

**“To Get a Paper, To Get a Job”:  
The Quite Struggles of African Foreigners in Istanbul, Turkey**

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## **Abstract**

Despite the high level of marginalization and their disadvantaged situation, considerable amount of African foreigners seek to establish informal mechanisms of incorporation in order to settle in Istanbul permanently. By considering the presence of new immigrant groups on the urban spaces of Istanbul as both reflective and constitutive of new forms of membership, I explore the struggles undertaken by the immigrant to ameliorate their lives and advance reassertion to urban life. Situating this study within the historical context of political and ideological currents of Turkish immigration regime, I examine the exclusionary aspects of Turkish citizenry, accompanied by the governmental mechanisms such as detention, criminalization, and police control. Rather than presupposing the transient form of immigrants' stay as a given, I examine the ways in which the immigrants involve in the social and economic life of the city and claim rights in these multiple domains. I argue that the immigrants' resistance to the problems related to exclusion from official citizenship rights takes the form of "quite struggles" on the basis of daily survival under the shadow of state surveillance and violence. Rather than engaging in collective forms of claim making and mass political mobilization their struggles aim to improve their lives and advance reassertion to urban life.

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## 1. Introduction

I am sitting in the outdoor table of a coffeehouse which is facing the main wall of the newly established *Foreigners' Guesthouse*, a renovated old building serving for the detention of “illegal aliens” from various countries. In contrast to the conventional locations of detention centers as it is in many countries receiving large groups of irregular immigrants, this one is located in an inner-city neighborhood of Istanbul, Kumkapı, a popular place for the tourist groups visiting the famous fish restaurants of the district. The street is small and narrow, so my table is less than 10 meters away from the main wall of the detention center, where the clothes of detainees are hanging down from the windows and coloring the white facade of the building. The heads of the Afghan, Iranian, Armenian and African men standing by of the large windows are clearly visible from outside; they are watching the street, the shops on it and the crowd passing by.

Suddenly, a black man approaching the police guard standing at the main entrance of the guesthouse draws my attention. He is trying to explain something, most probably asking for permission to visit his friends inside. Being rejected, he leaves the building with a sad expression on his face. I run after him to make an interview. Soon I learn that Mandume<sup>1</sup> arrived in Turkey from Namibia in 1994. In line with his pre-migration plans of moving to a European country Mandume attempted several times to cross the Turkish-Greek border illegally. After several unsuccessful attempts, unlike many of his friends who passed to Greece, he decided to continue his life in Istanbul.

He was released from this “guesthouse”, where I met him four months ago after spending twelve months inside; indeed before this last incident he had been imprisoned

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<sup>1</sup> All the names are randomly selected pseudonyms.

several times in different cities. Like most of the immigrants from non-European countries, he was never able to obtain an official residence document from the Turkish government. That is why I was surprised when Mandume indicated without expressing any concern for getting caught that after the interview he would go to Kumkapi police station to “visit” some police officers who knew him in person as well as his illegal status. Ironically as an “illegal alien” who has been subject to frequent ill-treatment of police, the police station was the only public organization to which he had contact, to get assistance for housing and financial matters. “*To get a job, to get a paper, that’s all I am asking from these people*”, he added furiously denoting to the impossibility of naturalizing himself in Turkey, as well as finding a regular employment.

Mandume’s case clearly illustrates the ambiguities and contradictions which characterize the liminal state in which the irregular immigrants live in Istanbul. Whereas most of them perceive their stay in Istanbul as temporary, it is not uncommon among the immigrants to reconsider this ideal plan with the anticipation of finding means to continue their lives in Istanbul permanently. In that respect, the exclusionary mechanisms operating on the basis of the legal-political construction of Turkish citizenship are predominantly crucial in defining the terms of immigrants’ practices in the urban space. My thesis explores the ways in which the African foreigners develop alternative means of membership to urban life in Istanbul, in the face of escalating exclusionary strategies of official citizenship vis-à-vis the recent transnational movements.

Distinct from countries that have officially accepted large groups of foreign migrants, Turkish state neither has a history of substantive immigrant rights nor the institutional structures concerning immigration services. The legal framework governing Turkey’s immigration and asylum practices restricts the right of permanent immigration to the individuals of “Turkish descent and culture” (Kirisci 2000). On the contrary of the “post-

national trend” which indicates to the increasingly broadening scope of rights to a universal status of personhood (Soysal 1994), in the Turkish context of immigration the membership rights are substantially determined on the basis of belonging to the Turkish descent and culture. Thanks to this regulation what characterizes the living conditions of non-European irregular immigrants is having little prospect for gaining work and residence permit. While the emerging NGOs and civil society institutions struggle to extend the limits of the membership rights, usually their attempts focus only on asylum-seekers and not all irregular migrants.

By emphasizing its unique geographical location, Turkey has been identified by scholars as a bridge serving the transnational migratory patterns between the East and West, South and North (Icduygu 2005, Akcapar 2006). With the intensification of the volume of transnational migration movements since the 1980s, Turkey has become both the destination and transit zone of irregular immigrants. Recently, transit immigration via Turkey has become the subject of sociological works which has particular focused on the role of the immigrants’ religious networks within the transit country in the way they develop strategies for moving further west (Akcapar 2006) or find employment opportunities in the underground economy of Istanbul throughout the course of their temporary stay (Danis 2007). However the relation between exclusionary aspects of national modality of citizenship and immigrants’ struggles to participate in urban life has been overlooked so far.

Strikingly, despite the high level of marginalization and their disadvantaged situation, considerable amount of irregular immigrants seek to establish informal mechanisms of incorporation in order to settle in Istanbul permanently. As Mandume’s case illustrates the profiles of immigrants as such dates back to early 1990s. Accordingly, by considering the presence of new immigrant groups on the urban spaces of Istanbul as both reflective and

constitutive of new forms of membership, I explore the struggles undertaken by the immigrant to ameliorate their lives and advance reassertion to urban life.

I locate my study in the citizenship theories, particularly by focusing on two diverging lines of theories concerning the connection between irregular immigrants and citizenship practices. The first one draws on the *formal* definition of membership rights organized around the political-legal aspect of nation-state citizenship model. By focusing on the discrete nature of citizenship the latter model extends the conception of citizenship beyond its legal static, formal definition whereby it provides analytical grounds to include the marginalized groups' claim for inclusion. By integrating these two different modalities of citizenship in my analytical framework, I intend to develop a combined view of citizenship; both a focus on the legal-status structured around national citizenship system and alternative citizenship models (in this case urban citizenship) that helps me understand and explain the alternating means of incorporation and belonging developed by the immigrants.

Rather than presupposing the transient form of immigrants' stay as a given, I examine the ways in which the immigrants involve in the social and economic life of the city and claim rights in these multiple domains. I argue that the immigrants' resistance to the problems related to exclusion from official citizenship rights takes the form of "quite struggles" on the basis of daily survival under the shadow of state surveillance and violence. Rather than engaging in collective forms of claim making and mass political mobilization their struggles aim to improve their lives and advance reassertion to urban life.

The following chapter situates this study within the historical context of political and ideological currents of Turkish immigration regime. By doing this I intend to show the connections between the ethno-nationalism of Turkish citizenship and immigration practices. The third chapter discusses the theories of citizenship in order to establish an analytical framework that allows me to delineate the connection between irregular immigrants and

citizenship practices. In the final chapter, the first section explores the exclusionary mechanisms of citizenry operating at the city scale vis-à-vis the irregular immigrants by looking at the practices of deportation, detention, criminalization, and police inspection. In the second section, by looking at the employment patterns and organizational activities of immigrants, I examine the forms of struggles advanced by the immigrants in order to ameliorate their living conditions and continue residing in Istanbul.

### **1.1 Methodological Remarks**

My findings result from one month length of intensive fieldwork in April 2008 and a prior research experience conducted between December 2005 and May 2006. The site of research was Istanbul in Nigerian social spaces in *Tarlabaşı*, an inner-city district where the African immigrants and other irregular migrants such as Iraqi Arabs, Iraqi Kurds, Iranians, Filipinos, and Kurdish immigrants found refuge. These spaces consisted of new restaurants, call centers, hairdressers, and night clubs, run by African immigrants. The results largely draw on ethnographic data collected through in-depth, semi-structured and open ended interviews conducted with total of five women and twenty six men. The interviews are mostly conducted in the cafe or tea houses located in the neighborhoods that are mostly inhabited by foreign nationals such as *Tarlabaşı-Dolapdere*, *Kumkapı* and *Kurtuluş*.

