
50 Years and Beyond: The ‘Mirror’ of Migration - German Citizens in Turkey

Bianca KAISER*

Abstract

*There are an estimated 90,000 – 120,000 German citizens living in Turkey. While laws and regulations pertaining to Turkey’s immigration regime mainly stem from the early years of the Republic, they have increasingly come under scrutiny. In an effort to keep up with the transformation of Turkey from a country of emigration into a country of immigration and at the same time, to align Turkish laws with the EU’s *acquis communautaire*, a reform process started in the late 1990s and is still going on today. This paper provides an overview of the heterogeneity of German citizens in Turkey, the general parameters shaping their transnational life-worlds and participation strategies, as well as citizenship issues and networking activities. The main conclusion is that there are heterogeneous groups of German citizens in Turkey with respect to their length of stay, civil and employment status etc., who have developed unique patterns of integration corresponding to their particular transnational life-worlds.*

* Bianca Kaiser is Associate Professor and Chair of the Department of International Relations at Istanbul Kemerburgaz University. She held the Jean Monnet Chair in European Political Integration from 2005-2011 at Istanbul Kültür University. Her main research areas are Germany’s foreign and European policies, migration in Turkey and Europe, and the external relations of the European Union.

Keywords

German citizens, Turkey, participation strategies, citizenship, European integration.

Introduction

This paper strives to celebrate the 50th anniversary of migration movements from Turkey to Germany by highlighting the fact that migration does not only occur in one direction but can and has taken place from Germany to Turkey as well. The term ‘German citizens/migrants’ encompasses all persons holding German citizenship, irrespective of double citizenship and/or ethnic background. The findings of this paper are based on the field research of a project on European Union citizens in Turkey in 2000-2001,¹ research conducted for the German-Turkish Summer Institute (2001-2002),² as well as individual research and interviews conducted between 2004 and 2010.

Based on the above-mentioned previous research and regular consultations with officials, today there are an estimated 90,000 – 120,000 German citizens

living in Turkey although there are no official sources for these. Some of them are residing in Turkey permanently, while others split their time equally between Turkey and Germany (or even a third country), and some are leaving and re-entering Turkey every three months due to the requirements of the Turkish visa regime. Due to these differences in residence status and the absence of encompassing statistics, figures provided here can only be estimates. Among the group of EU citizens living in Turkey³ – an estimated 180,000- 200,000 persons – more than half are from Germany, underlining the closeness of relations in human terms between these two countries.

This article will outline the heterogeneity of German citizens living in Turkey, the particularities and commonalities of their transnational life worlds, and the participation strategies that they have developed accordingly by surveying the legal situation, citizenship conditions and networking activities. The article will conclude that the scope of participation in political life and influence on decision-making regarding the immigration regime is limited.

Turkey: From Peripheral to Mainstream Migration Destiny

Migration of German citizens into Turkey has particularly increased since

the 1980s, and has experienced new highs since 1999. There are the following major reasons for the perception of migratory flows between Turkey and Germany to have changed from a ‘centre-to-periphery’ (i.e. from Turkey to Germany) pattern to a ‘core centre’-to-‘outer centre’ (Germany to Turkey) pattern, thus shifting the perception of Turkey’s location from ‘periphery’ to ‘centre’:

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First, Turkey’s increasing political and economic liberalization during the 1980s turned it into an increasingly attractive destination for migrants. Turkey’s economic boom of the last decade has further strengthened this effect. Second, due to increased liberalization, Turkey has also started to become an attractive tourist destination since the mid-1980s. For many German citizens, a touristic visit has been the starting point for the decision to migrate. Third, Turkey’s ongoing – albeit halting – bid for full membership in the European Union has been a major force. In 1987, the formal application for full membership was submitted to

the European Commission. In 1996, the Customs Union between Turkey and the European Union was established. At the Helsinki Summit in 1999, Turkey was declared a formal candidate for full EU membership and started the accession process on 3 October 2005. This process has put Turkey literally on the political map for many Europeans. Fourth, rising Islamophobia and difficulties in finding adequate access to the labour market in Germany have resulted in the migration of Turkish-German binational families and, especially, young and qualified German-Turks to Turkey. And finally, Germany has, *de facto*, become a country of emigration since 2008, that is to say more people are leaving the country than entering it. As a multitude of reports⁴ and TV programs on emigration are revealing, many young people and families, and elder and retired people have opted to emigrate to, among other places, Turkey.

All of these factors have contributed significantly to an intensification of ties between Turkey and Germany. Germany continues to be the most important trading partner of Turkey in the European Union. German investments rank at the top among foreign investors in Turkey; today, more than 1,700 firms operate in Turkey with German financial

participation. As a consequence, German companies are sending managerial staff and their families to Turkey for limited periods of time. Furthermore, there has been a steady increase in Turkish-German marriages, amounting to several thousand each year; whereas in 1996 they amounted to 6,000 marriages, numbers had already risen to some 90,000 by 2001⁵ and to an estimated 100,000 by 2007.⁶ Many of these bi-national families have decided to set up home in Turkey. Lastly, increasing numbers of Germans who visited Turkey initially as tourists decided to migrate to Turkey on a permanent basis.

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Research on German citizens in Turkey is still limited. Many studies have concentrated on the long-established group of German citizens, the *Bosporus Germans*, whose roots of immigration go back to the Ottoman Empire.⁷ Few studies have analysed the dynamics of contemporary migration from Germany to Turkey. Some, however, have looked into the legal situation of EU migrants and other foreigners in Turkey⁸ as well as their integration into Turkish society.⁹ This article aims at providing a general comprehensive – if not exhaustive – overview of important aspects of the social and transnational life-worlds, participation strategies and citizenship issues of German citizens in Turkey. It is divided

into the following parts: groups of German citizens in Turkey; the Turkish immigration regime affecting German citizens; citizenship issues; and networking activities and participation strategies.

