

CITIZENSHIP AMBIGUITY IN UNRECOGNIZED STATES:
THE CASE OF THE TURKISH REPUBLIC OF NORTHERN CYPRUS

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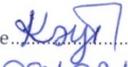
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ABSTRACT

Citizenship Ambiguity in Unrecognized States:

The Case of the Turkish Republic of Northern Cyprus

The Turkish Republic of Northern Cyprus (the TRNC) has received a significant number of Turkish migrants after Turkey's military intervention to Cyprus in 1974. However, academic research, so far, is unable to explain why some Turkish migrants try to acquire the citizenship of the TRNC, and with what kind of experiences these migrants encounter during citizenship application. The thesis seeks to fill this academic void by explaining the citizenship trajectory of Turkish migrants in northern Cyprus. Despite being an unrecognized state at the international level, the thesis argues that the citizenship status of the TRNC means a lot to Turkish migrants with the privileges and rights it offers at the domestic level. In addition, contrary to the widespread belief, Turkish migrants' access to TRNC citizenship is not taken for granted. The citizenship regime of the TRNC is an ambiguous legal procedure in which Turkish Cypriot authorities employ different citizenship acquisition methods in order to delay and hinder the citizenship acquisition of some people while prioritizing others' access to citizenship. The thesis will unpack the citizenship acquisition process in northern Cyprus by explaining the legal citizenship regime as well as elaborating on the experiences of Turkish migrants on the island.

ÖZET

Tanınmayan Devletlerde Vatandaşlığın Muğlaklığı:

Kuzey Kıbrıs Türk Cumhuriyeti Örneği

Kuzey Kıbrıs Türk Cumhuriyeti (KKTC), Türkiye'nin 1974'te Kıbrıs'a askeri müdahalesinden sonra önemli sayıda Türkiyeli göçmen kabul etmiştir. Ancak, bugüne kadar yapılan araştırmalar, Türkiyeli göçmenlerin neden KKTC'nin vatandaşlığını kazanmaya çabaladığını ve bu göçmenlerin vatandaşlık başvurusu sırasında ne tür deneyimlerle karşılaştıklarını açıklayamamaktadır. Bu tez, Kuzey Kıbrıs'taki Türkiyeli göçmenlerin vatandaşlık yolculuğunu açıklayarak akademik literatürdeki bu boşluğu doldurmayı amaçlamaktadır. Uluslararası düzeyde tanınmayan bir devlet olmasına rağmen, bu tez, KKTC vatandaşlığının yerel düzeyde sunduğu ayrıcalık ve haklarla Türkiyeli göçmenlere çok şey ifade ettiğini savunuyor. Ayrıca, yaygın inanın aksine, Türkiyeli göçmenlerin KKTC vatandaşlığına erişimleri kolay bir süreç değildir. KKTC vatandaşlık rejimi yarattığı muğlak hukuki alt yapı, Kıbrıslı Türk makamlarına vatandaşlık kazanımlarını ertelemek ve engellemek ve aynı zamanda bazı vatandaşlık başvurularını hızlandırmak gibi geniş bir takdir yetkisi sunmaktadır. Bu tez, KKTC vatandaşlık rejimini açıklayarak ve aynı zamanda Türkiyeli göçmenlerin bu konudaki deneyimlerini inceleyerek Kuzey Kıbrıs'ta var olan vatandaşlık kazanma süreçlerini açığa çıkarmayı hedefliyor.

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TABLE OF CONTENTS

CHAPTER 1: INTRODUCTION	1
1.1 Introduction	1
1.2 Methodology	5
1.3 Organization of the thesis.....	11
CHAPTER 2: LITERATURE REVIEW	13
2.1 Discussion on the meaning of citizenship: Does citizenship still matter?	14
2.2 Citizenship regimes in different contexts.....	20
2.3 Citizenship acquisition after birth	26
CHAPTER 3: HISTORICAL BACKGROUND	32
3.1 Brief history of the Cyprus Conflict until 1974	33
3.2. History of migration to northern Cyprus after 1974	37
3.3. The literature on the migration to northern Cyprus	44
CHAPTER 4: CITIZENSHIP REGIME OF THE TRNC	52
4.1 Motivations to acquire TRNC citizenship.....	53
4.2. Citizenship acquisition in northern Cyprus after 1974	62
4.3. Citizenship acquisition with ordinary naturalization	67
4.4. Citizenship acquisition with facilitated naturalization	72
CHAPTER 5: DISCUSSION	78
5.1 The meaning of citizenship in the unrecognized TRNC	78
5.2 The role of discretion in the Turkish Cypriot citizenship regime	84

5.3 The absence of left mobilization for a rights-based citizenship regime.....	90
CHAPTER 6: CONCLUSION.....	95
APPENDIX A: LIST OF INTERVIEWS	100
APPENDIX B: INTERVIEW QUESTIONS FOR TURKISH MIGRANTS.....	101
APPENDIX C: APPROVAL OF THE ETHICS COMMITTEE	104
APPENDIX D: LONG TRANSLATED QUOTES.....	105
REFERENCES.....	109

ABBREVIATIONS

CTP	Republican Turkish Party (<i>Cumhuriyetçi Türk Partisi</i>)
EOKA	National Organization of Cypriot Fighters (<i>Ethniki Organosis Kyprion Agoniston</i>)
EU	European Union
ITEM	Law for Housing, Allocation of Land, and Property of Equal Value (<i>İskan, Topraklandırma ve Eşdeğer Mal Yasası</i>)
MFA	Ministry of Foreign Affairs
MP	Member of Parliament
PASOK	Panhellenic Socialist Movement (<i>Panhellinion Sosialistiku Kinema</i>)
RoC	Republic of Cyprus
TMT	Turkish Resistance Organization (<i>Türk Mukavemet Teşkilatı</i>)
TRNC	Turkish Republic of Northern Cyprus
UBP	National Unity Party (<i>Ulusal Birlik Partisi</i>)

CHAPTER 1

INTRODUCTION

1.1 Introduction

After Turkey's military intervention¹ in 1974, Cyprus was geographically and politically divided into two ethnically homogenous entities. Since then, in the South, Greek Cypriots have been solely controlling the Republic of Cyprus (the RoC hereafter), which had been founded in 1960 as a multi-ethnic country of Greek and Turkish Cypriots. The RoC has been the only "legal" state on the island that has been internationally recognized and eventually became a member of the European Union in 2004. In the North, the Turkish Republic of Northern Cyprus (the TRNC hereafter) has been claiming sovereignty over the northern part of the island, but with the exception of Turkey no other state recognizes the TRNC. In contrast to the RoC, as a result of its unrecognized status, the statehood of the TRNC has been defined with the words such as "illegal", "pseudo", and "pirate" (Navaro, 2012).

Since 1974, the northern part of Cyprus has received a significant number of migrants, mostly from Turkey. The movement of Turkish migrants until 1981 had been encouraged and facilitated by both Turkish and Turkish Cypriot authorities in order to boost the number, and therefore the ratio, of "Turkish" people on the island (Bryant & Hatay, 2020). It was expected that this increase would have strengthened the hand of Turkish Cypriots during the imminent negotiations with Greek Cypriots

¹ I preferred using "intervention" instead of "invasion" to describe the military action of Turkey in 1974. It is not for taking an oblivious stance on the military action of Turkey and its long-lasting presence on the island. Instead, using the word "invasion" to describe the northern Cyprus politics overlooks the agency of Turkish Cypriot policymakers in any policy field and makes them passive actors of Turkey's political desires. So, I used the word "intervention" in this thesis because the focus of this thesis is not Turkey's impact on Cyprus, but the northern Cyprus politics itself.

(Bryant & Hatay, 2020). However, Greek Cypriots and international authorities considered these migrants as “settlers” who took part in the colonization of northern Cyprus by Turkey and criticized Turkish Cypriot authorities on that ground (Ioannides, 1991). From 1974 until 1981, Turkish migrants received the houses and properties left behind by Greek Cypriots, and, in the same period, 21,851 Turkish migrants were granted with TRNC citizenship (Hatay, 2017). The process of encouraged and facilitated migration came to an end in the early 1980s, but labeling all Turkish migrants, even those who have migrated after this period, as “settlers” is still valid in the literature (Ioannides, 1991; Vural, Ekenoğlu, & Sonan, 2015).

The thesis seeks to understand and interpret the citizenship trajectory of Turkish migrants who moved to and settled down in the “unrecognized” TRNC after the facilitated and encouraged migration ended. Unlike the population movement of Turkish citizens in the late 1970s and early 1980s, Turkish migrants, after this process, did not receive Greek properties once they arrived the island, they did not benefit from financial support from Turkish or Turkish Cypriot authorities, they were not granted TRNC citizenship upon arrival, and they migrated to the island on an individual basis (Kurtuluş & Purkis, 2014). However, academic scrutiny overlooks how these Turkish migrants acquire TRNC citizenship after this process, and see their access to citizenship as an easy procedure (Krasniqi, 2019). Some research only offers survey-based explanations of migrants’ motivations without looking into the process of citizenship acquisition (Kurtuluş & Purkis, 2014; Çolak, 2013). In this thesis, I will draw a complete picture of the reasons triggering Turkish migrants to apply for TRNC citizenship as well as the process of citizenship acquisition. This whole process is defined with the concept of citizenship regime which shortly includes and refers to “institutionalized systems of formal and informal norms that

define access to membership, as well as rights and duties associated with membership, within a polity” (Vink, 2017, p. 222).

Understanding the dynamics within the citizenship regime of the “unrecognized” TRNC is important for several reasons: First of all, it will enable us to understand the reasons why Turkish migrants try to gain citizenship of an unrecognized state. The passport of the TRNC, because of its unrecognized status, means almost nothing at the international level. Therefore, I turned my scope to the rights and privileges attached to TRNC citizenship at the domestic level to understand the motivations of Turkish migrants. I constructed my first research question on that ground by asking the following: What kind of different rights and privileges does TRNC citizenship offer to its citizens in comparison to noncitizens? With this question, I aim to understand the rights and privileges attached to the citizenship of the TRNC that Turkish migrants cannot benefit from without being a citizen.

Secondly, explaining the citizenship regime of the “unrecognized” TRNC would be a contribution to the citizenship literature on contested and unrecognized entities that generally overlooks what being a citizen of an unrecognized entity could bring at the domestic level and how foreigners acquire the citizenship of these entities. Instead, the literature focuses on the implications of citizenship at the international level. For example, Artman (2013) and Popescu (2006) focus on how Russia through distributing its passports in the contested spaces, such as Abkhazia, South Ossetia, and Moldova, try to legitimize and extend its power and then claim sovereignty over these spaces. Similarly, the relations between China and Taiwan could be another example of this debate. Since these countries do not recognize each other, instead of passports, these countries issue different legal papers for travelers in

order to eschew stamping the other's passports and thus recognizing the other's independence (Friedman, 2017). A more recent study looks at how the level of sovereignty affects the citizenship rights in the contested states such as Kosovo and the TRNC, yet overlooking the differences in the rights and privileges between citizens and noncitizens as well as how aliens acquire citizenship in these polities (Krasniqi, 2019).

To fill the void in the academic literature, this thesis will give particular attention to the citizenship acquisition process, including the different naturalization methods as well as requirements and criteria for the citizenship application in northern Cyprus. It, therefore, poses the following question: What type of a citizenship regime does the TRNC offer to noncitizens who seek to acquire its citizenship? Since answering this question with the citizenship literature on contested states is almost impossible, the thesis will emphasize the citizenship literature on sovereign states to explicate and discuss the TRNC citizenship regime. The literature on sovereign states will facilitate the discussion of why the TRNC lacks a rights-based citizenship regime, as well as the role of discretion in granting citizenship. The thesis argues that Turkish Cypriot authorities accelerate the citizenship applications of some people with facilitated naturalization methods despite the fact that these people do not show the intent to live in northern Cyprus. To the contrary, migrants who have already moved to northern Cyprus should fulfill exhaustive criteria and struggle with unwritten rules to become a citizen. To explain the discrepancy in different naturalization methods, the thesis will focus on the role of discretion in granting citizenship as well as the perspective of the political parties on the citizenship acquisition of migrants. The political right employs discretionary practices and prioritizes personal networks in granting citizenship with facilitated

naturalization, overlooking the ordinary naturalization process. On the other hand, the political left is less likely to use discretionary practices of facilitated naturalization in granting citizenship, but ignoring to push a more programmatic framework for ordinary naturalization which is the basis of a rights-based citizenship regime. The thesis argues that the TRNC has two different naturalization methods; one of which, namely facilitated naturalization, sets ambiguous conditions and facilitates the citizenship acquisition of some people in close relations with policymakers, whereas the latter of which, namely ordinary naturalization, includes some elements that delay and hinder the citizenship acquisition of migrants by setting exhaustive conditions and creating unwritten rules.

1.2 Methodology

The thesis is based on a qualitative study in which I used both semi-structured interviews and document research. I did not employ other research methods such as quantitative study or qualitative comparative analysis (QCA) for several reasons: firstly, the data on the acquisition of TRNC citizenship has some shortcomings to draw a quantitative analysis. The official newspaper of the TRNC publishes the data of granted citizenship which is a reliable source at least since 2004. However, the data only gives information about the names, place, and date of birth of the applicants who successfully acquired TRNC citizenship. It says nothing about those whose citizenship applications were rejected. Without data on rejected citizenship applications, it is impossible to make a statistical analysis because it lacks a control group to make and test hypotheses.

Secondly, survey could be another method to understand why Turkish migrants try to get TRNC citizenship. However, survey method does not fit with my

research on some grounds. With survey, I would not have had the opportunity to listen to the individual experiences of interviewees. During the fieldwork, I have learned so many things from respondents that I could not grasp with conducting survey-based fieldwork. In addition, conducting surveys is a costly process for both economically and timely. Thirdly, since the thesis relies on a case study and tries to understand and interpret the citizenship regime of the TRNC, it did not use qualitative comparative analysis which is more suitable for comparison of cases (Schneider & Wagemann, 2012). For these reasons, I employed semi-structured interviews and document research.

1.2.1 Semi-structured interviews and the sample of interviewees

Beth Leech (2002) argues the types of interview methods that the researcher will apply in his/her fieldwork should be in accordance with his/her knowledge on the topic that s/he works on. If the researcher does not have sufficient knowledge of his/her research area, unstructured interviews with open-ended questions would be appropriate for research and generate more insights about the topic. On the contrary, if the researcher knows his/her research topic in detail and just wants to hear “very specific answers to very specific questions” (Leech, 2002, p. 665), then structured interviews with closed-ended questions will fit his/her research. Besides, she also talks about “a middle ground” for interviews in which the researcher has prior knowledge of the topic and asks “open-ended questions” with semi-structured interviews (Leech, 2002, p. 665). I think that applying semi-structured interviews would best fit my research topic because I have prior knowledge of the topic. However, this knowledge is restricted to the legal documents and a few academic publications so far on this topic. Semi-structured interviews best fit my research for

two reasons. Firstly, I could channel the direction of interviews with the questions I asked to interviewees; secondly, I also could listen to their individual experiences and observations on this topic with open-ended questions of semi-structured interviews.

During the fieldwork, I have conducted 12 semi-structured interviews.² Out of these 12 interviews, ten interviewees experienced a process of citizenship acquisition in northern Cyprus irrelevant from whether the process is successfully ended or not. Four interviewees acquired TRNC citizenship with ordinary naturalization (Interviews 1, 4, 8, 11). Two interviewees gained citizenship with facilitated naturalization (Interviews 7, 12). Two interviewees acquired TRNC citizenship through marriage, or so to say with assisted naturalization (Interviews 2, 10). Two interviewees could not naturalize because of several reasons (Interviews 3, 5). In these ten interviews, two respondents are heads of hometown associations (*hemşehri dernekleri* in Turkish) (Interviews 7, 10). Besides, I conducted two elite interviews (Interviews 6, 9). Elite interviews gave so many insights about the topic. For example, one of these elite-interviewees works as an accountant (Interview 6). Accountants in northern Cyprus are responsible for preparing the documents for the work permits of foreigners and have wide knowledge about the social security system of the TRNC. Therefore, Interview 6 enabled me to develop my knowledge about the work permit process as well as the social security system of the TRNC. The work permit process is also important because it is the starting point of the citizenship acquisition process with ordinary naturalization which is solely based on the work permits of the applicants. Another elite interview conducted with a political

² Appendix A presents information about the interviewees.

activist improved my knowledge on the position of the political left on the debates of Turkish migrants.

Before starting the fieldwork, I have prepared two different sets of interview questions; one set was prepared for migrants who experienced citizenship acquisition process, the other set was prepared for elite-interviews.³ The interview questions and aim of the research were reviewed and approved by the Ethics Committee for Master and Ph.D. Theses in Social Sciences and Humanities of Boğaziçi University in December 2019.⁴ To ensure the anonymity of interviewees, I will identify them with numbers rather than using their real names or naming them differently. My sample of interviewees is not randomly chosen, but I tried to construct a more representative sample as much as possible and therefore avoided conducting interviews with similar people who experienced a similar process of citizenship acquisition. I, therefore, tried to talk to different people with diverse socio-economic backgrounds who have undergone distinct experiences of the citizenship acquisition process in northern Cyprus. One of the important weaknesses of the sample is the underrepresentation of women. Only one of the interviewees was a woman. The main reason behind this was that I used coffee houses and hometown associations to find interviewees where the number of women was low.

1.2.2 Document research

Another angle of the data collection process was the document research of legal texts. To this end, I have meticulously read all laws and codes related to the citizenship issue, residence and work permits, and social security system. First of all, I read the citizenship laws and codes, starting with the 1975 Citizenship Law (no. 3)

³ The interview questions, both in Turkish and English, can be found in Appendix B.

⁴ The approval document of the Ethics Committee can be found in Appendix C.

of northern Cyprus. Then, I looked at the Constitution of the TRNC, which also mentions the citizenship and its acquisition process. Then, I read the 1993 Citizenship Law (no. 25) and its Codes, which are detailed legal documents and still in force. In addition, I also read other legal documents: For example, Law for Housing, Allocation of Land, and Property of Equal Value (ITEM Law) (no. 41) gives insights about the distribution of Greek properties after the 1974 intervention. I also looked at Law and Code on Work Permit for Foreigners (no. 63; no. 140) as well as Law on Foreigners and Immigration (no. 44), which state the conditions of recruiting foreign workers, work and residence permits in northern Cyprus. The different treatment for citizens and noncitizens within the Social Security System is another angle of the research for which I used Social Security Law (no. 73).

I methodically read the official newspaper of the TRNC, which publishes the exact text of the decisions of the council of ministers. I collected the decisions related to citizenship acquisition from two different sources: one is the online website of the official newspaper,⁵ which covers the period from 2018 until nowadays; the second source is the website of the council of ministers,⁶ which covers all decisions since 2004. I used some Turkish words, such as citizenship (*yurttaşlık* and *vatandaşlık* in Turkish) and exceptional (*istisnai* in Turkish), while searching in these websites to find out relevant decisions.

1.2.3 Notes on the fieldwork

I carried out my fieldwork in December 2019 in Nicosia. The reason why I chose Nicosia as the basis of my fieldwork was that, first of all, Nicosia is the most populated city of the TRNC. Secondly, some scholars argue that most of the

⁵ The website of the official newspaper of the TRNC: <http://basimevi.gov.ct.tr/>

⁶ The website of the council of ministers of the TRNC: <http://bkkararlari.gov.ct.tr/>

migrants who moved to northern Cyprus after the 1980s were settled in Nicosia (Kurtuluş & Purkis, 2014; Navaro, 2012). In Nicosia, I was planning to focus on hometown associations founded by Turkish migrants because I hoped that these associations would help me get in touch with Turkish migrants, as the agents of citizenship acquisition. I also expected that heads of these associations would share their knowledge on the citizenship acquisition because I think that their relations with policy-makers and policy-making process would help the data collection process. So, before I went to the island, I made a list of these associations including their addresses, phone numbers, and chairpersons. However, in the first two days of the fieldwork, I could not find anybody to talk to in these associations: when I went to their addresses, these associations were either empty or closed.

As a result, I employed two different strategies to get in contact with Turkish migrants: Firstly, I used Facebook to reach the heads of associations. Facebook may be the most popular website on the island; even politicians criticize each other and discuss politics on Facebook. Thanks to Facebook, I could reach two heads of hometown associations, I sent a message to one of them, I found the work address of another one and went to his office without an appointment. These two people kindly accepted my requests so I could conduct interviews with them. Secondly, Turkish migrants overwhelmingly live in certain areas of Nicosia, more particularly within the walled city (Navaro, 2012). I took several walks in this area in order to find some coffee houses (*kıraathane* in Turkish) where Turkish migrants spent their leisure time. I was lucky that I found two coffee houses; one of these was composed of Turkish migrants from Gaziantep (a city in the southeastern part of Turkey), and the second coffee house was a place where Turkish migrants from Hatay (a city in the eastern Mediterranean part of Turkey) spent their times. I just showed up in these

coffee houses, introduced myself, and explained what my thesis is about. The people in these coffee houses were keen to talk about their experiences about the citizenship regime of the TRNC.

