamt*, 2004 in Bundesministerium für Wirtschaft und Arbeit.

Another point is that German law does not take into account of dual citizenship gained by birth. In reality, children of mixed parentage automatically acquire two citizenships. Apart from this 'natural' emergence of dual citizenship, a second source is naturalizations. For instance, *Aussiedler* who hold a legal claim to citizenship do not have to give up their original citizenship. It can be assumed that most of the *Aussiedler* retain their citizenship in addition to the German, and pass it to their children (Hailbronner 1992: 17 quoted in Brandt 2000: 228).

In reality, dual citizenship was tolerated in the naturalization processes for a certain period of time (until 2000). Thus a number of foreigners hold on their original citizenship by exploiting loopholes of the German legal regulations. This was very common for Turks who re-apply immediately after their German naturalization for their temporarily 'lost' Turkish citizenship. As Turkey allows dual citizenship since 1981, the procedure is more or less a formality once the question of the military service has been resolved (Brandt 2000: 229). This dual citizenship application worked even if Germany did not apply the dual citizenship principles officially. However, German authorities maintained a diplomatic silence in the face of it until late 1997.

The process of western European integration poses additional questions for German citizenship issue. For instance, anomalies between the voting rights of citizens of other EU states residing in Germany and those of foreign workers have already led to new demands for comparable rights for guestworkers (Fullbrook 1996). The states of Berlin, Hamburg, and Schleswig-Holstein adopted bills allowing foreigners who have resided in Germany more than five year to vote in local elections. However, in 1990, the Federal Constitutional Court ruled local voting rights for foreigners unconstitutional, thus prevented the enactment of these bills (Soysal 1994: 128).

In response to the growing pressures, Germany reformed its 1913 citizenship law in May 1999. The substitution of the principle of *jus sanguinis* by *jus soli* was accepted by a two-thirds majority in the German parliament. From

January 1, 2000 children born to foreign parents who have resided in the country for eight years started to acquire German citizenship without renouncing other citizenships they hold. When they reach the age of 23, they must decide for one citizenship or another. In addition to the introduction of *jus soli*, the new law expedites the acquisition of German citizenship by reducing the transition period from residency to citizenship from fifteen to eight years (Benhabib 1999: 718). The partial introduction of the principle of *jus soli* declares that the definition of 'Germanness' is no longer limited to ethnic descent (Kaya and Kentel 2004: 24).

With respect to citizenship politics the most problematic among the three groups of immigrants (namely ethnic German refugees and expellees, guestworkers, and political asylum seekers) are guestworkers and their descendents, since Germany does not offer automatic birthright citizenship, and does not permit dual nationality. Integration of children and grandchildren of guestworkers has been in the public agenda for recent decades. Although most second- and third-generation of guestworkers are integrating successfully in Germany, it is usually asserted that many of those having the most trouble in integrating are Turks (Martin 1998).

#### **5.4. Concluding Remarks**

In Germany, citizenship is mainly gained through the principle of *jus sanguinis* (blood or descent principle). The ethnocultural view of German national identity has shaped its laws, policies, and public attitudes toward immigration and naturalization. The most obvious effect of this has been the absence of an immigration policy. Contrary to the fact that almost 7.5 million foreigners live in Germany, the official stance has been the denial of immigration. The politics of citizenship shows the reluctance of many elements of German politics to accept foreigners as permanent and full members of German society. The introduction of the right to gain German citizenship is an

essential step towards improving the situation of immigrants in Germany. To acquire German citizenship has become a significant concern for already settled immigrants, in order to be formally recognized as full members of the larger society –especially for Turks who constitute the largest foreign population in Germany.

## CHAPTER 6

### THE CITIZENSHIP CONDITION OF SECOND-GENERATION TURKISH-GERMANS: FROM THE STANDPOINT OF INDIVIDUALS' PERCEPTIONS

This chapter explores the citizenship perceptions of second-generation Turks living in Germany (Turkish-Germans) as competent members of German society. The purpose is to investigate the points of view of the 'actual' individuals via their own judgments. Before elaborating the citizenship practices and perceptions of Turkish-Germans, in the first part of the chapter, the history of Turks in Germany will be overviewed with special reference to their attitudes towards issue of citizenship. Within this discussion it is argued that Turks in Germany are not passive subject for either the German or the Turkish state to deal with them as *Ausländer* (foreigners) or *gurbetçiler*<sup>84</sup> respectively, but they have the competence to compel these states to reform their citizenship regimes with their social, economic, and political practices. Thus, citizenship laws and practices reflect not only the ideological commitments and interests of the countries concerned, but also the demands of immigrants as active agents. The second part of the chapter is devoted to the presentation of this study's sample group and of three supplemental empirical studies conducted with Turkish-Germans (Kaya and Kentel 2004; Tepecik 2002; Göksu 1999). In the third part, citizenship conceptualizations and practices of Turkish-Germans will be investigated from the standpoint of their perceptions in the light of the empirical findings. The perceptions will be clarified by means of three aspects of citizenship which are suggested by Will Kymlicka and Wayne Norman (2000) as

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<sup>84</sup> The term *gurbetçi* refers to someone in *gurbet* (diaspora), to go away, to depart, to be absent, to go to a foreign country, to emigrate, to be away from one's homeland, to live as a foreigner in another country (Kaya and Kentel 2004: 9).

the ideas of citizenship at the level of individual: legal status, identity, and civic virtue.

### **6.1. Turks in Germany: from *Gastarbeiter* to *ausländische Mitbürger***

By the end of 2003, Turks made up about one third of all immigrants (around 2.5 million) in Germany. In Europe, Germany has always been the main destination for labor immigrants and refugees from Turkey. About 50% to 75% of Turkish net migration to Europe between 1960 and 1994 went to Germany (Faist 2000: 57). It has been predominantly in the form of labor migration in the period beginning with the recruitment agreement in September 1961 up until the recruitment stop of 1973. Immigration continued in the form of family reunification and political asylum after the period following the recruitment stop. Immigration from Turkey to Western Europe has been dominated by transit migration and asylum issues in the 1980s and 1990s (İçduygu 2000).

Turkish immigration to Germany can be divided into five major phases (Faist 2000: 82-3):

1. 1961-3: In the first period, single male immigration dominated. These workers usually left their wives and children at home. They were the pioneer immigrants coming to Germany.

2. 1963-5: In this period, family reunion occurred under special conditions, requiring a minimum term of two-year employment abroad. The migration rate then increased.

3. 1966-73: The immigration of single women workers (often later joined by their husbands) reached a maximum because employers and recruiting agents set a priority in the recruitment of women workers. Besides, more and more male immigrants tried to enter Germany as tourists in the hope of regularizing their employment and residence status later on.

4. 1973-81: The recruitment stop in 1973 encouraged family reunion.

5. From 1980s onwards: In the mid-1980s refugees from the south-eastern provinces of Turkey began to enter Germany as asylum seekers in larger numbers (Figure 6.1). These refugees depended on relatives and friends who had immigrated to Germany as labor immigrants many years before.

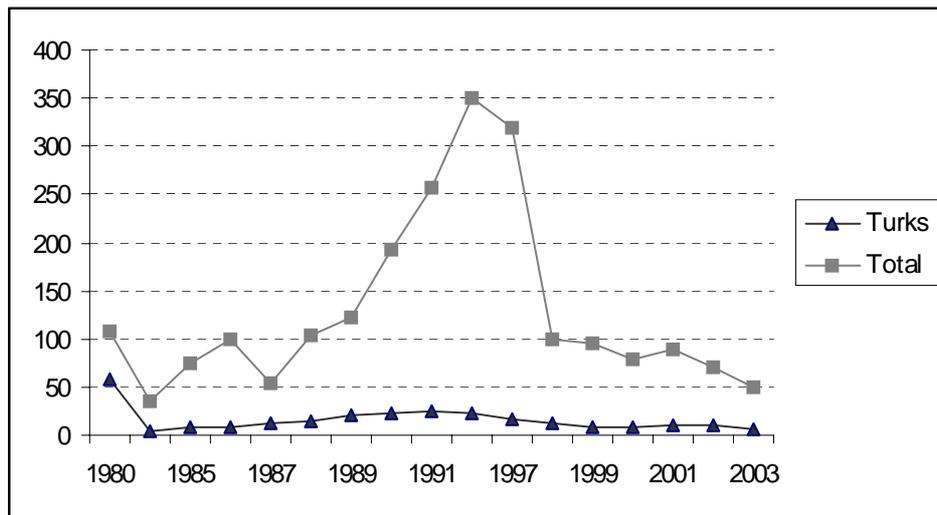


Figure 6.1. Asylum Seekers from Turkey to Germany: 1980-2003 (Source: From 1980 to 1997, Faist 2000:83; from 1998 to 2003 *Ausländerzentralregister*, 2004 in Bundesministerium für Wirtschaft und Arbeit.

Apart from the flow of asylum seekers, and immigration in the form of marriage migration (import of brides and bridegrooms from Turkey), the Turkish population in Germany also continues to rise by births (Table 6.1).

Today's Turkish-Germans have little in common with the old 'guestworker stereotypes' of the past (Kaya and Kentel 2004: 9). We can speak of economic, social, cultural, and political integration of the Turkish-Germans in all spheres of life: around 5,000 Turkish businesses in Berlin currently employ approximately 20,000 workers in 90 different areas of activity (Kaya and Kentel 2004: 9). Approximately 60,000 Turks are running independent businesses in Germany. The yearly remittances to Turkey amount to 4 billion Euro. There are approximately 13,000 Turkish students in German universities. Both the Turkish

Table 6.1. Number of Births in Germany and the Percentage of Turks: 1997-2001

<b>Year</b>	<b>Total births</b>	<b>German births</b>	<b>Foreigner births</b>	<b>Turkish births</b>	<b>% of Turkish births in total births</b>	<b>% of Turkish births in foreigner births</b>
1997	812,173	704,991	107,182	46,237	5.69	43.14
1998	785,034	684,975	100,059	41,083	5.23	41.05
1999	770,744	675,528	95,216	38,124	4.94	40.04
2000	766,971	716,766	50,205	43,222	5.63	86.09
2001	734,475	690,302	44,173	36,683	4.99	83.04

Source: *Statistisches Bundesamt*, 2004 in Bundesministerium für Wirtschaft und Arbeit.

community and the larger German society take great pride in the successes of Turkish-German sportsmen, artists, and scientists. They raise their claims through their spokesmen and intelligentsia in the public sphere. More than 400,000 Turkish-German voters in 2002 parliamentary elections had a significant role in the results of the elections. There are two Turkish-German deputies in *Bundestag* (the Federal Parliament) from SPD and Greens. For Cem Özdemir (a deputy from Greens), many of Turks “have been encouraged to express their needs and their desire to contribute constructively as a part of German society. They want to be subjects of their lives, not objects of a paternalistic minority policy” (Özdemir quoted in Weber 2003: 3).

Their willingness to be a part of German society is observable in the number of naturalizations. Within the last two decades, the attitudes of Turks have changed in regard to acquiring German citizenship as a response to changes in citizenship politics of both Turkey and Germany, and also changes in their life prospects. In 1982, a public effort was undertaken to encourage the 30,000 Turkish residents of West Berlin who might qualify for citizenship to apply. This number represented less than one-third of more than 100,000

Turkish residents in West Berlin at that time. From this potential pool of 30,000, a mere 50 applied (Klusmeyer 1993: 89) –now the number of Turks who have German citizenship is more than 150,000 in Berlin.

Over the last 23 years, four policy changes have had an impact on the naturalization of Turks in Germany:

*Amendment of Turkish Citizenship Law*<sup>85</sup>: Until 1981, a Turkish citizen had to relinquish his/her Turkish citizenship, in order to acquire another state's citizenship, because conceptualization of citizenship in Turkey implies the sense of belonging directly to the national community based on loyalty to the state (İçduygu et al. 1999: 197). This notion of citizenship was challenged by the fact that Turkish guestworkers in Europe had become denizens<sup>86</sup>. Their status had become socially and politically anomalous, since they were officially citizens of Turkey but were living in another country as denizens (İçduygu 2005: 206). By the early 1980s, the Turkish state realized that the problems of its citizens in abroad could be solved by granting them the right to dual citizenship. After the amendment of the Citizenship Law, Turkish citizens who would acquire the citizenship of another country would first apply to the authorities and get permission for withdrawal from Turkish citizenship. Then they could keep Turkish citizenship if they return the required papers to the Turkish authorities within three years after the permission<sup>87</sup> (Keyman and İçduygu 2003: 199). From

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<sup>85</sup> Turkish Citizenship Law (403 numbered and 11 February 1964 dated) was amended by the 2383 numbered and 13 February 1981 dated law (*Türk Vatandaşlığı Kanununun Bazı Maddelerinin Degistirilmesi ve Bu Kanuna İki Ek Gecici Madde Eklenmesi Hakkında Kanun*). Article 20(c) of the Turkish Citizenship Law “withdrawal from Turkish citizenship is subject of to permission of the Council of Ministers when... citizenship of a foreign country has been acquired in any manner or when there is convincing evidence that someone is going to acquire a foreign country's citizenship”.

<sup>86</sup> Another challenge has been the new religious (political Islam), ethnic (Kurdish), and sectarian (Alevi) movements since the 1980s. These movements started a debate on ‘constitutional citizenship’ in Turkey (see İçduygu 1996b; İçduygu and Keyman 1998; İçduygu et al. 1999; İçduygu 2002; İçduygu 2005).

<sup>87</sup> According to Article 22 of the Turkish Citizenship Law: “If the person who wants to withdraw from citizenship is at the same time a citizen of another country, the withdrawal documents are immediately issued to him. If the person who wants to withdraw from citizenship is not a citizen

the Turkish state's perspective, dual citizenship is seen as a practical tool for the integration of its emigrants abroad (İçduygu et al. 1999: 198). Allowance of dual citizenship was the first impetus but it did not have an immediate impact on the number of naturalizations for a decade or so. By the year 1994 only 2% of Turks living in Germany had dual citizenship (Göksu 1999: 225). In that period, Turks were perhaps still keeping hopes of returning to Turkey. The impact of Turkey's dual citizenship policy comes into view after 1990.

*Changing German Foreigner Law:* The new Foreigner Law of Germany enacted in 1991, provided the right to gain German citizenship; and the amendment of the Foreigner Law<sup>88</sup> in 1993 relaxed the access to citizenship for young generations (see Chapter 5). In 1996, 126,000 Turkish citizens were naturalized; then up to the year 2000 another 220,000 Turks were naturalized, raising the total number of naturalized Turkish citizens in Germany to almost 400,000 (İçduygu 2005: 198).

*Introduction of the Pink Card:* Since Germany rejects dual citizenship, in 1995 the Turkish government introduced a document<sup>89</sup> that would enable those expatriates (who acquired another state's citizenship with permission) to enjoy the citizenship rights (except right to vote and hold governmental office, and the obligation of military service) in Turkey. This document, known as 'pink card', guarantees the right of residence, investment, travel, work, business, inheritance, and possession and renting movable and immovables in Turkey. The pink card

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of another country, the Ministry of Interior Affairs issues him a document of permission. When the person in question brings the document showing that he has acquired foreign citizenship, the same ministry gives him a withdrawal certificate. In accordance with the rationale set by the Council of Ministers, the Ministry of Interior Affairs may issue a permission document to a person who wants to acquire another country's citizenship. The permission document is valid for three years. Those who receive permission documents have to turn over to the competent Turkish authorities the required information and documents within this period." (Keyman and İçduygu 2003: 204)

<sup>88</sup> *Gesetz zur Änderung asylverfahrens-ausländer und staatsangehörigkeitsrechtlicher Vorschriften*

<sup>89</sup> *4112 sayılı Kanunla Saklı Tutulan Hakların Kullanılmasına İlişkin Belge*

policy can be regarded as a move from a dual citizenship understanding to a sort of dual nationality principle by legitimating a new membership status that is more than a foreigner but less than a citizen (İçduygu 2005: 206).

*Enactment of new German Citizenship Law:* The new law, passed in 1999 and enacted in January 1<sup>st</sup> 2000, introduced *jus soli* in addition to *jus sanguinis*, so the descendants of foreigners gained right to acquire dual citizenship until the age of 23 (see Chapter 5). Now the total number of naturalized Turks in Germany has exceeded 700,000 people (Kaya and Kentel 2004: 52), and their percentage in total naturalization in Germany surpasses 40% (Table 6.2). Such a big difference in the figures from 1980s to 2000s can be explained with loss of credibility of the ‘myth of return’ among Turks.

Table 6.2.. Number of Naturalized Turks: 1995-2003

Year	Naturalizations	Turks	% of Turks within naturalizations
1995	71,981	31,578	43.9
1996	86,356	46,294	53.6
1997	82,913	42,420	51.2
1998	106,790	59,664	55.9
1999	143,267	103,900	72.5
2000	186,688	82,861	44.4
2001	178,098	76,573	43
2002	154,547	64,631	41.8
2003	140,731	56,244	40

Source: *Statistisches Bundesamt*, 2004 in Bundesministerium für Wirtschaft und Arbeit.

Discourses of two countries were also changed in the course of time vis-à-vis the changing position of Turks in Germany. At the beginning of immigration Turks were called *gurbeci* in their home country, a term resonating with emphatic sentiments. As they settled and got socially and economically integrated to Germany they are called *Almanci* a term that “evokes a combination of a sense of difference, lack of acceptance, and rejection” (Kaya

2000b: 235). Finally, with Turkey's ambitious endeavor to become an EU member state, recently they are started to be called *Avrupalı Türkler* who could lobby for Turkey's membership. From the perspective of Germany, they were invited as *Gastarbeiter* (guestworker). Once they had settled, it was understood that these guests would not return to their home, but still they were not members of German society. So, they were *Ausländer* (foreigners) for Germans. After the unification, the issue of foreigners become more problematic, and the official integration policy started to label them '*unsere ausländischen Mitbürger und Mitbürgerinnen*' (our foreign fellow-citizens). What is missing in this picture is the self-identification of the third actor of the Turkish-German immigration. The task of the third section of this chapter is to investigate the citizenship condition of Turkish-Germans via their experiences and perceptions.