Heterogeneity of German Citizens in Turkey¹⁰

This section aims to demonstrate that German citizens in Turkey are quite heterogeneous when it comes to their reasons and purposes in migrating, as well as with respect to their legal situation (residence status and access to labour market), patterns of mobility and participation strategies. Depending on their personal circumstances and individual lengths of stay in Turkey they are affected by the Turkish immigration regime and citizenship issues to varying degrees. In order to identify these differences, German citizens are categorized into the following eight groups:¹¹

1. *Posted personnel and their families:* These are managerial staff in German businesses or Turkish-German joint ventures, teachers at foreign-language schools or universities, personnel of cultural institutions, research centres, and diplomatic and economic missions. Many of them are male; accompanying spouses are predominantly female. Usually, these migrants come to Turkey on limited

work contracts (2-3 years, renewable once or twice) and residence permits. This system resembles a “guest-worker-system”, albeit one for white-collar workers. Accompanying spouses often do not have access to the labour market. This problem is gender-related and often restricts women to the role of homemaker.

2. *German spouses of Turkish citizens:* Most of these spouses are women; yet the numbers of male German spouses is also rising as more and more Turkish women study and work abroad and then get married. A large proportion of this group has established their official place of residence in Turkey and is affected by the legal constraints on foreigners with respect to access to the labour market. Problems, again, are gender-related. On the one hand, German women are largely confined to the role of homemaker and are therefore financially dependent on their Turkish spouses. In the case of divorce or death of the Turkish spouse, problems may increase if the German wife intends to stay in Turkey but is denied access to the labour market and, possibly, even residence. Extension of a residence permit is no legal right in this case (especially before 1998 hardship cases were reported), but the current bureaucratic practice is often to grant an extension if the migrant has lived in Turkey for a long time, the marriage has lasted at least three years, and the

presence of under-age children is documented.¹² Male German spouses of Turkish citizens may equally experience difficulties, especially if they are trying to fulfil the traditional role of family breadwinner but are denied access to the labour market.

3. *Descendants of German spouses of Turkish citizens:* Most persons in this category have dual citizenship and therefore do not face the same legal problems as other migrants. However, dual citizenship may turn into an obstacle if a career in law-enforcement, the military or politics is envisaged. There is now a second and third generation, and even an emerging fourth generation of German migrants.
4. *Retired German citizens:* Increasing numbers of retired German citizens are buying property and settling along the Turkish sunbelt-coast, mostly in Antalya and Alanya but also in Bodrum and Marmaris. They have reported problems with regard to obtaining long-term residence permits. Many of them leave and re-enter the country every three months without the need to obtain a visa. The most recent reform of 1 February 2012, however, is limiting a stay without visa 90 days. It also foresees that shorter stays are added up so that upon departure the days spent in Turkey should not exceed 90 within the past 180 days.
5. *Alternative life-style seekers:* Members of this group tend to settle along the Turkish sunbelt-coast, or in large urban areas, especially in Istanbul. They often aim to make a new start in life, and generally belong to the age group of 40 to 50 year-olds. Many of them set up or are employed in small businesses in the tourist sector, or pursue free-lance artistic occupations. Most of them leave and re-enter the country every three months. This group is also affected by the changes in the visa regime as outlined in section 4 above.
6. *German citizens of Turkish origin:* Many of these are pink card holders. Pink cards (*pembe kağıt*) allow them basically the same rights as Turkish citizens with respect to residence, access to the labour market, inheritance etc. They are, however, exempted from political rights, that is to say they cannot stand for election or vote. The numbers of German citizens of Turkish origin migrating to Turkey due to a variety of reasons has lately increased significantly.¹³
7. *Erasmus and other exchange students:* Since 2003/04 Turkey has been participating in the Erasmus Programme of the European Commission's Life Long Learning Programme. This programme has so far enabled thousands of EU students, a large part of them from Germany,

to study in Turkey for 3-12 months. Many students have later returned, either to pursue a postgraduate or doctoral programme in Turkey, to do a traineeship and/or to pursue a professional career, while others have returned to found binational families. The ongoing internationalization of Turkey's universities has also attracted international students through programmes other than Erasmus.

8. *Bosporus Germans*: These are descendants of trades people, military personnel and academics who came to Turkey during the Ottoman Empire.¹⁴
9. *Refugees fleeing the Nazi Regime (1933-1942/3)*:¹⁵ During World War II, several thousand refugees (Jews and political activists) fled to Turkey from Germany. Many of those who stayed on after the war later adopted Turkish citizenship. Yet, some are reported to have dwelled in Turkey for generations as migrants without formal citizenship, experiencing the same constraints as other migrants.

The Turkish Immigration Regime and German Migrants in Turkey

The legal situation of German citizens in Turkey is a useful starting point for determining the scope and nature of transnational ties and organisational

structures of this community. Generally, all foreigners in Turkey are subject to the Turkish Law on Foreigners (Law No. 5683 of 15 July 1950).¹⁶ In some cases, however, bilateral agreements between Turkey and other individual states accord a special status to citizens of these states with regard to visa regulations on entering Turkey and their duration of residence in Turkey, in which case no permit is required. In general, the Turkish immigration regime distinguishes between foreigners (*yabancı*) and immigrants (*göçmen*); the latter category is determined by descent through ethnic origin.

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German citizens, and all other EU citizens, are considered foreigners in Turkey and are subject to the renewable residence system. They may enter the country with a valid passport; they do not need to obtain a visa prior to entry, and they may stay in Turkey for up to three months without a residence permit. Regulations regarding the acquisition of property, for instance, depend on bilateral agreements.¹⁷ Known exceptions to the usual provisions relating to access to the labour market and residence

permits concern immigrants (as outlined above) from countries with ethnic Turkish minorities (like Northern Cyprus, Bulgaria, the Turkic Central Asian republics), and so-called blue-card holders (*mavi kağıdı*).¹⁸ These groups enjoy preferential treatment over other migrant groups. The following gives an overview of the main legal provisions applying to all, including German, migrants who are considered as “foreigners”.