My overall observation for the fieldwork is that almost every interviewee gave frank and honest responses to my questions. Before the fieldwork, I was suspicious about the interviews with those who acquired TRNC citizenship with facilitated naturalization because the public opinion, including Turkish Cypriots and migrants, sees this naturalization method as a corrupted process. However, even from them, I received candid answers about their citizenship acquisition processes. The reason behind these frank answers may be the relatively serene political environment of northern Cyprus. I had the opportunity to carry out interviews with people from different ethnic and political backgrounds. From a nationalist Turkish migrant to a Kurdish migrant from Turkey, every interviewee stressed that they are happy with the relatively peaceful political environment of Cyprus in comparison to Turkey.

1.3 Organization of the thesis

In addition to this chapter, this thesis is composed of five chapters. In Chapter 2, the thesis will review the citizenship literature. Firstly, it will discuss the meaning of citizenship and the role of nation-states on the citizenship issue. This will be an important part of the thesis because it includes a discussion of whether nation-states and national citizenship are still valid concepts in generating rights. Then, I will explain the naturalization methods, or so to say the process of how aliens acquire citizenship. Lastly, I will show different citizenship regimes in Europe as well as in rentier states like the Gulf States. This wide scope of citizenship literature will be beneficial to find a place for the case of the TRNC.

Chapter 3 will explain the brief history of the Cyprus Conflict, then move into the different migration flows to northern Cyprus since 1974. In doing so, the reader will distinguish the differences between the facilitated and encouraged migration in the late 1970s and the other migration flows to northern Cyprus since then. This difference is also important to grasp the different citizenship acquisition process that each group of Turkish migrants experiences. Lastly, it will review the different perspectives, such as the neo-classical economic theory and colonialism project of Turkey, in explaining the migration flows to the island.

Chapter 4 is based on the findings of the thesis. It will firstly pay attention to the motivations of Turkish migrants to acquire TRNC citizenship by highlighting the interview quotes and legal texts. With these, I will stress the meaning of being a citizen and noncitizen in the TRNC. It, then, focuses on the two naturalization methods, namely ordinary and facilitated naturalizations, so as to show the differences.

In Chapter 5, I will discuss the findings in light of the theoretical framework set in Chapter 2. It will discuss the meaning of citizenship and the role of nation-states in the TRNC context, and the reasons behind the absence of a rights-based citizenship regime.

Chapter 6 will restate the research topic and questions, stress the findings and arguments of the thesis, and give recommendations for further research on that topic.

CHAPTER 2

LITERATURE REVIEW

The result was paradoxical. Preventing people working so that they would not become citizens forced them to become citizens in order to work.
(Harris, 2002, p. 31)

Citizenship creates a bond between a state and its members, this bond enables its members to enjoy certain rights, privileges as well as the protection of states. However, citizenship literature is overwhelmingly based on the actions and regulations of nation-states whose sovereignties are respected and recognized in the international order. In addition, the literature on the citizenship practices in unrecognized entities and states is scarce and far away from explaining the citizenship practices in those cases; such as naturalization methods and the meaning of citizenship; at the domestic level. Hence, this chapter will draw on the scholarly works on citizenship practices in sovereign states, because this literature will give some clues on the meaning of citizenship, what type of citizenship regime exists in different polities, how states employ different citizenship acquisition methods and with what reasons.

This chapter, to this end, will be organized into three sections. It firstly gives a literature review on the discussion of the meaning of citizenship, from the early modern works of Hannah Arendt (1973) and T. H. Marshall (1950) until the critiques of postnationalism. This section aims to clarify why gaining citizenship is important for aliens, and what type of rights and privileges citizenship status confers to them. Following the first section, or so to say the normative approach to citizenship studies, the second section will be devoted to compare and contrast different citizenship

regimes in different contexts. In this section, I will review the works that focus on the citizenship regime in global North as well as the scholarly debates on the citizenship regimes in other contexts such as Turkey, Greece and rentier states. Since the TRNC is a unique case in the citizenship debate because of its unrecognized status, this comparative approach will provide insights into the citizenship regime of the TRNC. Then, in the third section, the focus will be on different citizenship acquisition methods, mostly naturalization methods, for aliens. This section gives some clues about the use of naturalization practices by sovereign states and will find possible responses to the question of what type of methods state apply to prevent “undesirable” aliens from becoming permanent residents and then citizens.

2.1 Discussion on the meaning of citizenship: Does citizenship still matter?

In her seminal book, where Hannah Arendt (1973) discusses the emergence of totalitarianism, she also emphasizes the significance of citizenship whose absence would make an individual vulnerable to the cruelty of totalitarian regimes. In her conceptualization, Arendt (1973) generally mentions about the “moment” of statelessness when “human beings lacked their own government and had to fall back upon their minimum rights, no authority was left to protect them and no institution was willing to guarantee them” (p. 292). As a result, she asserts that being a member of a polity ensures “human dignity” by offering “protection” and provides people with “a right to have rights” (Arendt, 1973, pp. 296-297). This conceptualization of citizenship is shaped by the extraordinary events of its time such as the rise of fascism, holocaust, and world wars. Therefore, Arendt (1973) highlights the importance of the state’s protection while defining the scope of the concept without paying particular attention to what “a right to have rights” further means. So, the

following question seems valid to pose: What are the rights that could be enjoyed by being a member of a polity?

T. H. Marshall (1950) gives a detailed account of what citizenship means, what kind of rights it confers to its members, and how these rights were historically evolved. Marshall (1950) stresses that being a “full member of a community” is the prerequisite in order to reach and benefit from the “rights” that citizenship status grants (p. 28). In Marshallian conceptualization, even though achieving full equality within society is a long and convoluted process, the major objective of citizenship is to increase equality among its members. Marshall (1950) differentiates citizenship rights into three different elements; such as civil, political, and social rights; which start with the emergence of civil rights, then are followed by political and social rights respectively. In short, Marshall’s citizenship concept is based on historical progress from the onset of civil rights to political rights and to social rights as the last stop.

Civil rights are related to “individual freedom”, e.g. “freedom of speech, thought and faith”, “the right to own property”, and “the right to justice” (Marshall, 1950, p. 10). After civil rights become available to citizens, individuals commence enjoying the political rights which are merely connected with suffrage and the right to be represented in political institutions. Progressively, social rights follow these two rights and enable citizens “to live the life of a civilized being according to the standards prevailing in the society” (Marshall, 1950, p. 11). Social rights are guaranteed with public education and other social services like health care.

Following this historical progress on the evolution of citizenship rights, another angle of Marshall’s argument lies at the intersection of capitalism, as the source of inequality, and citizenship, as the basis of social equality. Although

Marshall (1950) suggests that these two concepts, namely capitalism and citizenship, conflict with each other, the effect of citizenship on capitalism could only lower the scope of inequality that capitalism produces, and citizenship cannot and will not achieve in bringing absolute equality (p. 30). The reason behind this limited success, according to Marshall (1950), is not the absence of civil and political rights, but the lack of social rights in society. For example, right to have property is a right available to every member of society, but only those who have sufficient financial sources could acquire a property; in a similar manner, freedom of speech does make sense only if an educated person uses it to express his/her ideas (Marshall, 1950, p. 35). Therefore, Marshall (1950) suggests that public education should enable citizens with a lower-class background to move up the social ladder; to this end, he criticizes the current situation in public education “because it increased the value of the worker without educating him above his station” (p. 35). In other words, public education should function as a right so that it can narrow down the social and economic gap between classes. Overall, Marshall’s conceptualization of citizenship pays prominent attention to the co-existence of these three rights so as to achieve in a more equal environment for citizens.

Arendt’s and Marshall’s understandings of citizenship follow a similar path: full membership, or so to say citizenship, is the only way to benefit from the rights that a state provides. Therefore, their arguments put the state and national belonging at the center of the debate. However, in the post-World War II period, the scope of rights that had been considered as bounded to the citizenship was replaced by a new understanding; more and more foreigners, mostly workers, started to live and settle down in developed countries with which they did not have national ties. As a result, the scope of citizenship rights, more particularly social rights, were extended to

foreigners who started to benefit from social security, public education, and health care systems of these host countries (Bauböck, 2006, p. 24). This change paved the way for the emergence of new literature on citizenship, namely postnationalism, which asserts that the spread of human rights discourse and the interdependence in the international relations have dramatically eroded the sovereignty and sole power of nation-states, and therefore changed the meaning of citizenship and national belonging (Soysal, 1994; Sassen, 2002; Jacobson, 1997).

Postnationalist scholars still give prominence to the discretion of nation-states in granting citizenship and see states as the “immediate guarantor and provider” of rights (Soysal, 1994, p. 143). Nonetheless, several international developments have transformed the meaning of citizenship, as the sole generator of rights, decoupled the rights attached to citizenship, and made these rights available to noncitizens as well (Sassen, 2002). In the post-World War II period, postnationalist scholars argue that the rise of human-rights and universalistic discourses have diminished the sovereignty of nation-states in conferring rights to their residents (Sassen, 2002; Soysal, 1994). The advent of a strong interdependent order at the international level, with UN conventions and the European Union, set targets for a functioning human rights regime and encouraged universalistic beliefs through limiting the sovereignty of nation-states (Soysal, 1994).

To this account, Jacobson (1997) also argues that transnational migration from “underdeveloped” to “developed” countries transformed “the traditional basis of nation-state membership [and] rights [attached to membership] have come to be predicated on residency, not citizen status” (p. 9). As a result, these rights have expanded to noncitizens as well. On this account, Saskia Sassen (2002) argues that even undocumented migrants have gained the opportunity to make claims against

states through participating in “civic activities” and they can benefit from the social rights such as “raising a family, schooling children, [and] holding a job” (p. 282). This could happen thanks to the “strengthening of civil rights” in nation-states which is related to the spread of human rights discourse (Sassen, 2002, p. 287).

Similarly, Yasemin Soysal (1994) maintains that the historical progress of Marshallian conceptualization of citizenship, civil, political, and social rights respectively, has experienced a change in its order. Guestworkers and foreigners no longer need to gain political rights in order to reach social rights like Marshallian historical order offers (Soysal, 1994). As soon as guestworkers arrive in host countries, they would enjoy the similar civil and social rights that citizens can do, as a result, citizenship only marks the boundary between those who have political rights and those who do not have (Soysal, 1994). Moreover, Soysal (1994) also argues that before postnationalism “rights” and “national identities” were concomitantly attached to citizenship; however, the new era dismantled the rights from citizenship and made them available for everyone living in a given polity (p. 159). Overall, postnationalist scholars draw a sanguine picture on the rights attached to citizenship and see these rights as available to everyone independent from citizenship status, this is mostly because of that most of postnationalist works have been written in times when the least developed countries had a stable democratic regime and respected human rights of both their citizens and aliens in their territories. However, postnationalist arguments are also challenged by another group of scholars who do not agree with the demise of national citizenship in generating rights.

This group of scholars argues that the developments, such as rising human rights discourse and increasing role of international organizations, have a limited effect on the incorporation of aliens into society and extension of their rights;

instead, these positive developments for aliens are shaped by the attitudes of domestic policy-makers at the national level (Hansen, 2009; Koopmans & Statham, 1999). For these scholars, it is almost impossible to argue that the value of nation-states and national citizenship is in decline. To bolster the argument on the impact of international organizations and conventions, Hansen (2009) asserts that nation-states are the sole actor in deciding whether to include these international conventions and regulations in their jurisdiction or not, and these international developments find a place in nation-states only “when national legislatures decide to sign up to and incorporate them in domestic law [and] thus mak[e] them a domestic reference point for courts adjudicating human rights cases” (p. 9). Koopmans and Statham (1999) also reach a similar conclusion and criticize the over-reliance of postnationalists on the role of international developments. In their article, the scholars maintain that different national regimes for the integration of aliens, Germany as “ethnocultural exclusionist” and Britain as “multicultural pluralist”, lead noncitizen minority groups to follow different paths in enjoying their social and civil rights. “Multiculturalist pluralist” Britain gives more rights and recognition to noncitizens in comparison to “ethnocultural exclusionist” Germany (Koopmans & Statham, 1999). Therefore, rather than international development and the spread of human rights discourse, the political and social situation in a given polity directly affects the way aliens would enjoy these rights.

Hansen (2009) also criticizes the postnationalists’ point of view on political participation who generally sees political rights as unnecessary and irrelevant for generating further rights and offers claim-making as an alternative route for political participation. Hansen (2009) does not agree with postnationalists on the role of claim-making, asserting that “the legitimacy of the state flows not from mail

campaigns, street protests, or joined associations, but from the vote” (p. 12). The rights of aliens, without political rights, would be missing and therefore would not promise a secure and permanent stay for them in host countries (Hansen, 2009, p. 12).

2.2 Citizenship regimes in different contexts

The concept of citizenship regime means the institutional dynamics that each nation-state employs in drawing the boundaries to whom the citizenship status will be granted, whether the citizenship status is conferred in accordance with the place of birth (*ius soli* principle) or with descent (*ius sanguinis* principle), what type of requirements an alien, after birth, should fulfill to naturalize in order to become a full member of a community.

2.2.1 Citizenship regimes in the European context

Rogers Brubaker’s (1992) comparative study on the citizenship regimes of France and Germany gives a detailed account of the different trajectories that these states follow. On the one hand, in addition to the descent-based acquisition of French citizenship, France also includes some elements of *ius soli* principle in some conditions when “a child [is] born in France if at least one parent was also born in France -including Algeria and other colonies and territories before their independence” (Brubaker, 1992, p. 81). Moreover, children born in France into foreign parents can acquire French citizenship “automatically at age 18” if they have lived in France for at least five years (Brubaker, 1992, p. 81). Although France does not implement a pure *ius soli* principle, its citizenship regime has some *ius soli* elements as complementary to the descent-based acquisition of French citizenship.

On the other hand, the citizenship regime of Germany generally prioritizes its co-ethnics and gives them a safe route for acquiring German citizenship. While doing this, Germany does not apply any kind of *ius soli* elements within its citizenship regime so that foreigners and their children could become citizens (Brubaker, 1992). Acquiring German citizenship is a long process and only possible through naturalization schemes in which foreigners should fulfill the residency requirements and demonstrate that they are incorporated into German society (Brubaker, 1992).

Brubaker (1992) defines these contrasting citizenship regimes of France and Germany as respectively “civic” and “ethnic”. The civic citizenship regime represents a more inclusionary way for the incorporation of foreigners into citizenship, whereas the ethnic citizenship regime mostly includes its co-ethnics and then sets a list of criteria based on the year of residency for naturalization. Since this thesis aims to understand and clarify the citizenship regime of the TRNC, there seems a need to understand what the citizenship regimes in Greece and Turkey look like in this civic-ethnic cleavage because these countries have been directly affecting the overall politics and nation-buildings in Cyprus.

The Turkish citizenship regime lies at the ethnic part of this cleavage; for the acquisition of citizenship at birth, it generally follows the *ius sanguinis* principle and confers its citizenship to a child with the nationality of his/her parents irrelevant from where the child was born (Kadirbeyoğlu, 2010). For the acquisition after birth, in other words for the naturalization process, the Turkish citizenship regime prioritizes its co-ethnics and/or co-religious and facilitates their citizenship acquisition process (Danış, Taraghi, & Perouse, 2009; Kirişçi, 2000). For others, who are not co-ethnic and/or co-religious, the citizenship regime in Turkey, it provides a road map for ordinary naturalization which expects a five-year residency requirement and some

knowledge on Turkish language, but the naturalization process gives wide discretion to bureaucratic authorities, and judicial review for the negative decision can be waived for the national security (Kadirbeyoğlu, 2013). Therefore, in short, Turkey does not implement a better-suited and right-based naturalization scheme for aliens and their children who do not share similar ethnic and/or religious background.

Similar to Turkey, the Greek citizenship regime employed preferential mechanisms for its co-ethnics. Until 2010, Greece did not implement a legal framework for “other” aliens to acquire Greek citizenship, but speeded up the naturalization process for its co-ethnics (Konsta & Lazaridis, 2010). However, the year 2010 was the turning point for the Greek citizenship regime. With the 2010 amendment, the children of “other” aliens who are born in Greece would gain Greek citizenship after completing a five-year residency requirement and being enrolled in a Greek elementary school (Christopoulos, 2017). Although these two countries experienced a similar citizenship regime and did not enable “other” aliens to acquire citizenship, what were the driving forces behind this clear-cut change in the Greek citizenship regime with the 2010 amendment?

On this account, Joppke (2003) asserts that the composition of the government, along with the left-right political spectrum, is a good indicator in grasping the dynamics behind the change or persistence from/of ethnic-based citizenship regimes. In this spectrum, political left which pioneers “de-ethnicization” of citizenship regimes which is “the process of facilitating the access to citizenship, either through opening it at the margins in terms of liberalized naturalization procedures, or through adding *ius soli* elements to the modern mainroad of birth-attributed citizenship *ius sanguinis*” (Joppke, 2003, p. 436). On the contrary, political right generally supports amendments to block the citizenship acquisition of aliens, or

defends the status quo of ethnic-based citizenship regime which only offers a limited naturalization path for aliens (Joppke, 2003). In short, Joppke's (2003) argument suggests that in cases when the left is leading the government, it will push the citizenship acquisition in favor "de-ethnicization" and facilitate aliens' access to citizenship.

Howard (2009) partially challenges this argument of Joppke (2003), asserting that, rather than the basic cleavage among center-right and center-left in this debate, it is more important to understand to what extent "the far right is active and mobilized on the issue of immigration and citizenship reform" (p. 61). On this account, Howard (2009) maintains that far-right political parties do not have to be represented in the political institutions, but their mobilizations may have a direct effect even on the liberal forces that aim to change citizenship laws in favor of aliens (p. 194). The combination of these arguments on the political right-left and the absence/presence of far-right political mobilization may explain the clear-cut policy change in the Greek citizenship law in 2010 when the center-left political party, namely PASOK, secured its own majority in the parliament and was, therefore, governing the country without a coalition partner. In addition, the Greek government, during the 2010 citizenship amendment, did not experience the pressure of the far-right political party, namely the Golden Dawn, because the party was not represented in the parliament and did not have sufficient public support for that year. This also lowered the cost of a policy change in the Greek citizenship law. To the contrary, Sredanovic (2016) argues that explaining the change in citizenship laws with the basic political right-left dichotomy makes only sense for old 15 members of the EU, but "the newer members [after the enlargement of 2004] show less predictable relations between parties in power and citizenship legislation" (p. 449). Therefore, it

seems reasonable to argue that the arguments on left-right and the presence of far-right political mobilization may only explain the story of countries with more developed institutions and democratic regimes, thus being unable to clarify the changes in developing and underdeveloped countries.

2.2.2 Citizenship regimes in rentier states

In contrast with European countries, which at least provides aliens with a programmatic way for citizenship acquisition, rentier states represent another, mostly negative, angle of citizenship regimes where the presence of aliens are shaped with temporary working contracts that do not grant any secure status and rights to them (Chung, 2017). On this account, Joppke (2017) argues that since rentier states “draw their income not from taxing labor and capital but from renting the land to companies to exploit its natural resources” (p. 388), this creates a temporary environment for foreign workers by forcing them to accept fixed-term contracts and preventing them from enjoying any type of rights unlike guestworkers in Europe do (Chung, 2017).

Noora Lori (2012) also focuses on the foreign labor in the rentier states, more particularly the sponsorship system in the Gulf States, namely Kafala. Unlike the European or developed countries, the labor force participation among the citizens of the Gulf States is very low, and this creates a labor shortage in certain labor-intensive and less paid sectors like construction and service sector (Lori, 2012). To meet with the labor demand, the Gulf States import foreign labor from less-developed countries under the Kafala sponsorship system, which makes employers, or so to say sponsors, responsible in admitting foreign works and following their stay in the country (Lori, 2012). As delineated, the Kafala system only offers foreign workers time-limited working contracts so as to prevent their temporary stays from turning into permanent

ones. However, Lori (2012) asserts that since the cost of recruiting foreign workers repeatedly is high for employers, the employers try to secure the stay of their workers through using their informal networks. In addition to the individual support of employers, “a non-citizen’s national origin, ethnicity, socio-economic status, and education fundamentally structure his or her interactions with the state”, ranging from “how often he may renew his residency permit” to “how susceptible he is to deportation and arrest” and to “whether he can be accompanied by his family members” (Lori, 2012, p. 28).

In short, rentier states do not offer a programmatic legal structure for the stays of foreign workers, the process is mostly shaped either by the individual relations between the sponsor and the central authority or by individuals’ own situations. Noora Lori (2017) defines this ambiguous and insecure legal environment for foreign workers by developing the concept of “precarious citizenship” which “refer[s] to people who are unable to gain access to secure citizenship rights and instead inhabit ad hoc and temporary statuses for protracted periods” (p. 744). Lori (2017) also asserts that the Gulf States try to use this precarious type of citizenship in order to eschew “larger dilemmas about citizenship, especially questions about the incorporation of minorities, refugees, or labor” (p. 744). Overall, the above-mentioned arguments on the Gulf States generally highlight the importance of the temporary status that foreign workers have in these polities, how this is used by the Gulf governments in order to avoid any attempt for the integration of foreign workers. This discussion also gives some hints about the impacts of being a rentier state on the unlikelihood of extending human rights regimes in these countries.