## **6.2. Profiles of the Sample Groups**

The qualitative research is based on 2 focus group discussions and 9 in-depth interviews with 'academic' (having a university degree or being a university student) second-generation Turks in Germany. The distinguishing quality of the sample group is that they represent the *counterexample* of the 'stereotype Turk' in Germany. Therefore, it is presupposed that the second-generation's perceptions of citizenship differ from the first-generation because they do not think of themselves as *gurbetçi* which is the label used for the first-generation guestworkers who went to Germany for a temporary stay. Another point is that the elite groups among Turks, with high status, professional skills, and relatively larger salaries, are expected to expose the unforeseen points regarding the issues of citizenship, identity, and political rights, such as the impact of racism on their perceptions of these issues.

In order to see the differences between two generations, the perceptions of our respondents will be compared with that of the first-generation Turks based on a documentary survey held by Ergün Tepecik (2002) on the situation of

first-generation Turks in German society. Tepecik's first-generation sample comprises retired or working Turks and their spouses. Of the 26 first-generation interviewees only one of them applied to acquire German citizenship. Among 6 second-generation interviewees, 4 of them acquired citizenship, and one was planning to apply.

A vast majority of the discussion participants and interviewees of the present research were born in Germany and a few brought to Germany before they were 6 years old. Their fathers (in some cases both parents) were guestworkers recruited from different cities of Turkey (e.g. İstanbul, Kayseri, Denizli, Balıkesir) in late 1960s and early 1970s.

The first focus group was conducted in İstanbul (August 2003) with university students who were attending a summer school at the University of İstanbul; the second focus group was conducted in Marmaris (September 2003) with 7 professionals who were taking part in a summer program at the International Academy of Marmaris. At the beginning of qualitative investigation, before the focus group discussions, 3 unstructured interviews were conducted in İstanbul (August 2003). The later 6 semi-structured interviews were held after focus groups in Marmaris (September 2003).

The first focus group (FGI) was composed of 8 persons (7 female and 1 male); participants were university students who ranged in age from 20-26, with an average of 23. The second focus group (FGII) was composed of 7 persons (5 female and 2 male). The respondents ranged in age from 25-36, with an average of 29.5. Three of them are doctors, one architect, one studies political science and media, and works as translator and reporter for the German news media, one studies law, one does not have university degree and works in private sector. Since, only interested people were participated to focus groups, gender distribution is not balanced. However, the in-depth interviews reflect more balanced gender representation: five female, four male. Interviewees were

between the age of 22-35, with an average of 28.5. Among nine interviewees five of them are students, and four of them are professionals.

The observations of this study will be compared with the findings of recent research carried out by Ayhan Kaya and Ferhat Kentel (2004) on Euro-Turks (Turks in Germany and in France), and with the work of Turkut Göksu (1999) on the problems of acquiring German citizenship for Turks. In general, the observations of this study are consistent with the former research and incompatible with the latter. Incompatibility with the empirical findings of Göksu's research stems from the representation of samplings. Our sample represents an integrated segment of the Turkish community in Germany: except one, all of them are either university students or have a university degree, and were from middle income class. Average age is 26, 74% female, 26% male, all of them are single (one divorced). Of the 19 respondents 14 acquired German citizenship (three of them have dual citizenship), two have already applied, and three stated that they will/may apply. Göksu's sample is composed of 191 Turks living in the Nordrhein-Westfalen region (an industrial area), more than half of the sample is under 30 years old, 85% male, 15% female, 75% married, most of them have only primary education, and from the lowest income class. 96% of the sample has only Turkish citizenship, 2.5% have dual citizenship, 0.5% has only German citizenship. Kaya and Kentel's sample, on the other hand, reflects a representative picture of Turks in Germany (in terms of gender, age, occupation, and region). In their sample, 26% have German citizenship, 7% have already applied, 26% planning to apply, and 41% does not planning to apply. Thus, Göksu's sample represents a less integrated part of the Turkish community. Another point related to the divergent results of Göksu's research is that he conducted the empirical study in 1994, prior to the new citizenship law. It is estimated that by the year 1994 only 2% of Turks living in Germany had dual citizenship (Göksu 1999: 225). However, the latest statistics indicate that the percentage of naturalized Turks constitutes more than 40% of the total

naturalizations in Germany in the period following the enactment of the new citizenship law (see Table 6.1). So, the comparison will uncover the changing attitudes of Turks in the course of time.

### **6.3. How do Second-Generation Turkish-Germans Perceive and Experience Citizenship?**

In this part, citizenship perceptions and experiences of our sample group are explored with reference to categories that are suggested by Kymlicka and Norman (2000): *status*, *identity* and *activity (civic virtue)*. Kymlicka and Norman (2000: 30-31) argue that talk of a person's citizenship at the individual level can refer to three distinct ideas: (a) *status* as a legal citizen defined by rights (civil, political, and social) and duties (to obey the law, pay taxes, perform military service); (b) *identity* as a member of political community which is often contrasted with other more particular identities of the individual based on class, race, ethnicity, religion, gender, profession, sexual preference, etc. (c) *activity* implies *civic virtues* required for a flourishing democracy. In William Galston's account, responsible citizenship requires four types of civic virtues: (i) *general* virtues: courage; law-abidingness; loyalty; (ii) *social* virtues: independence; open-mindedness; (iii) *economic* virtues: work ethic; capacity to delay self-gratification; adaptability to economic and technological change; (iv) *political* virtues: capacity to discern and respect the rights of others; willingness to demand only what can be paid for; ability to evaluate the performance of those in office; willingness to engage in public discourse (Galston 1991: 221-224 quoted in Kymlicka and Norman 2000: 7).

#### **6.3.1. Citizenship and Legal Status**

Citizenship as a legal status refers to civil, political and social rights, and certain duties. A majority of Turkish-Germans already have civil, social, and cultural rights as denizens. Their residence status is fully guaranteed or almost guaranteed. They have also been entitled to equal treatment in all spheres of life,

with full access to the labor market, business, education, social welfare, etc. By acquiring German citizenship, they can complete their legal status with political rights, and turn out to be full members of the political community. German citizenship becomes an essential legal status when there is a will to be involved in political sphere. Then, it means achieving the rights to participate in the exercise of political power, either by holding office or by voting. Some of the respondents perceive obligations (e.g. paying taxes) as conditions for rights (e.g. right to vote). Rights must be the subsequent results of performing the duties in this line of reasoning. Then, not to have political rights is obviously an unjust phenomenon which, further, means that they are treated as 'second-class citizens'. The following responses to the question of why they acquired German citizenship are revealing how our respondents associate rights with duties:

**Serpil:** I have been living in Germany for my whole life but I didn't have some rights. I paid taxes but I didn't have the right to vote. That's why I applied for citizenship. Now, I am happy that I have all the rights and I am admitted as a complete human being... I didn't want to be a second-class citizen. (FGII<sup>90</sup>)

**Oğuz:** I reside there (in Germany), I pay taxes, so why shouldn't I have the right to speak up? (FGII)

**Yusuf K.:** Being someone who has been living in Germany for a long time, I had undertaken all the obligations of Germans, however I could not enjoy some of their rights. After I became a professional, it was difficult for me to find a job in governmental offices as a foreigner. Besides, I grasped that it would not be possible for us to return to Turkey. We lived our youth in this society, we founded our families in here, we'r raising our third-generation children in here. They study in here, and they grew up with this society's mode of thinking, with their mentality. They spend time with Germans more than we do. We decided to acquire German citizenship, because our children will realize

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<sup>90</sup> FGII: Excerpt from the second focus group discussion.

their future plans in here. I want our children not only to undertake Germans' obligations, but also enjoy their rights too. (officeholder) (in Tepecik 2002: 183)

Although, first-generation Turks are satisfied with denizenship, the later generations seem not to be. The considerations about the future of the third-generation begin to be a motivation in acquiring German citizenship for the second-generation Turks. All of the respondents of this study mentioned the right to vote as a reason in taking the decision about German citizenship; and some of them raised their concerns about holding office in addition to the right to vote. These persons are professionals whose occupation requires having German citizenship –such as doctors. This is evident in the excerpts below where they explain why they acquired German citizenship:

**Aykut:** ... Another reason is that I am studying politics and I will be in politics in the future; that is possible only if you are a citizen of that country. Also, in order to get certain positions you have to be a citizen of that country. I may apply for a position in diplomacy in the future. (Interview)

**Ebru T.:** As a foreigner, I got German passport to ease my life in Germany. I wanted to have the right to vote and stand for elections. I chose German citizenship to enjoy the rights to be an officeholder and to perform certain professions that are peculiar only to Germans. (student) (in Tepecik 2002: 199)

For the most respondents, German citizenship is associated with rights. There are basically three reasons behind the acquisition of German citizenship: (i) to overcome visa problems; (ii) not to deal with bureaucratic procedures of Alien Office; (iii) to have the right to vote. If 'the right to vote' relates with the political dimension, the first and the second motive can be associated with the *pragmatic* dimension of citizenship. For some of the respondents, the primary reason to apply for German citizenship roots from the problems that they face with Turkish passport to get visa for European countries. Hülya mentions that:

Before, people were telling me “if you have German citizenship, you can have more rights”. But I didn’t think about it until I run into the disadvantages of Turkish passport abroad. We have visa problems... I was lazy to apply because of the bureaucratic procedures. When I saw the disadvantages of Turkish passport, I thought German citizenship is necessary. (FGII)

The decision taken to apply German citizenship is an instrumental one (as Oğuz states); or there are some practical reasons at work which are necessary to live and work in Germany (such as Gamze’s case). In some cases, both pragmatic interests and political considerations are the driving forces (as in the case of Hayriye):

**Oguz:** In my opinion, citizenship means to enjoy the rights and the advantages of the country where I reside. I see it as a means, not an aim in itself. (FGII)

**Gamze:** Up to this time, I didn’t need (German citizenship). But, now it is indispensable because of my profession. I cannot work as a doctor without German citizenship; that’s why I applied. I cannot think of any positive side in acquiring German citizenship other than franchise... It is an assurance in working life and in political life. (FGII)

**Hayriye:** To be a German citizen is, definitely, advantageous. For example, you do not need visa when you go abroad... It has advantages in bureaucratic terms. And politics! Right to vote! I am 26 but I have never voted. I cannot see myself in the political life. They rule me but I cannot rule them. I cannot choose the ones to rule me. This is a deficiency. (FGI<sup>91</sup>)

Indeed, it is difficult to differentiate the pragmatic dimension from the political one. The script below clarifies how they converge:

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<sup>91</sup> FGI: Excerpt from the first focus group discussion.

**Hüseyin:** German citizenship is important for me in order to get rid of bureaucratic handicaps, to go abroad, to catch more advantages in the future... And to be effective in political arena, to express our interests there. Because, you are taken into account, when you are a voter. If you are not a voter, you are there as a foreign group without having a right to make a comment. For example, foreigners played an important role in Berlin, in the last elections. That's why they respect us and they take us into consideration. (Interview)

Almost all of the respondents of this research have political incentives (right to vote and stand for elections) in acquiring German citizenship together with pragmatic ones. However, it can be argued that the opinions of the first-generation Turks are more relevant to pragmatic considerations. The responses (concerning to get German passport) of some interviewees of Tepecik's survey are illuminating in this sense:

**Cemile S.:** I have never thought of becoming a German. I am Turk and I will remain so. But I may get German passport in order to benefit from their laws. (unemployed) (p. 97)

**Gülhanım K.:** I don't have German passport. I have never thought of it, because we might return to Turkey. But, I have residence entitlement (*Aufenthaltsberechtigung*<sup>92</sup>) I think Turks wants to have German passport to advantage more from the rights available here, such as social rights and franchise. (worker) (p. 119)

**Kemal K.:** I don't have German passport yet. We applied to benefit from German social services. Besides, we wanted to be accepted as human beings, and to have the right to speak up... Now, I don't want it, because Turkey creates some problems for those who become German... (retired) (p. 122)

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<sup>92</sup> *Aufenthaltsberechtigung* is the most secure residence permit with the right of unlimited residence which protects the foreigner from expulsion. Foreigners can be received this residence status after eight years of residence in Germany but they have to make contributions into social insurance funds for at least sixty months..

**Hasan G.:** I don't think of getting German passport. I have residence entitlement (*Aufenthaltsberechtigung*) which gives me most of the rights that Germans have. In my opinion, Turks get German passport to ease their life in both Turkey and Germany. They want it to see doctors freely. (retired) (p. 128)

**İsmet K.:** I don't have German citizenship. I didn't think about it, because I have residence entitlement (*Aufenthaltsberechtigung*). I think most of the Turks get German citizenship to have more rights. For example, my son wanted to apply to the police academy, and they didn't accept because he is a foreigner. (worker) (p. 134)

**Mevlüt B.:** I don't have German passport but I have residence entitlement (*Aufenthaltsberechtigung*). I don't need German passport. We, me and my wife, don't have any problem in here... I mean we have all rights. I can work, run a business. But my son, İbrahim, got German passport. (retired) (p.173)

**Nazife S.:** I didn't think of getting German passport, because I have residence entitlement (*Aufenthaltsberechtigung*). The situation is different for children: they grow up and go to school in here. They can get German passports. My elder daughter already has German passport. (unemployed) (p.136)

The above scripts reveal that first-generation Turks are pleased with the rights they gained through a secured residence right (*Aufenthaltsberechtigung*). They do not see any further benefit in acquiring German citizenship. Thus, the perceptions of the first-generation Turks involved in Tepecik's survey support the argument that many non-citizen residents enjoy a substantial bundle of rights same as that of the nominal citizens' of the host countries in Europe; and what is significant is not to hold citizenship of the country of residence but to be a permanent resident (*denizen*) (Hammar 1990; Soysal 1994; Kaya and Kentel 2004).

Another reason for their reluctance in acquiring German citizenship is that perhaps some of them are still planning to return to Turkey. As they are mostly at the age of retirement, their life prospects depends less on the pragmatic considerations associated with German citizenship. Aykut tells the reason why his parents do not apply for acquiring German citizenship:

My father will retire soon; he is planning to return to Turkey then. There would not be much change in his life (with having German citizenship). It would be valid for few years. It is a lot of work to acquire citizenship; it would not worth to take the burden of that much of trouble. (Interview)

Most of the respondents of Tepecik perceive German citizenship as an official document (passport)<sup>93</sup> which is a means for rights, not citizenship as a political concept. Only one (out of 26) first-generation interviewee perceives it as membership to a political community, and use the word citizen (*Bürger*) in replying the question of whether he has German passport or not:

**Hasan H.:** I don't have German passport. Even if we have German passport, we are still Turk. Indeed, neither Germany nor Turkey sees us as their citizens. If Turks become German citizens, they may perhaps gain right to vote and to stand for elections... (worker) (p.102)

Therefore, to apprehend citizenship in terms of rights is not only peculiar to the second-generation; the first-generation respondents of Tepecik's survey also associate German citizenship with rights. Most of them do not plan to have German passports, because they are pleased with the rights they enjoy via residence permits. Some of them state that their children have German passport. And most of them think that to have German passport is convenient for Turkish youth. Some of them even mention that if they were young they would apply for it, but now it is too late for them, and to have residence rights are enough. In

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<sup>93</sup> This is related also with the way the question was asked to them: "You live in here for a long time, do you have German passport?"

their opinion, the reasons why Turks acquire German citizenship could be: not to have bureaucratic problems, to guarantee the future of their offspring, and to overcome visa procedures applied to Turkish citizens in Europe. Besides, another rationale behind acquiring German citizenship for the first-generation is related to the considerations about the better health insurance provided in Germany in retirement (Tepecik 2002: 11).

Göksu's findings also reveal that the rate of tendency to acquire German citizenship is higher among younger generations. For the first-generation Turks, there is still a possibility to return to Turkey where they have relatives and friends. However, for the later generations Turkey denotes a holiday country and the homeland of their parents. Their future plans are oriented towards Germany. Those who consider Germany as the motherland are mostly among the young Turks (Göksu 1999: 265). In research among the Turks who were born in Germany: 42% want to acquire German citizenship and, 32% want to acquire if they were given the right to have dual citizenship. So, 75% of the Turks born in Germany in Göksu's sample want to acquire German citizenship. Only 16% state that they do not want to change their citizenship status (Göksu 1999: 272). Among those who were brought to Germany when they were child: 40% want to acquire German citizenship, and 24% want to remain Turkish citizens (Göksu 1999: 273).

In our study, in order to investigate other considerations in acquiring German citizenship, we asked the respondents whether those rights and advantages that they associated with citizenship (right to hold office, right to vote, or not to have visa problems) were given to them as foreign citizens living in Germany, would they acquire German citizenship or not. In the second focus group, participants agreed that there would not be any reason, so they would not apply. In the first focus group, on the other hand, 'recognition' and 'integration' came to light as overtones of German citizenship. The script below is from the Focus Group I:

**Hayriye:** I would not pay that 200 or 500 Euro (the fee for application). I would go for a holiday. Anyway, it is not important for me whether it is written German or Turk on my passport...

**Didem:** For me, what is more important than 200 or 500 Euro is to feel that I am recognized by Germans.

**Hayriye:** I didn't experience that.

**Zehra:** Yes, Didem is right. I would feel more integrated...

Differing perceptions in the two focus groups can be explained with the age differential in two groups: average is 23 in Focus Group I, and 29.5 in Focus Group II. It can be argued that citizenship is regarded as a means for integration for young people. While for the first-generation it means solely interests (like welfare provisions); for the second-generation, emphasis shifts to political rights, and for the younger Turks it can be a means for integration.

The primary concern regarding citizenship is *pragmatic* interests for all generations. Some of these interests are very important to improve their contractual position in the society. Contrary to Brubaker (1992)'s thesis which implies that citizenship is a politics of nationhood, there are important material interests gained by means of citizenship rights. For instance, Selin indicates that "German citizenship is a formal condition necessary to have more rights and to enjoy them... in order to come to a better position in Germany in terms of education and profession" (Interview). This statement supports the idea that "The resources of access to the political community –not least of which are voting rights- may indeed make a significant difference in the potential of migrant actors to mobilize and press their claims for social and political change" (Koopmans and Statham 1999: 662). Thus, the politics of citizenship is more than a politics of nationhood. The mechanisms to provide their access to the political community are the means for liberal commitment to 'equality' and essential for a flourishing democracy.