It is crucial to note that the profiles of the interviewees, in terms of their legal status, national backgrounds and the duration of their stay in Istanbul were highly diverse. Informants' legal profiles consisted of recognized asylum seeker, rejected asylum seeker, immigrants who became Turkish citizens, who obtained work/residence permit, and immigrants without legal status or without any legal travel document. I paid considerate attention to have diversity in terms of legal status, to identify the differences that the legal or illegal status creates individuals' participation in the urban life as well as to understand the



creative strategies through which immigrants find means of regulating themselves, despite the highly discriminatory legal framework against foreign nationals. The reason why I focused on the immigrants from West Africans, mostly Nigerians, was to have a linguistic contact with the informants, since a significant proportion of African immigrants were Anglophone, unlike most of the other non-European Irregular immigrants in Turkey (such as Iraqi, Iranian, or Afghans). In addition to Nigerians, I interviewed immigrants from Namibia, Ghana, Liberia, Sri Lanka, Sudan, Eritrea, Tanzania and Somalia.

Given the lack of the accurate data on the universe from which I had to select my sample, I had to undertake snowball sampling. Considering the difficulties in term of finding access to the field, which consists of individuals without illegal status and suffering of stigmatization, using snowball method was particularly relevant for this type of research. To find an initial contact, I spend considerate amount time in and around the locations where immigrants used to socialize. Not surprisingly, almost without exception all of my initial contacts were immigrants who had been living in Istanbul for more then ten years. Following my initial interviews with “key informants”, I continued to conduct face-to-face interviews with new informants whom I contacted by means of the key informants. The interviews included questions not only about immigrants’ experiences in Istanbul but also about their life stories which allowed me to compare how their considerations regarding Turkey changed before and after their arrival.

In addition to these interviews, participant observation undertaken at the sites of immigrant’ group activities (such as immigrant restaurants, international call centers, churches, and around the Foreigners’ Guesthouse in *Kumkapı*) constitutes the bulk of the data around which this paper is constructed. I regard these institutions as ideal “strategic research sites” (Merton, 1987), which provides an opportune social setting to observe the quotidian forms of interaction and socialization of immigrants.

Furthermore, I interviewed three NGO workers and two officials of charity organizations such as Caritas<sup>2</sup> and Helsinki Citizens' Assembly Refugee Legal Aid Program (RLAP)<sup>3</sup>, who work with asylum seekers. During my volunteer work at RLAP in the summer of 2005, where I worked with asylum seekers and transit immigrant groups, I had the opportunity to observe how the Turkish refugee laws and regulations are practiced in the non-governmental organizations as well as how refugee status is determined through the negotiations between legal aid officers and UHNCR. Due to the lack of large scale public representations of the foreign immigrants in Turkey and their invisibility from the public discourses, the most convenient method of analyzing the response of the government was looking at the official documents, and the speeches of the governmental actors.

In line with the comments of researchers of transit migration in Turkey (Danis 2006:123), the groups formed by the irregular immigrants in Istanbul are highly unstable in terms of their size and the profiles of their members. In search of employment opportunities in the local and transnational context, as well as for opportunities to cross to European countries, it is often the case that the members of migrant groups frequently change their locations and their contacts. For me, this was the most challenging aspect of this project. Not only in terms of finding access to the field, but also in understanding the common practices, such as employment or residential patterns.

On the other hand, with regard to other non-European immigrant groups in Istanbul, the case of sub-Saharan African immigrants represents higher level of stigmatization, social marginalization and lack of access to opportunity structures. As indicated by other scholars working on the Turkish context of immigration, pre-existing associations to the Turkish society provides the new arriving immigrants (e.g. Kurds or Turcoman from Iraq) provide

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<sup>2</sup> Caritas is an international charity organization providing social services to Iraqi Christians such as food, education and legal aid.

<sup>3</sup> Helsinki Citizens' Assembly Refugee Legal Aid Program was established in 2004 by a group of lawyers and human rights activists to provide legal services to asylum seekers in Turkey.

them assistance in terms of finding employment and housing. When compared to other groups, immigrants from sub-Saharan African countries do not have pre-existing ethnic networks in Turkey and also limited social capital to generate possibilities of sociation with the local citizens; they do not have ethnic affiliation with any local group in Turkey such as the Kurds from Iran or Iraq which seem to be important in the way they enter in a specific labor sector.

More importantly, in recent years, the African immigrants become subject to physical violence and harassment of the police due their physical distinctiveness in the urban space. In that sense, the case of sub-Saharan Africans represents vividly the attitude of the Turkish state and public to the foreign immigrants. While “African” is as a self-ascribed category, used by the immigrants to refer to the black individuals in Istanbul coming from sub-Saharan countries, in this study I do not use it as an analytic category denoting to a coherent group organized along the lines of ethnic ties.

Given the short time available for research, I could not research extensively the religious networks of immigrants from sub-Saharan African countries. Although I did not encounter any claim by the immigrants indicating the presence of well established (transnational) religious networks initiated by the religious leaders, charity organizations or church staff, from which they might benefit to find employment, to gain legal status, or opportunities to move to other destination countries. In addition to this, I was not able to delineate the gendered perspective on immigration. Whereas the immigrant social spaces, such as restaurants and call centers were mostly dominated by men, the immigrant women used to frequently visit those spaces as well. The gendered aspect of immigrant experiences, including for instance, the effects of high rates of contract marriages on the employment patterns needs to be explored deliberately.



## 2. The Historical and Legal Background of Immigration in Turkey

By presenting itself as the victim of the transnational movements, over the last two decades the Turkish state did not consider modifying its citizenship practices which until today effectively worked in discriminating the non-Turkish foreigners to become recognized immigrants. As I show in this chapter, the politico-legal organization of Turkey's citizenship and immigration practices relies on an explicit and official demarcation between ethnically Turkish and non-Turkish.

I argue that the *ethno-model nationalism* in Turkey in its ideological and discursive formation predominantly shapes the contemporary governmental response to transnational migration movements. By doing this my intention is to discuss how the rights and the norms of the membership and belonging to the imagined political community are textured.

As Andreas Wimmer and Nina Glick Schiller point out, the perception and reception of immigration has been substantially structured throughout the “nation state building processes” (2002:301). The implementation of immigration policies and the production of imaginaries of national territories have become two historically interrelated processes in the way the modern nation states are established (2002:310-311). Their approach suggest a historical analysis to examine the exclusion of non-citizen foreigners, by emphasizing on how the immigration practices of the emerging nation states and the institutionalization of “sovereign citizenry” are linked to each other (2002:310-311).

By following their approach, this chapter explores the connection between Turkish immigration practices and the formation of ethnic type of nationalism. In this way, I intend to show the historical and ideological formation of prevailing exclusionary practices of Turkish citizenry against the foreign immigrants. As I will show soon, the main legal framework that governs Turkey's present-day immigration regulations has been only slightly changed since it was implemented in year 1934 (Kirisci 2000). This is also why a historical overview has a lot

to say about the ideological backdrop of the present day governmental response to the transnational migration. Yet this continuity of the legal framework will be evaluated with a cross-checking of the actual immigration practices.

## **2.1 Ethno-national Citizenship Model**

Various scholars (Kirisci 2000; Altınay 2005; Parla 2007) have indicated that Turkish nationalism is more closely linked to the ‘ethnic’ type of nationalism, rather than the ‘civic’ type. Whereas the ethno-national model citizenship substantially foregrounds the ethnic homogeneity and cultural unity<sup>4</sup>, the civic nationalism primarily stresses on the common civic culture, legal-political protection of equal access to the membership rights (A. D. Smith National Identity: 9-12 cited in Kirisci 2000:19). To flesh out the ideological and historical formation of Turkish national model citizenship, what follows is a brief overview of the formative years of Turkish ethno-nationalism.