2.3 Citizenship acquisition after birth

Following a discussion over the meaning of citizenship and the citizenship regimes in different polities, the section aims to elaborate on the citizenship acquisition after birth; more particularly, this section will clarify what naturalization is, what purposes the naturalization process has, and what kind of different naturalization methods exist. Then, the section will turn to a debate over the effects of “human” and “financial” capitals on the states’ willingness or unwillingness in accepting other “aliens”.

Naturalization is a legal procedure where a foreign person applies to acquire the citizenship of the host country after fulfilling the conditions specified by the same state (Wallace Goodman, 2010; Orgad, 2017). When aliens; including guestworkers, migrants, refugees, and their children; are not able to benefit from *ius soli* and double *ius sanguinis* principles to gain the citizenship of host countries, naturalization operates as the only way for them to gain the rights and privileges of citizenship such as “obtaining voting rights and other forms of political participation, access to certain job opportunities, free movement, rights to family unification” (Wallace Goodman, 2010, pp. 3-4). However, there is a need to pose the following question: Is it possible to argue that these conditions are always programmatically set and the applications are neutrally evaluated so as to include everyone who fulfills the required criteria?

On this account, Bauböck (2006) defines the role of citizenship as a boundary that distinguishes “insiders” from “outsiders” (p. 19), but how the boundaries of citizenship are drawn is not clear. According to Bauböck (2006), “this boundary may be permeable or impermeable, it may be stable or shifting, and it may be clearly marked or become somewhat blurred” (p. 19). Similarly, Orgad (2017) also explains

the implementation of naturalization procedures with words such as “unknown”, “arbitrary”, “controversial”, and “unclear” (p. 338). The reason behind this uncertainty is that the naturalization process is wholly left at the discretion of nation-states (Bosniak, 2008). There is no international legal framework that could review the bureaucratic decision of states in granting its citizenship, thus states enjoy full sovereignty in admitting and rejecting aliens’ application for citizenship. Therefore, states use the naturalization process as a “gatekeeper ... to include the desirable people and exclude the undesirable ones” (Orgad, 2017, p. 337). To understand the methods that states use in order to prevent “undesirable” persons from acquiring citizenship, there is a need to clarify the different types of naturalization schemes.

Wallace Goodman (2010) highlights two different naturalization procedures, namely “a legal entitlement” and “discretionary naturalization”.⁷ The former refers to a programmatic and impartial approach to applicants irrelevant from where they come from, and/or what social and financial capital they have, because, in this case, “public authorities must grant citizenship to the applicant if and when the relevant conditions specified by law have been acknowledged as being successfully completed” (Wallace Goodman, 2010, p. 3). With legal entitlement, states are not able to use the naturalization process as a discretionary act to exclude “undesirable” aliens. In short, every foreigner who fulfills the required criteria should be naturalized. On the contrary, the latter one, namely “discretionary naturalization”, constructs a more precarious road for aliens to acquire citizenship, because “even upon successful completion of relevant conditions public authorities reserve for themselves the right to deny citizenship” (Wallace Goodman, 2010, p. 3). Therefore,

⁷ In Chapter 4 and 5, the concept of “legal entitlement” will be replaced by “ordinary naturalization”, and the concept of “discretionary naturalization” will be replaced by “facilitated naturalization”. The major objective behind these replacements will stress that these both concepts refer to some methods in naturalization.

in the latter one, the last decision whether to confer citizenship or not is left at the disposition of states.

On this account, some scholars set some conditions to assess to what extent the naturalization process of a state functions in a programmatic and therefore impartial way (Bauböck, Honohan, Huddleston, Hutcheson, Shaw, & Vink, 2013). Their argument lies on the ground of how often the state concerned uses discretionary naturalization. They argue that if the state concerned is more likely to offer its citizenship through legal entitlement schemes, or so to say through ordinary naturalization, then it “indicated that a state generally considers the conditions of ordinary naturalization as the main pathway to citizenship through which all applicants have to pass” (Bauböck et al., 2013, p. 10). On the contrary, if the state confers citizenship to aliens with discretionary naturalization rather than legal entitlement, then the “access [to citizenship] will be strongly determined by informal administrative practices that vary across regions, offices and individual civil servants” (Bauböck et al, 2013, p. 14). In this case, following the trends in the citizenship acquisition process would only be possible “through observation” of individual applications because discretionary naturalization also gives power to every individual who is responsible for the application and evaluation process (Bauböck et al., 2013, p. 14). What are the reasons channeling states to construct legal and bureaucratic obstacles for some persons in citizenship acquisition?

As discussed, some scholars label the naturalization process as “boundary” and “gatekeeper” to exclude undesirable ones (Bauböck, 2006; Orgad, 2017). However, these labels are unable to clarify the objectives of states in this debate. To this end, Orgad (2017) also argues that there are also some social, political as well as economic reasons why states prefer some naturalization policy over others. States try

“to control the number, pace, and nature of admission into the community ... in order to maximize national interests -in terms of cultural identity, the economy, welfare, [and] well-being” (Orgad, 2017, p. 339). Thus, states implement legal frameworks that prioritize “high-skill immigrants”, those with cultural affinity, and those who could make a financial contribution to the state (Orgad, 2017). This emphasis on national interests turns the flow of this section to the debate on high-skilled migration as well as citizenship by investment programs.

A new concept, namely “human-capital citizenship”, explains the story behind the overreliance of states on high-skilled immigrants (Ellermann, 2019). With the changing economic order from manufacturing to the knowledge industry in developed world, the concept of “undesirable aliens” is reconstructed and specified in detail that puts aliens in order in accordance with their skill levels. On this account, Ellermann (2019) argues that individuals are no longer considered “as bearers of rights”, but “as bearers of human capital” (p. 1). Therefore, these developed countries open their doors to these high-skilled individuals and their families who are considered as “future citizens” (Ellermann, 2019, p. 11). In short, the “human-capital citizenship” concept clarifies the new direction of states in granting its citizenship to aliens. It generally overlooks “low-skilled” migrants and considers them as “undesirable”, but at the same time, it tries to include those with human-capital and facilitates their incorporation into society by lowering the requirements for them to earn citizenship status (Ellermann, 2019, p. 11).

The favoritism of states is not restricted to those with human capital, states are also enthusiastic in those with financial capital and therefore generate citizenship by investment programs to include them. In these programs, states specify certain monetary conditions, such as owning a property and buying some amount of

government bond, that the applicant has to fulfill in order to acquire the citizenship (Dzankic, 2014). There is some criticism on the use of financial capital in acquiring citizenship. For example, Laura Johnston (2013) asserts that this type of citizenship programs “destroy the value of citizenship and corrodes public trust in that [citizenship] institution in a way that naturalization on other bases do not” (p. 5). In a similar vein, Dzankic (2014) also criticizes these programs on the ground that they will impair the basic principle of citizenship, “a claim of equality” (p. 387). Michael Walzer (1983) agrees with these two scholars and opposes the sale and purchase of citizenship, also making a contribution to this debate through questioning several things about how these programs are constructed, whether they are based on discretions of authorities, and how they can violate the basic principle of citizenship. To these questions, if these programs are programmatically regulated and audited by authorities, then there would be less room for the violation of citizenship (Walzer, 1983). This contribution is important in our debate, because setting ambiguous criteria for citizenship by investment programs paves the way for the exploitation of citizenship in a worse way than a more programmatic and impartial program would do.

Overall, this chapter starts with a discussion on the meaning of citizenship, how it is historically developed, what type of rights it grants to its members. Then, the debate over whether nation-states and national citizenship still matter gives the reader some knowledge on the more recent citizenship literature. This discussion will facilitate to understand the citizenship regime of northern Cyprus, whether and how the “unrecognized” TRNC produces rights and privileges attached to its citizenship status. Then, the scope of this chapter turns into different citizenship regimes to understand, whether individuals gain citizenship by the place of birth or descent, and

what type of different methods for citizenship acquisition exist after birth. This comparative focus is beneficial because placing the TRNC into a certain context is almost impossible. However, the current limbo situation of the country makes its citizenship regime a fusion of different citizenship regimes. Lastly, Chapter 2 focuses on the different naturalization methods such as ordinary and facilitated naturalization in order to distinguish whether states use discretionary practices in granting citizenship or not.

CHAPTER 3

HISTORICAL BACKGROUND

Cyprus is the home of two dominant ethnic groups such as Greek and Turkish peoples, thereby at the same time, of perennial conflicts, failed settlements and futile political negotiations. Although the long-lasting ethnic and armed disputes among Greek and Turkish Cypriots turned into a stalemate since Turkey's intervention to the island in 1974, the stalemate, rather than bringing an absolute peace, resulted in the partition of the island and marked the start of an ongoing political deadlock. In this deadlock, demographic change in northern Cyprus with the flow of migrants from Turkey has become one of the most crucial and highly contested parts of political negotiations among communities.

To this end, this chapter, first of all, aims to give a brief historical overview of Cyprus Conflict from its origins until Turkey's military intervention to the island. Secondly, the focus will turn to the descriptive explanation of the migration flows, mostly from Turkey, to northern Cyprus. In doing so, the goal is to offer a general perspective on the migration flows to the northern part of the island and to discuss the peculiarities and similarities that each migration flow has in itself. Then, the third section of the chapter seeks to summarize different perspectives in the literature regarding these migration flows and the demography issue in northern Cyprus. These different perspectives are composed of the neo-classical economic theory of migration, settler/colonialism debate and the other approaches mostly focusing on the class dynamics and differences between Turkish migrants and native Turkish Cypriots. Grasping the class dynamics is a useful introduction to grasp the equivocal dynamics of the citizenship regime in the TRNC.

3.1 Brief history of the Cyprus Conflict until 1974

In 1959, the future of Cyprus was discussed in London and Zurich Agreements, where the parties, i.e. the United Kingdom, Turkey and Greece, reached a consensus on the foundation of an independent country on the island. After a year, the country proclaimed its independence from the United Kingdom and was renamed as the Republic of Cyprus. Since Cyprus is a multi-ethnic country, the representation of communities in political and public spheres was the primary objective when writing the constitution so as to ensure a functioning democracy. As a corollary, the democratic regime on the island was founded on the principles of consociational democracy based on power-sharing mechanisms among communities (Yakinthou, 2009). The Republic of Cyprus is a good example in articulating the weaknesses of consociationalism and in grasping the emphasis put on the “war on numbers” both during the republic and in the post-intervention period.

Arend Lijphart (1977) defines four crucial requirements so as to achieve in a functioning consociational democracy: grand coalition, mutual veto, proportionality and segmental autonomy (p. 25). On this account, the constitution of the republic aimed at balancing the power of the Greek majority through overrepresenting the Turkish minority in both political and public spaces. On the concept of grand coalition, Lijphart (1977) maintains that the inclusion of each ethnic or religious group in decision-making process, particularly in executive branch, is required for achieving a democratic rule in divided societies. In the example of Cyprus, the council of ministers was composed of 10 members which were allocated in accordance with the ratio 3:7 among Turkish and Greek Cypriots respectively. In the same manner, the vice-president was supposed to be a Turkish Cypriot who had veto power (Yakinthou, 2009).

In terms of proportionality, the constitution of the republic specifies quotas for both Greek and Turkish Cypriots in certain state-related occupations. For example; 30% of seats in the parliament were allocated to Turkish Cypriots, whereas the rest of the seats belongs to Greek Cypriots. As in the parliament, Turkish Cypriots are represented with 30% of positions in public offices (Yakinthou, 2009, p. 59). However, on the eve of the foundation, the population ratio of Cyprus was in favor of Greek Cypriots who constituted 80% of the whole population, whereas only 18% of the population were Turkish Cypriots (Stravrinides, 1976). In such a demographic discrepancy, the overrepresentation of Turkish Cypriots in both public and political spheres and the veto power in the executive branch created disagreements among communities over legislative issues, paving the way for a political deadlock and an ineffective legislative structure.

Although the crucial concepts of Lijphart's consociationalism were seen in the republic and the constitution, *de jure*, protected the right of each ethnic community, the constitutional order *de facto* collapsed in 1963. Some scholars argue that the major reason behind this failure was the absence of political commitment to the newly founded republic among Greek and Turkish political elites (Kızılyürek, 2005; Hadjipavlou, 2007). In addition to the lack of commitment, the common belief among Greek Cypriots that the new system was not in their favor led them to propose an amendment which aimed to diminish the constitutional rights of Turkish Cypriots such as the executive veto power, separate municipalities, and the 70:30 ratio in public employment (Bitsios, 1975). Turkish Cypriot MPs and ministers protested the proposed amendment, and then they withdrew from the parliament. These developments fueled the onset of ethnic violence in 1963.

Furthermore, to ensure equal representation, the demography issue had been an important topic and widely controlled under the mandate of the Treaty of Establishment of the Republic of Cyprus, which aims to hinder any demographic change on the island and to preserve the ratio of 4:1 among Greek and Turkish Cypriots. To this end, a quota specifies the number of citizenships that each community can grant per year (Treaty of Establishment, 1960). The communities were unable to grant more citizenship if they exceeded their threshold for the given year. Therefore, in light of the above-discussion, it seems reasonable to argue that the basic foundational principles of the republic were constructed in order to balance the population ratio on the island and hinder possible subordination of Turkish Cypriots in the system over time. However, as explained, it failed. After the de facto collapse of the republic in 1963 following the attempts to change the constitution so as to erode the constitutional rights of Turkish Cypriots, ethnic clashes among communities led Turkish Cypriots to live in enclaves so as to protect themselves. In this process, since the Greek Cypriot authorities were reluctant to provide even basic needs and subsistence to Turkish Cypriots (Yakinthou, 2009, p. 64), the isolation made Turkish Cypriots more and more dependent on the financial aid from Turkey.

In this period, Turkey did not only provide Turkish Cypriots their basic needs, it also gradually laid the foundations of basic bureaucratic structures in the enclaves. Navaro (2012) considers these structures as the roots of the political system in the post-1974 era (pp. 81-96). To meet with the financial needs of Turkish Cypriots, Patrick asserts that “[b]y 1968 the Turkish government was injecting £8,000,000 per annum into the Turkish-Cypriot economy” (as cited in Navaro, 2012, p. 88). Thanks to this financial support, the paramilitary organization of Turkish Cypriots, namely the TMT (Türk Mukavemet Teşkilatı - Turkish Resistance

Organization), tried to urge and convince Turkish Cypriots to live in enclaves and to join in the struggle against Greek Cypriots through offering a monthly salary (Navaro, 2012). Although offering jobs and salary was beneficial for Turkish Cypriots who had been living in enclaves, this had also made Turkish Cypriots more dependent on the TMT. On this issue, Navaro (2012) argues that “[i]n return for supporting Turkish-Cypriots by distributing jobs and salaries, the newly formed state administration, and its successors, demanded strict obedience and allegiance” (p. 88). Dependency to create employment in public sector and expecting loyalty in return do not only explain the story of the years in enclaves, but it obviously delineates the economic structure of northern Cyprus after 1974 as well. On this account, Güray (2011) provides figures on the balance of government budget, highlighting the huge impact of personnel expenditures on the budget which rose from \$30 million in 1974 to \$674 million in 2008, yet for the same years the share of personnel expenditures is calculated as constituting 46.6% and 43.3% of total expenditures respectively (pp. 90-91). According to the latest figures that the State Planning Organization of the TRNC published, one fourth of the labor force is recruited in the public sector (DPÖ KKTC, 2018). The large share of the public sector is an important element to fathom the reasons why North Cyprus’s economy is always in need of labor and excessively demands labor migrants with and without a work permit from Turkey.

When turning to the chronological story of Cyprus Conflict, the period of enclaves ended after the paramilitary group of Greek Cypriots, namely the EOKA, staged a coup against the Greek administration of the island in 1974. Then, as the guarantor power, Turkey intervened to the island to re-establish the constitutional order and to protect Turkish Cypriots. However, the constitutional order was never re-established, and the island was partitioned into two ethnically homogenous

entities (Kızılyürek, 2005). In such an environment where the demographic ratio had been a key for the state structure, Turkey's intervention to Cyprus has changed the picture and created a state of exception in the northern part of the island which has been exempted from the mandate of the Treaty of Establishment. Since then, the debate over demographic change intensified and Turkish Cypriot authorities faced many accusations from Greek counterparts on the ground of demographic change of the island. To this end, the following section will delineate different migration flows to northern Cyprus after Turkey's intervention.

3.2. History of migration to northern Cyprus after 1974

Turkey's intervention to Cyprus reshaped the ethnic landscape of the island by forcing Greek Cypriots to leave their homes in the northern part of Cyprus and to migrate to the south. Following the intervention, it is estimated that almost 160,000 Greek Cypriots left their homes in the areas under the control of the Turkish Armed Forces and fled to the Greek controlled areas in the south (Trimikliniotis, Ioakimoglou, & Pantelides, 2012, p. 225). In return, the number of Turkish Cypriots who moved from the south and resettled in the north were only about 45,000 (Geldenhuys, 2009, p. 177). The vast difference between incoming Turkish Cypriots and outgoing Greek Cypriots created a labor shortage in northern Cyprus. In addition to the labor shortage, the will to change the population ratio in favor of Turkish Cypriots triggered the policymakers to facilitate and encourage Turkish citizens' movement to the island (Kurtuluş & Purkis, 2014; Hatay, 2005; Hatay, 2007; Şahin, Şahin, & Öztürk, 2013; Jensehaugen, 2017; Ioannides, 1991; Talat Zrilli, 2019). This movement marks the onset of migration from Turkey to northern Cyprus in the post-intervention era.

Kurtuluş and Purkis (2014) classify the migration of Turkish citizens to northern Cyprus into three distinct waves in accordance with its peculiar and chronological features. The first wave started after Turkey's intervention to the island in 1974, both Turkish and Turkish Cypriot authorities aimed to ensure a functioning economy in northern Cyprus through meeting with the urgent needs for agricultural labor (Kurtuluş & Purkis, 2014, p. 79). In 1975, the Turkish Federated State of Cyprus signed a secret protocol⁸ with Turkey, known as Agricultural Workforce Agreement (*Tarım İş Gücü Protokolü* in Turkish). The protocol specifies the conditions for being entitled to migrate to northern Cyprus, prioritizing those Turkish citizens who are either unsettled nomads, or whose villages will be inundated with the construction of a dam, or who do not have agricultural land in their villages (Mutluyakalı, 2011). The arrival of Turkish citizens was carried out by ships from Mersin to Famagusta ports, free of charge (Kurtuluş & Purkis, 2014). When the Turkish migrants arrived on the island, the administration in northern Cyprus and Turkey provided each migrant family with agricultural land and house which were left behind by Greek Cypriots. According to Morvaridi (1993), “[l]and has been distributed to Turkish settlers on the basis of household size. Families with five members received from 100 to 150 donums. For each new member [in the family] there was a 10 per cent increment” (p. 228). However, settlers do not have the property rights of these lands and houses on the ground that the administrative authorities both in northern Cyprus and Turkey worry about the immediate sale of these properties by settlers once they arrive on the island (Hatay, 2005; Şahin et al., 2013). As a result, the Turkish Federated State of Cyprus passed a regulation that restricts the right to sell the properties gained with the Agricultural Force Agreement

⁸ The reason to sign the protocol secretly was probably to avoid international criticism of demographic engineering.

for a period of 20 years (Hatay, 2005, p. 13). In these 20 years, settlers or so-called owners of these lands and houses were not able to sell their properties or rent them out without the permission of village headman, *muhtar* in Turkish (Morvaridi, 1993, p. 229). In addition to the distribution of lands, for a limited period, Turkish migrants earned a monthly salary which was around 700 TL, and were provided with household goods in their new houses (Kurtuluş & Purkis, 2014, p. 88).

The planned and facilitated migration of Turkish citizens to northern Cyprus has been criticized on the ground that it violates international conventions aiming to restrict demographic engineering in occupied territories. Article 49 of the Fourth Geneva Convention (1949), for example, clearly regulates and outlaws demographic engineering in times of war as follows: “the occupying power shall not deport or transfer parts of its own civilian population into the territory it occupies” (p. 168). However, the Turkish Cypriot administration denied the accusations made by the international community and Greek Cypriot authorities about the mass migration of Turkish citizens to the island. Rauf Denktaş, as the then leader of Turkish Cypriots, defined this action as a movement of both “guest workers” from Turkey and “return of Turkish Cypriots” to the island. On this issue, Denktaş made two similar and complementary statements in the United Nations as follows: “All that is taking place is that skilled technicians and workers are being imported from Turkey as a temporary basis as “guest workers” to meet the immediate needs of the economy” (Söylemez, 1983, p. 3). Moreover, Denktaş also maintained the following while justifying the mass movement of people from Turkey:

The EOKA movement during the 1954-59 period caused nearly 30,000 Turks to leave the island (...) It is their right to come back and so far about 10,000 have returned (...) So, a change in the demographic situation is a false alarm. (Söylemez, 1983, p. 4)

In a similar vein, to handle the criticism and accusation regarding demographic engineering, Turkish Cypriot authorities distributed special ID documents to the Turkish citizens who had migrated to the island, and they wrote the closest Turkish Cypriot village on these ID documents as the place of birth so as to conceal the truth (Şahin et al., 2013, p. 611). However, Şahin et al. (2013) argue that the attempt to manipulate the ID documents did not convince the international community, therefore the authorities gave up carrying on this policy (p. 611). In 1982, Turkish Cypriot authorities also amended the relevant law, namely the ITEM law (no. 41), which had provided the Turkish migrants with housing, agricultural land, temporary salary once they arrived on the island (Hatay, 2008, p. 168). As a result, those migrating after 1982 did not benefit from the privileges of what the first wave of migrants had had in the late 1970s.