Residence Permit

One of the most prominent characteristics of the Turkish Law on Foreigners is that it does not recognise the right to residence for migrants, i.e. for foreigners. Independent of the amount of time that a migrant has spent in Turkey, or of their purpose of stay (for instance, marriage to a Turkish citizen); s/he is never entitled to unlimited residence. Residence permits can be issued for periods of between six months and five years. Up until 1998, the maximum duration was two years only; unrestricted residence is still unknown. The decision to grant permission to reside in Turkey lies with the Foreigners' Department of the Security Forces. Since September 2009, applications are no longer made to the Foreigners' Office at the Headquarters of the Security Forces but to the individual district police departments in accordance

with the foreigner's place of residence. The new system has also introduced an e-appointment system designed to further facilitate a smoother bureaucratic procedure.¹⁹

Since 2008, there are no more administrative fees required from German citizens (except for a small nominal fee to cover the expenses of the document itself). However, in the past administrative fees for a residence permit were relatively high and often changed due to high inflation in Turkey. In January 2001, it amounted to Turkish Liras 250,000,000 for a five-year permit. At that time, this was the equivalent of about 400 Euro, or about 1.5 times the average minimum monthly salary in Turkey.²⁰ Slow administrative practice – although this is said to have improved in the large cities – used to cause hardships sometimes. Since 2005 though – after the decision of December 2004 to start negotiations for full EU-membership with Turkey on 3 October 2005 – both bureaucratic hurdles as well as, in the case of German migrants, administrative fees have been notably lowered and amounted to almost zero in the spring of 2009.

Access to Labour Market

Under Turkish law work permits for foreigners are issued independently of the residence permit. Regardless of duration of residence in Turkey, free access to the

labour market has not existed under any circumstance until 2003. Furthermore, a work permit was not given to the migrant who applied for it, but rather to the institution or firm s/he works for. This left the migrant in a conceivably weak and vulnerable position vis-à-vis the employer. Foreigners were denied access to a large number of – in fact most – professions. The Law on Activities and Professions in Turkey Reserved for Turkish Citizens of 16 June 1932 (Law No. 2007) provided a long list of professions that are exclusively reserved for Turkish citizens, among them almost all activities in the services sector. These included professions such as photography, tourist guiding, transporting persons, acting, singing, waitressing, interpreting, and all other employment in the production sector.²¹

There are also several other laws concerning different professions such as the medical professions, employment in television and broadcasting, the veterinarian profession, judges, public prosecutors and public notaries, engineers and the like, which also exclude foreigners in principle. Some stipulations, however, allow for exemption if a foreign citizen is able to pass a state examination in the field in question. Yet, reportedly, this seemed to be very difficult.

Meanwhile, a new law for foreigners was drafted and approved by the Turkish

Parliament in 2003.²² In a statement by the Turkish Labour Minister in April 2001 on the occasion of a visit by the German Employment Minister to Turkey, it was announced that the new law would be passed by the end of 2001; yet, that did not happen. An attempt to include the law in the historic reform package of 3 August 2002, was also unsuccessful.²³ The new law provides that under certain circumstances (five years of legal work in Turkey) an unlimited work permit may be issued.²⁴ The issue of unlimited residence permits is not included, nor does a draft law concerning residence permits yet exist to this date.

The issue of free movement of persons in Turkey has received little political attention from the European Union, although, since the first Regular Report on Turkey of 1998,²⁵ this issue has been brought up every year in subsequent regular reports, always concluding that “no progress” has been made. Whereas Turkish residents in member states of the European Union have been able to improve their legal situation by taking legal recourse to national courts within the EU or at the European Court of Justice, this has not been the case with German citizens in Turkey. There have been some 16 cases before the European Court of Justice involving Turkish-origin citizens in the European Union. Turkish law professors have argued that EU residents in Turkey, including Germans, have not been able to take their cases to

the European Court of Justice because they live outside the scope of jurisdiction of that Court, that is to say outside the territory of the European Union.²⁶

German citizens in Turkey have mostly refrained from taking cases to the courts. An exception to this was a case concerning the prohibition of foreign educators at Turkish pre-school institutions.²⁷ The Turkish Court of Appeal ruled on 25 August 2002 that this prohibition was introduced by decree. This contravenes the law, which does not provide for discretionary powers regarding the enlargement of the list of professions from which foreigners are excluded. Exclusion from certain professions can only be determined by law. Although the reformed labour law guarantees equal access of foreigners to the Turkish labour market, several individual acts of law will still be necessary to abolish the restrictions applying to various professions (doctors,²⁸ lawyers, pilots, engineers, etc.).

Insurance coverage

Apart from the above-mentioned obstacles regarding access to the Turkish labour market, German citizens faced further difficulties with respect to insurance coverage. Before the health insurance reform of 2007, the Turkish state insurance system was divided into three categories:

1. *Sosyal Sigortalar Kurumu* (SSK)- Social Insurances Institution for employees in the state sectors: This insurance also covers foreigners. There have, however, been reports of problems concerning pension rights and unemployment benefits – the latter only having been introduced in October 2001 in Turkey. This insurance covers only the most basic social benefits at the state hospitals (excluding university hospitals), which is usually of rather a low standard. Improvements could be observed for instance when in May 2006 the Turkish SSK together with its German counterpart first started to organize regular annual informational meetings about the conditions for retirement (*emeklilik*) in Turkey (Istanbul and Ankara) in Turkish and German.
2. *Emekli Sandığı* - General Directorate of Retirement Fund for civil servants: This insurance is much more comprehensive than the SSK insurance, but excludes foreigners as they cannot become civil servants. They may only benefit from this insurance as the spouse of a Turkish civil servant, but not in their own right. Problems were reported regarding old-age pensions from this insurance for surviving foreign spouses.
3. *Bağ-Kur* - Social Insurance Institution for Tradesmen and Craftsmen and

Other Self Employed: This insurance does not cover self-employed foreigners if they own the company, which understandably limits the number of foreigners willing to set up their own business. In this respect, it must be mentioned that until recently, foreign residents faced severe difficulties if they intended to open their own business. One requirement was to deposit US \$50,000 with the Turkish state. This restriction has now been lifted, as the relevant authorities have confirmed, in the case of foreigners who have legally resided in Turkey for at least three years. In practice, however, difficulties are reported to have continued.