However, the respondents of the research do not think that citizenship rights allow them to be 'equal members' of society, in spite of the fact that they acquired German citizenship and adopted 'societal culture'. Consider, for instance the following accounts of some interviewees:

**Selin:** It is OK in bureaucratic terms but in social life, no. Partially no, it depends on presentation. To what extent you can present yourself as German, you are German to that extent. As much as you are different from Germans, you are Turk. To have citizenship I mean the passport does not make much difference. You can express through language or through sharing social life with them. Religious point of view... for example; it becomes an issue to eat or not to eat pork, things like that. (Interview)

**Gamze:** We have the same rights before law. If we put laws aside, in the daily life, it does not matter that you are German on paper. If it is evident from your appearance -dark hair or eyebrows- that you are a Turk, you may still experience some reactions. (Interview)

**Hüseyin:** The image of being a Turk is very bad. When you become a German citizen, Turkishness does not become obscured; your appearance is still like a Turk. OK. You may live in a modern style, you may follow the fashion, but if you are a Turk, you are still a Turk. You can not show your German citizenship like that, even if you show, you are still a Turk. You are seen like that. But, officially, you participating to elections, you enjoy all the laws that any German citizen enjoys, as a first class citizen. (Interview)

In the first focus group, participants tell the reactions of some Germans when they learn that they are Turkish:

**Aysun:** 'You cannot be Turk, you speak fluent German'; 'You do not look like a Turk'; 'You drink wine?'

**Defne:** 'Will your parents arrange a marriage for you?'

**Beril:** 'You don't have dark skin' 'You are not a typical Turk'.  
What are Turks like? They have dark hair, different.

Ethnicity and culture are representations of difference in respondents' perceptions. But their perceptions seem to be shaped by the dominant culture (German culture). They are different because their appearance is different – either skin or hair color (racial racism), or the way they dress (ethnicism). What is interesting is that they attribute an intrinsic meaning to the dominant comprehensions. They adopt codes, norms, and rules that the majority uses to exclude and enclose them. They view these codes as universal norms, because, perhaps, they believe that 'Germans are too strict' and they cannot change their prejudices. The only way to fight with everyday racism is to conform with the dominant comprehensions, and not to face reactions. The script below is an example of how the study group legitimate discrimination:

**Arzu:** They see us as foreigners in Germany. In France, if you feel yourself as French, you become so. Sweden is also more liberal; it gives two passports. We are unlucky in going to Germany, because Germany doesn't know "whether it is an immigration country or not!" So, they see you as a foreigner. But it is not their fault, for it is like that in Germany. The image of Turks is very bad in Germany. Germany is not a typical immigration country like America or Canada. It is not like "You come and become our citizen". As a result, there is always discrimination. This is natural; I mean we don't look like Germans. This is clear. It includes being Muslims... our appearance is different. In fact, it's natural; we cannot say "Germans discriminate". We do the same. Although we acquire German citizenship, we say "we are Turks". Indeed, it's weird! We should say "we are Germans". (Interview)

Although Arzu is not pleased with German immigration and foreigner policies, she is not too critical about the situation as she takes it for granted, as if she internalized the externally-imposed limitations. We can trace the evidences of the German ethnocultural concept of citizenship from the above script where

Arzu adopts the German notion of *Kulturnation* based on descent and common culture. Furthermore, she defines 'Germanness' as a matter of blood not culture, as if it is something to be inherited. This observation is consistent with Rogers Brubaker's thesis. As it is discussed in Chapter 4, Brubaker (1992) sees citizenship not only as a form of membership, but also as a specific cultural imprint of nationhood. His appraisal of the German situation is as follows: "The ethno-cultural infection of German self-understanding and German citizenship law makes it difficult to reconcile –in the political imagination of Germans and immigrants alike- the preservation of Turkish cultural identity and autonomy, for example, with the preservation of German citizenship" (Brubaker 1992: 178). Since state membership is too closely linked to nation-membership in German comprehension, to acquire German citizenship, in the self-understanding of Germans and Turks alike, requires that one become German in some thicker, richer sense (Brubaker 1992: 178).

To legitimate discrimination is one facet of adopting dominant norms: secondly, it is reflected in the respondents' opinions about the non-integrated Turks which quite resemble their own definitions of Germans' ideas about Turks. Thirdly, this attitude manifests in how they perceive the 'others' –like black African refugees, or Indians. The third aspect will be discussed later, and what Didem says below is an illustration of the second aspect:

**Hayriye:** After all, it is not a shame to be a Turk.

**Didem:** I cannot say it is not a shame. For sure there is a sense of inferiority. The working class still constitutes the majority (of the Turkish community in Germany). I am in university environment and I identify myself with them (Turkish students in the university). I am shocked in the airport when I see those with headscarf and turban. (FGI)

As it is stated earlier, respondents differentiate themselves from the majority of Turks in Germany. Being in the university environment, they get more contact with Germans, and with elite (or 'academic') Turks. For some, to

have German citizenship is also a means to differentiate themselves from the stereotypic Turks in the view of Germans. Didem replies to the question of whether there are other advantages of acquiring German citizenship other than bureaucratic and political considerations:

Sometimes, people, Germans, ask 'Are you a German citizen or Turkish citizen?' When I say 'I am a German citizen', I think they like it. I think they are more tolerant in that case. They see you as a Turk but a Turk who acquired German citizenship, so they see you as a modern and cosmopolitan person. (FGI)

Like Didem, Selin also has touched upon tolerance, but she is ambiguous about the origins of tolerance that she much values. During the interview, she had a noteworthy emphasis on tolerance, by unfolding her opinions finally she grasps that tolerance in German society derives from the multicultural environment results from immigration. At the beginning of the interview she says that she learnt tolerance in German society, from German culture but not because they are tolerant, because they (Turkish-Germans) are bicultural:

We see tolerance in German education and culture, but not in the society in general. Perhaps some educated, refined and cultured persons are, but the great masses are not tolerant. [When she is comparing Turkish and German culture, she says]... the thing I like most in Turkish culture is tolerance. Pardon me, its from Islam: nobody is superior to another. Respect: we see it in both Turkish and Islamic tradition. [Later when she is asked what she attained from German culture, she again mentions tolerance] Since Germany is an immigration country, we grew up together with Italians, Greeks. We developed a common language. That is to say we become cosmopolitan. That is why we are tolerant. That's right! So, tolerance is not from Germans, it is a result of immigration. (Interview)

Almost all respondents emphasize tolerance as a virtue in society which is an indication of how they undergo prejudices and unfairness. On the other hand, to adopt this tolerance discourse means that they accept the superiority of

the German norms, and that is why they believe that they can not change these societal norms. More than that, as Essed puts: “[T]he discourse of tolerance, is the bedrock of an ideological atmosphere that sees as a positive value individuals’ toleration of each other’s expressions of racism” (Essed 1991: 291).

Turkish-Germans are discriminated against on the basis of their appearance and Turkish names. As long as discrimination is based on their appearance and names, it is ostracism. It is interesting that those respondents who are fair-skinned or blond state that they feel discrimination only because of their names. When they apply for a job by filling a form or by phone they are refused because of their names. But if they personally apply and present themselves with their fluent German and ‘German-like’ appearances, then it is not a problem to be a Turk. The same is valid in applying to rent a flat. To illustrate:

**Hülya:** Personally, I don’t have problems because I don’t look like Turkish... In applying for a position, I present myself in person, that’s why I don’t have problems. When I apply only by my name, they refuse. (Interview)

**Selin:** I am blond, and they (Germans) usually ask me ‘Are you Turkish?’. [Elsewhere] They didn’t give us a flat, when they heard our names on the phone; because of the letter ‘c’ they understand that we are Turkish. They hang up. They said ‘You are Turks, we don’t accept Turks’. That’s disgusting. (Interview)

Racism and discrimination are the most important obstacles to maintain social equality. In the interviews, we asked whether the rights gained through German citizenship are sufficient to set up social equality. The respondents are pessimistic about achieving equality in German society. Oğuz thinks that social equality can not be maintained by means of citizenship rights. When he is asked ‘why’ he replies:

You do not become German. They see you as Turk. They look at your name. They ask 'Where are you from?'... In order to have it (social equality) the names must be changed, or the religion. Of course, this is not possible... I think, it should not be the aim. (Interview)

Similarly, Bülent (FGI) also believes that even if they acquire German citizenship, they cannot change the prejudices of German society. In the second focus group when we asked what is needed in their opinion to establish social equality, Aykut says that the names should be changed. In the interview he states that he does not believe in 'equal rights' and this is a 'utopia' and 'a very big goal'. He continues as follows:

A hundred percent equal rights can never be achieved in a country like Germany. This is very difficult. Fifty percent maybe. For me, this is impossible because Germans are very strict on this matter, they would not give... They don't give some social rights, as they see us still as Turks. (Interview)

In the interview with Aykut, he gives a clear example of how Turks are discriminated against even though they have German citizenship. A few years ago, the municipality of his town had three categories in the distribution of social housing flats: Germans, Turks who acquired German citizenship, and foreigners. Then, Turkish civil society organizations raised an objection against this categorization. Now, there are two categories: Germans and non-Germans. Aykut thinks that municipality may still have such hidden categories. In cases like this, even if there is no evidence of discrimination they always have doubts. For instance, when talking about discrimination Selin says that:

Some say (e.g. 'because you are Turk'), some doesn't. But they imply without explicitly stating. Even if they don't imply, we always live with this fear and feeling. This is a faint sense. It's not easy. (Interview)

The second-generation who grew up with such feelings are hardly expected to integrate or to trust the majority society<sup>94</sup>. The basic medium through which the institutions of a liberal society function should be 'justice', thus such injustices undermine liberal democracy. On the other hand, unfair treatments may deteriorate the civic virtues of individuals concerning trusting in social institutions or to being loyal to the state.

Social equality is outside the respondents' considerations. They do not seek something that seems to them unachievable in German society. This idea is partly related to their comprehension about the thoughts of Germans on Turks. Hakan who got German citizenship five years ago states that:

Now, I am a foreigner in Germany. I was born there, I grew up there, but I am still a foreigner. People tell me that 'You are a foreigner'. If they think so, then so I am. (Interview)

As long as Germans treat them as foreigners, they will remain stuck on their 'differences', on ethnic identities. Strengthening of differences will, in turn, deepen the gap between the excluded groups and the larger society. In what follows, in a parliamentary discussion on dual citizenship a FDP member (Burkhard Hirsch) puts forth his ideas that spell out to what extent Germans are ready to see foreigners, specifically Turks, as citizens:

Do we accept a person fully and without reservations as German if he is called Öztürk and can be recognized by his physical features as an Anatolian, once he gave up his Turkish citizenship

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94 There are also some evidences on the social exclusion of children of foreigners in Germany. A research done by Minor-Evans and Zeigler (2003) on German-Turks, Afro-Germans and other non-ethnic-German secondary school students' views on their ethnic self-identity, feelings of social exclusion, acculturation style or strategy, and citizenship plans reveals that 93.3% of these students describe feelings of social exclusion. Students complained being harassed while shopping, insulted publicly, and refused service in public spaces. They, themselves alone or with their families, are affected by situations of discrimination –perceived prejudice, or ostracism in a subtle or more open way. Adolescent children of German non-citizens living in Germany who were respondents of the study mentioned did not feel 'at home' within the place they called home. Thus, they experience social exclusion from the greater German society (Minor-Evans and Zeigler 2003: 15).

and dares to see his future exclusively in Germany? It is hypocritical of us to demand this decision from a foreigner as long as we ourselves are not open enough (quoted in Brandt 2000: 230)

In the second focus group the participants were asked whether there exists any kind of inequality even if they have German citizenship.

**Aykut:** Of course. Since our names are in Turkish, they still consider us as Turk. Whatever your passport is, as long as your name and yourself remains Turk, they see you as Turk.

**Moderator:** What does it mean 'to see as Turk'?

**Aykut:** There are some injustices. For example, you apply for a job; they don't employ you, because you are Turk.

**Hülya:** Turkish families have difficulties in finding accommodation, because they are Turk.

**Özlem:** Not to be accepted within the society. You feel excluded.

**Moderator:** What are the mechanisms for exclusion?

**Aykut:** There are injustices in daily life. For instance, there is a disco in our town, once there was a fight between Germans and Turks. The next week, Turks were banned to enter. I showed my ID at the entrance. It was a German ID, but my name is in Turkish. They said "You are Turk, you can not come in". This is a typical example, they still see us as Turk, as foreigner.

Germany has changed its attitudes towards foreigners within last decades. The enactment of new citizenship law is the most important step in this respect. However, what is more important is to change the attitudes of the society. The Turkish minority can develop concrete resistance mechanisms against incidences like the one Aykut escribed above through their civil associations. But, Germans develop other means of social exclusion (like checking names). Then it becomes hard for individuals to cope with everyday racism. What the respondents recounted exposes that there exists not only hidden racism in German society, but structural racism. In Kaya and Kentel's

research the most important problem faced by Turkish-Germans is reported to be 'contradiction of moral values' (26 % of the sample), and the second most important problem they face is stated as discrimination (17.7%) and racism (10%) (Kaya and Kentel 2004: 57). Turks experience discrimination and social exclusion from the very first moments they come face to face with society: in schools. The first focus group discussion and some of the interviews touched up on discrimination in the schools.

Discrimination in schools and universities seems to have severe effects on the life prospects of Turkish-Germans –through narrowing down the alternatives available for them. In the German education system, after *Grandschule* (primary school) children are sent to three different high schools in accordance with their capacity and tendency –basically according to their cumulative average: *Hauptschule* (primary middle school that prepares students as workers to the industrial sector), *Realschule* (high middle school), and *Gymnasium* (educates students for university). Canan argues that there is discrimination in the schools against Turkish-Germans, because teachers send these children to either *Hauptschule* or *Realschule* even if they have high grades. Özlem thinks that this is a structural problem in Germany that they disfavor working class children in schools. According to Soysal, vocational training is the most important instrument of German integration policy which aims to fit migrants into occupational categories; and strengthen their position in the labor market. Based on her interview with Federal Ministry of Labor and Social Affairs, Soysal states that vocational integration is promoted as the main gateway for entering German society –especially for the second-generation (Soysal 1994: 63). In some other studies, vocation training is also presented as the strongest aspect of German integration policy, since it strengthens the immigrants' (especially second-generation immigrants') position in the labor market, thus integrating them with the larger society (Yönten 2002: 141). The respondents think that this policy is working to the disadvantage of the Turkish minority.

They believe that Turkish children are kept down in the schools, because teachers direct Turkish children to vocational schools even though they have high grades. In what follows, respondents are narrating their experiences in schools:

**Selin:** I had teachers or rectors... It was not because of their hostility. He is a cultured person, but still he has an opinion that 'these are immigrants' children, they are not cared for home, and they are not capable'. I mean they don't support (Turkish students), they have prejudices. They are uninterested. For example, ... me, my brother, and my sister, we all started at *Hauptschule*. Then, me and my brother passed to *Realschule*. But my sister stayed at that bad school, because her teacher didn't allow her. This sort of things happens very often. Although we deserve they don't fairly grade... My sister is very clever but she had to attend that school. Her friends were belonged in that school. That's why she was stuck in a certain environment. What a pity! They don't give opportunities. We have to strive for. We did, but we couldn't succeed in that. (Interview)

**Hakan:** I was going to a football club. I had attended all trainings, I was playing good. But the trainer did not take me into the team. Even, his (trainer's) son asked him why he didn't take me in. Can you understand? He left me out on purpose.

**Interviewer:** Why?

**Hakan:** Because he knows that I am different... He knows that I didn't forget Turkish culture. He is aware of this. They can't stand this, German people can't stand it. German teachers were always trying to keep my grades down, although I tried to adapt. I was the second best in French class. But the teacher wanted to talk to me. She told me that I had been the worst. I got very angry, but I didn't shout at her. I went to our second rector, and told him that she denigrated me.. One says one thing, another one something else. I mean these teachers act in harmony. Both the rector and all other teachers talk among themselves. They know students. In all schools it's like that. Why? To accustom Turkish students to German culture, and to make them forget Turkish culture. (Interview)

Here, what Hakan said converges with the German official discourse on the failures of immigrant children at schools which refers cultural differences and cultural conflicts.

When the respondents were asked about their opinion on group-specific rights, most of them did not mention any demand, only a few in the interviews. Kymlicka's defense of polyethnic rights is based on the idea that polyethnic rights promote integration of minorities into the larger society. Through these rights ethnic minorities can have public funding of their cultural practices – funding of ethnic associations, magazines, and festivals. More important and problematic is the religious practices of ethnic minorities where the liberal state clashes with ethnic differences. Ethnic groups in many liberal societies demand exceptions from laws and regulations that put them at a disadvantage. The reasons why respondents do not have claims on polyethnic rights are worth elaborating: first, because they represent a more integrated segment of the Turkish community in Germany. In the second focus group, participants indicated that they do not need any cultural rights, because they already have them. The course of discussion revealed that they need some rights that would ease their life -such as German courses before schooling-, and continued as follows:

**Moderator:** Indeed, it seems that there are still rights to be gained. You said 'no' when I asked.

**Oğuz:** The reason why initially we said 'we do not need', derives from our background. We overcame some problems, we are academics. We almost reached what we aimed. A person often forgets his/her negative background. S/he remembers when somebody mentions the problems.

Second, the participants of first focus group and some interviewees think that attaining religious rights causes some religious sects to flourish in Germany –that is, in their opinion, not good for the image of Turks in Germany and of Turkey. They even find the existing freedoms and rights too broad. They

criticize the German state because of its liberal treatments, thus, as a result, any conflict in Turkey can thrive in Germany. Some believe that Turks may abuse this kind of rights. Some think that polyethnic rights may cause a backlash by Germans (that is they would not like Turks to have more rights). A third explanation can be what Carens says: "People don't ask for and even say they don't want what they know they cannot have" (Carens 2000: 81).