Following the first wave of migration which was mostly controlled and facilitated by Turkish and Turkish Cypriot authorities from 1975 until 1979, a new phase of migration to northern Cyprus started in the 1980s. Kurtuluş and Purkis (2014, p. 123) define this phase as the second wave of migration to northern Cyprus which was generally composed middle-skilled workers, small and middle-sized investors, professors working in universities of northern Cyprus, as well as bank and tourism employees. The main reason behind this changing class dynamics of migration was probably the amendment of the ITEM law (no. 41), after which lower class agricultural labor lost their motivations and financial privileges to migrate to northern Cyprus. The second wave of migration has its own peculiarities with respect to the first one. For example, Turkish citizens migrated to the island either individually or with their small families, so the mass migration during the first wave was not seen in this phase. Moreover, the second wave migrants usually started to

live urban areas, rather than rural areas as overwhelmingly seen in the first wave, so as to be close to job opportunities (Kurtuluş & Purkis, 2014). In this process, there are several bilateral agreements signed between Turkey and the TRNC to regularize the flow of Turkish migrants. In 1987, a labor force agreement between parties was signed, aiming to prevent companies in northern Cyprus to unilaterally recruit their own workers without asking Turkish and Turkish Cypriot authorities. The agreement established the legal basis of how to recruit a worker outside of northern Cyprus, assigning the employment agencies both in Turkey and the TRNC as the responsible units which will collect demands from companies in northern Cyprus and then decide what type of workers are eligible for the vacancy. The agreement also forced companies to sign one-year contracts with the recruited labor from Turkey in order to regularize the legal status of Turkish migrants on the island (Resmi Gazete, 1988). In 1991, another agreement between Turkey and the TRNC also facilitated the movement between countries, eliminating the requirement to hold a passport when the citizens of both countries visit the other one (Resmi Gazete, 1991). With the agreement in 1991, Turkish citizens acquired the right to go to northern Cyprus with their Turkish ID cards which then increased the number of people working illegally on the island despite the restrictions that the labor force agreement aimed to provide.

In the late 1990s, according to the categorization of Kurtuluş and Purkis (2014, p. 125), the third-wave of migration which is mostly composed of construction workers and workers mostly employed in other labor-intensive sectors began. Before engaging in the descriptive analysis of the third-wave migration, we need to understand why northern Cyprus's economy is dependent on the recruitment of workers who mostly come from low and lower-middle classes. As discussed in the previous sub-section, Navaro (2012, pp. 81-96) clearly explains how the traces of the

public sector in northern Cyprus had emerged during the period (1963-1974) when Turkish Cypriots were living in enclaves and were in total need of financial support from Turkey. Then, this financial support has, in process, transformed into an economy that is mostly based on public spending and the infinite recruitment of public employees. According to the 2011 census, the population of the TRNC, including native and naturalized citizens, were 190,494 (Hatay, 2017). More than one-fifth of the population, numerically 41,373 persons, is either public officers, or retired from a public office, or dependent upon public aid in August 2019 (TRNC Ministry of Finance, 2019). In other words, it is reasonable to assert that one-fifth of the TRNC citizens receives a monthly allowance from the state. This huge dependency on public sector is the main reason behind the perpetual need of northern Cyprus for labor recruitment from Turkey (Kurtuluş & Purkis, 2008). Therefore, with the rise of construction and labor-intensive sectors in the late 1990s and 2000s (Hatay, 2008, p. 155), the concepts such as labor shortage and deficits seem still valid in articulating the reasons behind the migration to northern Cyprus.

Turkish migrants, in the third-wave, have mostly filled the abandoned old buildings and houses in the urban areas, especially in areas like the Nicosia walled city, that Turkish Cypriots had already left and moved to nearby suburbs (Kurtuluş & Purkis, 2014). Navaro (2012) defines the withdrawal of Turkish Cypriots from the walled city as a “performative act” which demarcates the boundaries “of their identity” and triggers the residential segregation between the Turkish migrants and the “newly established middle-class sociality” of Turkish Cypriots (p. 150). In addition to this “performative act”, the discourse of “becoming a minority in northern Cyprus” accelerated on the eve of Annan Plan and the Turkish Cypriots started to organize mass demonstrations against the long-lasting rule of Denktaş and

the status quo since 1974. In 2004, it was the first time in the history of the TRNC when the CTP, Republican Turkish Party (*Cumhuriyetçi Türk Partisi* in Turkish), a center-left and pro-unification political party, came to power as the big coalition partner. The CTP aimed to curb the number of Turkish people illegally migrating and working on the island by amending the law on the status of foreign people. The new law, namely Law on Foreigners and Immigration (no. 58) (*Yabancılar ve Muhacerat Yasası* in Turkish), targeted to put an end to informal employment of foreigners as well as the irregular migration to the island. The goal of the new law was to deter the irregular migration to northern Cyprus by regularizing the status of undocumented workers and increasing the cost of working without documents on the island for both employees and employers. This law was put in effect in May 2005, requiring undocumented workers to register in social security schemes and imposing fines for those whose visas are not valid anymore and who are still working illegally on the island (Hatay & Bryant, 2008; Kurtuluş & Purkis, 2014). The law also restricts the length of stay of Turkish citizens traveling with their ID cards by allowing them to stay on the island only for 30 days. Therefore, those who are willing to work in northern Cyprus should come with their passports to stay more than one month on the island, as stated in Article 7 of the Code on Foreigners and Immigrations.⁹ The same law also stipulates that employers have to get the permission for their employees, follow their health checks, and regularly pay their insurance premiums (Hatay & Bryant, 2008, p. 45).

In this process, it is estimated that 35,000 undocumented workers applied to register in the social security scheme to avoid paying fines (Kurtuluş & Purkis, 2014,

⁹ Thanks to the bilateral agreement between Turkey and the TRNC, Turkish citizens are able to travel to northern Cyprus with their ID cards for a short stay, but those Turkish citizens who come to the TRNC in order to work have to come with their passports.

p. 186). In the first instance, the results of the new law seem positive for the goals of the CTP government. However, regularizing and therefore legalizing the status of undocumented migrants resulted in something different than what the CTP-led government expected: The new law opened the legal path for acquiring the citizenship of the TRNC. As the 1993 Citizenship Law (no. 25) of the TRNC requires foreigners to legally work and live on the island for at least 5 years in order to be eligible for lodging a citizenship application, after the status of undocumented migrants was legalized thanks to the new law in 2005, the number of people who gained the legal opportunity to apply for citizenship increased. In the period from 2012 until 2017, the number of people who acquired the TRNC citizenship reached 12,890 (Hatay, 2017, p. 23). The next sub-section will interpret the different perspectives within the literature on the migration to northern Cyprus.

3.3. The literature on the migration to northern Cyprus

Following the descriptive analysis of different migration flows to northern Cyprus, this section aims to focus on the different perspectives regarding the Turkish migrants in northern Cyprus. To this end, this section will be organized along with three different approaches to the migration to northern Cyprus. The following paragraphs will firstly review the literature which interprets the migratory movement to northern Cyprus from the perspective of neo-classical economic theory. Then, it will focus on those scholars who see this migration as a part of the colonialism project of northern Cyprus. Lastly, the section reviews the perspectives of studies that classify the movement of Turkish citizens in between these two approaches.

Mehmet and Tahiroğlu (2000) focus on the pull and push factors in articulating the reasons behind the migration of Turkish citizens to northern Cyprus,

maintaining that “the pull factors include demand for low-wage labor in several sectors of the North Cyprus’s economy, especially construction, garment and textiles, and service sector” (p. 136). In terms of the push factors, the authors assert that “low wages, surplus labour and limited economic prospects” are the major determinants leading Turkish citizens to move to northern Cyprus (Mehmet & Tahiroğlu, 2000, p. 136). Mehmet and Tahiroğlu (2000) also bolster their arguments on the pull and push factors through stressing the results of their survey conducted with 513 Turkish citizens who work in northern Cyprus without a work permit, therefore illegally. The results of the survey indicate that “[t]he average daily wage of the potential migrants in the sending location in Turkey was \$6.29. By comparison, the average daily wage for this sample of workers increased to \$11.48 in North Cyprus” (Mehmet & Tahiroğlu, 2000, p. 133). Based on their findings of the pull and push factors, authors define the migration of Turkish citizens to northern Cyprus as a “rational” action that is “not guided or controlled by policymakers in Nicosia or Ankara” (Mehmet & Tahiroğlu, 2000, p. 135).

After the ban on crossing the borders between the TRNC and RoC was lifted in 2003,¹⁰ the Turkish Cypriots who have the possession of the RoC passport found the opportunity to cross the border on a daily basis so as to work in the Greek side of the island. Better working conditions and higher wages in the south attracted many Turkish Cypriots to cross the border every day to work there. However, “[t]his flow of labor to the south created a labor shortage in the north, which in turn pushed wages up and increased demand for migrant workers” (Besim, Ekici, & Güven Lisaniler, 2015, p. 417). Based on the result of the survey conducted with 301 commuting workers from northern Cyprus to the Greek side of the island, another

¹⁰ The land borders between the TRNC and the RoC were closed from 1974 until 2003.

research finds out that the education level of these Turkish Cypriots is very low, “with three out of four having no more than secondary schooling” (Mehmet, Tahiroğlu, Güven Lisaniler, & Katircioğlu, 2007, p. 51). Therefore, they define the movement of commuting workers as a flow of “unskilled rather than highly qualified” labor (Mehmet et al., 2007, p. 51). The outflow of unskilled Turkish Cypriots facilitated the movement of migrants from Turkey to fill the labor shortage in the North. In the years 2004-2011, the percentage of Turkish migrants working construction sector rose from 16.5% to 58.5%, in a similar direction, the percentage of Turkish migrants employed in hotel and restaurant sectors increased from 27.5% to 56.1%, the percentage of Turkish migrants in the whole labor market soared from 19.3% to 36.7% in the same process (Besim et al., 2015, p. 418). The findings also overlap with Kurtuluş and Purkis’ (2014) argument on the third-wave of migration when Turkish migrants moved to northern Cyprus for the job opportunities in labor intensive sectors. To conclude, these three articles also share the opinion that the migration to northern Cyprus is as a movement driven by mostly economic interests (Mehmet & Tahiroğlu, 2000; Mehmet et al., 2007; Besim et al., 2015).

In contrast to the economic/rational choice approach to grasp the dynamics behind the migration to northern Cyprus, some scholars interpret the presence of Turkish migrants in the northern part of the island as a part of the colonialism project led by Turkey (Ioannides, 1991; Vural et al., 2015). In his book, Ioannides (1991) mostly focuses on the period between 1974-1979 when the movement of Turkish migrants was facilitated and guided by both Turkish and Turkish Cypriot authorities, arguing that “since 1974 an estimated 74,000 Turkish settlers have colonized Cyprus” (p. 28). Ioannides (1991) also pays attention to how extraordinary measures were taken by authorities in order to distribute the TRNC citizenship to the Turkish

“settlers” (pp. 165-166). In a similar vein, Vural et al. (2015) give a general picture regarding the migration to northern Cyprus, labeling the movement of Turkish citizens as a “politically motivated migration”. While explicating the mass migration after 1974, the authors differentiate the movement of Turkish citizens from the pure labor migration theory as follows:

In classical understanding, labor migration is based on the mobilization of the male workforce to get better economic conditions. But in the case of northern Cyprus, there was a ‘massive mobilization’ of various selected families and villagers rather than the mobilization of male labor force individually. (Vural et al., 2015, p. 90)

The authors assert that the migration flows of Turkish citizens resemble the Ottoman settlement policy “aiming at transforming Moslem population into the newly captured territories to enable the Ottoman rulers to establish and secure their political control” (Vural et al., 2015, p. 88). The authors also argue that the migrants in this process did not have their agency to take the decision to migrate to northern Cyprus. Rather, specific groups were selected and transferred to the island (Vural et al., 2015, p. 88). Although Jensehaugen (2017) explains the first wave of migration to northern Cyprus with the concept of “settler colonialism”, he takes a relatively moderate stance than Ioannides (1991) and Vural et al. (2015) do. First, Jensehaugen (2017) argues that “[d]ue to the heterogeneity of the settler [from Turkey], it is erroneous to view -as many do- the settlers as a homogenous ‘Turkifying force’” (p. 360). Secondly, he sees the presence of Turkish migrants on the island as a “rare example of settler colonialism”, acknowledging the effects of Turkish migrants in “consolidating a new political entity” on the northern part of the island and also highlighting their lower economic positions in comparison with native Turkish Cypriots in the economic hierarchy (Jensehaugen, 2017, p. 365). Lastly, he argues

that this example differs from the Israeli example on the ground that Turkish citizens on the island “were mostly not ideologically driven” (Jensehaugen, 2017, p. 366).

Third approach generally makes a class-based analysis in articulating the migration flows to the island (Loizides, 2011; Purkis, 2008; Purkis & Kurtuluş, 2013; Kurtuluş & Purkis, 2014) and its consequences such as rising anti-migration discourse among native population (Bizden, 1997; Ramm, 2006; Hatay, 2008; İler, 2015). Loizides (2011), in his article on the migration to northern Cyprus, uses the theoretical framework constructed by Lustick (1985) so as to conceptualize and define the situation of Turkish migrants in northern Cyprus:

Lustick (1985), for example, distinguishes between ideologically driven settlers who justify their actions in ideological terms and underprivileged populations who are less interested in territorial politics and have immigrated for economic reasons, especially if they have been promised an easy life and access to ‘empty land.’ (as cited in Loizides, 2011, p. 392)

Loizides (2011) argues that the existence of Turkish migrants does not result in an “irreversible transformation” in the peace process (p. 392). On this account, he asserts that the situation of Turkish migrants on the island overlaps with the definition of “migrant population” with “low levels of politicization” rather than the concept “ideologically driven settler” because Turkish migrants prefer being “attached to daily survival issues rather than to territorial politics” (Loizides, 2011, p. 391). Therefore, he asserts that the migration flows to northern Cyprus are generally shaped by economic prospects and opportunities on the island (Loizides, 2011). In a similar vein, Kurtuluş and Purkis (2014) oppose to the view which considers the Turkish migrants on the island as an active agent to colonize Cyprus, thus highlighting the prevalent class difference between Turkish migrants and native Turkish Cypriots to challenge this view by arguing the following: “It is difficult to explain how the citizens of a colonialist-occupying country [Turkey] are

experiencing a class-based, social and cultural subordination to the citizens of a colonized country [northern Cyprus]” (Kurtuluş & Purkis, 2014, p. 293).¹¹ As delineated in the previous paragraphs, the authors argue that Turkish migrants on the island are overwhelmingly employed in labor-intensive economic sectors and therefore constitute the lower classes of the population in northern Cyprus (Kurtuluş & Purkis, 2014).

The rising number of Turkish migrants in northern Cyprus fueled the anti-migration and even xenophobic discourse among the native Turkish Cypriots. On this account, Hatay (2008) elaborates on how anti-migrant discourse has flourished, seeing the class, rather than cultural difference, between groups as the leading reason behind the onset of this discourse. Bizden (1997) focuses on how the migration flows from Turkey, mostly including unqualified and lower-class workers employed in the construction sector, gave rise to the anti-migration sentiments among the native population in northern Cyprus. Taking a critical stance on this anti-migration sentiments, Bizden (1997) also argues that the walled city of Nicosia turned into a contested area after the number of Turkish migrants who settled in that area dramatically increased. This makes the class differences between Turkish migrants and Turkish Cypriots more salient, triggering the already started withdrawal of Turkish Cypriots from the walled city to suburbs outside the walled city (Bizden, 1997, p. 82). In a similar vein, Navaro (2012) makes another contribution to the rationale behind the emotional and physical distance of Turkish Cypriots from the walled city and defines it as an “act of abjecting” as follows: “If certain spaces in northern Cyprus are specifically abjected (and declared marginal or out of bounds),

¹¹ Translated from: “Kolonyalist-işgalci ülkenin vatandaşlarının nasıl oluyor da koloni konumundaki ülkenin vatandaşları karşısında sınıfsal ve toplumsal-kültürel olarak madun konumda olduklarını açıklayabilmek zordur”

this is only an effort to create seemingly clean environments within a broader environment of abjection at many levels” (Navaro, 2012, p. 159).

Tuğrul İlter (2015) takes a theoretical perspective in understanding the rising anti-migrant sentiments among Turkish Cypriot community through referring to Jacques Derrida’s work on hospitality. In addition, he asserts that the presence and the ongoing arrival of Turkish migrants on the island prevent Turkish Cypriots from enjoying to be “master at home” and being “able to receive whomever I like there” (Derrida and Dufourmantelle, 2000, as cited in İlter, 2015, p. 26). Because of being unable to demonstrate the power to become a “master” of their country, Turkish Cypriots feel discontent and even anger towards Turkish migrants (İlter, 2015). Before moving to the next section where the citizenship regime in the TRNC will be discussed, it seems useful and significant to finish the chapter by referring to the article written by Christoph Ramm (2006), who also takes a critical stance regarding the Turkish Cypriots’ negative perspective on the migrants from Turkey and compares it with the EU’s approach to migrants and refugees:

Opening the internal borders in Cyprus and closing the borders to Turkey and to the undesired ‘Oriental’ outside world, this Cypriot dilemma reminds us of the European Union, which supports free movement among its members while it erects insurmountable walls against immigrants and refugees. (Ramm, 2006, p. 539)

Overall, this chapter aimed at giving a broad perspective ranging from the politics of Cyprus to the migration flows to northern Cyprus. First of all, the historical evolution of Cyprus Question until Turkey’s intervention to the island in 1974 is important, not only for grasping the past, but for fathoming today’s exceptional circumstances in the TRNC. Second, this Chapter summarized the migration flows to northern Cyprus, mostly by following “three-flow-framework” set by Kurtuluş and Purkis (2014). This was another prominent part of the Chapter because grasping the differences between

migration flows as well as distinguishing the state-led or facilitated migration in the late 1970s from the other migration flows are crucial to clarify the migration trajectory to northern Cyprus. Following this descriptive analysis, the last part of the Chapter provided the reader with a literature review on the reasons behind the migration to northern Cyprus. Ranging from neo-classical economy to class-based analysis, this part would enable the reader to grasp the dynamics paving the way for the migration as well as the problems between native Turkish Cypriots and migrants from Turkey.

CHAPTER 4

CITIZENSHIP REGIME OF THE TRNC

There exists a rich literature on the migration flows to Cyprus since 1974. Turkish migrants constitute the majority of these migrants who moved to northern Cyprus after 1974. However, there is only a few scholarly research focusing on the motivations of migrants in northern Cyprus who are willing to acquire the TRNC citizenship (Çolak, 2013; Kurtuluş & Purkis, 2014). These scholars do not explain the legal hurdles that migrants experience because of not being a citizen. Rather, these studies are based on survey results and briefly mention that being a citizen would improve the economic and legal situation of migrants on the island. How the TRNC authorities grant citizenship, and how and why migrants apply for citizenship are dramatically overlooked by scholars. To fill this gap in the literature, this chapter seeks to understand, interpret and clarify the citizenship regime of the TRNC, thus aiming to give a coherent picture of the reasons why Turkish migrants try to acquire the TRNC citizenship and what kind of experiences they have with the TRNC authorities and laws during the application process.

To find out responses to these questions, this chapter will be organized into four sections. In the first section, the focus will be the value of the TRNC passport as well as Turkish migrants' desire to acquire the TRNC citizenship. The second section clarifies the legal structure of the citizenship regime through analyzing the legal documents and their evolution since 1974. The third and fourth sections focus on citizenship acquisition with ordinary naturalization, mostly with work or residence permits, and facilitated naturalization with the decisions of council of ministers respectively. In these two sections, the goal will be to comprehend the de

facto application of the citizenship regime. In doing so, it seeks answers to the following questions: to what extent is the application of citizenship acquisition in accordance with the Citizenship Law? Or do governments and authorities have discretion while granting citizenship? Or to what extent do political and social networks play a role in the acquisition process?

4.1 Motivations to acquire TRNC citizenship

Vague demographic data, contrasting figures and lack of international monitoring for the collection of these data are arousing suspicions about the real number of Turkish migrants in northern Cyprus. On this account, Ahmet An (2004) interprets different studies on the number of Turkish migrants in northern Cyprus estimates that from 1974 to 2004, more than 100,000 Turkish “settlers” have migrated to the island and outnumbered the number of indigenous Turkish Cypriots. Similarly, the Republic of Cyprus also shares some statistics on the demographic structure of the “occupied part”, asserting that the 160,000 Turkish “settlers” have “illegally” migrated to northern Cyprus and exceeded the number of Turkish Cypriots (Ministry of Foreign Affairs of Cyprus [MFA of Cyprus], 2006). Laakso (2003) maintains similar figures regarding the number of Turkish migrants and expresses criticism of Turkey’s “colonization” of Cyprus.