Ironically the Young Turk Revolution in 1908 marked both the last attempt to maintain the ethnically and religiously diversified population of the Ottoman Empire and the beginning of the formative years of Turkish nationalism. The traumatic loss and suffering due to the Balkan Wars (1912-1913) and the World War I intensified the desire among the ruling elite to transform the highly heterogeneous multi-ethnic empire to a new nation state ruled by the Turks and populated by solely Muslims (Yeğen 1999:557). It was against this ideological turn, the nationalist elite initiated the consolidation of an ethnically and culturally homogenous space as its homeland, at times violently. Between 1914 and 1918, the deportation and massacres of large numbers of Armenians was undertaken with the intention

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<sup>4</sup> The typology of nationalisms based on ethnic and civic types has been criticized, since it implicitly or explicitly implies that the latter one is ethically more convenient than the former. For I have limited space here, I draw on this discussion without delving too much its problematic aspect.

of transforming the Anatolian territories to the Turkish homeland; the national space had to be cleaned from the “foreign elements” (Akcem 2004; Kasaba 1997:28). The spatial cleansing of Anatolia from non-Muslim groups continued with the exchange of populations with Greece between 1923 and 1930. While almost ninety percent of the Christian population, “around the one-sixth of the total population of Anatolia” did disappear in this process, its traces are largely invisible in the official historiography (Keyder 1997:44).

The transformation from richly multi-ethnic and multi-religious Empire to a nation-state would give way to the redefinition of the peoplehood on the basis of ‘ethnic’ and/or ‘racial’ racial identities as a national community “united through common ancestry and a shared homeland, no matter where its members might have wandered (Wimmer and Glick Schiller 2002:314)”. Certainly the nationalist representation of the past, void of its “undesired elements”, is at stake in how today the boundaries of the political community is popularly imagined; and the norms of the membership are defined along given fault lines of race, gender, and ethnicity.

Overall, the legal and political construction of Turkish citizenship and national identity has been critically underscored by many scholars for its exclusionary essence to other ethnic or religious minorities living in Turkey, such as the Kurds or non-Muslim groups (Armenians, Jews, Assyrians, Greek Romans) (Kirişçi, 2000: 67). The prevailing discriminatory practices against non-Muslim minorities in Turkey are deliberately illustrated in a recent study, that critically analyzes the ethnic, gendered, and militarist aspects of Turkish national citizenship model. Altınay’s study alludes partly to the hierarchical organization in the governmental organization along the lines of ethnic and religious identities, despite the (Altınay 2005: 73).

## **2.2 Immigration Law and Practices**

Historically, Immigration had a central role in the efforts of the Turkish state's attempts to control the subjects living in the state boundaries and to constitute ethnically homogenous space (Kirisci 2000, Parla 2007). Protecting territorial sovereignty and national security constituted the main political grounds on which the state constituted its immigration policies. After the proclamation of the Republic in 1923, in line with the efforts of the Republican elite to create a demographically and culturally homogenous nation-state, administrative regulations were implemented to subordinate ethnically non-Turkish groups, mostly the Kurds in the eastern provinces and non-Turkish speaking non Muslim minorities (Kirisci 2000).

Then, immigration was regarded by the founding father as an effective tool in the way of creating homogenous Turkish national citizenship, in an otherwise ethnically and culturally diverse country. The spatial and immigration policies were central in the way the government responded to the military and ideological challenges posed by the rival nationalist movements; most notably two major Kurdish rebellions took place in the eastern provinces of Turkey (Yeğen, 1999:562). As part of that framework in 1934 a new settlement law was implemented which "forced the leading families and tribes (of Kurds) involved in the rebellion to leave their lands and move to the western part of Anatolia" (ibid). The same law and respective practices can be seen as the landmark of Turkish immigration regime. Large group of immigrants were invited from the neighboring Balkans and Caucuses regions to settle in the lands formerly populated by Kurds. What is crucial, in regard to the present day immigration practices as well is that the groups invited who are officially assumed to be fitting on the conditions of being ethnically Turkish and Muslim. They were mostly Albanians, Bosnians, Circassians, Pomaks, and Turks.



What is striking is that the very same law continues to be the same piece of legislation governing Turkey's immigration practices until today (Kirisçi, 2000). As it is noted the primacy of ethnic identity in determining the right for having legal migrant status and membership did continue until the present day. Accordingly, Turkey's immigration regime has allowed and at some times fostered the immigration of the groups who are assumed to be belonging to Turkish culture and ethnicity. Although not explicitly identified in the legislation, an important criteria in the way the immigrant groups are selected was being a follower of Sunni-Halefi sect of Islam (Kirisçi 2000:4). Until very recently, the foreigners were not allowed to work in Turkey. In 2003, the respective work permit law was changed and the foreigners are allowed to be employed as domestic workers or as waiters (İçduygu, 2004). Despite the prospective harmonization of immigration regulations with that of EU, most probably Turkey will continue limiting the immigration of these groups in the future:

[...] Albanians, Bosnians, Circassians, Pomaks, Tatars, and Turks—mostly from the Balkans—will be able to immigrate to Turkey, while others will face a closed door. Minorities claiming a link to Turkey who are not Sunni Muslims, that is, everyone from Armenians and Assyrians to Greeks and Jews, as well as unassimilated Kurds and Alevis, will find it difficult to immigrate. Such a policy will not be in harmony with the emerging European Union “common” immigration policy, which increasingly emphasizes civic connections to host territory, employment prospects, and cultural diversity, rather than a prospective immigrant's ethnic or national origin as grounds for immigration (Kirisçi 2003).

On the other hand, it is vital to note the condition of ethnic affiliation is open to conflicting interpretation on the part of the state as it reveals itself in the immigration practices. Yet the interpretation of being culturally and ethnically Turkish depends very much on the political context that textures the rules for immigrants' belonging to the imagined community. As anthropologist Ayşe Parla's work (2007) illuminates, Turkish state's response to two different cases of Turkish immigration from Bulgaria to Turkey heightens the contradictions of granting legal status on the basis of ethnic identity. She compares “the politically framed migration wave of 1989” (161) which consisted of Turkish individuals who were repressed by the political regime, with the labor migration wave of the post-1990s.

Whereas the former case was officially supported by the Turkish state along the designation of “the return of ethnic kin back to the homeland”, the latter was not welcomed in the same way, despite both groups share the same ethnic origin (160). This difference in the official treatment, as Parla underscores, has generated for the labor migrants of post-1990s legal and social vulnerability, even though they share the same ethnic affiliation with the Turkish citizens.

### **2.2.1 Turkish Asylum System**

Turkey’s asylum practices is also reflective its discriminatory approach in granting the right of permanent settlement. Despite Turkey receives approximately more than 5000 asylum applications each year from the non-European countries, it is one of the few countries which apply geographical limitation to the Geneva Convention (1951), meaning that the non-European applicants are not granted for permanent settlement in Turkey. If they are recognized as refugees through the application processes undertaken by the United Nations High Commissioner for Refugees (UNHCR) in collaboration with the Turkish Ministry of Interior, they are allowed to reside in Turkey temporarily until they are resettled in third countries. Many rejected asylum seeker from non-European countries, despite their illegal status continue to stay in Turkey. This practice plays a key role in the way the recognized asylum seeker they find ways of crossing further to west rather than staying in the country. In this way the Turkish asylum regime produces conditions in which the immigrants perceive their stay in Turkey as temporary and transitory.

On the other hand, the following example is an indicative that the Turkish state still strictly defines its position vis-à-vis irregular migration in terms of national security and territorial sovereignty. On its webpage the Turkish General Staff publishes an every day

updated list of the “incidents of illegal border crossings”; a very detailed one including the profiles of captured individuals and the place and the date of the incident. It is remarkable that other hot issues standing on the top of Turkey’s national security agenda, such as the “the weekly reports on armed struggle against terrorism” are listed on the same section of the webpage (TGS 2008). Despite the designation as illegal border crossings, it presents the incidents that occurred far from border zones such as, Istanbul, Ankara, or Diyarbakır. In terms of the statist territorial logic the border is where the “illegal alien’s” body is and thus it is the sight on which the military power should operate; this is the performative act of the sovereign power which presents itself symbolically and materially. The borders are not just fences and checkpoint, but they are constituted materially and politically. Considering the fact that the Turkish General Staff is the highest rank institution of the armed forces, one of the most central institutions of the Turkish state and its national security organization, the military power continues to occupy a key role in the ways in which the nation-states claim for territorial sovereignty as opposed to the challenges of transnational migration.