Their perception of special representation rights is quite irrelevant for Kymlicka's multicultural citizenship model. First of all, they approach the matter from the given German representation system. They do not want special representation rights because they see it impossible within the present system. They say it is more advantageous for Turks to enter to the parliament within SPD or Greens. They, in general, have a tendency to be a part of German society; that is why, maybe, they do not want special representation rights which would declare that they are 'different'. Besides, 'minority' is a specific status in Germany. A few groups of minorities (mainly Danes and Serbs living in certain territories) were given special representation rights and polyethnic rights, too. Turks, who want be equally treated as Germans, do not want paternalistic minority policies applied to them.

The respondents have a consensus over the advantages of dual citizenship. They prefer dual citizenship instead of German citizenship based on either their interests and on their perceptions of dual loyalty. Bülent's point represents the first consideration: "Dual citizenship is better, because we have properties here (Turkey)." Aykut, who holds dual citizenship, says that:

They changed this (dual citizenship policy) in year 2000. Now, they say "Renounce Turkish citizenship, have only one citizenship". However, this is nonsense. This is because of their jealousy. They say "We have only German citizenship, why you have two?" In their mentality, if you have two passports, you serve two states. They say that this is not possible; a person should be loyal to only one state. But this is not necessary. A

person can be loyal to two states, for instance we can stay in both states. We see both as our motherlands. (FGII)

Some of the respondents of Tepecik's survey also state that they may apply for German citizenship in the long run, under the condition that they could remain Turkish citizens. According to recent studies, more than 60% of all Turkish residents in Germany would be willing to become a German citizen, if they were able to keep their Turkish passport (Özdemir 2003: 3). In spite of the fact that Turkey gives the pink card which enables those who got another state's citizenship (with permission) to keep their rights in Turkey (except political rights), some of the respondents do not like the idea. In their opinion, it has no legal guarantee; any other government may change the policy. But some others stated that with the pink card they can manage financial matters in Turkey, they only lose the right to vote, and are exempt from military service. This group thinks that it is not appropriate to vote in Turkey, as they do not live there. For military service, it even eases the procedure. If they keep Turkish citizenship, they have to pay a certain amount of fee and complete the service in one month (as a substitute). However, in Germany they can perform this obligation in the form of civil service. This alone sometimes can be the reason for young males to acquire German citizenship. A student from Tepecik's second-generation sample group says:

I don't have German passport yet, but I will get it soon. I don't want to go and perform military service in Turkey, because it costs 15,000 DM for one month. I don't understand why I have to pay that money and why I have to serve the army, being a young person who born and grew up here (Germany). Moreover, I oppose guns. Since military service is a legal obligation, I am planning to perform it here as civil service after the age of 28. (p.196)

### 6.3.2. Citizenship and Identity

Although there seems to be a consensus among respondents in terms of nominating Turks in Germany as ‘Turks living in Germany’, ‘Turks native of Germany’ (*Almanyalı Türkler*), or ‘Germans of Turkish descent’, there are nuances that can be categorized into 3 groups: (i) those who stress the Turkish identity; (ii) those who stress the membership to a multicultural society (cosmopolitans); (iii) those who stress the parallel (*situational*) identities as being both.

In one of the in-depth interview, Hüseyin argues that “the issue of identity is weakening gradually, and personal interests, instead, gains relevance”. Then he continues:

Am I a human being? Am I living well? Do I have a living environment to pursue my life? It is not to praise Turkishness or Germanes. I have both German and Turkish citizenship. What are my expectations from the country where I live? What can I contribute? These are important for me. (Interview)

For some of the Turkish-Germans, personhood becomes the primary locus of identity. The following self-definitions are some examples:

**Hayriye:** It is not a matter for me whether ‘Turk’ or ‘German’ written on my passport. ‘Who are you?’ ‘I am Hayriye, the daughter of my parents. (FGI)

**Sabiha:** I am Sabiha. This is something social and situational... You integrate to a multicultural society. (FGI)

Identity is constituted through representation. Hall (1996: 346) argues that identity is a *narrative of the self* –“the story we tell about the self in order to know who we are”. In Focus Group I, the ambiguities of ‘Self’ are disclosed on a number of points that they mention about their identity:

**Hayriye:** I don’t want to say either ‘I am German’ or ‘I am Turk’.

...

**Didem:** I am German with Turkish roots... when someone asks I reply "I am German". But if you ask to my inside, my feelings, my senses tell me 'you are a Turk'.

**Sabiha:** I don't have German citizenship. I think this question is not important. Our problem will be solved when this kind of questions are not made a problem. It is not important for me. It does not have an impact on my identity... In fact, it is situational.

**Zehra:** I agree, they expect us to choose. They ask 'Are you German or Turk?'... You don't have to choose one of them, there is a middle way as well.

If identity is constructed through imposing a structure on it by ourselves (Hall's argument), it can be claimed that it is a difficult task to accomplish for the respondents of this research. The following script from the Focus Group II clarifies how they oppose being defined as immigrant or minority, and above all to *be defined*:

**Moderator:** Now, I will ask another question, I used the term 'Turkish immigrants' when I was preparing the question ...

**Oğuz:** I am not an immigrant from Turkey. In fact, I am not an immigrant.

**Canan:** I was born and grew up there.

**Aykut:** We did not immigrate to anywhere.

**Özlem:** I don't accept it, either.

**Moderator:** Minority?

**Canan:** People of Turkish descent.

**Moderator:** We can call those who live, let's say, in Canada. What can we call those living in Germany?

**Oğuz:** Why? Is it necessary?

**Hülya:** People of Turkish descent living in Germany.

**Canan:** Of course, I am thinking about 'who am I?', it changes. Sometimes I say 'I am German of Turkish descent', sometimes 'I am German'.

**Aykut:** According to the situation.

**Canan:** Yes.

**Aykut:** I am cosmopolitan. Whatever suit our interests!

**Canan:** It's not because of my interest, I feel like at that moment. When certain things happen in my life, I feel myself as German of Turkish descent. They ask me 'Where are you from?'. I say 'my parents are from Denizli'.

**Oğuz:** You mean Turks or Germans?

**Canan:** Both Turks and Germans '*woher komt ihr?*' My parents came from there, I come from here, from the city where I live. Do I have to come from where my parents came?

**Özlem:** I get very angry with that question. It's the question of Turks. I say 'I am from Frankfurt'. They don't accept: 'Where in Turkey did you come from'. I have no attachment to Turkey!

**Aykut:** Of course you have.

**Moderator:** How do you define yourself? [asked to Özlem]

**Özlem:** I say 'I am European'. I relinquished Germanness or Turkishness. As a cosmopolitan person, I say 'I'm European'.

**Gamze:** You are European but where are you from?

**Aykut:** There is no Europeanness.

**Özlem:** Okay, once upon a time, my parents had Turkish descent.

**Serpil:** I say 'I am a Turk living in Germany'. I live in Germany but I am Turkish.

In the interview with Oğuz he says that he is 'both Turk and German' or he is 'neither Turk nor German' but a human being living in the world. Aykut mentions that he is 'a hundred percent German and a hundred percent Turkish' –like Defne says that she is 'both German and Turk'. So, there are overlapping, multiple identities that are not bound to ethnic origin. Of course, this is a troublesome 'existence' to cope with. 'Being both' is lacking a kind of guarantee that the 'identity' is expected to provide for individuals –such as "a kind of fixed point of thought and being, a ground of action, a still point in the turning world"

(Hall 1996: 339). If the language of identity is related to the search for an authenticity to one's experience, something that tells the person where he or she comes from (Hall 1996: 339), 'being both' becomes *situational* like Canan and Aykut underline in the script above.<sup>95</sup> Thus, while they can be more German in a situation, they can call out their Turkish identity as another situation demands it. The situational identity is not a strategy developed by them, but it is experienced unconsciously:

**Defne:** In my opinion, we live in two worlds in parallel. I am different at home and we behave according to the society outside. I am not aware of it. When I go out with my Turkish friends and come back to the dorm, my German friends say that my way of talking and my behaviors are changed... I am both German and Turk. (FGI)

**Aysun:** I think the two (being German and being Turk) are interplaying. Sometimes one of them can be influential, sometimes the other. For example, my feelings are changing when I go to a *türkü bar* with my Turkish friends: more Turkish. Then, another day I go to a pub with my German friends to drink beer: I speak differently there. My identity rather changes. The two are continuously interplaying. (FGI)

**Didem:** Eventually, what constitutes an individual's personality is the language. In which language you express yourself better, or in which language you mostly think, you feel more comfortable in that country. You also communicate better with the people of that country. However, sometimes your senses tell you that you belong to another country. I encounter some situations: I am with Germans and at a certain moment I feel that something is missing. I am annoyed by Germans' mentality. However, I was born and grew up there. To feel uncomfortable in that situation reminds me that I am, in fact, not a German. This is inevitable. I am content

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95 Some social psychologists define ethnic identity as 'situational' rather than an achieved state or a firm commitment one makes and then commits to (Jasinskaja-Lahti, and Feagin and Feagin quoted in Minor-Evans and Zeigler 2003: 17).

with saying 'I am a German of Turkish descent'. Indeed, I am not content with that. I still have an identity problem. Because I am not comfortable either here or there. But I can tell that I am consoling myself. It also depends on personality. Someone can easily say that she is German. There are such people. In some occasions I also say it but I don't feel it. Because I don't think it is an easy matter. (FGI)

Some respondents resort to a supranational identity ('Europeanness') via German citizenship, in order to bypass defining himself/herself either Turk or German, as Özlem says:

Sometimes they (Germans) ask "Are you Turk or what?" I tell them "I am European... As I acquired German citizenship, I am officially European. A citizen of European Union". (FGII)

Her sentiment of Europeanness is comparable to the feeling of national pride. And her reaction can be read as a resistance to the way Germans treat Turks. Kaya and Kentel's data indicates that around 60% of the Turkish-Germans define themselves as either Turkish-European (%50) or European-Turkish (Kaya and Kentel 2004: 80). It also exposes that Euro-Turks of higher social status would rather adhere to the hyphenated identities underlining the European element (such as 'first European and then Turkish'), while those of lower social status underline their Turkishness (such as first Turkish and then European) (Kaya and Kentel 2004: 81).

Similarly, some respondents emphasize their cosmopolitan identity. However, their usage of cosmopolitanism does not have any connection with the trans- or post- or supra-national political membership models that are discussed in Chapter 4. The cosmopolitan stance they adopted refers a way of life rather than a level of polity<sup>96</sup>. This insight is developed among most of the immigrants who share a public space with immigrants from different countries and with the

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<sup>96</sup> They use cosmopolite in the same manner as Heater defines 'cosmopolitan' as "a person who feels at home in a number of countries" (Heater 1999: 137).

host society. Hüseyin adopts a kind of cultural cosmopolitanism, which instead of preserving national specificity, seeks to learn from all nations what is valuable and to use it for one's own community:

**Hüseyin:** I am not German but I am a German citizen... In Germany, we do not live exclusively within Turkish culture, we integrate to European culture. We include the positive aspects of other cultures to ours. That's why I cannot say "I am German". I do not accept that I am only a Turk, I am a person more than that... What is important for me the cultural interactions. (Interview)

Some respondents favor cultural pluralism in which they can feel comfortable and fix their 'identity problem'. The following scripts are noteworthy in this sense:

**Serpil:** For example, in the office we have breakfast together (with Germans). I bring Turkish food. They like it. I feel it becomes an enrichment that I am working there. Turkish culture and Turkish food are interesting for them. (Interview)

**Defne:** In a certain period of time, when we were adolescents, we were in search of an identity. Then, we understood that this problem, indeed, was not a problem, but enrichment. Because, Germans, in general, I mean my friends, consider my friendship as a wealth. Because, before our friendship they didn't know how Turkish food was or how Turkey was... They also learn something (from us). If I were totally assimilated, if I had no relation with my Turkishness, I could not give anything to them. (FGI)

Elsewhere, Defne underlines that to be 'recognized as Turks' is enrichment, and it is better than integration or assimilation. Here and in the above excerpt from Serpil's talk, 'enrichment' refers to make life more colorful with Turkish food and music. Defne gives examples from Köln where 'döner culture' shows up, and Turkish music 'receives acceptance'. This is what she means recognition. While some respondents are comfortable with that Turkish

culture is started to be known by Germans either with its cuisine or music, Hakan strongly opposes to the reduction of Turkish culture to 'döner'. He is also critical of the German integration policy which is defined as a one way relation in which immigrants have to adapt German way of life. As he puts:

I adapt to them, but they don't adapt, I mean Germans. They want me to adapt, but they can't adapt. Because they are nationalist... (When he is talking about the hard working conditions of his parents, he continues as follows) ... Turkish people help to the German state in (economic) development... Even though, Turkish people adapt them in very hard conditions, they still talk like that. I want them to be familiar with Turkish culture, and not to talk to Turkish people without aware of Turkish culture. (Interview)

Hakan's request (to be familiar with Turkish culture before dealing with the matters related with them) recalls Carens's assumption that "to treat people fairly we must regard them concretely, with as much knowledge as we can obtain about who they are and what they care about" (Carens 2000: 8).

In the mode of expression of the respondents who favor 'multicultural society', the imprints of German-style multiculturalism are evident. Multiculturalism discourse in Germany is imported from UK and USA but differs from the Anglo-Saxon version, in the sense that it does not include ethnic mobilization, political rights, and related policy of equal opportunity or affirmative action. Thus, it ends up in folklorism and self-ethnification of the minorities (Radtke 1997: 255). Defne's point of view is quite similar to German official discourse of integration which actually means a kind of assimilation which is well summarized in the quotations below:

[I]n a memorandum published in September of 1991, Eckart Schiffer, the director of the Constitution Department of the Interior Ministry and Interior Minister Wolfgang Schäuble's top advisor on aliens policy, expressed his alarm at the threat posed to the preservation of German national 'identity' by unassimilated

foreign cultural elements. While acknowledging that foreign minorities had made life in the Federal Republic 'more colorful' through their introduction of exotic new cuisines and music, he warned advocates of multiculturalism that they were sowing the seeds for an antforeigner backlash. The potential for such a backlash did not suggest to him the importance of promoting a more tolerant attitude toward cultural diversity, but rather the need for minorities to become more like 'Germans'. (Klusmeyer 1993: 102)

The Frankfurt deputy E. Steinbach-Hermann explicitly favored 'a certain pressure to integrate' and described integration as involving a linguistic and cultural adjustment to 'German' conditions. As far as Germany's internal composition is concerned, the Christian parties insist on homogeneity, which is not endangered by a few thousand Danes or Sorbs, but by immigrants numbering millions. (Schönwälder 2000: 132)

The respondents of this research represent the most integrated segment of Turkish community. They, as they mention, adapted German conditions and way of life. They acquired some personal characteristics from German culture, some from Turkish culture. The keyword to dominant definitions of Turkishness in the discussion groups are *origin* or *roots* which means to have Turkish parents. Didem expresses herself as follows:

I am German with Turkish roots... when someone asks I reply 'I am German'. But my feelings, my senses tell me: 'you are Turk'.  
(FGI)

Most of the respondents identify Turkishness with Turkish citizenship. When they are asked "What does Turkish citizenship mean to them?" the participants of Focus Group II touch upon the issues of identity and citizenship:

**Gamze:** I am Turkish. My roots, my parents are Turkish. I feel myself as Turk. I like Turkish culture. We have a country called Turkey. I do not support extreme nationalism. But I am Turk, I born as Turk. If I am Turk why to deny?

**Serpil:** Won't you feel Turkish when you renounce Turkish citizenship?

**Gamze:** I will feel. If I would preserve my Turkish citizenship, that would be better for me. I can feel closer to my country, to Turkey...

**Hülya:** Indeed, it is odd that only a paper denotes our Turkishness.

**Gamze:** I don't think so.

**Hülya:** I feel like that.

**Gamze:** For me, it is not only on paper.

**Hülya:** In that case, we would easily give our Turkish passport, but we do not.

**Gamze:** If I were not obliged to, I would not apply for German citizenship... It would be better for me to be loyal to Turkey.

**Oğuz:** And loyalty is psychological.

**Gamze:** Yes, psychological.

So, they ascribe an essential meaning to Turkishness. They state that even some second-generation Turks, who are assimilated and poorly speak Turkish, still show some signs of 'Turkishness'. They ironically equate and differentiate Turkishness and Turkish citizenship. They establish a mental relation with Turkey through holding Turkish citizenship. For this reason, to renounce Turkish citizenship becomes a traumatic experience. Below respondents emphasize their emotional concerns about renouncing Turkish citizenships:

**Defne:** It is not an easily taken decision. It is not like 'We want easiness, let's acquire German citizenship!' It is a kind of grievous experience. Some people describe it as to betray one's homeland. I don't think in that way but some see as if you denied or insulted your identity. (FGI)

**Selin:** Even if I don't have Turkish passport, I still feel completely Turk, only a document is lacking and I feel sorry about it. I felt sorrow when I gave my Turkish passport. (Interview)

In a similar vein Arzu speaks about how she decided to acquire German citizenship which is very illuminating about the psychology of a second-generation Turk:

**Arzu:** It was wicked, naturally. That's why I had difficulties for two years (in deciding to apply for German citizenship). First, I wanted to acquire German citizenship, and then I nauseated.

**Interviewer:** Why?

**Arzu:** I felt bad. I didn't want to renounce my Turkish citizenship. Ultimately, we are always long for... it seems as if "Will you return?", "Will you be German?", "Will you leave us?". I don't know "Are you like a spy?" I had difficulties within myself. Before you acquire the citizenship they send a document which says "you have the right to". I could almost not acquire. I didn't feel like. First I applied, then, I didn't acquire. Afterward, I had to apply again...