Hatay (2007) finds these assumptions on the number of Turkish migrants living in northern Cyprus as exaggerated and failed claims, asserting that these assumptions do not take into account “two important distinctions” regarding the status of Turkish migrants in the northern part of the island (p. 5). Firstly, since these assumptions are generally reached with the basic calculations between the number of arrivals and departures to and from northern Cyprus, Hatay (2007) argues that the

authorities in the RoC and EU are unable to grasp the differences between “temporary residents on the island and naturalized citizens” (p. 5). Secondly, Hatay (2007) also classified these naturalized Turkish migrants into two groups in terms of when they migrated to Cyprus: the first group of naturalized Turkish migrants received the Greek properties and benefitted from other opportunities (as delineated in Chapter 3.2) of being involved in the Agricultural Workforce Agreement, whereas the second is composed of naturalized Turkish migrants who have migrated after 1982 and did not enjoy the same privileges that the first group did in the late 1970s. As the thesis seeks to understand the citizenship trajectory of Turkish migrants who moved to northern Cyprus after the facilitated and encouraged migration ended. This section will look at the motivations of these Turkish migrants that lead them to apply for TRNC citizenship.

Since the independence of the TRNC has been only recognized by Turkey, the passport of the TRNC lacks an international strength. Being only recognized by Turkey, however, does not mean that the TRNC passport can only be used when traveling to Turkey. In addition to Turkey, the citizens of the TRNC can also use their passports, of course with a valid visa, while traveling to five different countries such as Australia, France, Pakistan, the UK and the US (Krasniqi, 2019, p. 307). However, the limited international recognition of the TRNC passport channels TRNC citizens to take two paths so as to overcome travel restrictions. First, TRNC citizens have the right to “obtain a Turkish passport without becoming a citizen of Turkey” or can benefit from “a fast-track process for the citizenship applications” to gain Turkish citizenship (Kadirbeyoğlu, 2010, p. 12). Second, Turkish Cypriots who were born before the intervention in 1974 or whose parents did so are entitled to obtain the citizenship of the RoC (Trimikliniotis, 2015, p. 5). In such an environment

where the TRNC passport has a limited meaning even for its own citizens, it seems reasonable to pose the following question: Why do Turkish migrants try to obtain the TRNC citizenship?

The first answer to the question could be to acquire the citizenship of the RoC. However, the access of Turkish migrants to the RoC citizenship is highly limited and restricted only to assisted naturalization, in other words, a Turkish migrant can only acquire the RoC citizenship if s/he is married to a Turkish Cypriot who is already a citizen of the RoC. However, the marriage should take place outside of North Cyprus because of its unrecognized and illegal status in the eyes of Greek authorities (Trimikliniotis, 2015, p. 8). Besides, since Greek Cypriots authorities define the presence of Turkish migrants on the island as an illegal act, Turkish migrants do not have even the right to cross the border and visit the southern part of the island like Turkish Cypriot citizens can.

Second, the prospect for the reunification and the possible inclusion of Turkish migrants in the citizenship regime of the new country could be another motivation for applying for the TRNC citizenship. For example, in the proposed country, namely United Republic of Cyprus, under the mandate of the Annan Agreement, the Greek and Turkish authorities were able to separately grant 45,000 citizenships to non-citizens if these people fulfill some requirements e.g. legally residing on the island for at least seven years (Çolak, 2013, p. 403). However, it is almost impossible to assess the validity of this argument and can only be considered as an implicit and long-term investment of Turkish migrants. Instead, the thesis argues that Turkish migrants overwhelmingly aim to gain the TRNC citizenship in order to strengthen their legal status, and to preserve and improve their living standards in northern Cyprus. In this process, Turkish migrants do not necessarily

pay attention to the future of the island and therefore their possible citizenship status in a reunified Cyprus.

As delineated in Chapter 3, Turkish migrants generally move to Cyprus in pursuit of better economic opportunities. However, this does not mean that all Turkish citizens have the right to move to northern Cyprus and settle there, because over time the laws and regulations on foreigners specified the conditions for their stay, requiring them to apply for work permits and to get health checks regularly to secure their stay in Cyprus. Therefore, elaborating on the laws and regulations related to foreigners would be a good starting point to clarify and understand the legal obstacles that Turkish migrants face and are willing to overcome through the acquisition of the TRNC citizenship.

After the bilateral agreement between Turkey and the TRNC (no. 43) that aims to hinder and regulate informal employment of Turkish citizens in northern Cyprus, Turkish Cypriot legislative authorities passed a new law, namely Law on Work Permit for Foreigners (no. 63), and a complementary code, namely Code on Work Permit for Foreigners (no. 140). These two legal documents specify conditions for labor recruitment from abroad and crucial steps that employers and employees have to follow during the process. Article 7 (1) of the new law on work permits outlaws employment of foreigners without a valid work permit in northern Cyprus. For the process of how to recruit foreign employees, the law and code define a convoluted process that employers have to follow so as to recruit foreign workers. First of all, Article 9 (1) of the Code requires employers to prove that the local labor market does not meet with the need for labor and therefore foreign workers are needed to fill the gap. To prove the insufficiency of local labor for the demand, employers or companies need to notify the Ministry of Labor and Social Security

that they opened a publicly available vacant position and need to wait for 15-30 days so as to see the job application from local workers (Interview 6). If employers or companies cannot find any local workers for the given position in northern Cyprus, then they gain the right to start the process of foreign labor recruitment.

The first step to be taken for foreign labor recruitment is getting the prior consent of authorities (*ön izin* in Turkish). To this end, employers should apply to the ministry to get prior consent which enables foreign workers to travel to northern Cyprus with a short term visa, valid for 30 days as stated in the Code on Work Permit for Foreigners (no. 140). In addition, Article 7 (1) of the Code requires foreign workers to come to the island with their passports rather than Turkish ID cards. After foreign workers arrive in Cyprus, employers have only 30 days to lodge an application for a temporary work permit (valid for a year) for their foreign employees. During the application, employers should pay an administrative fee and employees should get a medical report (Interview 6).

The work permit process has its own shortcomings in itself and directly affects the lives of employees in northern Cyprus. The work permit is valid only for a year, therefore, foreign workers in northern Cyprus should apply for another permit at the end of twelve months and should prove with documents that they are still employed and healthy. The short-term and precarious status of Turkish migrants is one of the most important reasons behind the desire of Turkish migrants to acquire TRNC citizenship. Interviewees describe the application procedure for the temporary work permit as a “troublesome”, “wearisome” and “costly” process (Interviews 8, 3, 11). In addition to problems during the application process, the most important problem arises when a foreign worker becomes unemployed. According to Article 30 (9) of the Code on Work Permit for Foreigners, a foreign worker has only 40 days to

find a new job in order to preserve their legal status on the island after s/he loses her/his job. Otherwise, her/his status becomes illegal. So, the foreign worker has only two options to avoid becoming an illegal migrant: Either leave the island in these 40 days and start the whole process from the beginning, namely from the prior consent (*ön izin* in Turkish), or pay a fine for overstaying on the island. In addition, one of the interviewees has mentioned the following method so as to circumvent the legal requirement to leave the island:

The most important problem is the legal obligation to leave the island when you become unemployed and are unable to find a new job within 40 days. If you do not leave, they punish you with a fine that is calculated on the basis of the daily minimum wage. But for example, if you have already brought your family with you, how would you leave so easily because you could not find a new job. So, for example, you provide documents as if you are employed in a company that belongs to someone that you know ... But in that case, you have to pay your social security insurance by yourself, this is also another financial burden for an unemployed person. (Interview 11) (see Appendix D, 1)

According to Code on Residence Permits and Visas, once a foreign worker receives her/his work permit, s/he does not have to make another application for a residence permit. In other words, having a work permit is an equivalent document to a residence permit for foreign workers. However, to be able to bring their family members to northern Cyprus, foreign workers should fulfill some legal criteria. The Code describes the process and requirements. First of all, Article 16 (5) of the Code obviously states that the duration of family members' or dependents' residence permit cannot exceed the duration of the work permit issued for the foreign worker. As discussed in the previous paragraphs, the TRNC authorities mostly issue a one-year-long work permit for foreigners. Since the residence permit of family members is issued in accordance with the work permit, they are also issued only for a year. Therefore, the residence permit of family members should be renewed each year and all documents and administrative charges should be fulfilled and paid in accordance.

Secondly, Article 16 of the Code states that the foreign worker should have been legally working on the island at least for a year so as to lodge an application for bringing her/his family members to the island. Thirdly, the foreign worker should prove that s/he earns at least a minimum wage for bringing an additional three family members and his/her family members should benefit from health insurance during their residence. Fourthly, the family members should demonstrate a medical report proving that they do not pose a threat to public health. Last but not the least, for each family member, an administrative charge (448 Lira for the year 2020) should be paid.

However, interviewees overwhelmingly maintain that the current code related to their family members results in two important problems. First, renewing the resident permit each year causes an important financial burden for foreigners. On this issue, one of the respondents says the following about the cost of residence permit and required health report: “All of them cost more or less 1000 liras for each person. If you have already brought your spouse and children, you need to pay this amount of money for them as well” (Interview 11).¹² Similarly, another respondent who has been legally working in northern Cyprus since 2002 and acquired the TRNC citizenship in 2015 explains the following about the cost of the process to apply and renew residence permit each year:

I married in 2011, my spouse was applying for the residence and work permit thanks to my work permit. It was an important burden for us ... [After I acquired the TRNC citizenship], we got rid of these obligations to renew our residence and work permits as well as getting health reports for the application process each year. Moreover, to get these documents, you have to pay a significant amount of money each year. (Interview 8) (see Appendix D, 2)

¹² Translated from: “Bunların hepsi aşağı yukarı 1000 lira tutuyor kişi başı, çoluk çocuk da getirmişsen hepsi için de aynı parayı veriyorsun”

Second, since the residence permit for family members are issued in parallel to the work permit of foreigners, in the case of when the foreigner becomes unemployed and is not able to find a new job in 40 days the family members also face with the similar risks of being entitled as illegal aliens as the foreign workers do (Interview 11). This creates a precarious environment for migrant families as well.

In addition to handle the legal obstacles of getting work permits, interviewees maintain other different reasons sparking their motivations to apply for the TRNC citizenship such as having a permanent contract in public sector (Interview 1). As Law on Public Officials (no. 7) entails, individuals have to be TRNC citizens in order to be recruited as public officials. Hence, migrants are not entitled to become public officials. In a country where the share of the public sector is very significant, this becomes a striking privilege which can only be held by the citizens. On the other hand, migrants can only get temporary contracts if they are employed in state-led sectors. One of the respondents who started to work in northern Cyprus as an imam in 2002 and became a TRNC citizen in 2019 clearly explains his temporary and disadvantageous situation compared to TRNC citizens as follows:

In these 18 years, my work permit was renewed each year. Since I was not a [TRNC] citizen in this process, so my contract was a temporary basis. When my status was temporary, I was earning the same amount of money that a TRNC citizen with a primary school degree. (Interview 1) (see Appendix D, 3)

In the TRNC, there are two different insurance schemes such as social security system and provident funds (*Ihtiyat Sandığı* in Turkish). Although the monthly contributions of foreign and native workers to social security system and the pensions that they monthly receive after retirement are more or less same, there is a clear difference in the provident fund system that puts the foreign workers in a disadvantageous position vis-à-vis citizens (Interview 6). After Law on Social

Security (no. 73) came into force on January 1, 2008, the provident fund, one-time only promotion money after retirement, began enforcing different mechanisms for the TRNC citizens and foreign workers. Though both parties contribute to the provident fund system, only the TRNC citizens are eligible to receive this one-time only retirement promotion. As stated in Article 8 of Law on Social Security (no. 73), the contribution mechanism for the provident fund works as follows: An employee with the TRNC citizenship pays 4% of his/her gross salary each month, in addition to this contribution, an employer pays an amount of money which is equivalent to 4% percent of the given TRNC citizen's gross salary. And, this employee will receive the accumulated money in her/his deposit account when s/he retires. However, although an employer has to pay 5% of the given foreign workers' gross salary each month, when the foreign worker retires, s/he is not able to receive the money from their deposit account unlike a TRNC citizen can do. Article 8 of the Law attests that this accumulated contribution to the provident fund in the name of a foreign worker "is used so as to promote domestic employment and cannot be used for any other purpose than this".

In addition to legal obstacles that foreign workers experience, there are also other legal restrictions for foreign business people who aim to run a business, own property or invest in northern Cyprus. For example, Articles 8 and 9 of the law¹³ that regulates the ownership of real estate establish a legal framework preventing foreigners from renting or owning more than one property. One of the interviewees who wants to launch a business in northern Cyprus states the legal restriction on owning more than one property as the major reason to lodge the citizenship application, asserting the following:

¹³ See Law on Real Estate Acquisition and Long Term Rental (Foreigners) (*Taşınmaz Mal Edinme ve Uzun Vadeli Kiralama (Yabancılar) Yasası* in Turkish) No. 52 (2008).

I was starting to run a construction business there [in northern Cyprus]. As a foreigner, there were some legal restrictions. For example, as a citizen of Turkey, I could only get a title deed of only one property. Since we wanted to launch a company so as to start construction, I wanted to overcome this restriction and this is the reason why I applied for citizenship. (Interview 12) (see Appendix D, 4)

In a similar vein, even launching a small business is impossible for foreigners.

Preconditions for launching a small business are articulated in Article 7 (1) of the Law on Small Business Owners (no. 29), only enabling TRNC citizens to start a business in northern Cyprus. On this account, one of the interviewees who acquired the TRNC citizenship in 1992 maintains the following: “I could not run a business. Immediately [after the acquisition], I set up my shop as well as a small garment factory” (Interview 7).¹⁴

After explicating the motivations of foreigners to apply for TRNC citizenship, the following sections will focus on different ways to acquire citizenship. To this end, it will first give a general framework of the TRNC citizenship regime. Then, it will pay attention to different naturalization methods such as ordinary naturalization with work permit or legal residence and facilitated naturalization.

4.2. Citizenship acquisition in northern Cyprus after 1974

Since the de facto partition of the island in 1974, three different legal documents have been published by authorities in order to regulate the citizenship acquisition in northern Cyprus. The first document, the 1975 Citizenship Law (no. 3), specifies conditions for third-country nationals who are willing to acquire citizenship. Article 5 (1) of the Law requires the applicant to have lived in northern Cyprus at least for twelve months, expecting the applicant to show the willingness to continue living on

¹⁴ Translated from: “Yasal olarak dükkan açamıyordum, hemen dükkan açtım kendime bir de konfeksiyon atölyesi kurdum”

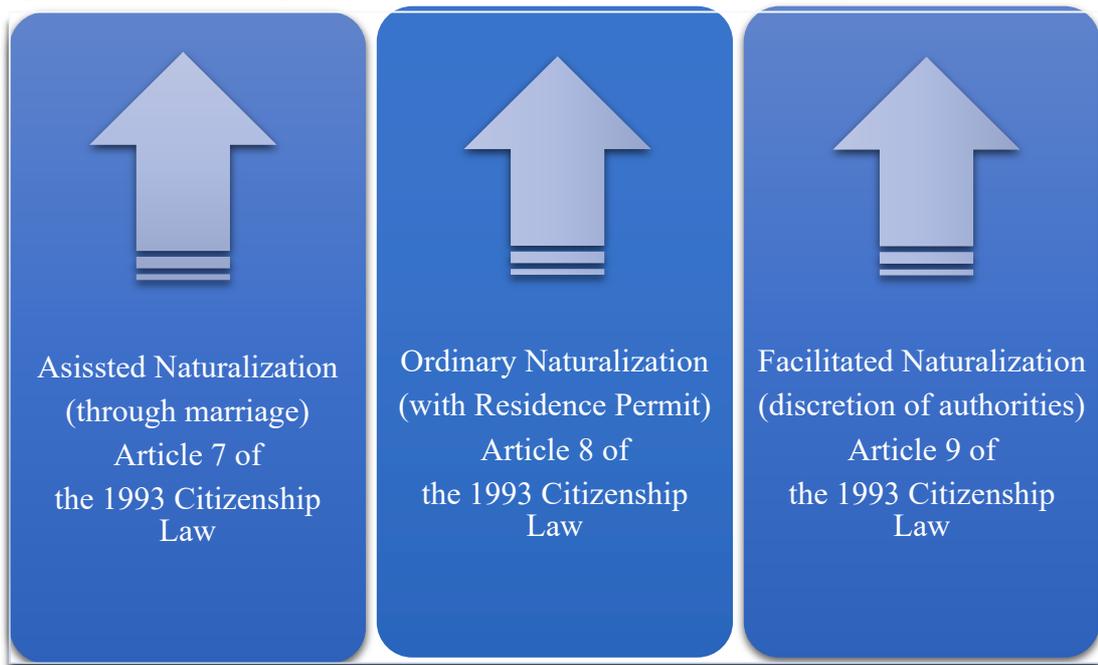
the island after the acquisition and entailing the applicant to have a good character. For assisted naturalization, the 1975 Citizenship Law (no. 3) does not take a gender-neutral stance. Instead, Article 5 (2) of the Law enables only women to benefit from assisted naturalization procedures if the applicant has been married to a Turkish Cypriot man for at least a year. In addition, Article 6 (1) of the 1975 Citizenship Law also gives wide discretion to Interior Ministers in granting citizenship. Moreover, according to Article 6 (2) of the Law, those who took part in Turkey's military operations to Cyprus in 1974 and fought in unison with the Turkish Cypriot paramilitary organization, namely the TMT, during the armed conflict are entitled to acquire the citizenship of Turkish Federated State of Cyprus.

Although North Cyprus declared its independence in 1983 and was renamed as the Turkish Republic of Northern Cyprus (the TRNC), the 1975 Citizenship Law of Turkish Federated State of Cyprus had still been in use until 1993. However, during this process, in accordance with the 1975 Citizenship Law, the Constitution of the newly established TRNC, as the second legal document, includes an article regarding the citizens and citizenship regime in northern Cyprus. Article 67 of the TRNC Constitution highlights that those “were ordinarily resident in the Turkish Republic of Northern Cyprus on the 15th November, 1983” and “were admitted to citizenship of the Turkish Federated State of Cyprus before the 15th November, 1983” have the right to acquire the TRNC citizenship. It seems reasonable to argue that this article aims to regularize the situation of people who had acquired citizenship during the period from Turkey's intervention in 1974 until the declaration of the independence of the TRNC in 1983. As delineated in the previous chapter, there was a massive migration flow of Turkish citizens to northern Cyprus in this period which is facilitated and assisted by both Turkish and Turkish-Cypriots

authorities. Therefore, with Article 67 (1), the situation of naturalized Turkish migrants under the mandate of the Turkish Federated State of Cyprus was included in the citizenship regime of the newly established TRNC. For this period, Hatay (2017) gives some figures on the number of citizenship granted: “between 1975 and 1981, 21,851 persons of Turkish origin [migrants] received citizenship from what was then the Turkish Federated State of Cyprus” (p. 47).

The 1993 Citizenship Law (no. 25), as the successor of the 1975 Citizenship Law and the third legal document, gives a more detailed account of the acquisition of citizenship. It gives three different naturalization paths for TRNC citizenship as seen in Figure 1. For example, in terms of assisted naturalization, Article 7 (2) of the Law eliminates the gender-biased elements of the previous law by also enabling men who have been married to a Turkish Cypriot woman for at least a year to acquire the TRNC citizenship. In addition to assisted naturalization, in the 1993 Citizenship Law, there are two more naturalization mechanisms for third-country national’s acquisition of TRNC citizenship.

Fig. 1 Three different paths for aliens to acquire TRNC citizenship



The first mechanism, ordinary naturalization with work permit or legal residence, expects third-country nationals to fulfill certain conditions. In this mechanism, the Interior Ministry is the responsible administrative authority to evaluate the application and to reach a decision whether to grant the citizenship or not. Article 8 (1) of the 1993 Citizenship Law regulates the first mechanism and specifies the conditions in detail. For example, the applicant should be older than 18 years old, s/he should have lived in northern Cyprus for at least five years and in any of these five years s/he should not have left the island more than 40 days, s/he should demonstrate her/his intention to live in northern Cyprus after the acquisition, s/he should have a good character and be healthy, s/he should have financial means to sustain her/his own life and the lives of her/his dependents in northern Cyprus. According to Article 8 (2) of the 1993 Citizenship Law, after the applicant obtains the TRNC citizenship with fulfilling the above criteria, his/her spouses and under 18-year-old children also have the right to acquire citizenship.