In principle, German citizens – and other foreigners – were only discriminated against with respect to the *Bağ-Kur* insurance. Private insurance companies provide an alternative to the state insurance system, and these have mushroomed since the mid-1990s in Turkey. Despite the fact that they usually admit foreigners on a non-discriminatory basis, it is an alternative that only a few foreigners opt for. It has been reported that the main reason for this is the high cost of insurance contributions. Fees have

in some cases been raised arbitrarily from one year to the next, purportedly due to high inflation, and the private insurance sector was insufficiently regulated or monitored. Within the context of adapting Turkey's legislation on the free movement of services to EU legislation, however, some progress has been made and is expected to continue.²⁹ In 2008, all three insurance systems have been combined into a single one: *Sosyal Güvenlik Kurumu (SGK)* - Social Security Institution. The new system facilitates easy and non-discriminating access for all lawfully employed foreigners.

Increased international migration brought about by globalisation processes including increasing mobility systems have forced Germany and other countries to reconsider the definition of 'citizenship'.

Citizenship

The definition of 'citizen' varies among different national contexts.

The condition for citizenship can be based on the principle of *jus sanguinis* (parentage and blood relations) or on the principle of *jus soli* (birthplace); there are also hybrid cases which combine elements of both systems. Examples of all three systems can be found within the European Union. For instance, both Turkey and Germany basically apply the *jus sanguinis* principle. However, elements of the *jus soli* principle were incorporated into the new German citizenship law which came into effect in 2000. At the heart of this

change was the long-overdue political recognition that Germany is *de facto* a country of immigration. Increased international migration brought about by globalisation processes including increasing mobility systems, in which increasing numbers of people live today, have forced Germany and other countries to reconsider the definition of 'citizenship'. An extension of political, social and cultural rights has also been observed. This is increasingly applied to foreign nationals residing within the boundaries of nation-states whose formal membership – citizenship through naturalisation – they have not (yet) obtained. The elimination of certain obstacles to obtaining formal membership is a further measure.

This development represents a rapprochement between two seemingly opposed basic political principles. One is the democratic idea of representative government, based on the principle of general suffrage. The other is the principle of the nation-state, which proclaims that only formal members can participate in political affairs. The reality of migrants being bound by obligations (e.g., abiding by the law, paying taxes) in the receiving countries without having any rights (e.g. the right to vote for political representatives who decide upon the obligations they have to fulfil) has led to a shift in attitudes. Increasing globalisation and expanding transnational spaces will warrant further changes in the future.

The normative category of 'denizen', first coined by Thomas Hammar³⁰ in the field of migration research, designates a foreign national residing in another country, who has obtained a secure position within the receiving society without being a formal member of it (OECD: foreigner admitted to residence and certain rights). This category, however, does not exist in Turkey. For German citizens in Turkey access to the labour market is limited and restricted to areas of employment where there is a shortage (usually in education and at managerial level) of Turkish employees. Such provisions can also be found in other European societies, but not to the extent of excluding foreign nationals from as many professions as was the case in Turkey before the reform of 2003.

The issue of citizenship in the Turkish-German context documents the similarities between the Turkish and German legal systems: Both systems have based the right to obtain citizenship almost exclusively on the *jus sanguinis principle* (parentage and blood relations). Whereas the German legal system started to introduce elements of the *jus soli principle* (birthplace) into its new citizenship law of 2000, the Turkish legal system and all laws and regulations pertaining to foreigners and migrants are mainly bound by the *İskan Kanunu* (Settlement Law), Law No. 2510, of 1934. That law provides that only migrants of Turkish culture, with an objective of settling in Tur-

key, can obtain immigrant status (Art. 3), and that those of non-Turkish origin will not be accepted as immigrants in Turkey (Art. 4). This Law was reformed in 2006 but its main understanding of who can be an immigrant has not been substantially altered.³¹ A further complication for German citizens is posed by the fact that, due to the new German citizenship law of 2000, they need to first obtain the permission to apply for Turkish citizenship from the German authorities (*Beibehaltungsgenehmigung*). This permission is given only if the applicant can document ongoing close ties with Germany; it is valid for only two years.

A particularity with Turkish citizenship, seldom noticed, is that foreign women married to a Turkish citizen were entitled to obtain Turkish citizenship upon marriage. This option was not available for foreign males marrying Turkish women. This provision has been amended by the new citizenship law of 12 June 2003. It stipulates that foreign women will be subject to the same procedure as foreign males (i.e. legal residence of at least five years or a three-year marriage with a Turkish husband, a health certificate, knowledge of Turkish language, “good” moral behaviour etc.). In fact, the increased barrier to formal Turkish citizenship for foreign female spouses is due to an increase of, and alleged misuse by, women from central and eastern Europe.

On the other hand, in contrast to the numerous difficulties foreign nationals face in obtaining residence and work permits. Until the reform of Turkish citizenship law in 2002 formal citizenship could be obtained with relative ease when marrying a Turkish citizen. Here the threshold was much lower than in Germany and other EU countries. Citizenship could be applied for directly during the formal marriage procedure or within 45 days if the marriage took place outside Turkey. However, such an option was open only to foreign women. Foreign male spouses were, in this context, subject to discrimination. To them such an option was not available. Yet in the process of modifying the Turkish Law on Foreigners, a new bill was passed in 2002 to the effect that foreign female spouses no longer have an automatic right to obtain Turkish citizenship upon marriage. Just like male foreign spouses, they shall gain this right only after three years of marriage to a Turkish citizen. Until 1979, a foreign woman marrying a Turkish citizen automatically received Turkish citizenship. This is why, in the case of German women, dual citizenship was accepted by the German state. However, when the adoption of Turkish citizenship became an option in 1979, German women lost their German citizenship if they adopted Turkish citizenship.