**Interviewer:** Why did you hesitate?

**Arzu:** My parents also didn't want. "Oh, my child, you will be lost!".

Bauböck (1991a) claims that German politics, in producing and reinforcing images of immigrants as 'the other' in the German population, have also affected the self-image of immigrants themselves. In this regard, to renounce Turkish citizenship perceived as 'an abandonment of national identity'. This linkage between citizenship and national identity established by Turkish-Germans is also an impact of Turkish citizenship conceptualization which interconnects nationality, citizenship, and loyalty. The conceptual link, which is started to be decomposed in the perceptions of second-generation, is still strong among first-generation Turks. The excerpt below is from Tepecik's interview with a first-generation Turk:

**Sabiha G.:** Even if I have ten German passports, I am, with my black head, still Turkish. In any case, I would not quit my Turkishness. I born as a Turk and I will die as a Turk. (worker) (Tepecik 2002: 90)

Similar viewpoints can be found among respondents of the present study. Because, development of individual's citizenship understanding is also a social inheritance through learning the socially evolved meanings (İçduygu 2005: 202). In the case of Turkish-Germans, it can be argued that they inherited both Turkish and German meanings, and shaping their own points with their personal experiences. The below examples are remarkable in this sense. When the researcher says motherland, Selin reveals her ideas as follows:

Grief (*yara*)! Grief of to be long for... There are ideals... I am really concerned about the problems of Turkey. These problems are wound for us, for me. I get sad when any of these problems are discussed. (Interview)

Selin's perceptions about Turkey have imprints of official citizenship conceptualization of Turkey which defines a citizen as an active and considerate individual who shares national ideals, and aware of his/her duties (Keyman and İçduygu 1998: 178). Similarly, Sabiha talks about behaviors and practices that denote Turkishness:

I don't express my Turkishness by saying 'I am Turk'. I can only express my Turkishness through my religion, behaviors, practicing my traditions. (FGI)

In most of the respondents' perceptions religion appears as an intrinsic component of Turkishness. This is might be an impact of the conceptualization of Turkish national identity which is a product of a social engineering trying to synthesize the materialism of the West and indigenous cultural traits such as Islam and pre-Islamic Turkic traditions (Kadıoğlu 1996a: 191). On the other hand, it is also related with the Germans' conceptualization of Turks as 'Muslims'.

Aykut stresses one of the advantages of dual citizenship as follows: "Since I have dual citizenship, I didn't lose anything from my Turkishness". However, Oğuz differentiates his Turkish identity as a cultural form from Turkish citizenship: "I don't lose my Turkishness or any element of my identity by renouncing Turkish citizenship. I still pursue and live my culture". Thus, there is a psychological domain in Turkish citizenship which has 'essential' marks of cultural identity.

For almost all of the respondents, loyalty is divided between Turkey and Germany in many respects (dual loyalty). Only in Hakan's case loyalty to Turkey seems to matter a lot and his reflection about motherland arises as the strongest expressions of all:

Motherland is Turkish nation. I born in Germany, my culture, my personality does not depend on where I born. Because, culture is a very deep concept. Wherever I born, I born as 'Turk'. Nobody can take it away from me. Because I am aware of Turkish culture, I know it. (Interview)

Hakan's concern about his 'national culture' might be a result of German multiculturalism that reduced pluralism into a kind of pluralism of descents. Since 1980s Germany started to be called a multicultural society. Ethnic identities and 'cultures' of immigrants were formed and activated from above by emphasizing their religion and language. Immigrants were seen from an ethnological viewpoint as representatives of their national culture of descent (Radtke 1997). Furthermore, Turkish and German citizenship conceptualizations are interplaying in regard to equating nation with motherland, and with culture respectively. His perception of motherland is a repercussion of ethnocultural interpretation of 'Turkish identity'.

Kaya and Kentel states that approximately 49 % of the Turkish-Germans affiliate more with Turkey, 22 % with Germany, and 27 % with both countries. They explain the reasons behind Turkish-Germans' low affiliation with

Germany with the economic crisis; and affiliation with the homeland may result from structural outsiderism in the Germany. They claim that outsiderism may lead to the construction of communal networks having defensive, nationalist, religious, laicist, Kemalist, and even Kurdish undertones (Kaya and Kentel 2004: 59).

Aside from Hakan's case, none of the respondents of this research mentioned strong affiliation with Turkey. Rather they affiliate both countries. Kaya and Kentel's study reveals that the percentage of those who equally affiliate with both countries is remarkably high in Germany: 27 %. They argue that these groups have constructed more reflexive, active, transnational, postnational, universalist, and cosmopolitan identities. And they generally come from within those born in Germany. On the other hand, those who affiliate only to Germany amount to 22 %. The sum of these two groups amounts 49% which indicates that Turks no longer essentialize their homeland. They are no longer *gurbetçi*, but active social agents of their new countries. "They have actually accommodated themselves in the transnational space bridging the two countries, homeland and 'host'land" (Kaya and Kentel 2004: 59). The research held by Kaya and Kentel points out that middle and higher class Euro-Turks are either more affiliated with hosting country, or equally affiliated with homeland and the country of settlement. While on the contrary, lower classes have reported to be more affiliated with Turkey (Kaya and Kentel 2004: 60).

However, still it is not easy to interpret their perceptions about nationality. As it is set by David Miller "the attitudes and beliefs that constitute nationality are very often hidden away in the deeper recesses of the mind..." (Miller 1995: 18). Thus, simple empiricism that surveys the individual's belief about their stance cannot settle the issue. For some, although they claim that they transcend the national allegiances, they still have some symbolic national concerns that appear in unexpected occasions. For instance, some mention how they are excited when a Turkish football team wins, and how they celebrate it in

the streets of Berlin and of Köln. In the in-depth interviews, when they are asked about motherland, Gamze and Oğuz unveiled their opinions in a contradictory and ambiguous manner:

**Gamze:** The word 'motherland' does not imply anything to me. In fact, motherland is where you born and grew up. In that sense, where I born and grew up is Germany.... I don't mean Germany is an unpleasant place. It is a nice and secure place. I will live in Germany, I won't return o Turkey (she never lived in Turkey). I lived in Germany till now, I lived in peace. We lived there as Turk, we are not German. We only live there. I have German friends; I have no problem with them. As I born and grew up there, I should say 'Germany is my motherland', however, it is not. In fact, Turkey is my motherland. (Interview)

**Oğuz:** Should I say that the term motherland does not important for me any longer? I don't know whether it is right or not. As the world is globalizing, the term motherland sounds like nationalistic. Even though I am a German citizen, I do not see there as my motherland. Conclusively, I can say here (Turkey) is more like... of course, my origins are in Turkey. (Interview)

Another critical aspect about identity is that "it is partly the relationship between you and the Other. Only when there is an Other can you know who are you" (Hall 1996: 344). Thus, identity is in relation to difference (Hall 1996: 346). Identity is becoming within the dialogic relationship to the Other. The making of identities is an active process of inclusion and exclusion, thus to be 'us', we need those who are 'not-us' (Solomos and Schuster 2000: 84). For instance, when it was asked "What does it mean to be Turk?", Serpil starts to tell how Turks are different from Germans by defining Germans:

We have grown up with Turkish values and traditions. Our personality is Turkish. We are incomparable to Germans. Germans have different personality. They are cold; they have different mentality; they have different concerns about friendship. You can't see yourself completely close to them. Even if we live

there for such a long time, we still can't feel them close. We feel different... We value different things. We value more personal relations. We are philanthropic. Our friendships are warmer. They are more superficial. They value different things, money... They entertain differently. They listen different music. They are addicted to bear. (FG II)

For her, to be Turk is to be different from Germans. Contradictory enough, when it is asked the respondents state that they do not see any difference between themselves and Germans. However, there exist severe differences in their minds that are so called 'cultural difference'. In the interviews, interviewees are asked whether they see any difference among themselves and German youth at the same age and status with them. The immediate answer was "no". Then, they are asked whether they would marry with a German, all of them have reservations. Some of the interviewees, even they are not religious and do not practice religious rituals in their daily lives, think that 'religious difference' is a big handicap within mixed marriages. Aykut's response is clarifying his identity perception as 'being both':

**Aykut:** I would not (marry with a German). As I said, I have strong connections with Turkey and Turkishness. I think that it would be very difficult for me to accord with someone from German culture.

**Interviewer:** In what matters, you think you wouldn't accord?

**Aykut:** In all matters. For instance, language: I speak both German and Turkish. However, a German girl only speaks German. This is a big problem. Another problem is that she grew up within a different religion at home. Her personality is totally different. The possibility of having problems is higher in a marriage with a German. There are scientific researches and statistics on this issue. The rate of divorce is high in mixed marriages. Because it is difficult to accord.

**Interviewer:** So, do you prefer to marry with a Turk?

**Aykut:** In fact, the most appropriate for me is to marry with a Turk from Germany, because she would be from the same culture. Someone from Turkey doesn't speak German, doesn't

familiar with German culture. Since I am a hundred percent German and a hundred percent Turk, that person is a hundred percent Turk, doesn't have a relation with German culture. Sometimes I have to speak German. I express some of my feelings in German. She wouldn't understand me. Or in our daily lives, we have things from German culture.

Solomos and Schuster (2000) claim that subordinate groups may use 'difference' to stress their own separateness, to authorize their own representations, and to mobilize support. They may seek to legitimize their definitions of cultural differences, for example, by attaching positive value where before it was negative (Solomos and Schuster 2000: 81). Selin attributes positive value to some of the characteristics of Turkish youth in Stuttgart, and she likes that German youth adopted some of these characteristics:

Turks in Stuttgart can show themselves. There is a concept of *Türken power*, the power of Turks. They have self-confidence because they have economic independence. This is a nice thing, not negative. The economic power, perhaps, had an impact on psychology. And in Stuttgart, Germans imitate Turks. The youth, at the age of 16, really become Turk (*Türkleşmişler*). They wear golden necklaces which are known as a characteristic of Turks. Perhaps, they learn unpleasant, awful things, but it is still nice. For instance, the word *lan* used very often. *Was machst du, lan?* Germans speak like that. I can laugh at this... (Interview)

In the Focus Group I, participants discuss about the Turkish minority in Germany:

**Hayriye:** To be Turk is not 'out' any more, it is 'in'. They (Germans) imitate.

**Didem:** For instance, some slang used in ghettos are started to be used by German youth. (e.g. *Was machst du, lan?*; *çak moruk*; *valla lan*)

Cultural interactions have to be taken into account seriously. It is not a one-way relation: not only the minorities are under the influence of dominant culture, but cultures mutually influence each other in a multicultural society. However, in the German case, elites and politicians expect Turks to adapt to the German way of life which creates a sense of repression on Turks. Especially, the second-generation who want to be a part of the majority feel the tension of trying to prove themselves in front of the larger society. As the case may be they like German sub-culture youth using these slang. Moreover, cultural interaction has an impact on attitudes and conceptualizations in the issues regarding citizens, nationals, or foreigners. It is interesting that the German tradition of *Ausländerfeindlichkeit* (hostility towards foreigners) is also hidden in some of the respondents' utterances. While participants of focus groups were discussing about the Germans' attitudes towards foreigners, Hayriye (FGI) and Canan (FGII) talked against racism –but somehow from within:

**Bülent:** In big cities, for example in Köln, their attitude towards foreigners, towards Turks, is not bad. But East Germany is more conservative.

**Hayriye:** Because they don't know. They have prejudices. They didn't experience, they don't know. I think in East Germany the only foreigners they see are asylum seekers, blacks from Africa, so-and-so. (FGI)

**Hülya:** They (Germans) say "If you were in Turkey, you would not have a life like you have in here. You wouldn't be educated. Germany gives you many chances". Once a man told me "If you were in Turkey, you would wear headscarf, be married with five kids". As if we have a good life there!

**Canan:** I don't think so. Nonsense! This is racism. I would pursue a life like this because I am Turk! Everybody has the right to go everywhere. You can see Indians everywhere. (FGII)

In a similar vein, in Focus Group I, while talking about how it is difficult to integrate for Turkish community, Zehra calls people from Turkey as 'black heads'. When the moderator touch upon that she herself calls them 'black head', she rectifies that she meant 'all foreigners'. It is so natural for her to call non-Germans as black head. These examples can be regarded as how the ethnocultural perception of membership and the racism in German society were adopted by Turkish-Germans themselves.

### 6.3.3. Citizenship and Civic Virtue

Civic virtue aspect of citizenship implies *activity* required for a flourishing democracy (Kymlicka and Norman 2000: 7). According to William Galston responsible citizenship requires four types of civic virtues: (i) *general* virtues: courage; law-abidingness; loyalty; (ii) *social* virtues: independence; open-mindedness; (iii) *economic* virtues: work ethic; capacity to delay self-gratification; adaptability to economic and technological change; (iv) *political* virtues: capacity to discern and respect the rights of others; willingness to demand only what can be paid for; ability to evaluate the performance of those in office; willingness to engage in public discourse (Galston 1991: 221-224 quoted in Kymlicka and Norman 2000: 7). In what follows the attitudes and behaviors of respondents will be discussed with respect to *general*, *social*, and *political* civic virtues.

(i) *general virtues*: Most of the respondents of this research state that they feel a part of German society, moreover they see Germany as motherland. And they mention that they are loyal both Germany and Turkey. Sabiha, who did not acquire German citizenship yet, states that: "If something said against Germans, I support them, because, in a way I am their part. In the same way, when something said against Turks, I don't hesitate to support them." Aykut, also, thinks that he has two motherlands: "The place where I live, earn my living, and study is Germany. That's why it is also my motherland. I see them (Germany and Turkey) equal". Their loyalty to Germany perhaps related to their feelings of

gratefulness. They appreciate the social rights and opportunities that they had access in German system. To illustrate:

**Zehra:** Sometimes our people are ingrate against German state. I hear from my friends. Then, I advocate (German state). There are many ungrateful people. Consequently, you live in here, you are trained in here, and you are also a part of this people. (FGI)

**Serpil:** How would have been our lives like, if we didn't come to Germany? I think of my family: it is a worker family. They came from Istanbul. My father did not earn much, my mother was a housewife. When they came to Germany, both have started to work. We did not have financial problems. If we had lived in Turkey, we would definitely have financial problems. How much could a worker earn? Could I be a doctor? Could my father afford the course fees? Could I go to university? Or I might have to work, I don't know. However, in Germany opportunities, educational opportunities were better. (FGII)

In the second focus group when the participants were asked to compare themselves with Turks from Turkey, they mentioned some virtues that they attained from German culture, which Turks in Turkey does not have. They define themselves as law-abiding and idealistic citizens. They think that because of their moral attitudes in terms of obeying laws, being honest and modest, they are treated like innocents in Turkey.

**Serpil:** They (Turks in Turkey) find us a little bit innocent. Not a bit, indeed, a lot.

**Oğuz:** In fact we are innocent.

**Moderator:** Why? What does it mean to be innocent?

...

**Oğuz:** Since, we have to, and we do, obey the laws in Germany, we try to abide by the laws in here (Turkey) too. But, citizens do not think like that. We try to obey. They either do or not, they may take advantage of disobeying. That's why we are innocent.

...

**Aykut:** People from Turkey seem to be got tired of life. We, those coming from Germany, are more idealistic. Some of us think that we will study in Germany, become a professional, come to Turkey, and change Turkey. We have such considerations. But, those from Turkey tell that: "There is a fixed system here; whatever you do you can not change it". An incident occurred in Istanbul, we called the police immediately, and complained. We were together with friends from Turkey who told that "What will the police do for it, it's over". I mean, even if there is a system, we try to change it. But here they have got tired of their lives... Nobody stands up and tells something. For this reason, the system continues like that.

...

**Serpil:** We are more honest...

**Özlem:** They find us more relaxed and free.

**Serpil:** We are more modest.

(ii) *social virtues*: Related with being free and independent individuals, they perceive to express their opinions without any restriction as a significant virtue. To be critical, as a personal characteristic, is something that they acquired from German culture. They surprise and complain that it is not easy to do that in Turkey:

**Didem:** When we arrived here (Istanbul), I felt like a foreigner... While we were talking to professors, we want to criticize things as usual. Again I felt the cultural difference. At that moment I felt that I can't criticize in here like the way I do in Germany. I think they consider generation gap important in here. Respecting the elderly so-and-so. Germans go beyond this sort of considerations. They don't see you as a student but an adult person. You can freely advocate your opinions...

The respondents usually mention that to live within two cultures provides them a good chance to acquire social virtues from both that they find appropriate. They argue that by this way they reach a synthesis which has an

impact on their personality. In the following script, participants discuss on biculturalism:

**Moderator:** What are advantages of deriving some characteristics from both German and Turkish culture?

**Canan:** It's very nice. You grew up, in the period of adolescence, you are troubled. You say that: 'I am in between two cultures'. Then, when the age of maturity reached, at the age of 18-20, you sober down. You say that: 'I am not in between two cultures, I am bicultural, and I am lucky'. I am lucky because I can see two cultures, I can compare, I can see which is right, better. I reached a synthesis in my mind. I thought 'I have this chance, why I don't use it?' I looked at Turkish culture, I thought 'this and that is good'...

**Moderator:** What are those?

**Canan:** Human relations are nice, philanthropy. And I looked at German culture: they can trust each other, they do what they promise, they are precise...