### ***2.3 Transnational Migration in Turkey***

It is noteworthy to make an initial clarification regarding the difficulties in developing relevant classifications to identify the status of several immigrant groups. While describing the particular circumstances of migrant groups, it is inevitably necessary to apply definitions and categorizations. But in reality the legal and political status of migrants is not fixed and is subject to frequent change (Kopnina, 2005:32). In the similar vein, the terms “irregular,” “undocumented,” or “clandestine” do not adequately explain the causes and nature of particular immigrant experiences. For instance “people who enter a country with proper

documentation may decide to over-stay and take on employment in violation of conditions of entry, thus become[ing] ‘irregular’ in one sense whilst being ‘documented’ at the time of entry” (Rajaram and Grundy-Warr 2005: 99-100). Accordingly, a comprehensive and accurate representation of irregular migration is extremely difficult. With these shortcomings in mind, this part of the article aims to depict the general prospects of the transitory migration pattern based on the immigrants’ accounts and the existing literature.

Conventionally identified as a country of emigration, Turkey’s position in the transnational migration patterns began to transform during the 1980s in line with the social and political transformations in its surrounding regions. According to scholarly estimations more than 2.5 million foreign nationals entered in Turkey between 1980 and 2000. This number includes the cyclical migrants who travel between Turkey and ex-Soviet countries as part of the transnational suitcase trade (İçduygu and Keyman, 2000:390). Since the 1980 Turkey has also become a major actor in the transitory migration movements. Due to political and economic transformations in the regions around Turkey immigrants from countries from Iran and Iraq, Afghanistan, Bangladesh, Pakistan, Sri Lanka, Congo, Nigeria and Somalia arrived in Turkey as a stop over on their route to West. Recent movements into and via Turkey consist mainly of asylum seekers, refugees, transit migrants, and clandestine laborers who “began to arrive in small numbers and subsequently in an ever-rising tide which has reached sizeable figures (İçduygu 2005:331).”

This change in Turkey’s position in the international migratory pattern has been officially unwelcomed. The unfriendly attitude vis-à-vis the immigration of foreigners has been explicitly articulated by the state officials. In the early 1980s the state officials explicitly expressed their unwillingness to accept new immigrant groups; by arguing that the country has reached a certain socio-demographic level has announced (Danis 2006:12) Yet the

transformations in the migration regime after the 1980s was external causes, such as the immigration waves from politically depressed and economically repressed countries<sup>5</sup>.

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<sup>5</sup> In his illuminating study Mark Davis (2006) shows that the structural adjustment programs in many African countries cause high level of urban unemployment and new patterns of immigration arose from these countries towards the Global North.

### 3. Cities, Citizenship and Irregular Migrants

#### 3.1 *Citizenship beyond Legal Definition*

While thinking about the irregular immigrants' struggles to settle permanently in the host setting, grappling the theoretical challenges to *formal* definitions of citizenship would provide analytical framework to explore the ways in which the irregular immigrants reassert themselves as valid members in the host society. Accordingly, looking at the concept of citizenship solely through the lenses of its *formal* definition provides a limited perspective to address the ways in which immigrants without legal status continue their residence by participating in the wider social, economic and cultural life of specific states. While the conventional understanding of citizenship has the tendency to define the membership rights based on the nation-state model (Bosniak 1991), the growing long-term residence of immigrants without legal status in varying global cities urges for the reassessment of the existing theories of membership.

In line with these considerations, in this review I seek to extend statist focus of formal understanding of citizenship and a binary structure of exclusion/inclusion: with “excluded non-citizens” on the one side and “citizen insiders” on the other. As it is commonly acknowledged by scholars of citizenship (Calavita 2005; Holston 1999, Glick Schiller and Caglar forthcoming), the zero sum binaries of citizens and non-citizens assumes that the right-bearing citizens have full access to any type of rights as it is identified in the legal frameworks. It is quite often that individuals or groups cannot fully enjoy the social rights ensued by the national model of membership even though they are legally recognized as citizens. This is another dimension of citizenship, that of social practice, as well as a contingent process that is unequally distributed, along the lines of social hierarchies grounded

in gender, class or ethnicity. As the current public debates on the minority rights in Turkey reveal the unequal treatment of certain groups (such as Jewish, Armenian and Greek non-Muslim minorities) on the basis of their religious or ethnic identity does not necessarily have to be operate through the field of legal-juristic system; “the legitimacy” of discriminatory practices “owes not to law but to cultural perceptions based on hegemonic nationalistic conceptions (Ahiska and Yanal 2007: 14).”

### **3.2 Cities and Irregular Migrants**

While thinking about the ways in which the irregular immigrants resist the political and social norms constituted around the citizenship, one is faced with challenging questions on the scale of analysis. Recently, the long-standing tradition in social sciences which is inclined to analyze the social processes at the nation state scale, so called “methodological nationalism”, has come under sever criticism because it implicitly and sometimes explicitly accepts the problematic conflation of the nation/state/society (Wimmer and Glick Schiller 2002). With somewhat different but similar concerns, an emerging literature, “urban citizenship” proposes reconsideration on the scalar position of the global membership problem. Its research agenda proposes exploring the conditions in which claims for membership rights are advanced in a mode that is particularly “detached from the scale of the nation state and which is legitimized at the scale of urban (Varsanyi, 2006:233)”<sup>6</sup>. This focus on the city, to analyze citizenship practices deliberately, opens new perspectives to explore the ways in which groups excluded from the formal membership rights involve in the common social, economic and cultural activities of the respective urban public.

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<sup>6</sup> Given the specific focus of this study, I do not illustrate diverging tracks of the urban citizenship literature, (such as democratic self government in the municipalities) that theoretically and methodologically does not relate to my discussion here (cf. Bauböck 2003).

Cities, as Holston and Appadurai stated, are “dense and heterogeneous lived spaces”, which engenders social and cultural conditions enabling the rise to new citizenship practices:

Although one of the essential projects of nation building has been to dismantle the historic primacy of urban citizenship and to replace it with the national, cities remain the strategic arena for the development of citizenship. [...] With their concentrations of the nonlocal, the strange, the mixed, and the public, cities engage most palpably the tumult of citizenship. Their crowds catalyze processes that decisively expand and erode the rules, meanings, and practices of citizenship. Their streets conflate identities of territory and contract with those of race, religion, class, culture, and gender to produce the reactive ingredients of both progressive and reactionary political movements (1999:9).

In the same vein, Isin and Wood (1999) approach citizenship as an institution whose meanings and practices are constantly challenged and thereby dynamically reconstituted by the city residents. On the contrary of the formalist approach that equates citizenship with a static legal status, Isin and Wood’s relational view accounts for the possibility that the social boundaries constituting the non-citizen groups as *strangers* or *aliens* may shift over time. Their formulation enables one to account for the possibility that the non-citizen groups can struggle to redefine the boundaries of inclusion (Isin and Wood, 1999:20). In a similar way, by critically engaging the struggles of subordinated actors for “redistribution, recognition, and representation” to the general frame of citizenship practices, the dynamic view provides a richer and multilayered conception of belonging (Isin and Wood, 1999). For instance James Holston’s study illustrates how the urban residents who become increasingly discriminated from formal citizenship rights established “spaces of insurgent citizenship” (Holston, 1999).<sup>7</sup>

The value of the relational understanding of citizenship is its capacity to account exactly for shifts as such; for its theoretical orientation considers the “relations between social units and actors as pre-eminently dynamic in nature, as unfolding ongoing processes rather as static ties among inert substances or structures” (Emirbayer 1997:289). I believe that Engin Isin’s view of citizenship, as he advances in his seminal work *Being Political: Genealogies of Citizenship* (2002) clearly in line with Emirbayer’s relational view of social

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<sup>7</sup> Monica Varsanyi calls this view of urban citizenship as the “agency-centered” approach (2006:234).



world. Isik aptly conceptualizes “citizenship from the point of view of its alterities” with the aim of understanding “the solidaristic, agonistic, and alienating” strategies that constitute the citizens, outsiders or aliens in relation to each other (2002:276). According to Isik the theories of citizenship which locates the *logic of exclusion* at the center of the citizenship’s meaning presupposes “that the categories of strangers and outsiders, such as women, slaves, peasants, metic, immigrants, refugees, and clients, preexisted citizenship and that once defined excluded them (2002:3).” On the contrary a dynamic model, includes the contestations and negotiations around the experiences of citizenship as a site of being political.