As mentioned above, the acquisition of citizenship in Turkey is mostly based

upon the *jus sanguinis* principle. The Constitution provides for the *jus solis* principle only in exceptional cases, for instance, if a child born to foreign parents on Turkish soil would otherwise be stateless, if a foreign child is adopted by Turkish parents or, as mentioned above, in the case of marriage (for female foreign spouses only). The conditions for naturalisation are: a minimum of five years of uninterrupted residence in Turkey, an indication of the intention to live in Turkey (marriage to a Turkish citizen or the acquisition of property, for instance), good conduct and a sufficient knowledge of the Turkish language.³²

Networking Activities

The number of networking activities among international migrants in Turkey has been increasing commensurately with their increasing numbers. Yet among the various formal and informal cultural associations, German migrants in Turkey represent arguably the best organized example of networking activities.³³ EU migrants in Turkey multiplied throughout the 1980s and, especially, in the 1990s. Likewise, an increase in networking and cultural activities has been observed in the large cities, along the Turkish sunbelt-coast and to a lesser degree along the Black Sea coast. These increased activities are basically due to the synergizing effect of the following factors:

- Rising numbers of migrants, especially throughout the 1990s as well as in the new millennium.
- In the case of German migrants, increased activities of the German Protestant and Catholic church in the large cities (particularly in Istanbul),³⁴ the *Goethe Institute*, the German Embassy and its Consulates, the political foundations (Friedrich Ebert Foundation, Konrad-Adenauer Foundation, Friedrich Naumann Foundation and Heinrich Böll Foundation), trade delegations and other research institutions,
- Foundation of the interest group *Die Brücke e.V. – Deutscher Kultur- und Wohltätigkeitsverein* ('Bridge – German Cultural and Charity Association'),³⁵ which has association (*dernek*) status³⁶ under Turkish law.
- A new association was founded in 2010: *Netzwerk Türkei* (Network Turkey),³⁷ a transnational research platform for young academics working on Turkey in several countries, mainly in Turkey, Germany and England. The network is operating in three languages and thus expresses the transnational nature of mobility and the cosmopolitan outlook of primarily its young members.
- The municipality of Alanya has established a "Foreigners' Council"³⁸ to represent the interests of the large number of foreigners who have settled

in the area. The spokeswoman of the Foreigners' Council is a German citizen, reflecting again the large number of German migrants in that area.

Die Brücke

*Die Brücke*³⁹ has succeeded in establishing a network for the exchange of information and active lobbying, not only among German and German-speaking residents (including Turkish returnees from Germany as well as Austrian and Swiss citizens) in Istanbul, but also among various German migrant groups that have formed in other areas of Turkey (Ankara, Izmir, Alanya, Antalya, Marmaris and Zonguldak), as well as among German returnees in Germany (Munich, Hamburg and Berlin). There are contact partners in all of these cities. Members of the association number around 800 and are contacted through a monthly newsletter. Most German residents in Istanbul and other urban areas appear to be aware of the existence of this association, even though they may not be members. An increasing number of German citizens had already made contact with it before migrating to Turkey, thus receiving practical information on how to get settled in Turkey. Yet as the use of the internet has become more prevalent among German migrants, the influence and importance

of the network and its newsletter appear to be decreasing.

Die Brücke was formed at its constitutive meeting on 23 January 1990, with 90 persons present. The first newsletter was immediately published at the end of that month. By February 1990 there were already 300 members. In May 1992, *Die Brücke* gained status as a registered Turkish association. The overall goal of the association, in the words of its founding president Uschi Akin, is “to help improve and lobby for a better legal situation for German residents in Turkey”.⁴⁰ Other goals include:

- bringing together German-speaking people;
- formation of a Turkish-German lobby;
- promotion of bi-lingual education for children from bi-national families;
- providing help for the acculturation process in Turkey;
- planning of cultural events;
- planning of social and charity projects.

During the formative years of the association, close cooperation between the Consulate General in Istanbul and *Die Brücke* played an important role. The Consulate General, for instance, helped to inform all German citizens registered at the Consulate in Istanbul of the formation of this association.

Furthermore, many events organised by *Die Brücke* have been carried out under the patronage of the General Consulate. The original idea of forming an association actually stemmed from former German Chancellor Helmut Kohl when, during an official visit to Turkey, he was approached by the president-to-be of *Die Brücke* for help in improving the legal situation of German residents in Turkey.⁴¹

When it comes to membership, women outnumber men by far; this fact is also reflected by the predominantly female organizers, many of whom have binational families and have therefore a long-term interest in improving their legal situation. Yet other groups of migrants are also represented: male spouses of Turkish citizens, posted employees and their families, German-speaking Turkish citizens with and without German citizenship, single German residents in Turkey, as well as German and Turkish citizens living in Germany. Altogether, membership of *Die Brücke* reflects the different groups of German-speaking residents in Turkey, with proportionate over-representation of female German spouses of Turkish residents.

The list of activities of *Die Brücke* is a long one. It ranges from coffee mornings to children's play groups, from family outings to Christmas and Easter events, from extensive help in the aftermath of the devastating earthquakes in 1999 to

supporting individuals (of both Turkish and German nationality) in need of medical, social or financial support, from monthly dinners for working women to bowling events, weekly discussion rounds and football matches for men, and other cultural events.

One of the major achievements of the association has been the founding of *Avrupa Koleji – Europa Kolleg* (European College) in Istanbul in September 1998. Born out of the long-acknowledged lack of adequate schooling for Turkish-German bi-lingual and bi-cultural children, this was the first school in Turkey to offer bi-lingual education in Turkish and German from pre-school to high school. It is a private Turkish school under the jurisdiction of the Turkish Education Ministry. Until 2006, when new legislation prohibited associations from being officially involved in educational facilities, *Die Brücke* had official advisory status in this school, especially with respect to methodological approaches in education, the development of curricula for German language instruction and the selection of teachers. Building upon the experience of *Avrupa Koleji – Europa Kolleg*, a similar school was opened in Izmir by the local branch office of *Die Brücke* in September 2001.