**Hülya:** In my opinion, we are more tolerant towards both Turks and Germans, we know both.

**Oğuz:** As we know both cultures, we can look at them from another angle or from outside. Germans have a big handicap in this respect: they live only in Germany, they speak only German. (FGII)

Thus, from their statements it can be derived that biculturalism gives them the opportunity to look at themselves and others from a different perspective, and to be more open-minded. This, in turn enables them to be easy on living with people from other cultures. Aysun's account is an example of how they develop such virtues through their experience with living with 'others':

I don't feel comfortable in such issues (the issues concerning some of German people's cultural traits). Before I used to ask myself 'Why they are like that?' 'Why they behave like that?'. But, now I think that they grew up, educated like that. They do or can't do certain things, because they didn't know any other way. I don't

have the right to expect this or that from them. Because they don't have it. Now, I am at ease about such things. S/he is like that, I am like this. I don't find this stuff strange. (FGI)

(iv) *political* virtues: Since the right to vote gained through German citizenship is considered to be an important factor in acquiring citizenship, the interviewees were asked about which party (or parties) they vote (or they would vote) for. All of the interviewees said that they vote (or would vote) for the Greens or Social Democrats. Göksu states that those who support leftist parties are more inclined to acquire German citizenship, while the supporters of right wing parties do not want to renounce their Turkish citizenship (Göksu 1999: 277). This is consistent with the findings of Kaya and Kentel (2004) which points out that there is a growing tendency among the younger generations towards political integration –and the interest to domestic politics is more common among those of higher social status. They also indicate that Turkish-Germans have recently become more affiliated with the left wing political parties such as the Social Democrats (27 %) and the Greens (8.5 %) (Kaya and Kentel 2004: 53). When it is considered that Euro-Turks were more oriented towards the conservative parties in the early stages of the immigration (due to their skepticism towards the left wing parties back in the homeland), this shift implies that Euro-Turks are becoming more involved and reflexive in daily politics of their countries of settlement. Thus, despite the fact that there is still a great amount of people who are not really engaged in domestic politics, Euro-Turks are actually very well integrated (Kaya and Kentel 2004: 53).

The civic virtue can be analyzed with reference to Turkish community and to larger society. At the level of community, they have concerns about changing the 'bad image' of Turks in Germany, promoting Turkish culture, and introducing it to Germans. They think that as 'academics' they have a mission to change the prejudices and misunderstandings of German society towards Turks. Consider the account of Didem:

There is something I really like: For example, when I'm filling a form to apply a position, I write my name Didem D., whoever reads it understands that it is not a German name. But below it is written German, I like it. Because when they call me for interview, they ask 'Your name is not a German name, what is your origin?' I like that they surprise when I say 'Turk'. Because I know that they presume another image or appearance as Turk. I like to provoke, to surprise them. I think after that their point of view changes: 'So, not all Turks are like the way I assume'... Most of the time, I realize that when they see people who look cosmopolite -like us- they think that 'She is certainly Italian, Portuguese, but definitely not Turk'. When I met my German friends in the university, they asked 'Are you Turk?'. At that moment, I like to say 'Yes, I am Turk'. On the other hand, I am a Turk but a cosmopolite Turk. I mean, I like to say that I have no problem in acquiring German passport. Because I'm surprising them. I think I change their point of view a bit. (FGI)

At the societal level they develop civic virtue with regard to German politics. To gain access to voting right by means of German citizenship develops a civic virtue that serves at both levels: to have an impact on national politics in accordance with their interests, on the one hand, perceived as a responsibility being the members of the Turkish community. On the other hand, to have voice in German politics strengthens their trust in social institutions and their sense of loyalty. Aykut says that to acquire German citizenship was a political decision for him apart from pragmatic interests:

It was also a political decision, even if only one person, it is contributive to become German citizen. For instance, in the last elections, the coalition won with a slight difference which stem from the votes of Turks. If Turks didn't vote for those leftist parties, they would not win. As they are aware of this, they consider Turks important. However, only Turks having German citizenship, as they vote for them. (Interview)

The interviewees were asked whether they ever support any action or protest in Germany regarding the issues of immigrants in general or Turks in

specific. Only one stated that she supported a protest against Armenian genocide issue organized by a Turkish initiative. Except one interviewee who is a member of Turkish-German Culture Association of his town, none of them is a member of any political or cultural association, but most of them are members of either student or professional associations. However, it should be mentioned here that in Germany legal system minorities are encouraged to form apolitical communities (*Gemeinschaften*) in the private sphere instead of interest groups in the public sphere (Radtke 1997: 255). This policy also serves to self-ethnicization, and prepares a ground for 'fundamentalism'. Perhaps, for this reason, the respondents, who differentiate themselves from the majority Turks, may stay away from such ethnic communities.

#### **6.4. A Reassessment of Postnational and Multicultural Conceptions of Citizenship in Light of Perceptions**

Although the respondents of this research have multiple ties and identities, some of these ties and identities exert a more powerful influence than others. In terms of defining 'who they are?', there are variations among them – even they have similar social backgrounds. Some respondents give responses that confirms the assertion of Soysal that “the logic of personhood supersedes the logic of national citizenship” (Soysal 1994: 164).

The rights based citizenship understanding that these Turkish-Germans are engaged does not justify Soysal's argument that immigrants link themselves to a universal or supranational level by stressing the individual rights. This argument can be true for the civil society organizations but not for individuals. Indeed, she asserts that appealing to transnational or subnational levels is an organizational strategy. The driving mechanisms may be different at organizational and individual levels. A vast majority of the respondents raise their right claims as a member of German society and state. Because, the rights they demand are defined and legitimated at national level, contrary to Soysal's claim.

Soysal (1994) speaks about 3 developments concerning the organization of citizenship in Europe. Are the perceptions of Turkish-Germans support her remarks about the emerging model of citizenship? (1) The institutional basis of citizenship (legitimacy for individual rights) shifted from nation-state to the transnational level. In the empirical findings of this study, there is no clue that individual rights are legitimated at transnational level. It is still the nation-state as the basis of citizenship rights. (2) Rules of membership (rights, participation, and representation) are not bound with national citizenship (but rooted in deterritorialized notion of personal rights). They aspire German citizenship for participation and representation; there is no other means than German citizenship to gain such rights. There is no institutional framework to resort to for these rights. And German citizenship is a nation-bounded concept. (3) The emerging mode of membership is constructed at differing levels –local, regional, and global- with multiple rights, duties, and loyalties. For Soysal, Turkish immigrants in Berlin represent an example of this emerging form of membership: “they invoke, negotiate, and map collective identities as immigrant, Turk, Muslim, foreigner, and European” (1994: 166). The present study supports this claim that Turkish-Germans involved in this research develop multiple and overlapping identities.

Soysal claims that two major components of citizenship, that are rights and identity, are decomposed. Rights associated with the belonging to a national community are started to be defined and legitimated at transnational level. Identities, on the other hand, are still locally and territorially bounded. Turkish-Germans’ case tells another story: Although rights and identity decomposed, they are based on two different national polities. That is because they see themselves as both German and Turk. Being German is to be a member of German society (in social, economic and cultural terms), and German citizenship adds a political dimension to their membership. Citizenship means to have political rights. Identity is ambiguous: One element of their identity is to have

Turkish roots. Turkey or Turkish citizenship associates with innate feelings concerning their ethnic identity. Contrary to Soysal's claim (that national citizenship is no longer significant in terms of its translation into rights and privileges), in Turkish-Germans' perceptions, the rights associated with German citizenship are not related to universalistic status of personhood. It represents to be a part of the political community.

Biculturalism had an impact on the respondents' identity formation. As the respondents' sense of identity and belonging is formed by both Turkish and German cultures, Kymlicka's assertion that everybody belongs to only one societal culture is empirically not true for Turkish-Germans. Kymlicka relates individual freedom to the societal culture as it is discussed in Chapter 4. Because, through an access to societal culture, individuals can understand the options available to them, and make judgments about which ones to pursue. Kymlicka argues that societal culture creates a context of choice for individuals. Thus, immigrants are expected to learn the language of their new country and their life choices will be affected by their formal legal rights and freedoms. It also serves self-identity. "Cultural membership provides us with an intelligible context of choice, and a secure sense of identity and belonging, that we call upon in confronting questions about personal values and projects" (Kymlicka 1995: 105). The respondents underscore the importance of societal culture and of language that is the basic mean of socialization. Some of the respondents stated that to be good at German language is an important asset to integrate. Likewise, poor German is a handicap in education and socialization, thus in integration. However, it is not the case that all of the choices of the respondents are determined by the social practices and cultural meanings of the German society. As they mention they have some values, conceptions, and attitudes that they attained from Turkish culture. And these –although sometimes inconsistent with that of German culture- provide them some options to pursue a meaningful life.

	<b>Actors</b>	<b>Legal status</b>	<b>Identity</b>
<b>Traditional conception</b>	nation, state, citizens	uniform rights to provide formal equality	based on nationhood
<b>Postnational conception</b>	supranational institutions, international codes, conventions and laws, individuals	uneven rights for citizens and various immigrant groups	based on personhood
<b>Multicultural conception</b>	nation-state, minorities, citizens	group-specific rights to promote equality between the minority and majority	based on group membership
<b>Implications of Turkish-Germans' perceptions</b>	different nation-states, individuals	equal rights for citizens and denizens	situational

Figure 6.2. Comparison of the Empirical Observations with that of Three Citizenship Conceptions

## 6.5. Concluding Remarks

This chapter is devoted to clarify how second-generation Turkish-German perceive and experience citizenship. Their perceptions can be generalized as follows: (i) With respect to legal status: They perceive citizenship as equal rights for all. But they do not anticipate that the formal equality before law would set up social equality in German society. (ii) With respect to identity: Their citizenship identity is characterized by both German and Turkish culture, and becomes situational in their everyday life. (iii) With respect to civic virtue: Their will to be recognized members of the major society enables them to develop general, social, and political virtues. (iv) Their perceptions and experiences in these three aspects bear the imprints of both Turkish and German traditions. Since these aspects of citizenship are conceptually and empirically

linked to each other (Kymlicka and Norman 2000): (i) To identify themselves as German (or cosmopolite) have an impact on acquiring German citizenship with less psychological considerations. (ii) Likewise, to acquire German citizenship (legal status) have an impact on the feeling as a member of the larger society (identity), thus it has an integrative function. (iii) Both the identity and legal status influence their civic virtues by being more considerate and responsible citizens –that is evident in their voting behaviors.

## CHAPTER 7

### CONCLUSION

International migration had emerged as a significant force in transforming the prevalent relations between citizens and states (both sending and receiving states) on global scale. Within last decades, in traditional immigrant countries composition of immigration shifted (from European to Asian, African, and Latin American immigrants); in Western European worker importing countries, guestworkers had turned into permanent residents. As a result, most of the economically developed societies have become diverse in terms of ethnic, religious and cultural traits. Then, accommodation of ethnic and cultural pluralism, and incorporation of immigrants have become an important subject of the political agenda. The debates about multiculturalism and rights of ethno-cultural minorities challenged the traditional notions of the nation-state, national culture, national identity, and ultimately the meaning of national citizenship.

If we take the specific case of Western Europe, since the 1960s, immigration had been taken in the form of temporary labor migration –so called guestworker policy. Although there was an attempt to control the number of foreign workers after 1973 recruitment stop, immigration continued in the form of family reunions (asylum seekers and refugees become other sources of increasing number of foreign residents). By the 1980s, Western European countries had faced the ‘foreigner issues’ as the unforeseen results of guestworker policies. Since the rate of naturalization was low during the 1970s, the incorporation of these foreign residents posed additional difficulties for governments. The first attempt to ease the conditions of permanent foreign residents was to issue permanent resident permits. In the 1980s, Federal Republic of Germany gave permanent residence permit to those foreigners who had already spent more than ten years in Germany. This was a turning point in

Germany's foreigner policy in accepting the permanent nature of its foreign population. Today, Western European countries have large populations of foreign citizens who pay taxes, benefit from the social services, participate in trade unions and associations etc, but excluded from political sphere. This is an anomaly situation and deficiency for a healthy 'democracy' in which it is expected that those who are effected from political decisions, and have fulfilled their obligations to be represented (Hammar 1990; Layton-Henry 1990b).

If the inclusion of immigrants in the political community as full members is one side of the erosion of national citizenship, the other is the globalization. The traditional nation-state model is grounded on the territorial principle which indicates the articulation of nation, state, and society. The territorial principle is the precondition for the exercise of a state's political sovereignty. Globalizing economy -through the economic practices of multinational companies and global organizations (IMF and WB), and through financial liberalization- erodes the monopoly powers of nation-states' in their internal economic and political affairs. Through improvements in transportation and communication, and domination of global cultural industry and media, globalization is undermining the national cultures. On the other hand, the very same systems of mass communications enable small political groups, and ethnic communities to nourish their own culture (Smith 1995). As a reaction to globalization, we witness the revival of ethnic cultures at the sub-national level. Moreover, after the collapse of Soviet Union and Eastern Block a new wave of ethnic nationalism had caused ethnic wars (or in some cases cleansings) and conflicts for the sake of self-determination in the region. So, in a contradictory manner, the tendency toward material global integration occurs together with ethnic and cultural fragmentation concurrently (Benhabib 1999).

Under these circumstances, it is argued that the moral significance of national boundaries were reduced (Linklater 1998), and national citizenship is confronted by the alternative discourse of universal human rights (Soysal 1994) -

as a normatively superior paradigm of political loyalty (Turner 1994). Therefore, citizenship can not be based on singular and individual membership in a nation-state (Castles 1998). Within this context, national identity based on nationhood and uniqueness becomes discredited, and national citizenship, in turn, is losing its ground. Since the concepts of nation and citizenship connected each other with the rise of modern nation-state, they are decoupling in an era which is marked by the demise of modern nation-state. However, this does not undermine the role of citizenship as a determinant in access to resources and in providing active participation of individuals into the polity –at least not yet. Given the fact that traditional notion of nation-state citizenship model eroded, we need new approaches which can meet the demands of individuals who are the subjects of citizenship ideologies, policies, and practices of more than one states. To conceptualize citizenship at the level of individual citizen, İçduygu offers the notion of attachment “which indicates a bond between the state and its citizens that grows out of their unique interaction, to create or frustrate a sense of security or certainty in the citizens” (İçduygu 2005: 212). Contrary to the traditional usage of citizenship referring either a membership to a nation-state (the legal/formal aspect of citizenship), or to a sense of belonging to a national community (the substantive dimension of participation and identity), attachment indicates reciprocal character of the relationship between state and citizens (İçduygu 2005: 200).

Soysal (1994) argues that a new model of citizenship is emerging in Europe as a result of practices of guestworkers. The emerging *postnational* membership model is based on a kind of universal notion of individual rights that enables guestworkers to be incorporated into host polities. Thus, she claims that ‘rights’ granted by nation-states and ‘identity’ associated with belonging to a national community are decoupled. While the rights are started to be legitimated at transnational level, identities are locally defined. Soysal

underlines that although national citizenship still prevails, it is not an important determinant for rights.

From a normative perspective, the existence of ethnic cleavages within the major societies had raised the questions that challenge the fundamental commitment of Western liberal democracies in treating its members 'equal'. Liberal equality argument interpreted in two ways in the context of ethnic or immigrant minorities: (i) the traditional liberal response is to treat minorities in a neutral manner (benign neglect). Because the liberal state should not promote any difference but have to guarantee the individual freedom and liberty. To grant special right to certain group would undermine the liberal commitment to equality. (ii) The universal and homogeneous rights for all, indeed, reproduce oppression and disadvantage (Young 1989), and favor the dominant culture (Kymlicka 1989, 1995). For Kymlicka (1995) group-specific rights are inevitable for justice, because the members of minorities face systemic disadvantages due to the economic and political decisions of majority. In order to rectify disadvantages and sustain equality, minorities have to be treated different –not identical. The purpose of *multicultural* citizenship (group-differentiated rights in the form of territorial autonomy veto powers, guaranteed representation in central institutions, land claims, and language rights) is to reduce the vulnerability of minority cultures to majority decisions. These provisions give right to the members of minority to have the same opportunity to live and work in their 'own culture' as members of the majority. The stress on culture stems from his account of culture as a significant instrument for realizing individual freedom. Because culture provides the meaningful choices for individuals' life plans.

Present study is an attempt to rethink the questions of the political sociology of citizenship (in the frame of Soysal's postnational citizenship model), and of the normative political philosophy (in Kymlicka's multicultural citizenship) within a concrete context (second-generation Turkish-Germans), at

the level of individual by exploring the perceptions. It clarifies the consequences of immigration on citizenship as an institution regulating individuals' relations with state with reference to practices of citizenship. The citizenship condition of second-generation Turkish-Germans is explored by means of their perceptions of different aspects of citizenship. The inquiry aimed to transcend the legal-statist approaches of immigration/citizenship studies and the presuppositions of theoretical formulations developed over an abstract individual notion, by questioning how immigration and citizenship policies are regarded by actual individuals in their everyday life practices. Thus, to grasp individual citizenship practices in the context of immigration requires a personhood (individual citizen)-based understanding of citizenship rather than state-centered (İçduygu 2005). For the sake of an individual level analysis, legal status, identity, and civic virtue aspects of citizenship are employed in the empirical analysis. These three ideas of citizenship are suggested by Kymlicka and Norman (2000) who argue that talk of a person's citizenship at the individual level can refer to legal status, identity, and civic virtue aspects of citizenship.

The qualitative research is based on two focus group discussions and nine in-depth interviews with the second-generation 'academic' (*Akademiker* or *Akademikerin*) Turkish-Germans. First-generation Turks and most of the Turkish community are less proficient in German and less educated compared to the larger society, and to academic Turks. Since the people whom this research is concerned have been socialized in German schools, they master German language and culture. So, they also deviate in their attitudes towards identity, citizenship and nationality from rest of the Turks living in Germany. But this does not mean that they present a totally independent case, insofar as half of their socialization occurs in Turkish families and Turkish community. For this reason, the condition of second-generation Turkish-Germans is a unique case. They have strong concerns about their Turkishness, and related with that, about Turkish citizenship. They have inherited Turkish citizenship from their parents,

so they had to relinquish original citizenship to acquire German citizenship. This experience is more or less perceived as if they repudiate their identity. Such perceptions are peculiar to this transitional generation, the later generations will probably not experience these emotional concerns, at least not in the same intensity.