As the following case from Istanbul illustrates, the groups who are on the margins or outside of the formal citizenship can alter the meaning of being a citizen through their claims for social or legal rights. In their recent study Zafer Yenel and Meltam Ahiska investigate the new forms of politics that arises around the issue of poverty in Kavakpınar, a shantytown district of Istanbul (Yenel and Ahiska 2007). Their study illuminates how the subjects living in poverty actively develop creative strategies of contestation to struggle against social marginalization and the symbolic violence targeting to locate them outside of the political and social norms. By looking at the “national framework of citizenship through its logic of alterity” (15), their study illuminates the dynamics of agency of women experiencing poverty in Kavakpınar. Women’s contestation against environmental pollution in Kavakpınar illustrates the case of citizenship as *alterity*. The women in Kavakpınar utilize the pivotal category of motherhood, a hegemonic ascribed role by the nationalist ideology, in the way they are included to the national citizenship, when they articulate the environmental problems of Kavakpınar as a threat to their children’s health.

Another major theoretical trend that challenges the national models of citizenship draws on the cases of the extension of membership rights to the non-citizen groups (Soysal 1996). Yasemin Soysal’s claims that in the “post-national” era the “deterritorialized

expansion of rights” occurring through global-level processes challenges the nation state’s self contained autonomy and forges norms of appropriate attitude for non-citizens. However, it needs to be underlined that her otherwise compelling observations; do not address the conditions of unwelcomed and illegal immigrants but mostly the legally accepted labor migrants.

While elaborating the emerging literature that critically deconstruct the national and legal definitions of citizenship, Monica W. Varsanyi points out to a common tendency in this specific literature that the legal rights and the opportunities it provides to the residents is remains to absent from the analysis (2006: 237). Accordingly she suggests that the urban citizenship literature needs to also consider the prevailing capacity of the states particularly in regard to the groups who are excluded from formal membership rights. I agree with her suggestion that the urban citizenship literature should looked though the lenses of undocumented migration, particularly because the lack of the legal status shapes the ways in which the illegal immigrants establish relations with state or non-governmental institutions. This consideration in mind, next chapter discusses the

While the framework urban citizenship is valuable in understanding the alternative modes of belonging and participation of irregular migrants in the urban space, the analysis should not disregard the particular impacts of illegal status on immigrants. The questions of being excluded membership rights for the immigrants, and configures their interactions with the urban public. Following these lines of thought, I intend to develop a combined view of citizenship; both a focus on the legal-status structured around national citizenship system and alternative citizenship models (in this case urban citizenship) that helps me understand and explain the alternating means of incorporation and belonging developed by the immigrants.

### **3.3 Citizenship and Migrant Illegality**

Considering the key role of the immigration law in the way the governments attempt to control and exclude the migrants, it has been often noted that the law, at some fundamental level, creates the condition of migrant illegality, and thus high degree of social marginalization (Willen 2007). Indeed, the legal and political constitution of migrant illegality constitutes the foundational conditions in which the migrants become subject to physical violence and labor exploitation (De Genova 2002, Calavita 1998). Anthropologist Nicholas De Genova points out that researchers should pay attention not to reify certain immigrant groups by using the term of “illegality” to characterize these groups. On the contrary, he approaches to immigrant illegality as *juridical status* which shapes the modes of immigrants’ relations with the host society institutes and citizens.

Another approach in the literature that delineates the effects of illegal status on immigrants draws on Foucaultian understanding of micro-power and subjectification by analyzing the ways in which the illegality shapes the immigrant subjectivities. Although Foucault asserted that the governmental power operates via different mechanisms than the sovereign power which are constituted in juridical frameworks, the legal structures are also central to the mechanisms of the governmental power (Hunt and Wickham 1994:46). They are at stake in the way the governmental power disseminates in varying social domains; embodied by the diverging social groups; as well as in the way the technique and knowledge based rationalities are constituted in social life at larger scales. In other words, law from this perspective is not necessarily a repressive social mechanism but also a discursive field that constitutes disciplinary positive power.

In line with this approach, legal anthropologist Susan Bibler Coutin’s work particularly addresses the ways in which the immigration law and practices act as a

mechanism of subjectification vis-à-vis illegal immigrants (1993). By looking at the terms in which the immigration law structures the experiences of irregular immigrants, her approach provides a convenient approach to undertake ethnographically informed studies on the ways in which legal identity plays a central role in their interaction with the city residents. Coutin's Foucault inspired perspective enables her to consider the law not essentially as a legal structure of prohibition but as a site of reproduction of multiple strategies and discourses around itself. Again, the legal field of immigration law extends the boundaries of the state institutions, whereby the non-governmental actors, such as immigration advocacy groups, actively involve in the implementation of immigration procedures as their counterparts in the state offices. As Coutin underscores, the ambiguities, indeterminacies and open-endedness of immigration procedures are at stake in the ways the illegal immigrants develop strategies and tactics of interactions in their encounters with the state and non-governmental actors.

The processes of inclusion/exclusion around the immigration law underscore the fluid and dynamic nature of citizenship and national identities as anthropologists Kitty Calavita and Suarez-Navaz show in their study on the transformations in the Spanish immigration regimes (Calavita and Suarez Navaz, 2003). While the "immigrant illegality" is systematically created and recreated by the "dual processes of inclusion and exclusion" (105), along with the intensification of the racial divisions in the wider social context, it concomitantly transforms "the parameters of belonging" in the rural social space of Andalusia and the ethnic disparities between the Andalusian peasants and African immigrants (100). Additionally, Kitty Calavita's earlier research in Spain (1992), exploring the role of the immigration law in the marginalization of irregular immigrants in the labor market, indicates that not only immigrants without a legal status, but also "those who are (temporarily) legal" become precarious and vulnerable in the face of increasing flexibility of the post-Fordist economy. While the Spanish government engenders possibilities for African

immigrants to obtain temporary residence and work permits, the immigration regime of Spain assures their vulnerability in time with the shifts in the immigration policy.

Sarah Willen's study (2007) on the West African immigrants in Israel draws various similarities with the case I am analyzing specifically because of the exclusionary aspects of Israeli ethno-nationalism model. She discusses on how the ideological formation of the Israel's ethno-nationalism predominantly shapes the mode of immigrants' experiences in the host setting and their sense of being in the world.

In a similar vein, Daas and Poole's study looks at the disciplinary practices of the state upon the bodies of marginalized groups by the means of inspection practices of police controls. I consider the following statement in which they interpret Agamben's notion of state of exception, relevant to quote at length:

Because the sovereign cannot be by definition be bound to the law, the political community itself becomes a split along the different axis of membership and inclusion that may run along given fault lines of race, gender, and ethnicity or may produce new categories of people included in the political community but denied membership in political terms. The issue is not that membership is simply denied but rather that individuals are reconstituted through special laws as populations on whom new forms of regulation can be exercised (2004:12).

### **3.4 The Quite Struggles of Irregular Immigrants**

This section seeks to establish a theoretical ground to investigate the irregular immigrants' struggles, by elaborating on Asaf Bayat's study on the modes of resistance among the urban subalterns of global south. In exploring the social struggles of unemployed groups in the cities of global south, Bayat was struck by the informal forms of survival strategies undertaken by these subaltern groups to ameliorate their living conditions (1997; 2003). His concept of "quite encroachment of informal people" which I choose to read as "quite struggles" provides a useful analytical tool to understand the struggles of irregular immigrants that takes the form of daily survival under the shadow of state surveillance and violence. As Bayat points out, the main force backing up this form of struggle is to acquire

basic necessities such as shelter, informal jobs and businesses opportunities, health, and nutrition urban collective consumption (2003:93).

According to Bayat the actors of quite struggles consists of groups in *flux* such as “the unemployed, emigrants, refugees, or street vendors” who unlike the organized groups of workers or students are outside of “an institutional mechanism through which they can collectively express their grievances and resolve their problems” (1997:58). By engaging in this form of resistance, the urban subaltern in the global south do not challenge the established socio-economic order on the grounds of ideological political mobilization, instead by way of micro level and atomized strategies they intend to ameliorate their living conditions. Accordingly, the struggles of urban subalterns cannot be regarded “as defensive”, rather cumulatively enriching” that enables the actors to extend the along the gains of “new positions to move on” (2003: 91). This form of quite struggle allows the actors to contest substantial elements of governmental control in terms of control of public space, access to public and private goods.