Another, albeit less spectacular, achievement of *Die Brücke* was achieved with regard to citizenship, already briefly mentioned above. While on the one hand Turkish laws have determined the

situation of German migrants, German laws on the other did not allow these migrants to adopt a second – that is to say Turkish – citizenship and have equally restricted it. *Die Brücke's* lobbying efforts produced some results towards improving this situation in 2000. Prior to that date, the adoption of a second citizenship resulted in most cases in the loss of German citizenship for German citizens living abroad (this did not apply to their children).⁴² In the autumn of 1993 *Die Brücke* started a petitioning campaign for dual citizenship. In 1994 a petition was handed over to the German *Bundestag* in Bonn demanding dual citizenship for German women living in Turkey. This led to an enquiry by the oppositional Social Democrat Party (*Kleine Anfrage der SPD*) of the coalition government of CDU/CSU and FDP in 1995. Intensive lobbying continued, including talks with the former Vice-President of the German *Bundestag*, Dr. Burckhard Hirsch, and later with several Members of Parliament of the Green and Social Democrat Parties.

The coalition government of Social Democrats and Greens of 1998 introduced a new law on citizenship, which came into effect in January 2000. A new stipulation regarding permission to maintain German citizenship while adopting a new one was introduced specifically as a result of the lobbying efforts of *Die Brücke*. The law explicitly refers to German “women living in

Muslim countries”. *Die Brücke* was not quite happy with this formulation, as Turkey is a secular country and this formulation reflects the usual bias. Parallel to lobbying German lawmakers, *Die Brücke* also intensified its efforts to bring about changes in the *Turkish Law on Foreigners*, which did not yield immediate results.

Conclusions

The situation of German citizens in Turkey outlined above presents only a small fragment of their social life-worlds, which is often characterized by its transnational character. Depending on the individuality of these migrants' life-worlds, participation strategies are shaped. The most engaged form of lobbying for an improved legal situation can be observed within group 2 – spouses of Turkish citizens. The association *Die Brücke* has been evaluated at length and it has been found that its main agenda – and at the same time its motivation for action and activities – was born out of the restrictive legal space to which German migrants had been confined in Turkey. This legal space, on the other hand, is a transnational space in itself, determined as it is by Turkish laws (residence, access to labour market, citizenship) and by German laws (citizenship). In this context, another dimension has become increasingly important, i.e., the European dimension. During its negotiations for

full EU-membership, Turkey has started to place increasing emphasis on adopting the EU's *acquis communautaire* (i.e., the whole set of common norms, values, rules and procedures applied throughout the EU).⁴³ Repeatedly, the need for reform in order to comply with the EU *acquis* has been outlined in the European Commission's annual progress reports on Turkey with respect to the application of the Association Agreement between Turkey and the European Community of 1963 (commonly known as the Ankara Agreement), and subsequent decisions by the Association Council.⁴⁴

In Turkey, throughout the reform process of the new century, a new discussion has started centring on the different sets of rights for citizens (civil, political, social, cultural and economic). Next to the importance and dynamics of the domestic debates, this can also in part be attributed to the dynamics during the EU membership negotiation process, although – as is commonly acknowledged – the EU's leverage has been considerably lessened since 2008/09.

Due to the acknowledgement that Turkey has *de facto* become a country of immigration, three modifications had already been made in 1998 to the Law on Foreigners, facilitating the issue of residence permits. Despite the reform of the Settlement Law, it is still not possible for a migrant without "Turkic roots" to obtain unlimited residence in Turkey

and thereby achieve *denizen* status. Under certain circumstances, however, unlimited work permits can be issued. Restrictions on the access of foreigners to the Turkish labour market are also slowly being eliminated.

Lobbying activities to improve the legal situation of migrants as carried out by *Die Brücke* take place predominantly in Turkey, but also to a minor degree in Germany. This is true of political lobbying work in Ankara and Berlin, as well as interviews and contributions on radio and television programmes both in Turkey and Germany.⁴⁵ Cultural activities, on the other hand, take place almost exclusively in Turkey, yet sometimes with participants from Germany who are invited to Turkey especially for that purpose. As outlined above, activities cover all aspects of life, including education, religion, politics, economics and law. The spatial compression of time has gradually intensified, both in terms of volume and speed of transactions due to the forces of globalisation, including increased and faster travel, as well as the increased speed with which information can be distributed through the internet. This is manifested in increased communication among members of the community, as well as by the appearance of *Die Brücke's* website.

As for transnational linkage patterns, German citizens in Turkey have built up dense information structures. *Die Brücke*

alone has a widespread network of contact partners all over Turkey, as well as in Germany. The same actually holds true for the German-speaking Protestant and Catholic religious communities in Turkey, which are co-operating closely with each other on an ecumenical basis to reach as many members of their congregations as possible. They achieve this through newsletters, internet sites, telephone hotlines and, more traditionally, by

organised visits to more remote parts of Turkey. All this presents efficient organisation and an increasing degree of institutionalisation. Yet it can also be observed that *Die*

Brücke in its original form has a limited lifespan, as a generational change is taking place among first-time migrants in Turkey, and information structures and participation strategies are subject to change that will become more pronounced in the future.

A prominent example of the impact of transnational ties is the effect of lobbying on citizenship outlined above.

Die Brücke has in fact brought about a change in, or rather an addendum to, the new German citizenship law, facilitating access to formal membership in Turkey for German citizens. Another important area of influence is the educational sector. Here a factual synthesis of the German and Turkish educational systems and philosophies had been attempted. In fact, the *Avrupa Koleji – Europa Kolleg* was a genuinely transnational idea. It

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sought to adapt the German integration model in the field of education to the Turkish experience. The *Avrupa Koleji – Europa Kolleg* itself is modelled and named after a group of German schools

bearing the same name and educational philosophy in Kassel and Berlin. In fact, a partnership was established with the *Europa-Kolleg* in Kassel. It is to be noted with interest that, as with the legal space, the German-Turkish transnational space is enlarged by the notion of “Europe”. This demonstrates Turkey’s and Germany’s Europeanization as well as the Europeanization of the Turkish-German transnational space.