Since the sample represents a limited segment of the Turkish community, their perceptions and experiences are compared with first-generation Turks and with the whole Turkish community (by means of empirical findings of Tepecik (2002), and of Göksu (1999) and Kaya and Kentel (2004) respectively). The empirical study suggests that second-generation academic Turkish-Germans perceive citizenship concept as follows:

*Legal status and citizenship perceptions:* The legal status refers to civil, political and social rights, and certain duties. A majority of Turkish-Germans already have civil, social, and cultural rights as denizens. Turks in Germany take part in several societal subsystems, in economic life (either in labor market or in business), in housing market (either tenants or owners), in cultural life (as authors, artists, musicians, or scientists), in politics (either as a opinion leader or politician –if naturalized). To acquire German citizenship means to complete their legal status with political rights, and turn out to be full members of the political community. Then, it means achieving the rights to participate in the exercise of political power, either by holding office or by voting. German citizenship limits the negative impact of differences (either based on race or class) on individual life-chances, thereby enhancing the individual's loyalty to the state. To enjoy political rights is associated with justice, by means of that to move beyond their second-class citizenship positions. The rights-specific perceptions of citizenship have both political and pragmatic motivations. The pragmatic concerns render citizenship to an instrument, but the instrumental approach to citizenship may encompass their will to integrate with German society, and, in turn, to be recognized by the larger society –especially for young

people. Thus, citizenship operates as a mechanism to provide their access to the political community, by this way it becomes an important means for providing formal equality. However, they complain about the social equalities deriving from exclusion or discrimination as handicaps for Turks to be recognized. 'Cultural difference' appears as the basis of exclusion by the majority, and a resistance mechanism for Turkish-Germans. What they mean by cultural difference is, in general, to have different ethnic origins, religion, language, physical features (hair color or skin color), and the style of wearing, cuisine, music, etc. Although they underline the significance of culture in their daily lives, they do not favor group-specific rights for Turkish community. Their attitude towards minority rights should be regarded within the specific context of Germany, with regard to German minority policies, and their will to be treated as equal members of the society. Kymlicka and Norman underlines an important point in this respect that "[w]hether justice requires common rules for all, or differential rules for diverse groups is something to be assessed case-by-case in particular contexts, not assumed in advance" (Kymlicka and Norman 2000: 4).

*Identity and citizenship perceptions:* Their perceptions of identity do not depend upon membership of a cultural group, as if people divided up neatly into cultural groups in a diverse society like Germany. As culture is a social product, and they socialize in a multicultural environment, they develop overlapping identities that can be conceptualized as 'being both'. In their daily lives German and Turkish identities are interplaying, thus 'being both' experienced in a *situational* manner. Personhood becomes the primary locus of identity, and this understanding is closely interrelated with their instrumental attitude towards citizenship. Both, identity as personhood and citizenship as a mean, can be regarded as evidences of decoupling of identity and citizenship from each other, and from the notions of nationhood. Their demands for dual citizenship also emphasize a clear distinction between nationality, citizenship, and identity.

*Civic virtue and citizenship perceptions:* The respondents of this research define themselves as law-abiding and idealistic citizens that are virtues they learnt in German society. Another characteristic that they acquired from German culture is that being free and independent individuals who have a critical perspective. Biculturality is regarded as an asset that enables them to look at themselves and others from a different perspective, and to be more open-minded. So that they develop a 'tolerant' viewpoint in living together with 'others'. They state that they are loyal to Turkey and Germany. Loyalty to Turkey is more or less a psychological allegiance. While we might expect that discrimination and racism could be a hindrance for a deep commitment to Germany, interestingly, they develop loyalty to Germany as long as they develop to Turkey. Their loyalty, however, does not stem from a sense of being 'equal' and 'fair' members of the political community, but mixed with feelings of gratefulness –the basis of loyalty must be different among German-Germans which is worth comparing.

The citizenship perceptions of second-generation Turkish-Germans indicates that, on the one hand, individuals' perceptions are formed by the citizenship notions of Germany and Turkey, on the other hand, individuals' practices have an impact on the concerned states' citizenship regimes. As their perceptions are assumed to be shaped by German tradition (in the larger society) and Turkish tradition (at home and within the community of Turkish friends, relatives, or neighbors) to testify these influences needs a comparison of their perceptions with that of German-Germans and Turkish-Turks. The impact of German ethnic citizenship notion on immigrants' self-image has been emphasized by some scholars (Brubaker 1992, Bauböck 1991a), the present study stresses this impact, but also try to move beyond the uniqueness of German context through interpreting their perceptions of different aspects of citizenship and how these different ideas are interlinked.

This research suggests that second-generation Turkish-Germans' perception of citizenship is a kind of 'multiple citizenship'<sup>97</sup>. Multiple citizenship is not a legal concept like dual citizenship but a social concept. It indicates political, social, psychological connotations. Politically, it implies that the citizenship as a legal status needs not to be tied to nationhood. Its political dimension is closely linked with interests, and perceived as an instrument for a 'good life'. Its social dimension connotes that individuals' identity constructed in a bicultural environment, enables them to 'be both'. Psychological dimension refers that individuals can have strong concerns and allegiance which transcend the borders of the state where they live and enjoy their political and social rights. And this situation causes parallel loyalties. To be loyal to Germany and the adoption of German social identity does not require one to relinquish his/her Turkish identity and emotional concerns related with it. The nature of the new citizenship is marked by contradictions. Because there is no concrete references comparable to the citizenship of the nation-state –such as a homogeneous national identity.

To emphasize the importance of other dimension in the daily lives of individuals does not degrade the significance of legal dimension of citizenship. Because only legal citizenship carries the right to equal participation in the political community in the full sense of the term (Kastoryano 2002: 127). The expression of a citizen's attachment to other communities (ethnic or religious) does not contradict, either empirically or normatively, with the exercise of citizenship (Kastoryano 2002: 132). Furthermore, citizens' sense of attachment to the political community is also related with how they perceive and experience legal status, identity, and civic virtue aspects of citizenship.

Multiple citizenship understanding of the sample group of this research is reflected in their perception of Turkish citizenship and German citizenship. All most all of the respondents favor dual citizenship, not as a membership to a

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<sup>97</sup> Derek Heater (1999)'s phrase.

nation-state in the formal/legal sense or as a sense of belonging to a national community, but as a status that provides a sense of attachment between individual citizens and the states concerned.

The present study contributes to the citizenship literature by going beyond the legalist/statist definitions of citizenship. To combine empirical, contextual approach at an individual level analysis with a theoretical and conceptual analysis has been neglected in the literature. This research evaluates the theoretical discussions from the perspective of individual perceptions based on an empirical research. Departing from a specific context, it tries to overcome the gap between theory and everyday life experiences.

This study has some shortcomings: first of all, due to practical limitations, the empirical research is conducted in Turkey. Since it investigates the 'perceptions', the respondents may express their perceptions better in Germany - which is their main living environment. Second, the sample group is limited with a small segment of Turkish community. To compare second-generation's perceptions with that of first- and third-generation Turkish-Germans from different social classes would enrich the analysis. This, however, may provide a starting point for future studies on citizenship understanding of different generations. It would be also contributory of prospective research to compare citizenship perceptions of Turkish-Germans with that of German-Germans and of Turkish-Turks.

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## APPENDICES

### APPENDIX A

#### PROFILE OF THE SAMPLE

##### FOCUS GROUP I

<b>Name (pseudonym)</b>	<b>Age</b>	<b>Place of birth</b>	<b>Self-identification</b>	<b>German Citizenship</b>
<i>Hayriye</i>	26	(not asked)	Turk from Germany	will apply
<i>Didem</i>	25	(not asked)	German of Turkish descent	acquired
<i>Defne</i>	22	(not asked)	German and Turk (situational)	acquired
<i>Aysun</i>	24	(not asked)	German and Turk (situational)	acquired
<i>Sabiha</i>	21	(not asked)	Multicultural (situational)	will apply
<i>Beril</i>	20	(not asked)	German of Turkish descent	acquired
<i>Zehra</i>	23	(not asked)	Kurdish	acquired
<i>Bülent</i>	24	(not asked)	Turk living in Germany	may apply

## FOCUS GROUP II\*

Name (pseudonym)	Age	Place of birth	Self-identification	German Citizenship
<i>Serpil</i>	31	Turkey	Turk living in Germany	acquired
<i>Özlem</i>	36	Turkey	European	acquired (dual)
<i>Hülya</i>	28	Turkey	German of Turkish descent	will apply
<i>Canan</i>	26	Germany	German and Turk (situational)	acquired
<i>Oğuz</i>	32	Germany	Cosmopolite	acquired
<i>Gamze</i>	29	Germany	German of Turkish descent	will apply
<i>Aykut</i>	25	Germany	Cosmopolite (situational)	acquired (dual)

## INTERVIEWEES

Name (pseudonym)	Age	Place of birth	Self-identification	German Citizenship
<i>Arzu</i>	26	Germany	(not asked)	acquired
<i>Hüseyin</i>	35	Turkey	Cosmopolitan	acquired (dual)
<i>Hakan</i>	24	Germany	Turkish	acquired
<i>Selin</i>	22	Germany	Synthesis (more Turkish)	acquired

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\* Apart from the focus group discussions, in-depth interviews were conducted with Serpil, Hülya, Oğuz, Gamze, and Aykut.

## APPENDIX B

### QUESTIONING ROUTE FOR INTERVIEWS

Name:

Age:

Occupation:

Marital status:

Where are you from? How long have you been living there?

When did your parents go to Germany (the purpose and the place)?

What are the citizenship status (Turkish, German, or dual) of your parents and siblings?

Do you have German citizenship?

If YES:

i) Why did you acquire?

ii) Do you still have Turkish citizenship?

If YES: - Why did you prefer to keep your Turkish citizenship?

What does Turkish citizenship mean to you?

What are the rights and obligations you espouse with respect to Turkish citizenship?

If NO: Would you prefer keeping your Turkish citizenship?

If NO:

Why didn't you acquire?

Are you planning to acquire?

What does Turkish citizenship mean to you?

iv) What are the rights and obligations you espouse with respect to Turkish citizenship?

What does Turkishness mean to you? What are the symbols of Turkishness?

Motherland?

About Turks who acquired German citizenship:

Do you notice any change in their lives?

Do the attitudes of German society change?

Do the attitudes of Turkish community change?

What do you think about dual citizenship?

What does German citizenship mean to you (rights/obligations)?

What are the additional rights or opportunities that you (or will you) gain by means of German citizenship?

Are they sufficient to maintain social equality?

If NO: What are the situations in which they are not sufficient?

If those rights (that you get via German citizenship) were given in the present situation, would you acquire German citizenship?

Are there any advantages or disadvantages of holding German citizenship in Turkey?

What do you think about to be given some cultural, ethnic, and religious rights for Turks in Germany?

What is your opinion on special representation rights?

Did you ever support any action or protest concerning immigrants in Germany?

If YES: Can you tell about it?

Are you a member of any party or association?

Which party do you (or would you) vote for?

How do you define Turks in Germany?

How do you define yourself within this community?

What are the advantages of deriving some characteristics from both German and Turkish culture?

In your opinion, how do Germans define Turks living in Germany?

What do you think about integration and adaptation of Turks to Germany?

Who are your close friends?

Do you recognize any difference between you and a German youth at the same age and status?

If YES: What are those?

Could you tell a story or incident that you felt you were from a different culture?

What are your opinions on Germany and Germans?

What is your opinion on German life style?

What is your opinion on mixed-marriages?

Would you marry with a German?

In your opinion, what is the most important problem of Turks in Germany?

## APPENDIX C

### TURKISH SUMMARY

Bu çalışmanın bir boyutu, liberal toplumlarda özellikle uluslararası göçün etkisiyle artan kültürel farklılıkların, vatandaşlık kavramını değiştirmesiyle ilgilidir. Diğer boyutu ise, uluslararası göçün vatandaşlık kavramsallaştırmasını nasıl etkilediğini bireylerin bakış açısından ortaya çıkarmaya çalışmasıdır. Yakın zamana kadar birey düzeyinde analiz, hem göç hem de vatandaşlık çalışmalarında ihmal edilmiştir. Bu tez, göçün aktörleri ve vatandaşlığı bir kimlik ve bir statü olarak taşıyan bireylerin, deneyim ve kavrayışlarını ortaya koymakla literatüre katkıda bulunmayı amaçlamaktadır.

Vatandaşlık, devlet-birey ilişkisini, haklar ve görevler temelinde düzenleyen bir hukukî statüdür. Modern devletin, sınırları belli bir alandan ve homojen olduğu varsayılan bir ulustan oluştuğu düşünüldüğünde, vatandaşlık kavramının ulusal çağrışımları olması kaçınılmazdır. Modern vatandaşlığın birbiriyle çelişen iki boyutundan söz edilebilir: Öncelikle, vatandaşlık, liberal eşitlik (evrensellik –*universalism*-) ilkesinin bir ifadesidir. İkinci olarak, ulusa dahil olmayan bireyleri, yani ‘yabancılar’ı dışlanmaktadır (özgücülük – *particularism*-).

Devlet, kendi vatandaşlarına biçimsel eşitlik sağlarken, sınırları içinde yaşayan yabancılar, vatandaşlığın sağladığı ayrıcalıklardan yararlanamamaktadırlar. Uluslararası göç, vatandaşlığın evrensellik ve ulusal homojenlik boyutlarını zayıflatmaktadır. Yarım yüzyıl öncesinden itibaren ucuz işgücü temini için çağrılan göçmenler, bugün Batı Avrupa’da, ev sahibi toplumlar içinde kültürel, etnik ve dinî farklılıklarıyla yaşamaktadırlar. Bu durum, ‘yeni toplumsal hareketler’in de etkisiyle, liberal ulus-devletlerde siyasi üyeliğin yeniden tartışılmasını gündeme getirmiştir. ‘Vatandaşlık krizi’ne bazıları ulus-devlet çerçevesi içinden bir çözüm önerirken (çokkültürlü

vatandaşlık gibi), bazıları da ulus-devletin zayıfladığı önermesine dayanarak everensel modeller (ulus-sonrası vatandaşlık; kozmopolit vatandaşlık gibi) geliştirmişlerdir.

İkinci Dünya Savaşı'ndan sonra Batı Avrupa'da uluslararası göçün önemi artmıştır. 1950'ler ve '60'lardaki ekonomik patlama döneminde, refah devletinin gelişmesi süreci, uluslararası göçün niteliğini değiştirmiştir. İlk olarak Avrupa'nın çevresinden ve Üçüncü Dünya'dan gelen göç dalgaları, gelişen Avrupa ekonomilerine ucuz işgücü temin etmiştir. İkinci olarak, zengin sanayileşmiş ülkelerle, dünyanın geri kalanı arasındaki gelir uçurumu arttıkça, sanayileşmiş bir refah devletine üyelik pek çok insan için cazip hale gelmiştir. Çünkü bu üyelik düzenli bir iş, gelir, ve aile fertleri için belli standartlarda yaşama, eğitim, ve sağlık hizmetleri; ve işsizler için sosyal güvence anlamına gelmektedir. Göçmen işçiler (yada misafir işçiler) bu maddi faydalara, söz konusu ülkelerde sürekli oturma izni aldıklarında kavuşabilmektedirler.

1970'lerin ortasında ekonomik durgunluğun başladığı sırada, pek çok misafir işçi ev sahibi ülkelere temelli yerleşmişlerdi. Göçü kontrol altına almak için, 1973'de işçi alımı resmen durdurulmasına rağmen, bu tarihten sonra aile birleşmeleriyle, ve sığınmacı ve mülteci girişleriyle yabancıların sayısı artmaya devam etmiştir. 1980'lere gelindiğinde, Batı Avrupa ülkeleri, misafir işçi politikasının öngörülmemiş bir sonucu olarak 'yabancılar sorunu' ile karşılaşmışlardır. 1970'lerde vatandaşlığa kabul (*naturalization*) oranları düşük olduğu için, yabancı sakinlerin (*foreign residents*) topluma dahil edilmesi hükümetlerin gündemine girmiştir. Yabancı sakinlerin durumlarının iyileştirilmesi yolunda ilk adım, sürekli oturma izni verilmesi olmuştur. Örneğin, daha 1978 yılında Federal Alman Cumhuriyeti, beş yıldan fazla ülkede kalan yabancılara oturma izni (*Aufenthaltserlaubnis*), sekiz yıldan fazla kalanlara ise oturma hakkı (*Berechtigung*) vermeye başlamıştır. Bu Alman hükümetinin yabancı nüfusun kalıcı olduğunu kabul ettiğini gösteren bir dönüm noktası olmuştur. Bugün, Batı Avrupa ülkeleri, vergi ödeyen, sosyal hizmetlerden

yararlanan, sendikalara, derneklere üye olan, fakat siyasi alandan dışlanan önemli sayıda yabancı nüfusa sahiptir. Bu, demokrasi açısından sorunlu bir durumdur. Çünkü iyi işleyen bir demokratik sistemde, sorumluluklarını yerine getiren ve siyasi kararlardan etkilenen insanların temsil edilmesi beklenir (Hammar 1990; Layton-Henry 1990b).

Göçmenlerin siyasi topluluğa dahil edilmesi, ulusal vatandaşlığı aşındıran faktörlerden biridir, diğeri ise küreselleşmedir. Geleneksel ulus-devlet modeli, ulus, devlet, ve toplumun eklenmesi anlamına gelen toprak ilkesine (*territorial principle*) dayanır. Toprak ilkesi, devletin siyasi egemenliğini icra etmesini sağlayan önkoşuldur. Uluslararası Para Fonu, Dünya Bankası, ve çok-uluslu şirketlerin ekonomik icraatlarıyla küreselleşen ve liberalize edilen ekonomi, ulus-devletlerin kendi ekonomik ve siyasi işleri üzerindeki söz sahibi olma güçlerini azaltmaktadır. Ulaşım ve iletişim teknolojilerindeki gelişmeler ve küresel medya ve kültür endüstrisinin baskın hale gelmesiyle, küreselleşme bir yandan da ulusal kültürlerin altını oymaktadır. Öte yandan, aynı kitle iletişim sistemleri küçük siyasi grupların ve etnik toplulukların güçlenmesini olanaklı kılmaktadır (Smith 1995). Küreselleşmeye paralel olarak, ulus-altı etnik kültürlerin yeniden canlanması gündeme gelmiştir. Ayrıca, Sovyetler Birliği ve Doğu Bloğu'nun çözülüşüyle birlikte, etnik savaflara yol açabilecek boyutlarda, yeni bir etnik milliyetçilik dalgası bu bölgede ortaya çıkmıştır. Yani, birbirleriyle çelişkili bir biçimde, küresel maddi entegrasyon eğilimi ile etnik ve kültürel parçalanma eğilimi aynı anda yaşanmaktadır (Benhabib 1999).