The second mechanism, facilitated naturalization, is used as an ambiguous method of granting citizenship because the vague conceptualization of criteria gives wide discretion to authorities. As seen in the 1975 Citizenship Law, Article 9 (1) of the new Law also aims to naturalize those who have fought in unison with the Turkish Armed Forces and the paramilitary organization of Turkish Cypriots, namely the TMT. However, there are also other criteria open to vague interpretation and manipulation of the article. For example, Article 9 (1) waives some conditions of Article 8 (1) such as a five-year residency requirement and the intention of living in northern Cyprus permanently. Instead, Article 9 (1) says that those who have invested in tourism, industry, trade sectors and those who have extraordinary success in science, politics and cultural areas are eligible to become the TRNC citizen.

Moreover, Article 9 of the same law says that those “whose citizenship acquisitions are considered mandatory by the council of ministers”¹⁵ are accepted to the TRNC citizenship. After the third-country national applies for the acquisition of citizenship in accordance with the above criteria, the application goes to the Interior Ministry as well as it does in the first mechanism. However, what distinct in the second mechanism is that the council of ministers is the responsible authority in reaching the decision whether to grant citizenship or not. As in the first mechanism, after the applicant is granted with the TRNC citizenship through facilitated naturalization, her/his spouses and under 18-year-old children are also entitled to obtain the citizenship.

The citizenship regime of the TRNC is de facto based on *ius sanguinis*, meaning that the citizenship is transferred from a mother or father holding the TRNC citizenship to their child regardless of where the child is born. However, Article 6 of the 1993 Citizenship Law includes the following statement which seems to somehow look like the *ius soli* principle:

Children born in the Turkish Republic of Northern Cyprus, who are from a foreign mother or father, are considered citizens of the Turkish Republic of Northern Cyprus, starting from their birth, within the framework of the principles of reciprocity between the countries concerned. (Article 6) (see Appendix D, 5)

However, *ius soli* principle does not work in northern Cyprus. Since Article 6 of the Law requires “the principles of reciprocity between the countries” for applying *ius soli* principle, the lack of the international recognition of the TRNC makes the use of *ius soli* principle impossible. To this end, Ersen Perçin (2016, p. 225) argues that *ius soli* principles can only be used for the children of Turkish citizens, because Turkey is the only country that recognizes the independence of the TRNC. However, I argue

¹⁵ Translated from: “Yurттаşığa alınması Bakanlar Kurulunca zorunlu görülenler”

that the *ius soli* principle is not applicable even for children born in northern Cyprus into Turkish parents, because Turkish Citizenship Law does not apply *ius soli* principle for children born in its territory (Kadirbeyoğlu, 2010). This makes legally impossible to apply *ius soli* principle in northern Cyprus because of the absence of the reciprocity between Turkey and the TRNC.¹⁶

Following the legal framework on the Citizenship Laws in northern Cyprus, the next two sections mostly deal with the applications of the laws. To this end, I asked several questions to the interviewees. These questions are: “Under which article did you apply for the citizenship?”, “What type of documents did the authorities ask you during the application process?”, “How many years did you live in the TRNC before lodging a citizenship application?”, “How long did the evaluation process of your application take?” In the next section, I will focus on the experiences of those people who applied for citizenship after having lived at least five years on the island. Therefore, the next section will mostly aim to understand the experiences of those who are included in the ordinary naturalization with work permits. In the fourth section of this chapter, the focus will turn to the experiences of those who acquired the TRNC citizenship with facilitated naturalization. How the vague conceptualization of facilitated naturalization is applied will be the central concern of the last section of this chapter.

4.3. Citizenship acquisition with ordinary naturalization

In this section, I will focus on the citizenship acquisition with ordinary naturalization, namely Article 8 of the 1993 Citizenship Law, which requires the

¹⁶ An example of the absence of *ius soli* principle for Turkish citizens in northern Cyprus will be shown in Page 76 (see KKTC Resmi Gazete, 2020).

applicant to have legally lived in northern Cyprus at least for five years before lodging the citizenship application. However, what I observed during the fieldwork that the precondition to have legally lived in northern Cyprus at least for five years is in practice not sufficient to acquire the citizenship. Instead, the TRNC authorities expect the applicant to have legally lived on the island at least for twelve years. One of the interviewees who has been legally living and working in northern Cyprus since 2002 could only lodge his application in 2013. On this account, to the question of “have you waited for ten years until the application?”, the interviewee answers as follows:

Yes, I have even waited for twelve years. The law says that you can apply after six seals [work permits], but the Ministry [of Interior] does not follow this rule. They want to see at least 12 seals after then you can apply. (Interview 8) (see Appendix D, 6)

The other two respondents who acquired the TRNC citizenship in the 2010s also confirmed the unwritten 12-year rule required to be able to lodge the citizenship application (Interviews 1, 11). What paves the way for the emergence of this unwritten 12-year rule can be an important question to pose. The bilateral agreement with Turkey in 2004 (no. 43) and the Work Permit Law (no. 63) and Code (no. 140) can be considered as the major reasons behind the emergence of this unwritten rule. As discussed in the previous chapter, the attempt to regularize the informal employment with these legal documents created a legal status for foreign employees, enabling them to apply for TRNC citizenship after having lived in northern Cyprus at least for five years (Hatay, 2017, p. 21). In 2005, the number of foreign workers whose work permits were issued for the first time was 36,200; this number is almost four times higher than the previous year, 2004, which was only 9,656 and is almost nine times higher than the year of 2003 which was only 4,124 (Ministry of Foreign Affairs of Cyprus as cited in Hatay, 2017). The legalization of foreign workers and

the huge number of applications to gain the work permit triggered the government to establish discretionary practices like the unwritten 12-year rule so as to “slow down the process of granting naturalization” (Hatay, 2017, p. 21).

On this account, one of the interviewees who is the head of a hometown association sees the Annan Referendum as a turning point resulting in the discretionary 12-year rule to emerge and says the following:

The five-year implementation [in citizenship application] has become irrelevant after the 2004 referendum. The governments here thought that ‘the referendum gave us legitimacy, we could be more independent about the citizenship issues’. Afterward, the five-year started to increase to ten years ... For this reason, after 2004, there was something like people are waiting in line, citizenship was first granted to those who were close to 20-year of residency, then it fell to those with 16-12 years. (Interview 10) (see Appendix D, 7)

However, rather than the legitimacy that the Annan Referendum provided, it seems more plausible to argue that two possible changes directly laid the foundations of the unwritten 12-year rule. First, the year 2004 is an important year for the politics in northern Cyprus. It was the first time that the CTP, the center-left and pro-unification political party, came to power as the big coalition partner. In addition, in 2005, Mehmet Ali Talat, as the candidate of the CTP, put an end to the long-lasting rule of Rauf Denktaş and was elected with the popular vote as the new President of the TRNC.

Second, as described previously, the legalization of labor increased the number of foreign employees with work permits. According to the 2011 Census, the TRNC population was only 286,257 (KKTC DPÖ, 2011). In such a small country, the number of workers (36,200) who applied for work permit for the first time is probably the main reason behind the emergence of the unwritten 12-year rule. In light of these two changes, I will argue that the change in government and president may be considered as the reasons behind the attempt to legalize the employment and

the emergence of discretionary practices like the unwritten 12-year rule, because the relations between the CTP and Turkish migrants have always been controversial. The CTP has seen the presence of Turkish migrants as a group of people who have overwhelmingly supported the long-lasting rule of Denktaş and his political parties and who are the major obstacle against the re-unification of the island (Kızılyürek, 2005; Erhürman, 2010). Although in the post-2004 period the number of granted naturalization with ordinary naturalization does not fluctuate in accordance with whether the CTP leads the government or not (“Vatandaş olmak,” 2017), the CTP government in 2015 aimed to stem the number of foreigners who would gain the right of citizenship by fulfilling residency requirement. To this end, “the CTP government in 2015 introduced the White Card, on the model of the U.S. Green Card, which granted a longer period of residency and rights similar to citizens, apart from the right to vote and be elected” (Hatay, 2017, p. 24). Although this proposal never came into force due to the change in the government, it helps us understand the restrictive and exclusionary citizenship policy of the CTP.

As described in the previous section, Article 8 (1) of the 1993 Citizenship Law also states that the applicant should not have left the country more than 40 days in any of these years prior to the citizenship application. In such an environment where the unwritten twelve-year requirement is crucial for lodging the citizenship application, migrants have to pay attention to the number of days that they spend outside northern Cyprus during these twelve years. During the fieldwork, I observed that this 40-day rule is widely considered by authorities as a legal reason to reject citizenship applications. One of the interviewees who have been working in northern Cyprus since 2003 and acquired the TRNC citizenship in his third application stresses the importance of the 40-day rule, arguing the following: “I have done the

citizenship application three times in total. The first two were rejected because of the 40-day rule. In my third application, I was able to obtain citizenship in April 2019” (Interview 1).¹⁷ In a similar manner, the citizenship application of another interviewee was rejected on the ground of the same rule (Interview 3). An interviewee who is the leader of a hometown association argues that this requirement is not analyzed case by case and excludes even those who must have been abroad because of medical reasons:

Let me explain something more interesting, we had a friend from Hatay. He got sick, went to the hospital here [in northern Cyprus]. They [the doctors] could not do the operations here and said that ‘we will send him to Turkey [for surgery]’. This man was treated in a hospital [in Turkey] for 45-46 days. From the plane ticket to the hospital fee, the TRNC Ministry of Health has paid everything. Then, this man came back to Cyprus, he went to the Ministry of Interior to fill the citizenship application. The Ministry [of Interior] said to him: ‘you've stayed a lot in Turkey (showing 45-46 days spent in the hospital), that is why you cannot acquire the citizenship.’ (Interview 7) (see Appendix D, 8)

However, when I asked a leader of another hometown association regarding the situation of those whose application was rejected due to the 40-day rule even in a medical emergency situation, he asserted that if the applicant has valid reasons not being able to fulfill this 40-day rule, then s/he should file a petition explaining her/his situation to the Ministry of Interior so as to avoid being rejected (Interview 10). When tracking the records of the facilitated naturalization by the council of ministers, I came across with decisions of council of ministers that granted citizenship to those who could not acquire the TRNC citizenship with ordinary naturalization. In other words, people who are not able to fulfill the 40-day rule to acquire the TRNC citizenship with ordinary naturalization are granted citizenship with the facilitated naturalization. The following section mostly deals with the

¹⁷ Translated from: “Ben toplam üç defa yaptım, vatandaşlık başvurusu. İki reddedildi, 40 gün yasasına takıldım. Üçüncü başvurumda alabildim vatandaşlığı, Nisan 2019’da”

practices in the facilitated naturalization in northern Cyprus. This mechanism is used not only as an accelerated procedure to grant citizenship, but it also aims to deal with the flaws of Article 8 in the 1993 Citizenship Law.

4.4. Citizenship acquisition with facilitated naturalization

In 2003, in a conference in northern Cyprus, the then-leader of Ankara Chamber of Commerce, Sinan Aygün, showed his TRNC ID card to the audience and said the following: “I became a [TRNC] citizen in only 30 minutes” (“İşte KKTC,” 2007; “Denktaş’ın seçmen,” 2003).¹⁸ In an environment where the methods of granting citizenships had always been controversial and therefore questioned by opposition, this statement of Sinan Aygün fueled the debate over the citizenship regime and triggered the main opposition party, the CTP, to sue those 156 persons who acquired the TRNC citizenship with facilitated naturalization in 2002 and 2003. Then, the court ordered to revoke the citizenships of these 156 persons in 2007 (“İşte KKTC,” 2007). This section, therefore, aims to comprehend the ambiguity of the citizenship acquisition with facilitated naturalization, i.e. granting citizenship under the mandate of Article 9 of the 1993 Citizenship Law. In doing so, the section will be based on the data obtained during the interviews as well as the decisions of the council of ministers regarding the facilitated naturalization. The latter will be an important part of this section, because the council of ministers is the responsible executive authority in granting citizenship with facilitated naturalization and its decisions can be accessed online.

The years between 2002 and 2004 were the precursor of the deep political changes in the TRNC. Annan Plan was on the negotiation table, oppositional parties

¹⁸ Translated from: “Yarım saat içinde vatandaş oldum”

started to mobilize and demonstrate against the long-lasting rule of Denktaş and his status quo. However, at the same time, the ruling UBP (*Ulusal Birlik Partisi* in Turkish) increased the number of granted citizenships with facilitated naturalization. Opposition newspapers criticize the large number of granted citizenship, because there were rumors among public that the UBP was giving citizenship to almost everyone without publishing the records in the official newspapers (An, 2004). The records of council of ministers' decisions are also contrasting and do not provide sufficient numerical figures about the granted citizenships with facilitated naturalization for these years. I had the opportunity to pose the question of what happened on the eve of 2004, and a leader of a hometown associations admits the veracity of these rumors among public opinion and stated the following:

We did something like this in 2004. Before Denktaş passed away, we traveled door to door and made people citizens. This is the first time I am saying this. We did this because we did not know what would happen after the [Annan] Referendum. (Interview 10) (see Appendix D, 9)

As a result of the chaotic situation for reaching reliable data on the pre-2004 period, I decided not to display numerical figures based on decisions of council of ministers because it is almost impossible to track the granted citizenships. Instead, the figures for the post-2004 period seems much more reliable and accurate, enabling the reader to compare and contrast the different approaches that the center-left political party, the CTP, and the center-right political party, the UBP, take when they are leading party in coalitional governments. Table 1 displays the number of granted citizenship with facilitated naturalization, showing the clear-cut difference between the center-left and center-right political parties.

In almost every interview, the interviewees take a similar approach to the facilitated naturalization, asserting that if you know somebody in close relationships with the government you will easily gain citizenship (Interviews 5, 7, 9, 10). During

the fieldwork, I could find only two interviewees who experienced a facilitated naturalization and became TRNC citizen. To the question of how you acquired the citizenship, the respondents explained similar paths that show how significant the personal relations with authorities are. For example, the head of one of the hometown associations in northern Cyprus who moved to northern Cyprus in 1988 and acquired the TRNC citizenship in 1992 with facilitated naturalization said the following:

I started to sing in the choir in 1989, we were going abroad to represent the TRNC ... It was ridiculous in my opinion, I was going to represent the TRNC abroad, but I was not a citizen at that time ... Anyway, there was a woman in the same choir who was the head of the UBP women's branch [the center-right political party] at that time. I told her about my situation. She took me to the Ministry of Interior and said to the minister: 'He is my son, when will we get his [TRNC] ID card'. 20 days later, they [the officers in the Ministry] called me and said: 'come and get your ID card'. I went to the ministry and took the ID card, so I became a citizen. (Interview 7) (see Appendix D, 10)

Table 1. Citizenship granted with facilitated naturalization: 2004–May 31, 2020

Leading party in coalition (left/right)	Dates in office (from/to)	Duration of the coalition (months)	Number of granted citizenship with facilitated naturalization	Average of granted citizenship with facilitated naturalization (per month)
CTP (left)	13.01.2004 04.05.2009	64	55	0.8
UBP (right)	04.05.2009 30.08.2013	52	272	5.2
CTP (left)	30.08.2013 16.04.2016	31	53	1.7
UBP (right)	16.04.2016 02.02.2018	21	1843 ¹⁹	87.7
CTP (left)	02.02.2018 22.05.2019	16	91	5.6
UBP (right)	22.05.2019 Still in office	12	151	12.5

Sources: ["Vatandaş olmak," 2017; KKTC Bakanlar Kurulu, n.d.]

¹⁹ 174 out of these 1843 citizenships were found illegal and revoked by the successor CTP-led government ("İşte iptal," 2018).

In a similar manner, another interviewee who wanted to benefit from being a TRNC citizen in her investment project answers the same question as the following:

The process [of the citizenship acquisition] was not that difficult for me, I went to the Ministry of Interior by an appointment. That appointment was made by someone else [the mediator] for me. Then, I went to the ministry. I do not know his name, but I had the opportunity to meet with the minister and explained to him the reasons why I am applying for citizenship. My name was on the list of the following executive order. (Interview 12) (see Appendix D, 11)

These two interviews are clearly proving the overall assessment among public opinion for how easy it is to become the TRNC citizen if you know the right person. In the first quote, the respondent knew the head of the woman's branch of the ruling UBP and could easily access citizenship without facing any trouble. In the second quote, the respondent was willing to invest in northern Cyprus and therefore used a mediator to get in touch with the executive authorities, more particularly with the Minister of Interior. However, what is interesting with Interview 12 is that although she should be considered as a person willing to invest in northern Cyprus and therefore should be granted TRNC citizenship under the relevant provision of Article 9 (1), which privileges and facilitates the citizenship applications of investors, after tracking the records of the decision of council of ministers, I found out that she was accepted to the TRNC citizenship with the provision of Article 9 (1) for those whose application is considered as "mandatory by the council of ministers" without any mention about her intention to invest in northern Cyprus.

As discussed in the previous section, the facilitated naturalization is also used as a method so as to overcome the deficiencies within the citizenship regime overall. First of all, the 1993 Citizenship Law maintains that the acquisition of TRNC citizenship with the *ius soli* principle is possible, but restricting the use of the *ius soli* principle to the reciprocity between countries. The lack of international recognition

of the TRNC and the absence of a reciprocal law in the Citizenship Law of Turkey, as the only country recognizes the independence of the TRNC, make the implementation of ius soli principle impossible in the TRNC as a result. To overcome this, the facilitated naturalization is sometimes used as a mechanism to include and naturalize those children who were born in northern Cyprus. It is easy to detect these people when tracking the executive decision regarding the citizenship. For example, one of these decisions grants TRNC citizenship to a person who was born in northern Cyprus but could not acquire the citizenship with ius soli principle and ordinary naturalization, saying the following:

[The applicant], who was born in Yeşilyurt/TRNC, lived in our country from 1997 to 18 years of age, completed primary and secondary education in our country, grew up with education and culture in our country, spent most of her life after the age of 18 in our country, where her mother and father were taken to TRNC citizenship ... that the necessary conditions are established for a citizenship bond between the state and the individual. According to the paragraph (C) of Article 9 of the Citizenship Law No. 25/1993, [the applicant] decided to be taken to the TRNC Citizenship. (KKTC Resmi Gazete, 2020) (see Appendix D, 12)

Another flaw in the current Citizenship Law is the wide use of the 40-day rule without paying attention to whether the applicant has a valid excuse or not. There are also decisions taken by council of ministers regarding the foreigners who could not acquire the TRNC citizenship because of extended stay abroad and having a valid excuse on this regard. One of these decisions says the following:

[The applicant], who was born in Birecik [in Turkey] on 22.5.1983, has lived in our country since 2001, has 15 years and 6 months of work permits ... due to the death of his grandmother, he had to be abroad and therefore did not meet with the condition of not staying abroad for more than 40 days. As a result, he could not be granted citizenship with the decision of the Ministry [under the mandate of Article 8]. According to the paragraph (C) of Article 9(1) of the Citizenship Law No. 25/1993, [the applicant] was decided to be taken to the TRNC Citizenship. (KKTC Resmi Gazete, 2019) (see Appendix D, 13)

Although these two decisions of the council of ministers can be considered beneficial for the rights of foreigners on the island, the problem arises when posing the following question: Is the facilitated naturalization inclusive for every foreigner in a similar situation without discretion of council of minister? It is almost impossible to give a solid answer to this question, but what I observed during the fieldwork is that there are also many people who were born in northern Cyprus but unable to acquire the TRNC citizenship.

This chapter aimed to understand the citizenship regime of the TRNC. To this end, it firstly focused on demand-side of citizenship regime. In other words, it sought to fathom what triggers the motivations of Turkish migrants to acquire the TRNC citizenship. So, it highlighted the legal regime that regulates the work and residence permit of foreign workers on the island as well as the obstacles that foreign workers experience as a result. Being trapped in precarious conditions is the most important legal obstacle that the interviewees expressed. For example, the 40-day rule to find a new job is one of these legal obstacles in order to secure work and residence permit. The legal framework also prevents the upward mobility of foreign workers, forcing them to depend on temporary contracts. Secondly, this chapter focused on the supply-side of the citizenship regime by highlighting the evolution of legal documents that regulate the citizenship regime. On this account, how discretionary practices like the unwritten 12-year rule to lodge a citizenship application and the excessive use of facilitated naturalization by center-right political parties as well as clientelist networks are crucial to understand the ambiguous situation of the citizenship regime in northern Cyprus.

CHAPTER 5

DISCUSSION

This thesis seeks to delineate the citizenship regime of an unrecognized state, namely the TRNC. After explaining the migration flows to northern Cyprus and the TRNC citizenship in the previous chapters, this chapter aims to discuss these findings in light of the theoretical framework set in Chapter 2. This chapter, therefore, attempts to explain the TRNC citizenship regime. To this end, it will start with a discussion on the meaning and value of citizenship which has been a very controversial topic in the citizenship literature. I argue that citizenship still matters in the northern Cyprus context, because it confers important rights and privileges to its members that are not available to noncitizens. Secondly, this section will focus on the different naturalization methods in the TRNC citizenship regime, and try to explain informal practices, discretion, and the role of networks in these methods. Lastly, this chapter will discuss the role of political parties in explaining why the TRNC does not have an ordinary naturalization scheme that offers a rights-based citizenship acquisition. I argue that the political left prioritizes the re-unification agenda and overlooks the needs and obstacles that migrants in northern Cyprus experience.