Endnotes

- 1 Bianca Kaiser et als., "The Concept of Free Movement of Persons and Turkey's Full Membership in the European Union", in *Final Project Report for the Research Fund of Marmara University*, Marmara University, Istanbul, Project No. 2000/SOB-5., 2001.
- 2 Bianca Kaiser, "Social Life-Worlds of German Migrants in Turkey: The 'Other Side' of the Turkish-German Transnational Space", in Thomas Faist and Eyüp Özveren (eds.), *Transnational Social Spaces: Agents, Networks and Institutions*, Avebury, London, Ashgate, 2004, pp. 91-110.
- 3 See also, Bianca Kaiser and Ahmet İçduygu, "EU-StaatsbürgerInnen in der Türkei", in Barbara Pusch and Uğur Tekin (eds.), *Migration und Türkei: Neue Bewegungen am Rande der Europäischen Union*, Würzburg, Ergon Verlag, 2011, pp. 171-88.
- 4 See for instance: Marcel Erlin角度 et als., "Deutschland ein Auswanderungsland?", in Wochenbericht des DIW Berlin Nr. 39/2009, at http://www.diw.de/documents/publikationen/73/diw_01.c.340726.de/09-39-3.pdf [last visited on 11 November 2011].
- 5 "Turkish-German Marriages on the Rise", *Turkish Daily News*, 28 February 2002; It must be taken into account, however, that this figure does not even yet include Turkish-German marriages made outside Germany.
- 6 Daniel Bax, "Schweigen ist Gold", at <http://www.taz.de/1/archiv/archiv/?dig=2007/03/19/a0119> [last visited on 21 May 2012].
- 7 See Anne Dietrich, *Deutschsein in Istanbul*, Berlin, Leske und Buderich, 1987; Nedret Kuran-Burçođlu, "Historischer Überblick über die kulturellen Beziehungen zwischen der Türkei und Deutschland", in Hagen Lichtenberg, Muzaffer Dartan and Ali Eliş (eds.), *Das Deutsch-Türkische Verhältnis: Auswirkungen auf den Beitrittsprozeß der Türkei zur Europäischen Union*, Jean Monnet Lehrstuhl für Europarecht, University of Bremen, 2002, pp. 239-88.
- 8 See Harun Gümrükçü, "EU-Bürger in der Türkei: Die noch ausstehende Auseinandersetzung um ihren Assoziationsstatus", in Harun Gümrükçü, Ursula Neumann and Wolf-Rüdiger Felsch (eds.), *ITES-Jahrbuch 1997-1998: Bikulturalität – staatliches Handeln – Mensch*, Schriften des Instituts für Türkisch-Europäische Studien, Vol. 7 (1997), pp. 87-118; Suzan Erbaş, "EU-Bürger in der Türkei: Stand und Perspektiven – Unter besonderer Berücksichtigung der Situation der deutschen Staatsbürger", in Harun Gümrükçü et al. (eds.), *ITES-Jahrbuch 1997-1998*, pp. 119-134; Gülören Tekinalp, "Aspekte des Niederlassungs- und Dienstleistungsverkehrs", in Hagen Lichtenberg et al. (eds.), *Das Deutsch-Türkische Verhältnis*, pp. 129-44.
- 9 USAK (International Strategic Research Organization), *Yerleşik Yabancıların Türk Toplumuna Entegrasyonu*, USAK Report No. 08-04 (with the support of TÜBİTAK), September 2008.
- 10 The findings of this part are based on a series of semi-structured interviews conducted for an earlier study in Kaiser et als., "The Concept of Free Movement of Persons an Turkey's Full Membership in the European Union". For a detailed list of interview partners see Erlin角度

- et als., “Deutschland ein Auswanderungsland?”, p. 47; Interview partners included representatives from groups 1-5 on pp.106-107 of this article.
- 11 This classification is a modified and expanded version of Suzan Erbaş’ classification. For a very good overview of different life-worlds of German women in Turkey see the catalogue of the Turkish-German bi-lingual exhibition, *Berlin – Istanbul: Erinnerungen an eine neue Heimat* by KulturForum TürkeiDeutschland (ed.), within the framework of the Ernst-Reuter Initiative (a Turkish-German governmental intercultural initiative for dialogue and understanding).
 - 12 Interview with the Head of the Foreigners’ Department at the Headquarters of the Turkish National Security Forces (*Emniyet Genel Müdürlüğü*) in Istanbul on 23 November 2001.
 - 13 For an updated view of this group see Ayhan Kaya and Fikret Adaman, “The Impact of Turkish-Origin Returnees/Transmigrants on Turkish Society”, in Şeyda Ozil, et al. (eds.), *50 Jahre türkische Arbeitsmigration in Deutschland*, V&R unipress, 2011, pp. 37-58; Daniela Ehram, *The Transnational Social Space between/beyond Turkey and Germany – Everyday-Lives of Turkish ‘Re-Migrants’*, unpublished MA Thesis, Double Degree Master Program in European Studies, European University Viadrina Frankfurt Oder and Istanbul Bilgi University, 2011.
 - 14 One of the main symbols of this immigration group is the foundation of the German society *Teutonia* in 1847 in Istanbul, which continues to exist today. In 1897 the society moved to a building that is still called *Teutonia* today and which celebrated its 155th anniversary in November 2002 in its newly renovated facilities. The building continues to serve cultural exchange activities, mainly by the *Goethe Institute*.
 - 15 See Fritz Neumark, *Boğaziçi’ne Sığınanlar: Türkiye’ye İltica Eden Alman Bilim, Siyaset ve Sanat Adamları 1933-1953*, Istanbul, Neden Kitap, 2008.
 - 16 For more information see the new website for foreigners constructed by the Turkish Ministry of the Interior, at <http://www.egm.gov.tr/yabancilar/birincisf.htm> [last visited 7 January 2012].
 - 17 For further information on acquisition of property, inheritance rights, burial etc. see, Bianca Kaiser et al., “The Concept of Free Movement of Persons and Turkey’s Full Membership in the European Union”.
 - 18 Turkish citizens are usually required to relinquish their Turkish citizenship when they adopt German citizenship. ‘Blue cards’ (formerly ‘pink cards’) are a form of compensation for this group, abolishing restrictions for them which apply to other foreigners in Turkey. These include work and residence permits, inheritance rights, acquisition of property rights etc.
 - 19 For more details see the official website of the Foreigners’ Office in Istanbul, at <http://yabancilar.iem.gov.tr/> [last visited 1 January 2012].
 - 20 For comparison: around the same time, administrative fees for residence permits in Germany amounted to DM 80,- for the first permit, DM 40,- for each renewal, and around DM 100,- for an unlimited residence permit.