## 4. Findings and Analysis

### 4.1 Combating Irregular Migration in Istanbul

The legal and political construction *immigrant illegality* (De Genova 2002, Calavita 1998) never comes alone; but accompanied with multiplex governmental technologies and rationalities. Faced with the growing foreign populations in the country throughout the 1990s, the governmental officials began to articulate their deep-running concern for Turkey is increasingly becoming a country of immigration and concomitantly subject to security threat. (Icduygu and Keyman 2000:390). The proliferating discourses which have been representing immigration as a security issue gave rise to the emergence of what Dider Bigo calls as “governmentality of unease” (2002). According to Bigo the political and social construction of immigration as a security problem enables the governments to implement restrictive immigration measures, establish institutions of detention and bureaucratic apparatus of deportation (Bigo 2002). The underlying reason in the way the politicians and the security officials recurrently articulate immigration as a security problem is closely related with “the habitus of the security professionals” (65). The following quote of Turkish Minister of Interior illustrates that Turkish immigration regime is predominated by security discourses. After stating that “illegal migration” and “people trafficking” threatens “both state security and public tranquility”, he continues (2004):

Aware of the international mission assigned to it, our country has made the necessary changes to national legislation and has speedily implemented them, thereby showing once again the importance it attaches to *combating* illegal migration and people trafficking.

As in this statement, usually in the Turkish state discourse the immigration is closely linked to illegality, criminality and human smuggling. Obviously this particular discourse, that represents the movement of people as a criminal activity, is not unique to Turkish

immigration regime. Its relevance for the immediate purpose of this section is that “combating illegality” rationality is the most dominant and probably the only governmental rationality that conducts the immigration of foreigners in Turkey<sup>8</sup>. More specifically, the bureaucratic issues concerning registration, management and control of foreigners are conducted by the Foreigners’ Police Bureau of each city. In accordance with that, the absence of the governmental assistance for immigrants such as housing, shelter, food or health services shapes the terms of immigrants social organization in Istanbul. Thus, for immigrants the main state actors they can contact in the city are the security professionals and this explains the major social distance between the immigrant groups and state institutions.

For the last five years Turkish immigration system is undergoing an organizational transformation, whereby the EU Turkey negotiations constitute a dynamic and Turkish government is expected to meet standards of EU countries. In this framework a new project 2005 National Action Plan on Asylum and Migration (the NAP) is implemented. It is going hand in hand with the emergence of a new field of immigration control including NGOs, the advocates, members of religious charity organizations and officials of UNHCR. With the implementation of the detention center and new asylum system, the proliferation of schemes to document and identify the immigrant profiles implemented. Satellite city system is part of it in which the accepted asylum seekers are obliged to reside in prospective satellite cities and register themselves in the police stations. Applying to asylum status is one of the few alternatives to gain temporary residence permission in Turkey. Having asylum status has privileges in terms of being recognized by the Turkish authorities. It is vital to note here, to underline that Istanbul is not included in the list of satellite cities, and thus even recognized asylum seekers are not allowed to reside in Istanbul. This is an important strategy in the way the immigrants are criminalized by asylum law. Ironically, Istanbul is the most convenient

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<sup>8</sup> Although due to some recent changes in the asylum regulations, this approach is slightly changing for the asylum seekers and refugees, still mainly security officials govern this process.



city for many asylum seekers to reside, given the relatively well developed networks of immigrants.

#### **4.1.1 The Tale of Two Mass Deportations**

A major issue that has been recurrently emphasized by the respondents concerning their history in Istanbul is two mass deportation stories. These incidents were decisive in the way they initially established relations with the state institutions and officials. Moreover these cases vividly portray the Africans' vulnerability in the face of the increasing state violence against the immigrants in Istanbul. Indeed, the first deportation case the respondents accounted was not one time action but consisted of serious of deportations in two years of time between 1993 and 1995 (Refugee Voice, 2008:4). The immigrants were collected in Istanbul and taken to the camps located in the eastern and southeastern provinces, who were formerly established for the Iraqi Kurdish asylum seekers escaping from Gulf War. In the second incident in July 2001, more than 300 hundred African immigrants were collected from the streets, and their homes and were detained in Istanbul Foreigners' Police Bureau. When the immigrants were under the detention in Istanbul, one police officer told to the detainees that in couple of days, the immigrants will be taken to the Greece border. He continued: "We will throw you to the Greek side like volleyball. And in response, they (the Greek officers) will try to send you back here. You must stay on the other side of the net; if you ever turn back we will catch you again and throw you back to the Greek side." In the following days the immigrants were taken and dropped to the Greece border.

These "practices of removal" (Peutz 2006) are highly decisive for the Africans' group identity, as they are ingrained in their collective consciousness and memory. Indeed,

deportation itself is a “technology of citizenship” or put differently “a practice that is constitutive of citizenship” (Walters 2002:267). Even for the immigrants who were not living in Istanbul during the time of mass deportation, the collectively shared narratives of mass deportations are a symbol of threat, fear and anxiety. Accordingly it is constitutive of the modes of immigrants’ relations with the host society institutes and citizens and also the terms of their practices in the urban space. What is crucial about these two incidents is that the immigrants were neither deported on the basis of court decision, or after an investigation of their legal status; for instance some of the individuals were recognized asylum seekers (UNHCR, 2001). Following Hindess, citizenship can be seen “as a marker of identification, advising state and non-state agencies of the particular state to which an individual belongs” (Hindess, 2000, p. 1487). For the police officers, the uninvited immigrant groups on the public spaces of Istanbul are regarded as a challenge to monopoly of the state over the distinction between citizens and non-citizens. As such, the actions of the police officers, in this case deportation is legitimized on the basis of the national citizenship regime.

#### **4.1.2 Foreigners’ Guesthouse**

The detention centers in Turkey are called by the government as “foreigners’ guesthouses” which reflects the rhetorical hospitality which prevails the government discourse on the detention issue. However the practices of the Turkish government reflect the “originary distinction” between citizens and non-citizens which is formulated by Agamben as forms of interiorized humanity and detritus humanity (Agamben 1998). Detention is legitimized and authorized around the legal-political regime of citizenship. It operates on the on the basis of citizen non-citizen division; in Turkey quite often the non-citizens with legal status, such as recognized foreigners can be subject to detention. On the other hand, as a strategy detention plays a role in the way of threatening individuals, it deploys the

immigrants with the fear of being at the sight of the official gaze (Aretxaga 2003: 404) The detention center is located in the city center and as the physical exclusion, actively involved in the constitution of the citizenship at the city level.

Unlike the detention centers at the border zones, in the cities as well reception centers for the immigrants should be constructed. Although the detention centers are not constructed yet, the government accomplished the establishment of the Foreigners' Guesthouses in the city centers which should principally provide initial assistance to the immigrants and social service. According to the legislation, the foreign nationals are detained for various reasons such as alleged criminal activity, illegal entry or exit from the country, or failure to comply with requirements of asylum procedures. There are different groups who are held as detainees in the Turkish guesthouses for foreigners: the impoverished asylum seekers, the immigrants without legal status. Conditions in foreigners' guesthouses are mostly poorer than in prisons, particularly because of the isolation from the public and the lack of having any medical and mental health treatment. The detainees have limited access to outside communication, i.e. they cannot receive calls and use public phones.

Except several NGO and human rights organization reports the presence of the detention centers are almost unknown along with a public invisibility writ at large. The prohibition of the entries of the visitors is a fundamental strategy via which the officials aim to limit the circulation of knowledge on the conditions of the migrant detainees. Based on the strict regulations only the lawyers and families of the detained foreigners can visit them in the detention centers, and this is not based on a timely schedule (hCa, 2007:23). As such, while the state consigns the irregular migrants into a depoliticized bare life, it provides the conditions in which the exclusion and subordination continues in a less visible mode. Accordingly spatial-political mechanism of bare life operates out of the public eye. The only audience is those who are redeemed to the bare life rather than the public at large.

One of the most important rules regarding the detention of foreigners in Turkey is that the foreign national are detained without a court order. “[Foreign nationals] are held based only on an administrative ruling from the Ministry of Interior. Detainees are never informed and are rarely aware that they are no longer being held pursuant to a judicial process but according to administrative regulations” (hCa, 2007:13). As such, detention practice are organized outside of the penal law, it is de-judicialised. The focus on the ‘neutralization’ or repatriation of aliens is seen as normal as long as these techniques are not used against citizens. The detention of aliens is linked to administrative law, and not to penal law” (Bigo, 2007: 54).

#### **4.1.3 Social Stigma and Criminalization**

Almost two years ago, when I was making my initial visits to an African restaurant to conduct interviews, I used to mention about this to the people in my surroundings. Mostly after getting quite shocked about the presence of any African restaurant in Istanbul, they were immediately asking “So, you are safe, nothing bad happens you there?” Being highly invisible in the public discourses and the mainstream Turkish media surely adds to the marginalization of the prevailing stereotypes of African, in the middle class imaginaries of locals. Except quite a few of them they are mostly in passive voices and their agencies in reified forms. This is one of the underlying reasons for why most of the middle class Turkish citizens cannot even think of the possibility that such groups can be part of the urban life.