5.1 The meaning of citizenship in the unrecognized TRNC

Is the historical order of expansion of rights as advocated by Marshall (1950) still relevant for acquiring the privileges and rights attached to citizenship status? And how can we understand and explain this historical evolution for the TRNC context? To recollect, T. H. Marshall (1950) sees a historical order in the evolution of citizenship rights which starts with civil rights and then followed by political and

social rights respectively. In this conceptualization, civil rights such as freedom of speech and expression, the right to own a property, and the right for judicial remedy come first; then, individuals commence enjoying the political rights like suffrage and get entitled to have a say on political decision-making; lastly, they get access to social rights, such as public education, being included in public health and social security systems (Marshall, 1950).

Postnationalist scholars do not agree with the relevance of this historical order in the citizenship rights, maintaining that, with the spread of human rights discourse, the importance of national belonging and citizenship are eroded, and therefore rights and privileges of being a citizen are no longer attached to citizenship status (Soysal, 1994; Sassen, 2002). On this account, Soysal (1994) asserts that aliens begin to enjoy similar rights to citizens in the developed world without acquiring the citizenship of host countries. In other words, Soysal (1994) suggests that aliens no longer need to reach political rights for benefitting from social rights such as public education and health. Instead of being a citizen, these rights derive from whether an alien is a legal resident or not, even sometimes “illegal” migrants can benefit from some of these rights (Sassen, 2002). To this end, Soysal (1994) argues that, following the rising number of guest workers in developed countries, Marshall’s (1950) historical order is reversed and thus no longer relevant, as a result, social rights are available to all regular residents which is independent from citizenship status.

In northern Cyprus, Turkish migrants, who are legally employed, can benefit from the social rights that the TRNC authorities provide. For example; Turkish migrants have the right to bring their families and dependents to northern Cyprus, their children have the right to attend public schools, their family members are also

included in social security services and benefit from health care services, as stated in Code on Residence Permits and Visas. The availability of these rights to noncitizens proves the arguments of the postnationalist scholars on the ground of social rights. Migrants no longer need to become a citizen of a state in order to enjoy the social rights that citizenship status confers to them. Therefore, it seems plausible to agree with Soysal's (1994) argument on the ground that the historical order for the evolution of citizenship rights is not relevant anymore. Turkish migrants can enjoy some rights, like the TRNC citizens can do, without gaining the citizenship of the TRNC. However, what I observed during the fieldwork is that being entitled to certain rights without the TRNC citizenship enables Turkish migrants to enjoy some rights only for a temporary period, or so to say limited to the duration of their work permits. As a result, I argue that citizenship still matters in northern Cyprus, its acquisition still sparks the interests of Turkish migrants and triggers them to apply for citizenship in order to ensure a more stable and secure stay on the island.

As scrupulously described in Chapter 3, Turkish migrants are disproportionately employed in labor-intensive economic sectors where local employees are either insufficient to meet the labor demand, or, for Turkish Cypriots, these labor-intensive jobs are not a financially attractive option (Mehmet & Tahiroğlu, 2000; Besim et al., 2015; Mehmet et al., 2007). Therefore, Turkish migrants represent the working class in northern Cyprus (Kurtuluş & Purkis, 2014). As described in detail in Chapter 4, Turkish migrants are entitled to work in northern Cyprus only after fulfilling administrative criteria, such as the prior consent of Turkish Cypriot authorities (*ön izin* in Turkish), demonstrating health checks, and not having any criminal record. However, after being legally employed in northern Cyprus, the current legal situation does not provide a secure and stable stay for

Turkish migrants. First of all, all work permits are issued for a year, and migrants should renew work permits every year in order to avoid paying fines and becoming illegal workers. To renew a work permit, migrants should demonstrate some documents that they are still healthy, and have to pay a fee to Turkish Cypriot authorities. Some interviewees mentioned that this is a time consuming and financially costly process not only for themselves but their family members and dependents also have to fulfill the same steps in order to renew their residence permits (Interviews 3, 8, 11).

Renewing a work permit is not the only problem that migrants have to deal with. After possessing the work permit for the first time, migrants should work in the same job for at least 180 days to secure their work permits, if they decide to leave their job or their employer decides to terminate his/her contract within these first 180 days, migrants lose their work permits as well as residence permits, as stated in Code on Work Permit for Foreigners (no. 140). In the first 180 days of work permit, after any type of leave, the law does not enable migrants to look for a new job and expects them to leave the island. After these 180 days, migrants have the right to look for a new job to secure his/her work and therefore residence permit, but the law confines job search to 40 days (Interview 6). During interviews, respondents stressed that this 40-day-rule for finding a new job after becoming unemployed is one of the important obstacles that jeopardizes their work and residence permits (Interviews 3, 11). Besides, the law also limits the sectors that a foreigner can be re-employed after losing his/her job. For example, if a foreigner came to the island in order to be employed in the tourism sector, then the law does not allow him/her to work in the construction sector which requires different qualifications (Interview 6). The temporary work contracts, the 40-day rule, and the necessity of being re-employed in

the same sector after becoming unemployed put the legal presence of Turkish migrants as well as their family members on the island at risk.

In addition to an insecure and temporary situation for the stay of noncitizens, citizenship still matters for decreasing the inequality among residents. To recollect, Marshall (1950) sees citizenship as a process that increases the equality among its members by narrowing down the economic and social differences between classes. In the northern Cyprus context, I agree with Marshall (1950) on the role of citizenship in ameliorating the equality within society. Northern Cyprus's economy is overwhelmingly based on the public and service sectors (Güryay, 2011). For example, 35,474 Turkish Cypriots were employed in public sector that constitutes 26.8% of the whole labor force (DPÖ KKTC, 2018). The personnel expenditure of public sector, including retired people, in 2008 was 43.3% of the whole public expenditures of the TRNC (Güryay, 2011, pp. 90-91). Noncitizens are not able to be employed in the public sector which has been the leading sector on the island. Also, the current legal framework does not allow noncitizens to own and run any type of small business from a small grocery shop to a restaurant, as stated in Law on Small Business Owners (no. 29). Therefore, the lower class Turkish migrants who lack financial and social capital are trapped in precarious jobs. The only way to earn more money and ensure a more prosperous life is to become a citizen. During the fieldwork, I observed that the interviewees who were able to acquire the TRNC citizenship were either self-employed, i.e. owning a café and restaurant or running a small shop, or were employed in the public sector (Interviews 2, 7, 10, 12). On the contrary, those who are not able to acquire the TRNC citizenship are still employed in precarious jobs such as waiters and drivers (Interviews 3, 5). To stress my point, I do not argue that all Turkish migrants who became TRNC citizens do better

economically. I have come across Turkish migrants who still work in the same jobs after gaining citizenship and did not experience a wage increase (Interviews 4, 8). Rather, my argument is that to have a more prosperous life in northern Cyprus, citizenship is a necessary condition, but not a sufficient one alone. Without citizenship, low-class migrants are not able to achieve a better and secure life and are thus trapped in a precarious situation, because the current economic situation in northern Cyprus promises Turkish migrants job opportunities only in the labor-intensive sector without a prospect for social mobility. Therefore, the current situation in northern Cyprus proves the point made by Marshall (1950) that citizenship is important and may help decrease the inequality prevailing in the society.

What Nora Lori (2017) suggests with the concept of “precarious citizenship”, I argue, clearly fits in explicating the conditions of Turkish migrants who are still not able to acquire the citizenship of the TRNC. To remember, Lori (2017) argues that the Gulf States try to prevent migrant workers from staying permanently in their territories, to this end, migrant workers are recruited with temporary contracts and are expected to return to their home countries once these contracts are over. With this policy, the Gulf States aim to hinder migrant workers from turning to permanent residents, citizens at the end (Lori, 2012; Lori, 2017). In a similar manner, in northern Cyprus, Turkish migrants face similar obstacles for securing their stay on the island. The 40-days rule to find a new job after becoming unemployed and renewing work-permits each year are both a costly process and may jeopardize Turkish migrants’ and their dependents’ legal presence on the island. This insecure environment for Turkish migrants triggers them to apply for citizenship, but the

citizenship regime of the TRNC is also exclusionary in some sense and creates other types of obstacles.

5.2 The role of discretion in the Turkish Cypriot citizenship regime

Discretion, I argue, marks the most important independent variable that shapes the citizenship regime of the TRNC from ordinary naturalization to facilitated one. By discretion, I mean that the decisions are arbitrarily taken, either out of the scope of the legal framework completely or with extensive use of conditions. In this section, I will elaborate on how discretion, informal networks, and unwritten rules have impacted on the citizenship acquisition process.

In theory, the ordinary naturalization scheme in the TRNC looks like a “civic” example of Brubaker’s (1992) dichotomy, and in contrast to German, Turkish, and Greek examples, the citizenship law of the TRNC does not prioritize co-ethnics, or so to say Turkish migrants in our case, while granting citizenship. Instead, for ordinary naturalization, the law specifies conditions that every alien has to fulfill in order to acquire citizenship, and seems impartial to applicants’ social, ethnic as well as economic backgrounds. However, I assert that these conditions do not generate a rights-based framework for citizenship acquisition in northern Cyprus. In other words, it does not mean that the applicant will gain the TRNC citizenship after fulfilling the conditions. Rather, I argue that unwritten rules and some conditions specified in ordinary naturalization are arbitrarily used against regular migrants in order to delay and reject their citizenship applications.

For ordinary naturalization, Article 8 of the 1993 Citizenship Law clearly states that an alien should have lived for at least 5 years in northern Cyprus to be eligible for citizenship application. However, in reality, almost all interviewees

asserted that the Turkish Cypriot authorities do not follow this residency requirement in the citizenship law, arbitrarily extending the required years of residence to 12 years (Interviews 3, 6, 8, 9, 10, 11). On this account, the incumbent Turkish Cypriot Minister of Interior, Ayşegül Baybars, proves this extension by expressing the following in an interview held in November 2019: “In our practice during this period, anyone who fills a total of 11 seals [work permits] can complete citizenship application and acquire citizenship” (“Çok fazla,” 2019).²⁰

In addition to the arbitrary extension of the residency requirement, Turkish Cypriot authorities use some conditions in the citizenship law as a burden for the naturalization of migrants which requires an uninterrupted stay until citizenship application. On this account, Bauböck et al. (2013) argue that the residency requirement for ordinary naturalization is not a “good indicator for the inclusiveness of residence-based naturalization”, thus stressing that there is a need to a new calculation for the inclusiveness “that takes into account allowed interruptions” (p. 9). In our case, Article 8 of the 1993 Citizenship Law stipulates that “s/he must have lived in the Turkish Republic of Northern Cyprus for five years without any interruption until the date of application. Interruptions not exceeding 40 days in a year are not considered as interruptions”.²¹ As explained by interviewees and statements of the interior minister, Turkish Cypriot authorities extends the five-year residency requirement to twelve years for ordinary naturalization. Therefore, potential applicants of TRNC citizenship should pay attention to the 40-day rule of allowed interruptions not for five years, but for nearly twelve years. For example, if an alien follows the allowed interruptions rule (40 days) in the first seventh year of

²⁰ Translated from: “Bu süre içerisindeki uygulamamızda, toplam 11 mührü dolduran herkes yurttaşlık işlemleri tamamlanıp yurttaşlık alabiliyor”

²¹ Translated from: “Başvuru tarihinden geriye doğru Kuzey Kıbrıs Türk Cumhuriyeti’nde beş yıl kesintisiz ikamet etmiş olmalıdır. Yılda kırk günü geçmeyen kesintiler, kesinti sayılmaz”

his/her residence but leaves the TRNC for more than 40 days in his/her eighth year of residence, then his/her application is likely to be rejected even after fulfilling the 12-year residency requirement. On this account, the incumbent Minister of Interior says that if an applicant has legally worked on this island for 14 years and did not violate the 40-day rule in the last five years of these 14 years, then s/he will be granted citizenship not with ordinary naturalization, but with facilitated one (“Çok fazla,” 2019). However, this is also not a written rule and directly left at the discretion of the government. To this end, I argue that the ordinary naturalization process in the TRNC is not inclusive, but demanding long years of residency and not allowing interruptions. I also argue that both the 12 year-requirement and 40-day rule of allowed interruptions aim to prevent migrants from becoming a citizen by creating exhaustive conditions to be fulfilled. During the fieldwork, I came across people whose applications are either delayed or rejected because of the unwritten 12-year requirement and the 40-day rule for uninterrupted residence (Interviews 1, 3, 8, 11).

On the other hand, in the facilitated naturalization process, we come across a different citizenship regime that is less demanding with its conditions, but it is also hard to figure out what conditions make an applicant to be considered under this scheme. Article 9 (1) of the 1993 Citizenship Law does not give a concrete legal framework on facilitated naturalization. The law states that investors in tourism, industry, and trade sectors, and those who would make “extraordinary” contributions to northern Cyprus in the scientific, cultural, and political areas, are considered under facilitated naturalization. However, there is no further explanation of what this extraordinary stands for, or how much money an applicant should invest in order to acquire “citizenship by investment”. Also, the facilitated naturalization includes vague provisions and grants citizenship to those “whose citizenship acquisitions are

considered mandatory by the council of ministers” (Article 9).²² Since the citizenship law does not declare concrete conditions to be fulfilled for facilitated naturalization, I argue that this process is highly based on discretion and overwhelmingly shaped by the formal and informal relations between an applicant and politicians.

In an interview with a Turkish Cypriot political activist, I asked what he thinks about facilitated naturalization. He said the following: “We offer citizenship like a gift. When an important guest arrives at your home, you would give him/her something. Instead, we say let’s make you a citizen [of the TRNC]” (Interview 9).²³ The interviewee has a point in his interpretation of the facilitated naturalization process: those who gained citizenship of TRNC through facilitated naturalization include well-known figures from Turkey: Nazlı Ilıcak (Journalist), Tuğrul Türkeş (Politician), Mümtaz Soysal (Politician), Güneri Civaoglu (Journalist), Egemen Bağış (Politician), Necati Şaşmaz (Actor), Sinan Aygün (Businessperson), Mehmet Emin Cankurtaran (Businessperson), Hakan Uzan (Businessperson), and Hacı Sabancı (Businessperson) (“İşte KKTC,” 2004; “Polat Alemdar,” 2012; Ayhan, 2017). Similarly, another respondent, who acquired the TRNC citizenship with facilitated naturalization thanks to his friendship with the head of the UBP women’s branch, stated the following: “I also looked at the list of executive decree [for new citizens] at that time [when I was naturalized], almost all new citizens were university professors, there were two or three non-professors like me” (Interview 7).²⁴

²² Translated from: “Yurttaşlığa alınması Bakanlar Kurulunca zorunlu görülenler”

²³ Translated from: “İkram ediyoruz biz vatandaşlığı, önemli bir konuğunuz geldi ne verirsiniz. Biz de al sana bir vatandaşlık diyoruz”

²⁴ Translated from: “O zamanki bakanlar kurulu listesine de bakmıştım hatırlıyorum, hep profesörler var üstte benim gibi profesör olmayan iki üç kişi vardı biri de bendim”

With politicians, businesspeople, and professors, the facilitated naturalization in the TRNC seems like it is following the concepts of “human-capital citizenship” and “citizenship by investment”. However, I take a suspicious stance regarding whether these concepts could explain the facilitated naturalization in northern Cyprus. For example, by “human-capital citizenship”, Ellermann (2019) asserts that states try to select its “future” citizens by setting conditions in favor of qualified aliens in order to avoid “unwanted” migrants. However, those who became TRNC citizens with facilitated naturalization do not show an intent to settle down in northern Cyprus and therefore to become a “future” citizen of the island. Rather, with facilitated naturalization, citizenship is being granted as a gift as one of the respondents argues (Interview 9). For example; after becoming TRNC citizen, Turkish politician, Egemen Bağış, stated following “I served on the Board of Trustees of the International Aydın University on the island, I often go to the TRNC. Prime Minister Hüseyin Özgürkün made an offer to make me a citizen, and I am pleased” (Ayhan, 2017).²⁵ Similarly, another naturalized citizen with facilitated naturalization mentions a similar process in which the Turkish Cypriot authorities offered him citizenship: “I went to Cyprus many times for various conferences, radio and television talks (...) During these visits, the Minister of Health offered me citizenship. I accepted it with great pride, all my family members gained Cypriot citizenship” (“İşte KKTC,” 2004).²⁶ What I observed during the fieldwork verifies these statements. The interviewees who gained TRNC citizenship with facilitated

²⁵ Translated from: “Adadaki Uluslararası Aydın Üniversitesi Mütevelli heyetinde görev aldım, sık sık KKTC'ye gidiyorum. Vatandaş olma önerisini de Başbakan Hüseyin Özgürkün yaptı, ben de memnun oldum”

²⁶ Translated from: “Çeşitli konferanslar, radyo ve televizyon konuşmaları için Kıbrıs'a çok defa gittim (...) Bu geliş gidişler sırasında bana Kıbrıs vatandaşlığı o zamanın sağlık bakanı teklif etti. Çok gururlanarak kabul ettim, ailece Kıbrıs vatandaşlığı aldık”

naturalization either used a mediator to reach the Minister of Interior or had a close friendship with someone in the ruling political party (Interviews 12, 7).

Is it possible to explain the facilitated naturalization with the concept of “citizenship by investment”? As already discussed, the citizenship law says that it will facilitate the citizenship acquisition process of investors, but fails to set clear conditions about the process; for example, how much money an investor should guarantee, and what type of property s/he should possess are not stated in the law. On this account, the incumbent Minister of Interior states that they “give citizenship to people who invest more than 1.45 million euros in practice, although this is not a clear criterion” (“Çok fazla,” 2019).²⁷ As the Minister says, the conditions for citizenship by investment are not clearly stated in the citizenship law and unilaterally decided by the current government. Therefore, setting criteria has been left at the discretion of the government. So, I argue that the facilitated naturalization scheme in northern Cyprus is not systematically constructed and thus leaves much more room for the discretion and exploitation of the citizenship regime similar to what Walzer (1983) had opposed.

To conclude this section, I argue that the Turkish Cypriot citizenship regime gives less room for those lacking social networks and close affinity with politicians. In ordinary naturalization, it sets difficult requirements such as the 12-year residency requirement and the 40-day rule. On the other hand, in facilitated naturalization, conditions are so ambiguous and can be easily interpreted in favor of the applicant if the applicant has close relations with political elites. In short, the citizenship regime in northern Cyprus is far away from offering a rights-based legal approach to the inclusion of aliens.

²⁷ Translated from: “Biz bunu net bir kriter olmasa da uygulama olarak 1.45 milyon Euro’luk yatırım yapan kişilere vatandaşlık veriyoruz”

5.3 The absence of left mobilization for a rights-based citizenship regime

For the European context, Joppke (2003) argues that the political left is the driving force behind the “de-ethnicization” of citizenship laws and takes initiatives to “lower the threshold of citizenship acquisition for immigrants” (pp. 431-432). In contrast, the political right opposes lowering the conditions of the naturalization process and takes an exclusionary stance against immigrants (Joppke, 2003). However, in northern Cyprus, the relations between migrants and political parties do not manifest themselves according to this left-right cleavage. Rather, how a political party perceives Turkey’s military presence and political tutelage it created on the island shapes its attitude in terms of Turkish migrants. The political left supports the reunification of Cyprus and criticizes the long-lasting military presence of Turkey on the island. Hence, the left sees the Turkish migrants on the island as the supporters of the status quo as well as an obstacle for the reunification of Cyprus (Kızılyürek, 2005; Erhürman, 2010). In contrast, the relations between the political right and Turkey date back to the late 1950s when the Turkish Cypriot paramilitary group TMT was founded with the financial and military support of Turkey (Navaro, 2012); this military support turned into a political alliance when Denktaş and his party took over political power following Turkey’s intervention to the island in 1974 (Bryant & Hatay, 2020). However, I argue that both the political left and right did not attempt to construct a rights-based framework for the citizenship acquisition in the TRNC. The former has been prioritizing the re-unification agenda and overlooking the demand of Turkish migrants, whereas the political right, despite having good relations with Turkey, has been including those Turkish migrants in its clientelistic networks through facilitated naturalization and overlooking other migrants outside of these networks.