Bütün bu gelişmeler sonucunda, ulusal sınırların moral öneminin azaldığı (Linklater 1998), ve normatif anlamda daha üstün bir siyasi sadakat paradigması olarak, evrensel insan hakları söylemlerinin (Turner 1994), ulusal vatandaşlığın yerini aldığı (Soysal 1994) iddia edilmektedir. Yani, vatandaşlık bir ulusa bireysel üyeliğe dayanamaz (Castles 1998). Böylece, ulusa ve onun yegâneliğine dayalı ulusal kimlik önemini yitirirken, ulusal vatandaşlığın da temeli sarsılmış olmaktadır. Modern devletin yükseliş döneminde, ulus ve

vatandaşlık kavramları birbiriyle ilişkilendirilmişken, ulus-devletin görece öneminin azaldığı bir dönemde, ulus ve vatandaşlık kavramları birbirinden ayrılmaktadır. Fakat, bu durum, vatandaşlığın, kaynaklara erişme ve siyasete katılım konularındaki belirleyiciliğini azaltmamıştır. Geleneksel ulus-devlet modeli dönüşürken, birden fazla devletin vatandaşlık ideolojilerine, politikalarına, ve pratiklerine tabî olan bireylerin taleplerini karşılayabilecek yeni yaklaşımlara ihtiyaç vardır.

Bu bağlamda, vatandaşlığın, birey-vatandaş temelinde kavramsallaştırılması gerekmektedir. Modern vatandaşlık ya bir ulus-devlete üyelik (vatandaşlığın hukukî yanı) ya da bir ulusal topluluğa aidiyet hissi anlamına gelmektedir. Vatandaşlığın, birey ile devlet arasındaki etkileşimden doğan, ve güvenlik ve kesinlik duyguları yaratan bir kavram olarak bir tür bağlılık (*attachment*) anlamında kavramsallaştırılması önerilmektedir (İçduygu 2005). Burada, bağlılık birey ile devlet arasındaki ilişkinin karşılıklılığını vurgulamaktadır.

Yasemin N. Soysal (1994), Avrupa'da, misafir işçilerin pratiklerinin yeni bir vatandaşlık modelini ortaya çıkarmakta olduğunu iddia etmektedir. Yeni oluşan ulus-sonrası (*postnational*) üyelik modeli, misafir işçilerin ev sahibi toplumlara dahil edilmesine imkân veren, evrensel insan hakları söylemlerine dayanmaktadır. Soysal'a göre, ulus-devletin verdiği 'haklar' ile ulusal topluluğa aidiyetle ilişkilendirilen 'kimlik' birbirinden ayrılmaktadır. Haklar ulus-aşırı düzeyde meşrulaştırılırken, kimlikler yerel düzeyde tanımlanmaktadır. Ulusal vatandaşlık hâlâ varolmaya devam ederken, haklar konusundaki belirleyiciliğini yitirmiştir.

Normatif bir perspektiften bakıldığında, azınlıkların çoğunluk içinde etnik kümeler halinde varolması, Batı liberal demokrasilerinin en temel taahhüdü olan, bütün üyelere 'eşit' muamele edilmesi ilkesini sorunsallaştırmaktadır. Etnik veya göçmen azınlıklar bağlamında, liberal eşitlik savı iki şekilde yorumlanmaktadır: (i) Geleneksel liberal yaklaşım, azınlıklara

tarafsız muameleyi önermektedir (*benign neglect*). Çünkü liberal devlet herhangi bir farklılığı desteklememeli, fakat bireysel özgürlüğü garanti etmelidir. Belli gruplara özel haklar verilmesinin, liberal eşitlik vaadine zarar verdiği ileri sürülmektedir. (ii) Evrensel ve homojen haklar, aslında, baskı ve mağduriyeti yeniden üretmektedir (Young 1989), ve baskın kültürün lehine bir durum yaratmaktadır (Kymlicka 1989, 1995). Kymlicka'ya göre, azınlık mensupları çoğunluğun ekonomik ve siyasi kararlarından olumsuz etkilendiklerinden dolayı, 'gruba özel haklar' (*group-specific rights*) adaleti tesis etmek için kaçınılmazdır. Bu mantığa göre, azınlıkların zararlarını telâfi etmek ve eşitliği sağlamak için, azınlıklara eşit değil, farklı muamele etmek gerekir. Çokkültürlü vatandaşlığın amacı, çoğunluğun kararlarının azınlık kültürleri üzerindeki olumsuz etkilerini en aza indirmektir. Kymlicka (1995) çokkültürlü vatandaşlık bağlamında bir takım hakların etnik ve/veya ulusal azınlıklara verilmesini önermektedir. Bunlar: *öz-yönetim hakları* (siyasi gücün, ulusal azınlıklara devri; bir tür federalizm); *poli-etnik haklar* (etnik ve dinî azınlıklara, kendi kültürel özgüllüklerini ifade etmelerini sağlamak için hukukî koruma ve malî destek verilmesi); *özel temsil hakları* (etnik ve ulusal azınlıkların devletin merkezî kurumlarında temsil edilmeleri). Kymlicka bu hakların, azınlık mensuplarına, çoğunluğun bir üyesi olarak kendi kültürleri içinde yaşama fırsatı tanıdığını ileri sürmektedir.

Bu çalışma, vatandaşlığın, siyaset sosyolojisi (Soysal'ın ulus-sonrası vatandaşlık modeli) ve normatif siyaset felsefesi (Kymlicka'nın çokkültürlü vatandaşlık teorisi) içinde çözülmeye çalışılan sorunlarını, somut bir bağlam içinde (ikinci kuşak Türk-Almanlar örneğinde), bireysel kavrayışlardan hareketle ele almaktadır. Uluslararası göçün, bireylerin devletle olan ilişkilerini düzenleyen bir kurum olarak, vatandaşlık üzerindeki etkilerini, vatandaşlık pratiklerine referansla açıklamaktadır. İkinci kuşak Türk-Almanların vatandaşlık durumu, onların vatandaşlığın farklı boyutlarını nasıl anladıkları sorgulanarak ortaya konmuştur. Araştırma, göç-vatandaşlık çalışmalarında

sıklıkla karşılaşılan hukukî/devletçi yaklaşımların dar çerçevesini aşmayı amaçlamaktadır. Ayrıca, soyut birey fikrine dayalı kuramsal önerilerin önkabulleri, 'gerçek' bireylerin göç ve vatandaşlığı günlük hayatlarında nasıl değerlendirdiklerine bakılarak sınanmaktadır. Bireysel vatandaşlık pratiklerini anlamak için, devlet merkezli değil, kişi (vatandaş birey) merkezli bir yaklaşıma ihtiyaç vardır (İçduygu 2005). Araştırmanın ampirik safhasında, birey düzeyinde bir analiz için, Kymlicka ve Norman (2000) tarafından önerilen, vatandaşlığın hukukî statü, kimlik ve sivil erdem boyutlarında nasıl algılandığına bakılmıştır.

Nitel araştırma, 'akademik' (üniversite mezunu veya üniversite öğrencisi) ikinci kuşak Türk-Almanlarla yapılan iki odak grup tartışması ve dokuz derinlemesine mülâkata dayanmaktadır. Almanya'daki ilk kuşak Türkler ve genelde bugün Almanya'da yaşayan Türklerin büyük çoğunluğu az eğitilmiş ve/veya Almanca bilgisi çoğunluğa kıyasla yetersizdir. Bu araştırmanın ilgilendiği kesim, Alman okullarında sosyalleştikleri için, Alman dili ve kültürüne hakimdirler. Alman toplumuna entegre olmuş akademik Türk-Almanların, kimlik, vatandaşlık ve milliyet konularına yaklaşımları diğerlerinden farklıdır. Fakat bu onların tamamen farklı bir tutumda olduklarını göstermez. Çünkü sosyalleşmelerinin bir bölümü ailede ve Türk topluluğu içinde gerçekleşmektedir. Bu nedenle, onların vatandaşlık kavrayışlarında, Alman geleneğinden olduğu kadar Türk geleneğinden izlere de rastlamak mümkündür. İki geleneğin de pratik ve kavramsal etkilerini yaşamaları bakımından ikinci kuşağın deneyimleri özgün bir örnektir. Araştırmaya katılan gençler için, hem Türklük hem de onunla ilişkilendirdikleri Türk vatandaşlığı büyük önem arz etmektedir. Ebeveynleri dolayısıyla Türk vatandaşı oldukları için, Alman vatandaşlığına başvururken Türk vatandaşlığından çıkmak zorunda kalmaktadırlar. Bu deneyim, bazıları tarafından kimliklerini reddetmek şeklinde algılanmaktadır. Bu tür kavrayışlar en çok bu geçiş kuşağı içinde görülmektedir.

Daha sonraki kuşaklarda benzer duygusal kaygılara bu yoğunlukta rastlanmayacağı beklenebilir.

Araştırma örneklemini Türk topluluğu içindeki sınırlı bir kesimi temsil ettiği için, katılımcıların kavrayışları ve deneyimleri, (Tepecik (2002)'in çalışmasına referansla) ilk kuşak Türklerin, ve (Göksu (1999) ve Kaya ve Kentel (2004)'in çalışmalarına referansla) bütün Türk topluluğunun yaklaşımlarıyla karşılaştırılmıştır. Ampirik çalışma, ikinci kuşak 'akademik' Türk-Almanların, vatandaşlık kavramının üç farklı boyutunu aşağıdaki gibi algıladıklarını ortaya koymaktadır:

*Hukukî statü ve vatandaşlık kavrayışları:* Hukukî statü ile, sivil, siyasi, ve toplumsal haklar ve belli (vergi ödemek, askerlik, vb.) görevler kastedilmektedir. Türk-Almanların büyük çoğunluğu, *denizen*<sup>98</sup> olarak, sivil, toplumsal, ve kültürel haklara sahiptirler. Almanya'daki Türkler toplumsal hayatın pek çok alanında yer almaktadırlar: ekonomik alanda (emek pazarında yada işveren olarak), konut pazarında (kiracı veya ev sahibi olarak), kültürel hayatta (yazar, sanatçı, müzisyen, yada bilim adamı olarak), politikada (fikir önderi yada – Alman vatandaşlığına geçmişse- politikacı olarak). Alman vatandaşlığı almak, onlar için yasal statülerinin siyasi haklarla tamamlanması, ve böylelikle siyasi topluluğun tam bir üyesi olmaları anlamına gelmektedir. Yani, vatandaşlık, oy vermekle yada devlet görevlerinde bulunmakla, siyasi gücün kullanımına katılmak demektir. Alman vatandaşlığına sahip olmak, farklılıkların birey üzerindeki olumsuz etkilerini (ırk yada sınıfa dayalı ayrımcılıkları) azaltmakta, dolayısıyla bireyin devlete sadakatini arttırmaktadır. Siyasi haklara sahip olmak, adaletle ilişkilendirilmekte ve ikinci sınıf vatandaşlık durumundan kurtulmak şeklinde nitelendirilmektedir. Vatandaşlığın 'haklar' olarak algılanmasının gerisinde hem siyasi hem de pragmatik motivasyonlar bulunmaktadır. Pragmatik yaklaşımla, vatandaşlık bir araca indirgenmektedir. Fakat onların vatandaşlığa araçsal yaklaşımlarının, Alman toplumuna entegre olma ve böylece

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<sup>98</sup> Bir ülkede yaşayan ve o ülkede yasal ve sürekli oturma hakkı olan yabancı ülke vatandaşları.

çoğunlukça kabul edilme isteklerini içerdiği düşünülebilir. Sonuç olarak, vatandaşlık, siyasi topluluğa dahil olmanın anahtarı olarak, biçimsel eşitliğin sağlanmasını sağlayan önemli bir araçtır.

Araştırmaya katılanlar, dışlama ve ayrımcılıktan kaynaklanan toplumsal eşitsizliklerin, Türklerin tanınması önündeki büyük bir engel olduğunu düşünmektedirler. 'Kültürel farklılık' hem çoğunluğun onları dışlaması ardında yatan faktör, hem de Türk-Almanlar için direnme aracı olarak ortaya çıkmaktadır. Kültürel farklılıklar, etnik kökenlerinin farklı olmaları, din, dil, dış görünüş (saç ve ten rengi), müzik ve yemek kültürü ve giyim tarzlarını ima etmektedirler. Günlük hayatta Türk kültürünün onlar için önemli olduğunun altını çizmekle birlikte, Almanya'da yaşayan Türklere gruba özel haklar verilmesini istememektedirler. Araştırmaya katılan Türk-Almanların grup haklarına ilişkin tutumları, Almanya'nın azınlık politikaları ve onların toplumun eşit üyeleri olarak muamele görme istekleri bağlamında düşünüldüğünde oldukça anlamlıdır.

*Kimlik ve vatandaşlık kavrayışları:* Katılımcıların kimlik kavrayışları, bir kültürel gruba aidiyetle ilişkili değildir. Kültür, toplumsal bir tasarım olduğu, ve ikinci kuşak Türk-Almanlar da çokkültürlü bir çevrede toplumsallaştıkları için, 'ikisi birden olmak' (*being both*) şeklinde kavramsallaştırıla bilinecek, çakışan (*overlapping*) kimlikler geliştirmektedirler. Günlük hayatlarında, Türk ve Alman kimlikleri sürekli yer değiştirmekte, böylelikle 'ikisi birden olmak' *durumsal (situational)* bir tavır olarak deneyimlenmektedir. Kimliğin kaynağı 'kişilik' olmakta, ve bu anlayış vatandaşlığa araçsal bakışları ile örtüşmektedir. Kişiliğin, kimliğin kaynağı olması ve vatandaşlığın bir araç olarak algılanması, kimlik ile vatandaşlığın birbirinden ve ulusallık anlayışından ayrıldığıнын işareti olarak yorumlanabilir. Ayrıca, katılımcıların çifte vatandaşlık talepleri de, aynı biçimde, milliyet, vatandaşlık, ve kimliğin birbirinden ayrı algılandıklarını göstermektedir.

*Sivil erdem ve vatandaşlık:* Katılımcılar kendilerini yasalara uyan ve idealist vatandaşlar olarak tanımlamakta, ve bu erdemleri Alman toplumu içinde edindiklerini belirtmektedirler. Alman kültüründen aldıkları diğer bir özellik olarak, eleştirel bakış açısı olan, bağımsız ve özgür bireyler olduklarını vurgulamaktadırlar. İki-kültürlülüğün (*biculturalıty*), kendilerine ve ötekilere farklı açılardan bakabilme ve açık fikirli olabilme yeteneği kazandırdığını ileri sürmektedirler. Böylece, başkaları ile birlikte yaşamada önemli gördükleri 'tolerans' sahibi insanlar olduklarını düşünmektedirler. Hem Türkiye'ye hem de Almanya'ya karşı sadakat duyduklarını belirtmektedirler. Türkiye'ye sadakatlerini, psikolojik bir bağlılık şeklinde ifade etmektedirler. Ayrımcılık ve ırkçılığın, Almanya'ya derin bir bağlılığa engel olabileceği düşünülürken, katılımcıların çoğu Almanya, Türkiye'ye olduğu kadar bağlı olduklarını, ve iki ülkeyi de 'vatan'ları olarak gördüklerini belirtmişlerdir.

Sonuç olarak, bu araştırma çerçevesinde, ikinci kuşak Türk-Almanların vatandaşlık kavrayışlarının, bir tür 'çoklu vatandaşlık' anlayışını imlediği ileri sürülebilir. Çoklu vatandaşlık, çifte vatandaşlık gibi hukukî bir kavram değil, siyasi, toplumsal ve psikolojik yan anlamları olan, toplumsal bir kavramdır. Siyasi anlamı, hukukî bir statü olarak vatandaşlığın, milliyete bağlı olmaması gerektiğini vurgulamaktadır. Vatandaşlığın siyasi boyutu, çıkarlarla yakından ilgilidir ve 'iyi bir hayat' için araç olarak görülmektedir. Toplumsal boyutu, iki-kültürlü bir çevrede kurulan birey kimliğinin 'ikisi birden olma'ya izin verdiğini göstermektedir. Psikolojik boyutu, bireylerin yaşadıkları, ve siyasi ve toplumsal haklarından faydalandıkları devletin sınırlarını aşan bağlılıkları olduklarını ortaya koymaktadır. Bu durumda bireylerin paralel bağlılıkları olabilmektedir. Almanya'ya bağlı olmak ve Alman toplumsal kimliğine sahip olmak, Türk kimliğinin ve onunla ilgili duygusal yaklaşımların terk edildiği anlamına gelmemektedir. Ortaya çıkmakta olan bu yeni vatandaşlık anlayışı çelişkilidir, çünkü ulus-devlet vatandaşlığı gibi kesin referansları (homojen ulusal kimlik gibi) bulunmamaktadır.

Bireylerin günlük hayatlarında vatandaşlığın farklı boyutlarının olduğunu vurgulamak, hukukî boyutun öneminin yadığı anlamına gelmemelidir. Hukukî boyut, siyasi topluluğa eşit katılım hakkının kullanılmasını garantilemektedir. Vatandaşın diğer (dini yada etnik) topluluklara bağlılığı, ne ampirik ne de normatif anlamda, vatandaşlığın uygulaması ile çelişen bir durum değildir (Kastoryano 2002). Ayrıca, vatandaşların siyasi topluluğa bağlılık hisleri, onların vatandaşlığın, hukukî statü, kimlik, ve sivil erdem boyutlarını nasıl algıladıkları ile de yakından ilgilidir.

## **Vita**

Filiz Kartal was born in Ankara on October 4, 1970. She received her B.Sc. degree in the City and Regional Planning from the Middle East Technical University in July 1992. She received her M.S. degree in Regional Planning from the Middle East Technical University in July 1995. She is working at the Public Administration Institute for Turkey and the Middle East since 1996. Her main areas of interests are political philosophy, political thought, and urban politics.