The African immigrants in Istanbul are highly stigmatized for being drug dealer. The roots of this stereotype can be traced back to the first journalistic accounts on Africans who began to participate in Istanbul’s city life in the mid-1990s at moderate levels. Media coverage had the title “They poison our children”, denoting that the Africans sell drugs on the

streets of Istanbul to the school age Turkish students. Given the scarcity of media accounts, one cannot thoroughly understand how this stigmatized identity is constituted via journalistic representations. Indeed, this is not a primary concern of this study. Yet again, as many informants revealed this stigma shapes predominantly the ways in which the immigrants socialize with the locals, establish relations. The following account of a conversation that took place in the African restaurant, *Amina*, illustrates the extent of social distance the immigrants feel between themselves and the locals.

The incident took place during one of my frequent visits to *Amina's* Restaurant. All of the customers, mostly Nigerian immigrants, and I were sitting in the main room of the restaurant watching a Nigerian movie, imported from Nigeria. Martins's, a Nigerian man in his fifties, interrupted the weary mood with his sudden panicky entrance into the restaurant. "Enough, it is really enough!" he shouted. "I am sick, I am sick of them! What do they want from me?" While we tried to understand him, he continued: "They asked me for drugs, two [Turkish] boys came to me and asked 'do you have stuff?' Just in front of the apartment! Why do you do this, why should I live like this every time?" he shouted. Some customers stood up in an effort get Martins to calm down, but most of the customers were laughing, not at Martins, but about this very common incident, which had started to become a joke among the Africans. Amina, the owner of the restaurant, was among those laughing the most. She turned to me and said, "you see my friend, this is what we experience most of the time" and continued by joking in her Nigerian accented Turkish with a popular Turkish phrase: "*Burası Türkiye abicim burada her şey var, burada her şey olur* [This is Turkey, this is where anything might happen, brother!]" Then a popular theme of conversation commenced between Amina, some other customers, and I: their regret for being in Istanbul, away from their home countries, and their sense hopelessness. "Istanbul is a faculty, a university for

Africans; we learn life here in Istanbul, the troubles of life, how to live here...” they lamented.

The unease generated by stigmatization affects migrants’ behavior in public places occupied mainly Turkish people. Immigrants often prefer not to be seen in groups or participate in collective activities in such visible spaces; instead their restaurants or international call centers serve as safe spaces in which migrants can initiate collective activities. The illegality status of immigrants is an important factor in the way the immigrants are criminalized. Several respondents claimed that they are threatened by the police controlling the immigrants’ documents in the public spaces with the accusation of being drug dealer. The only way for them not being detained is bribing the police. Another immigrant noted that he was allegedly detained for six months for carrying drug. He was quite furious about that incident given that he has never used or carried any drug.

Two recent incidents in Istanbul proved that the increasing state violence and discriminatory attitude against the African immigrants. The first one is a forced labor case which happened during the visit of Pope in November 2006, where two Congolese asylum seekers were first taken under custody and then coerced to clean the fences on the street which shall be visited by Pope (hCa 2007). The second event, happened on the 20th August 2007, a Nigerian asylum seeker Festus Okey was killed under the police custody in a city center police quarter of Istanbul. Following this incident, the African migrants collected on a central square of Istanbul together with a group of NGO workers and local human rights associations, which became the first public protest organized by Africans in Istanbul so far (Cnnturk, 2007). After this incident, the governor of Istanbul addressed the African immigrants as potential criminal who are involved in drug trafficking and other type of criminal activities on the streets. He also added that “we have built a very nice *guesthouse* for

them, you know, in *Kumkapı* (Cnnturk, 2007)”. He was denoting to the recently reconstructed detention center in the inner-city neighborhood of Istanbul, *Kumkapı*.

## **4.2 The Quite Struggles of African Foreigners**

### **4.2.1 Illegality, Informality and Unemployment**

This section examines the ways in which the condition of illegality intensifies the unemployment among immigrants and predominantly shapes the traits of their struggles to participate in urban life. As I explained in chapter two, the law regulating the work permits of foreigners does restrict the employment of foreign nationals only to several low status professions, such as domestic work.

The socio-economic setting in which the “unwanted” immigrants find themselves in the new host country, generate difficulties for them in finding “entry points” in the host society’s labor market (Portes and Stepick 1985). There are possible differences in the way different irregulars based on their gender, nationality, ethnicity or residential patterns experience the “disadvantaged employment situation” (ibid). Yet again particularly among the irregular immigrants in Istanbul, the issue of unemployment is a major concern which affects them at the collective level even though they can find informal employment on the individual basis. Although involving in Istanbul’s large informal (underground) economy is not rare among the immigrants, there is a deep-running discontent among Africans regarding the vast unemployment. Immigrants planning to reside in Istanbul permanently and seeking stable conditions of formal employment such as social security, stable income, and job insurance are reluctant to work in low status informal jobs.

In general, new-comer immigrants seek and learn about the employment opportunities through their immigrant networks. Most of the time their efforts to find work result in major disillusionment when they experience, first-hand, the restrictive legal procedures involved. As many respondents claimed the reason for their unemployment is not always related to the low employment opportunities in the city. Indeed most of the respondents contact companies or firms. Although they are considered to be employed due to their university degrees and skills in various languages the work permit operates as an important obstacle. One example of such disillusionment is illustrated by the unwillingness of companies to pay the high financial costs and wage through time consuming bureaucratic procedures to obtain the required legal documents, such as work permits, for their qualified non-Turkish employees. Accordingly many of them remain confined to bottom jobs. As such, it is deliberately through the legal framework their employment opportunities are restricted. *Uzochi*, a young Nigerian man's efforts to find employment in Istanbul portray a typical experience of job refusal among immigrants. Despite he had an electronic engineering degree, he was working in an immigrant restaurant as a waiter. After several attempts to find employment in the field of engineering, numerous companies refused to hire him for not having a work permit. Most of the employers, he told me, asked him whether he was married to a Turkish citizen, in which case, fewer bureaucratic procedures would stand in the way of hiring him.

Also several respondents claimed that at some instances they were caught by the police for working without the legal document when they were employed in relatively better jobs. For instance this was mostly the case when they started to work in *Antalya*<sup>9</sup>'s holiday clubs as entertainers. Being employed in a holiday club is considered by many immigrants as a highly convenient job, since while working in a holiday club they obtain housing, a friendly social environment, a regular diet options at one time. It was also not uncommon that

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<sup>9</sup> A popular destination for tourists in the south cost of Turkey



immigrants worked in holiday clubs without a proper wage, just for housing and food. What the respondents' accounts reveal is that the police controls for working illegally is much stricter in Antalya.

Similar experiences have led undocumented immigrants to develop reactive strategies to obtain work permits. Marrying a Turkish citizen is an important strategy to obtain residence permit, while lengthy and bureaucratic procedures and financial stability are necessary for admittance to university, which is another possibility for regularization. The story of *Amina* illustrates a typical strategy to obtain residence permit. When *Amina*, a Nigerian woman, arrived in Istanbul in 1996 she started to search for job. But soon realized it was impossible to find an employment with an adequate income to sustain her settlement in the city, unless she becomes a citizen to gain the required work permit. After seeking for ways of gaining citizenship she finds out that marrying a Turkish citizen is the only way for that. After marrying a Turkish citizen with Kurdish origin, whom she met in her workplace, she was able to gain residence permit.

While the condition of illegality is a major obstacle in the way the Africans participate in Istanbul's labor market, their strategies of being involved in informal economy and finding shelter in informal means provides opportunities to continue their lives in Istanbul. These income generating activities are part of "quite struggles of informal people" in the way they advance their conditions through informal relations. For Africans in Istanbul, the transnational trade networks between West Africa and Turkey constitute such type of informal employment opportunities. The immigrants from Nigeria, Ghana and Senegal have traditionally been long distance traders and have established informal transnational trade networks between Turkey and their countries of origin (Brewer and Yükseser, 2006:57). Since the early 1980s, Nigerian and Turkish business men have been exporting textiles and auto by-products between Turkey and West African countries. This network became the

primary source of work for immigrants who could not transit to Europe and stayed in Turkey. This transnational exchange between Turkey and Nigeria has generated new job opportunities mostly in informal types. Some immigrants I interviewed claimed that they work as ‘agents,’ or ‘middle men,’ responsible for buying textiles from Turkish producers and transporting the products to Nigeria. Nigerian immigrants and business men from Nigeria benefit from structure the informal economy provides. When they export large quantities of goods, they as undocumented immigrants, unlike formal registered and legal ‘agents,’ bypass many bureaucratic procedures and avoid paying import and export duties.