- 21 For further information on this issue, see Tekinalp, "Aspekte des Niederlassungs- und Dienstleistungsverkehrs".
- 22 See law no. 4817 on the Work Permit for Foreigners (*Yabancıların Çalışma İzinleri Hakkında Kanun*) of 27 February 2003, at <http://www.mevzuat.gov.tr/Metin.Aspx?MevzuatKod=1.5.4.817&MevzuatIliski=0&sourceXmlSearch=> [last visited 10 January 2012].
- 23 Interview with Can Ünver, Director-General, Turkish Labour and Social Affairs Ministry, 6 September 2002.
- 24 For details, see the draft law by the Labour and Social Security Ministry (T.C. Çalışma ve Sosyal Güvenlik Bakanlığı, 2001, pp. 1-16). For an evaluation of the situation of foreigners in Turkey by the Labour and Social Security Ministry see, T.C. Çalışma ve Sosyal Güvenlik Bakanlığı, 2002, pp. 37-38.
- 25 See all key documents and progress reports for Turkey on the European Commission's official website, at http://ec.europa.eu/enlargement/candidate-countries/turkey/key_documents_en.htm [last visited 20 December 2011].
- 26 As outlined in an interview by Prof.Dr. Aslan Gündüz, Professor of International Law at Istanbul Kültür University and former Director of the European Union Institute at Marmara University, on 5 October 2003.
- 27 Dr. Mehmet Köksal, a former long-standing board member and legal advisor of *Die Brücke* and trusted lawyer of the German Consulate Germany in Istanbul, was the legal representative for this case.
- 28 Recently, due to health care shortages, there have been reported efforts to liberalize the access to the labour market for foreign doctors, especially those from the Turkic Republics who have obtained their medical degrees in Turkey.
- 29 See the Regular Progress Reports on Turkey by the European Commission as quoted above.
- 30 Thomas Hammar, "Democracy and the Nation State: Aliens, Denizens and Citizens in a World of International Migration", Aldershot, Avebury, 1990.
- 31 See the reformed Law No. 5543 on Settlement (*İskan Kanunu*) of 26 September 2006, at http://www.nvi.gov.tr/Files/File/Mevzuat/Nufus_Mevzuati/Kanun/pdf/IskanKanunu.pdf [last visited 17 December 2011].
- 32 See the reformed Law No. 5901 on Turkish Citizenship (*Türk Vatandaşlığı Kanunu*) of 29 May 2009, at http://www.nvi.gov.tr/Files/File/Mevzuat/Nufus_Mevzuati/Kanun/pdf/turk_vatandasligi_kanunu.pdf [last visited on 15 December 2011]; see also Rona Aybay, *Yurttaşlık Hukuku*, Aybay Hukuk Araştırmaları Vakfı, Istanbul, 1991, pp. 35-48.
- 33 See also Bianca Kaiser, "German Migrants in Turkey: The 'Other Side' of the Turkish-German Transnational Space", in Thomas Faist and Eyüp Özveren (eds.), *Transnational Social Spaces*, Aldershot, Ashgate, 2004, pp. 91-110.
- 34 The former pastor of the Protestant parish in Istanbul, Holger Neumann, has been awarded the German *Bundesverdienstkreuz* (Federal Cross of Merit) by the German President in October 2011. The parish continues to enjoy high publicity through the German state TV

- channel ZDF's decision to broadcast its Sunday service on 15 January 2012, as reported by NA Presseportal, at <http://www.presseportal.de/pm/7840/2178772/zdf-uebertraegt-evangelischen-gottesdienst-aus-istanbul-situation-der-christen-in-der-tuerkei-thema> [last visited 11 January 2012].
- 35 For more information see the official website of *Die Brücke*, at <http://www.bruecke-Istanbul.org> [last visited 01 December 2011].
- 36 *Dernek* means "association" or "*eingetragener Verein – e.V.*".
- 37 See the official website at <http://www.netzwerk-tuerkei.org/netzwerk-turkei> [last visited 05 January 2012].
- 38 See the official website, at <http://www.alanya.bel.tr/translationen/actual.asp?fID=1949> [last visited 06 January 2012].
- 39 Detailed information on *Die Brücke* can be obtained from <http://www.bruecke-istanbul.org/> [last visited 9 May 2012].
- 40 Several interviews were conducted with Uschi Akin during the years 2000 and 2001 in the initial stage of the author's research on German and EU migrants in Turkey.
- 41 Kaiser et als., "The Concept of Free Movement of Persons and Turkey's Full Membership in the European Union"; *Ibid.*
- 42 The option of obtaining a special permission for obtaining a second citizenship was available at that time already. Yet, lengthy administrative procedures were discouraging, and results were mostly negative.
- 43 One indication is the above-mentioned court decision on banning foreign pre-school teachers from Turkish institutions. In its decision, the court has for the first time recognized the European Agreement on Settlement as part of Turkish national law. Turkey had ratified the Agreement in 1989.
- 44 Notably decision 2/76 of 20 December 1976 (esp. Arts. 2 and 3); decision 1/80 of 19 September 1980 (esp. Art. 6); decision 3/80 of September 1980 (esp. Art. 4). The full text of all is reprinted in Bülent Çiçekli, *The Legal Position of Turkish Immigrants in the European Union*, Ankara, Karmap, 1998. For further evaluation see also Harun Gümrukçü, "EU-Bürger in der Türkei: Die noch ausstehende Auseinandersetzung um ihren Assoziationsstatus".
- 45 An example of the transnational nature of these activities is my own contribution on that subject in a TV program (*Çözüme Doğru*) on 14 April 2001, with Turkish and German participants of a conference on Turkish-German relations held in Istanbul on 11-13 April 2001. *TRT International* broadcasted the TV program both in Turkey and Germany. The *Goethe Institute* in Istanbul provided for simultaneous translation facilities during the course of the program.