However, it would be wrong to draw the conclusion that the African immigrants do voluntarily engage in informal lives. On the contrary, many respondents claimed that entering to the control mechanisms of the government would be in their interest; control mechanisms in the sense of being registered by the state offices, having formal lives and paying their taxes. But they would achieve to do so only, if they would have chance to regularize themselves by obtaining residence and work permit. Indeed this is a claim to be a member of the community, to belong to the middle class consumerist practices. In this demand lies of course their belief in making upward economic mobility. It is a deep preservation of the hope that they can gain economic prosperity by changing their illegal status to legal one. The following account reflects a typical perspective of undocumented African men and women concerning Turkish government’s work and residence permit practices:

“When the government gets one thousand dollar from every immigrant for the work and residence permits, they would make a lot of money. Through such regulation the immigrants can work and make money and pay taxes and bills to state. It would bring a lot of solution to the problems of the immigrants.”

## 4.2.2 Immigrant Organizations

During the interviews, when the immigrants were expressing their concern for having little prospect to regularize themselves due to the restrictive legal framework, I was asking if they can do anything to change this practice. Obviously, I had in mind whether they planned a collective form of claim making for rights or a change in the legal framework. Most of the informants claimed that earlier many immigrants individually went to the *Istanbul Foreigners' Police Bureau* to request a document to register and regularize themselves. But, in response they were either deported or detained by the police officers. Again, some of them expressed their deep-running fear about making collective protest since they were sure that the police would violently treat them. At this point, it is also crucial to note that there was almost no well-established immigrant organization that can initiate such type of mass mobilization.

An important reason why immigrants cannot establish well organized associations is partly related to the unstable structure of the immigrant groups in terms of their size and the profiles of their members. Since most of their members are in search of employment opportunities in the local and transnational context, as well as for opportunities to cross to European countries, it is often the case that the members of migrant groups frequently change their locations and their contacts. According to Bayat's understanding the irregular immigrant constitute a group in *flux* who unlike the organized groups of workers or students are outside of an institutional organization by means of which they can assert their demands.

One of the few immigrant organizations that I encountered in the field was an ethnic organization established by the Nigerian immigrants. The association was founded five years ago by the elites of the Nigerian group who did mostly have legal status. When the association was newly founded, a large group of Nigerian immigrants supported the

organization taking active roles in group works. As one representative of the association claimed, at the beginning especially the young and new arriving immigrants had the anticipation of obtaining work permit or resident permit from the Turkish state. In the similar way, the immigrants with lower economic and social status had anticipations concerning the association's role in finding opportunities to regularize the immigrants with illegal status.

Accordingly, the representatives of the association decided to apply to the government with the aim being officially recognized; so they thought, the association might play a mediator role in the way the members without regal status can regularize themselves. It is remarkable that as one of the few immigrant organizations the representatives of Nigerian association contacted the *Istanbul Foreigners' Police Bureau*, to request official recognition and registration by the authorities. This is largely due to the fact that *Istanbul Foreigners' Police Bureau* is the main and only governmental actor who "deals" with the immigrants at the city scale. Yet this demand was accepted neither by the Istanbul Foreigners' Police bureau nor by the Istanbul governorship.

The institutions of the state play a central role in the way the immigrant groups articulate their rights and engage in activities of claim making. As the following examples illustrate the state institutions actively assign a certain type of subjectivity through the means of official categorizing, in this case "being foreigner". Accordingly the official designations of non-citizens are crucial in texturing the terms through which the immigrants establish relations with the state actors: the immigrant association applies to the Foreigners' police in order to register itself.

In one of our first encounters I asked *Kanu*, a Nigerian man who used to live in Istanbul more than 10 years ago a broad question like what are the general problems immigrants are facing, he got quite confused and a bit of angry too for being called as immigrant: "Immigrants? Are we immigrants? No, we are foreigners." This perception is not

unique to African immigrants. Another example of the same self-designation belongs to Father George, a well-known priest among the Iraqi Christian irregular migrants. : “We are *foreigners* here. We have to be together all the time. This is why we all live in the same neighborhoods. This is why the Sunday mass is so important for us” (Cited in Danis 2006:61, italics added).

The self-designation of immigrants as foreigners corresponds very much with the institutional environment in which the immigration is governed at the city and national level. It is remarkable that the category of “immigration” is totally absent in the official names of main state institutions concerning the administrative issues of immigrants: the first one is Istanbul *Foreigners’* Police Bureau; the second one is the central institution operating in Ankara *Foreigners* Borders and Asylum Department of the General Directorate of Security. Likewise, detention centers are officially described as *Foreigners’* Guesthouses. The names of the institutions are clearly indicative of how immigration is perceived in the legal-political system of Turkey. It is vital to note, immigrant as a status to designate the foreign non-citizens is rarely used in the official documents and this labeling is deeply embraced by the immigrants. The perception of their status as foreigners rather than immigrants is an importation assertion of the official discourse on the immigrants however what is striking is that the individuals clearly specify their status as foreigners.

It seems that being socially distant from institutional mechanisms such as labor unions or immigrant advocacy groups plays a decisive role in the way the immigrant articulate their belonging to the host society. Moreover, lacking institutional capacities to exert pressure on the social actors, the immigrants are directly tended to “fulfill their needs by themselves, albeit individually and discretely. In short, theirs is *not* a politics of protest, but of redress and struggle for immediate outcomes largely through individual direct action (Bayat 1997:58-59).”

## Conclusion

In this study, I have tried to explain and describe the structures of power that are at stake in the subordination of African foreigners as illegal aliens in Istanbul. While the recent transnational migration movements in Turkey calls for the recognition basic immigrant rights and implementation of reception services, the contemporary response of the state is centered around the exclusionary mechanisms of its citizenry. By looking at the perception and representation of irregular immigrants, I elaborated the ways in which the transnational immigration has been articulated, and problematized by the governmental actors. In this way, this study explored the way the governmental response has been rationalized as well as the governmental practices (such as detention and criminalization) and regulations have been predominantly shaped by its perception and representation of the contemporary transitional migration as temporary and transit. By focusing on the relation between the embodied experiences of exclusion and the perception of immigrants stay in Turkey; I explored how this relation shapes the forms of their organizational activities; the ways in which they develop strategies to survive and interact with the public actors in their new setting; the way the immigrants individually or collectively relate themselves to the organizations (such as churches, Religious Charity Organizations and NGOs) providing social services.

Accordingly I have understood that although African foreigners are the target of social marginalization, they continue to seek means of survival and informal incorporation in the social body of host society. Drawing upon my ethnographic study, I argued that immigrants' resistance to the problems related to exclusion from official citizenship rights takes the form of "quite struggles" on the basis of daily survival under the shadow of state surveillance and

violence. Moreover, I have underlined that the condition of illegality intensifies the unemployment among immigrants and predominantly shapes the traits of their struggles to participate in urban life.

Eventually, all these considerations point out the need for further research concerning the irregular immigrants' claim to be a member of the urban space. Accordingly, one major topic that can provide more insight on the ways in which the irregular immigrants develop sense of belonging to the urban context might be, the social spaces established and particularly used by the immigrants. ). In varying contexts around globe, undocumented immigrants who are the target of exclusion from sort of formal rights, struggle to create public spaces as a means to reconstitute the pre-constructed confines of their political involvement in the given host society. It is empirically and theoretically significant to elaborate upon the ways in which immigrants create new spaces and develop new forms of social relations. Understanding this enables researchers to reconsider the conventional boundaries between citizen insiders and immigrant outsiders. Although irregular migrant groups often live shadowy lives to seek invisibility, the existence of the public spaces owned/used by immigrants can be regarded as a challenge to the prevailing norms constructed around the division between citizens and undocumented immigrant. The connection between the establishment of public space and the claim making for immigrant rights can be an important theme of enquiry to explore the ways in which the immigrants collectively organize themselves as a group, as well as to protect themselves from repressive elements produced by local power holders.

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