On the Turkish Cypriot left, one of the respondents argued the following: “It is not possible to talk about a left that is fed by class politics here, the left in Cyprus is fed by the federation [re-unification]” (Interview 9).²⁸ For example, during the mass mobilizations, on the eve of the Annan Referendum in 2004, the demonstrators aimed at the reunification of the island so that they would avoid “becoming a minority” at their home (İlter, 2016). I argue that the fear of “becoming a minority” shapes the Turkish Cypriot left’s attitude towards Turkish migrants as well. For example, one of the most prominent left-wing political figures of Turkish Cypriots, Niyazi Kızılyürek, who became a member of European Parliament in 2019, follows the discourse of “becoming a minority” and states the following in a parliamentary question to be answered by the European Commission:

Over the last few years, an increasing number of incoming Turkish settlers have become naturalized, thereby altering the political profile and demographic make-up of the Turkish Cypriot community (...) Turkey is bringing pressure to bear on the Turkish Cypriot authorities to step up the pace of naturalization. (Kızılyürek, 2019)

This quote is representative of the Turkish Cypriot left because it shows how one of the leading political figures in the Turkish Cypriot left blurs the differences between the Turkish migrants who came to northern Cyprus with the state-led facilitated migration during the late 1970s and gained TRNC citizenship almost upon arrival, and those Turkish migrants who came to northern Cyprus individually in order to seek job opportunities in the low-paid economic sectors and whose accesses to citizenship was hindered by bureaucratic structure. In this puzzle, by labeling all Turkish migrants as “settlers”, as Kızılyürek (2019) does, the Turkish Cypriot left sees Turkish migrants as political agents who easily acquire citizenship and take political roles in the colonization of Cyprus. Also, in 2011, a common statement

²⁸ Translated from: “Burada zaten bir sınıf siyasetinden beslenen bir soldan bahsetmek mümkün değil, Kıbrıs'ta sol federasyondan besleniyor”

written by the left-wing political parties, including the CTP, and labor unions makes similar arguments regarding Turkish migrants by stating the following:

The population transfers that have been applied to our country by a conquest mentality of the Republic of Turkey disrupt the demographic structure and cause social problems as well. With the transferred population from Turkey, the Turkish Cypriot identity is put under threat. (“Ortak basın,” 2011) (see Appendix D, 14)

Another example can be the attitude of the center-left CTP. While it was the leading coalition party in several governments for more than nine years since 2004, the CTP did not attempt to develop a rights-based citizenship regime. As shown in Table 1 in Chapter 4, the CTP took a critical stance regarding facilitated naturalization and was less likely to offer citizenship with facilitated naturalization. However, at the same time, the CTP has also tried to prevent Turkish migrants from living and acquiring TRNC citizenship with ordinary naturalization by establishing new legal frameworks. Firstly, in 2005, the CTP-led government put an end to the informal employment and started to issue fines to those with informal employment (Kurtuluş & Purkis, 2014). However, with this amendment, Turkish migrants legalized working status in order to keep living on the island, then this legal status enabled them to apply for citizenship after fulfilling the residency requirement (Hatay, 2017). Secondly, to cope with the rising number of citizenship applications, in 2015, the CTP proposed the “White Card”, which allows aliens to reside in northern Cyprus without granting citizenship status, but the proposal did not come into force (Hatay, 2017). In a similar manner, the CTP also tried to increase the year of residency requirement from five years to ten years for ordinary naturalization, but this proposal also failed (Çolak, 2013).

I argue that the left parties in northern Cyprus blur the differences between ordinary naturalization and facilitated naturalization. For this reason, the Turkish

Cypriot left misses the chance of making a class-based analysis about the economic diversity of Turkish migrants on the island. Turkish migrants in northern Cyprus who are not able to benefit from facilitated naturalization scheme overwhelmingly constitute the lower classes who work in labor-intensive sectors (Mehmet & Tahiroğlu, 2000; Besim et al., 2015; Kurtuluş & Purkis, 2014). Their access to the citizenship acquisition with ordinary naturalization has been eroded with the unwritten 12-year residency requirement, the 40-day rule, and the discretion of authorities. Therefore, I argue that the perspectives of political parties on Turkish migrants are shaped by how they perceive Turkey. The left prioritizes the reunification agenda and sees Turkey and its citizens as an obstacle to this aim. As a result, it takes an indifferent and even negative stance regarding Turkish migrants. On the other hand, the right-wing parties mobilize administrative frameworks either by offering citizenship in favor of those in clientelistic networks. Or, while holding the political power, the right has declared several amnesties, as it did in 2011, 2016, and 2019, for migrants who lost their work permits and became illegal residents and workers (MFA of Turkey, 2016; Ministry of Labor and Security of the TRNC, 2019; “Aftan yararlanın!,” 2011). However, these amnesties are only restricted to relegalize the employment situation of migrants. So, it does not aim to develop a rights-based citizenship regime.

To conclude, this chapter tried to conceptualize the TRNC citizenship regime and came up with some arguments about it. Firstly, I do not agree with postnationalist scholars on the devaluation of citizenship. Instead, although the TRNC is an unrecognized state and this makes the TRNC passport less valuable in comparison with other states, I argue that TRNC citizenship at the domestic level offers important rights and privileges to its members. Secondly, I argue that

discretionary practices directly shape both naturalization methods. For ordinary naturalization, although the citizenship law requires five years of residency to be eligible for citizenship application, the authorities extended the residency requirement to twelve years. Besides, with the extensive use of short allowed interruptions, it tries to limit the aliens' access to citizenship. For facilitated naturalization, the law creates a limbo and leaves much discretion to the council of ministers in granting citizenship. The conditions are not clearly set, and therefore personal networks are decisive factors in this method. Lastly, some scholars argue that for a liberal citizenship regime, the mobilization of the political left is a prerequisite (Joppke, 2003; Howard, 2009). Following this approach, I argue that the reason why northern Cyprus does not have a rights-based citizenship regime is the absence of left mobilization on citizenship issues. The political left sees Turkey and migrants from Turkey as an obstacle for its prioritized re-unification agenda. Therefore, it does not mobilize for a rights-based citizenship regime.

CHAPTER 6

CONCLUSION

The thesis tried to understand the citizenship regime of the “unrecognized” TRNC as well as how Turkish migrants experience the acquisition process of TRNC citizenship. To this end, first of all, it attempted to show the differences between Turkish migrants in accordance with when they migrated to northern Cyprus. Distinguishing these differences is crucial because when and under what conditions they migrated to northern Cyprus directly affect their citizenship trajectory. As explained, Turkish migrants who moved to the island in the late 1970s and early 1980s had easy access to the citizenship of northern Cyprus. In this period, the migration from Turkey was encouraged and facilitated by both Turkish and Turkish Cypriots authorities in order to boost the number of Turkish people on the island as well as to fill the labor gap created by the 1974 military intervention. Turkish migrants who arrived in this process were granted citizenship almost upon arrival. However, after the facilitated and encouraged migration ended, Turkish migrants’ access to citizenship became a convoluted process. This thesis focused on Turkish migrants who moved to northern Cyprus after the facilitated and encouraged migration ended. It attempted to understand why these Turkish migrants aim to acquire the citizenship of the unrecognized TRNC and how they experience the citizenship acquisition process.

For the first question, or so to say why Turkish migrants try to acquire TRNC citizenship, the thesis argues that TRNC citizenship offers important rights and privileges to its members that are not available to noncitizens. For example, Turkish migrants without TRNC citizenship experience legal obstacles with their work and

residence permits. First of all, their working contracts are always temporary and last one year. So, Turkish migrants have to renew their work permits every year by showing the same required documents. Similarly, their family members and dependents also renew their residence permits every year by following the same steps. The process of renewing the work permit is a costly process for migrants. Secondly, becoming unemployed is a risky process for migrants that jeopardizes their work and residence permits as well as their dependents'. The current law only gives 40 days after getting unemployed in which migrants should find a new job in order not to lose their work and residence permits. If not, migrants should either leave the island or pay a fine which is equivalent to daily minimum wage. However, these two options are not desirable for migrants. Leaving the island is almost impossible for someone who has already brought his/her family members to the island. Or paying the fine is also costly for them. Thirdly, being a noncitizen hinders the social mobility of migrants. As discussed, the laws and codes do not allow migrants to run a small business, to be recruited in the public sector, as well as limiting the number of property that they can buy. Since the economy of the TRNC is highly based on the service sector and the public sector, the current situation of migrants makes them trapped in precarious jobs and ended up with temporary working contracts. So, migrants cannot achieve a permanent and secure stay in northern Cyprus if they do not become a TRNC citizen.

The second question of this thesis asks how Turkish migrants acquire the citizenship of the unrecognized TRNC. To this end, in Chapter 4, I focused on the two different naturalization methods that the TRNC offers to noncitizens, namely ordinary and facilitated naturalizations. Article 8 of the 1993 Citizenship Law stipulates the conditions of acquiring citizenship with ordinary naturalization. The

applicant should have lived in northern Cyprus at least for five years, and in any of these five years, the law gives only 40 days as an allowed interruption. For this reason, the prospective applicant should not leave northern Cyprus for more than 40 days in every year until the citizenship application is submitted. However, what I observed during the fieldwork and while reading the statements of politicians in this regard is that Turkish Cypriot authorities do not follow this five-year residency requirement for citizenship application. Instead, with informal rules, they extended this five-year requirement to twelve years. Therefore, Turkish Cypriot authorities lead the ordinary naturalization process with discretion and expect applicants to fulfill the twelve-year residency requirement instead of what the law states. Besides, the 40-day allowed interruptions are also applied to these twelve years that makes more difficult the citizenship acquisition of migrants under ordinary naturalization scheme.

The other naturalization method, namely facilitated naturalization, which is regulated under Article 9 of the 1993 Citizenship Law, states ambiguous conditions for citizenship acquisition. For example, the law prioritizes those who would make extraordinary contributions to northern Cyprus in economic, social, and academic fields. However, the law does not say anything regarding what “extraordinary” means. In addition, the article also states mandatory conditions for granting citizenship without defining what “mandatory” is. Therefore, the article gives wide discretion to the council of ministers in granting citizenship with facilitated naturalization. As discussed, the leading center-right political party of the TRNC, the UBP, use more often than the center-left CTP does.

In Chapter 5, I tried to analyze the citizenship regime of the TRNC by bringing together the theoretical framework set in Chapter 2 and the overall findings

of Chapter 4. Although the TRNC is an unrecognized state, the citizenship status of the TRNC, I argue, offers important rights and privileges to its members and thus attracts the attention of migrants to acquire it. Therefore, I oppose the arguments of postnationalist scholars who argue that the meanings of nation-states and national citizenship became less important. Instead, I assert that citizenship still matters even in the unrecognized TRNC which could also offer rights and privileges to its members at the domestic level. Then, I tried to articulate the role of discretion in granting citizenship of the TRNC. I argue that if the applicant has personal relations with the politicians in government or knows someone in close affinity with these politicians, the citizenship acquisition in the TRNC becomes an easy procedure. As explained in Chapter 4, some Turkish citizens could easily acquire the TRNC citizenship with facilitated naturalization. However, for those who do not have close relations with politicians are not able to have easy access to citizenship acquisition. Rather, their citizenship acquisition is delayed and hindered by informal rules such as the extended residency requirement as delineated in Chapter 4. Thirdly and lastly, I tried to explain why the TRNC does not have a programmatic citizenship regime that grants citizenship status in accordance with conditions set by the laws and codes rather than discretion of authorities. As discussed in Chapter 2, some scholars see the mobilization of the political left required to reach a rights-based citizenship regime (Joppke, 2003). However, in northern Cyprus, the political left prioritizes its reunification agenda and shows the presence of Turkish migrants on the island as an obstacle to this aim. Therefore, they do not push the current citizenship laws into a more liberal citizenship regime. Overall, the thesis argues that the citizenship regime in northern Cyprus is exclusively prioritizing some Turkish people with close connections with politicians independent from whether the applicant wishes to settle

down in northern Cyprus. On the other hand, the citizenship regime sets lots of formal and informal conditions for acquiring citizenship with ordinary naturalization.

In terms of the limitations, the thesis is overwhelmingly based on the experiences of migrants with citizenship and its acquisition process. Therefore, it only looked at the demand side of citizenship; e.g. why migrants try to acquire TRNC citizenship, how they acquire it, and what type of different treatments they face during the application process. However, the thesis overlooks the supply side of the citizenship regime. In other words, it did not look at the perspectives of the politicians, bureaucrats, and public officers on the citizenship regime. Therefore, it did not focus on the roots of the TRNC citizenship regime as well as how the perspectives of politicians and bureaucrats have shaped the citizenship regime of the TRNC. The focus on the perspectives of politicians and bureaucrats is only limited to secondary sources. A closer examination of the perspectives of policymakers through conducting interviews with them or elaborating on parliamentary minutes would more clearly explain the different approaches they take in this regard. So, further research on the supply side of the TRNC citizenship may fill the void that this thesis left behind.

APPENDIX A
LIST OF INTERVIEWS

Interview ID	Interviewee	Place	Status	Length
Interview 1	Turkish migrant (Acquired TRNC citizenship with ordinary naturalization)	Nicosia	Conducted in person 19/12/2019	45 mins
Interview 2	Turkish Migrant (Acquired TRNC citizenship with assisted naturalization)	Nicosia	Conducted in person 19/12/2019	30 mins
Interview 3	Turkish migrant (unable to acquire TRNC citizenship)	Nicosia	Conducted in person 20/12/2019	45 mins
Interview 4	Turkish migrant (Acquired TRNC citizenship with ordinary naturalization)	Nicosia	Conducted in person 20/12/2019	30 mins
Interview 5	Turkish migrant (unable to acquire TRNC citizenship)	Nicosia	Conducted in person 20/12/2019	30 mins
Interview 6	Elite interviewee (Accountant)	Nicosia	Conducted in person 21/12/2019	90 mins
Interview 7	Turkish migrant and head of a hometown association (Acquired TRNC citizenship with facilitated naturalization)	Nicosia	Conducted in person 23/12/2019	90 mins
Interview 8	Turkish migrant (Acquired TRNC citizenship with ordinary naturalization)	Nicosia	Conducted in person 23/12/2019	30 mins
Interview 9	Elite interviewee (Political Activist)	Nicosia	Conducted in person 24/12/2019	120 mins
Interview 10	Turkish migrant and head of a hometown association (Acquired TRNC citizenship with assisted naturalization)	Nicosia	Conducted in person 25/12/2019	60 mins
Interview 11	Turkish migrant (Acquired TRNC citizenship with ordinary naturalization)	Nicosia	Conducted in person 25/12/2019	45 mins
Interview 12	Turkish migrant (Acquired TRNC citizenship with facilitated naturalization)	Kyrenia	Conducted by phone 26/01/2020	30 mins

APPENDIX B

INTERVIEW QUESTIONS FOR TURKISH MIGRANTS

1. First of all, can you introduce yourself? When did you move to northern Cyprus? Where do you live here? What is your occupation? What is the last school that you graduated from?
2. Did you apply for TRNC citizenship?
3. (If the interviewee applied for citizenship) What is the reason for your application? When did you apply for citizenship? Under which article of the citizenship law did you make your application? What documents were requested from you during the application? Did you have an interview during the process? How long did the evaluation of your application take? How was your application result?
4. (If the applicant has not made citizenship application so far) Why did not you apply for citizenship?
5. (If the interviewee acquired TRNC citizenship) What changed in your life after citizenship acquisition? What opportunities did the TRNC citizenship provide you?
6. (If the interviewee did not acquire TRNC citizenship even if s/he has applied to do so) Did this result lead to a legal barrier for you to keep on living on the island?
7. Is there anything else you would like to share about this?

Interview questions for elite interview

1. I want you to explain your thoughts on the TRNC citizenship regime?

2. Do you think that citizenship application results vary in accordance with personal and ethnic backgrounds?
3. What do you think about facilitated naturalization?
4. What do you think about ordinary naturalization?
5. Is there anything else you would like to share about this?

Turkish version

Türkiyeli göçmenler için mülakat soruları

1. Öncelikle sizden biraz kendinizi anlatmanızı rica edeceğim? Kuzey Kıbrıs'a ne zaman yerleştiniz, burada nerede yaşıyorsunuz, hangi meslekle meşgulsünüz ve en son bitirdiğiniz okul neydi?
2. KKTC vatandaşlığı için başvurusunda bulundunuz mu?
3. (Görüşmeci başvuruda bulunmuş ise) Başvurma sebebiniz neydi? Hangi tarihte başvuruda bulundunuz? Vatandaşlık yasasının hangi maddesi ile başvuruda bulundunuz? Süreç içinde sizden istenen belgeler nelerdi? Başvuru sırasında bir görüşme talep edildi mi size otoriteler tarafından? Başvurunuzun değerlendirme süresi ne kadar sürdü? Ve son olarak başvurunuz nasıl sonuçlandı?
4. (Görüşmeci başvuruda bulunmamış ise) Başvuruda bulunmama sebebiniz neydi?
5. (Görüşmeci vatandaşlık hakkı kazanmışsa) Başvuru sonrası süreçte, hayatınızda ne gibi değişiklikler oldu? KKTC vatandaşlığı size ne gibi imkanlar sağladı?

6. (Görüşmeci başvurmasına rağmen vatandaşlık hakkı kazanamamışsa) Bu sonuç sizin adada yaşamınızı devam ettirmenize dair yasal bir engele yol açtı mı?
7. Bu konuda başka paylaşmak istediğiniz bir şey var mı?

Elit görüşmeler için mülakat soruları

1. Sizden KKTC vatandaşlık rejimi hakkındaki düşüncelerinizi aktarmanızı istiyorum?
2. Sizce vatandaşlık başvuru sonuçları kişiden kişiye, gruptan gruba, etnik kökene göre değişiyor mu?
3. İstisnai vatandaşlıklar hakkında ne düşünüyorsunuz?
4. Yasal yollarla vatandaşlık hakkının kazanılması ile ilgili fikirleriniz nelerdir?
5. Bu konuyla ilgili paylaşmak istediğiniz başka bir şey var mı?

APPENDIX C

APPROVAL OF THE ETHICS COMMITTEE

T.C.
BOĞAZIÇI ÜNİVERSİTESİ
Sosyal ve Beşeri Bilimler Yüksek Lisans ve Doktora Tezleri Etik İnceleme Komisyonu

Sayı: 2019-74

11 Aralık 2019

Kayhan Nedim Kesbiç
Siyaset Bilimi ve Uluslararası İlişkiler

Sayın Araştırmacı,

"Tanınmayan Devletlerde Vatandaşlık Rejiminin Muğlaklığı: Kuzey Kıbrıs Türkiye Cumhuriyeti (KKTC) Örneği" başlıklı projeniz ile ilgili olarak yaptığınız SBB-EAK 2019/71 sayılı başvuru komisyonumuz tarafından 11 Aralık 2019 tarihli toplantıda incelenmiş ve uygun bulunmuştur.


.....
Prof. Dr. Feyza Çorapçı


.....
Doç. Dr. Mehmet Yiğit Gürdal


.....
Doç. Dr. Ebru Kaya


.....
Dr. Öğr. Üyesi İnci Ayhan

APPENDIX D

LONG TRANSLATED QUOTES

1. Bir de en önemli sorun işsiz kalınca ve kırk gün iş bulamayınca terk etme zorunluluğu. Gitmezsen, cezaya düşüyorsun ve günlük asgari ücret üzerinden cezalandırıyorlar seni. Ama mesela çoluk çocuk gelmişsen, nasıl gideceksin hemen iş bulamadım diye. İşte o sebeple bazı şeyler var, mesela kendini bir arkadaşının yanında çalışıyor gösterebilirsin. Biz burada yapıyoruz mesela onu, boş düşmüş vatandaşlığı yok, işte yeni bir yer bulana kadar burada çalışıyor gösteriyoruz onu. Ama işte bir de sigortasını da kendisi ödüyor, zaten çalışmayan insana ayrı bir yük.
2. 2011 senesinde evlenmiştim, eşimin benim üzerimden oturma ve çalışma izni alması gerekiyordu. Bu oldukça bir yükü ikimiz için de ... Bu oturma ve çalışma iznini yenilemek, her sene onlar için sağlık raporu alma derdinden kurtulduk. Bir de bu belgeleri almak için hiç de az olmayan bir miktar para ödemek gerekiyor. Bu dertten de kurtulduk.
3. Bu 18 yıl boyunca her sene çalışma iznim yenilendi, o süreçte vatandaş olamadığım için sözleşmeli idim, yirmi gündür kadrolu olarak çalışıyorum. Ben sözleşmeli statüde iken, ilkokul mezunu bir KKTC vatandaşı ile aynı maaşı alıyordum.
4. Ama sonrasında orada bir inşaat yapacaktım, yabancı olarak bazı kısıtlar vardı. Mesela, bir TC vatandaşı yani yabancı olarak, sadece bir daire tapusu alabiliyordum. Ama şirket kurup inşaat yapmak istediğimiz için, bu kısıtlamayı aşmak istedim ve o sebeple başvurduğum vatandaşlığa.

5. Yabancı uyruklu bir ana veya babadan olan ve Kuzey Kıbrıs Türk Cumhuriyeti'nde doğan çocuklar, ilgili ülkeler arasındaki mütakabiliyet esasları çerçevesinde, doğumlarından başlayarak, Kuzey Kıbrıs Türk Cumhuriyeti yurttaşı sayılırlar. Hangi ülkelerin mütakabiliyet dışında tutulacağı Bakanlar Kurulunca belirlenir.
6. Evet, hatta 12 sene bekledim. Yasa 6 mühür sonrasında başvurabilirsin der, ama bakanlık bu kuralı uygulamıyor. En az 12 sene mühür olmasını istiyorlar, başvurabilmen için.
7. 5 yıl uygulaması, 2004 referandumu sonrasında artık göz önünde bulundurulmaz olmaya başladı. Biraz buradaki hükümetler şey düşündü, referandum bize bir meşrutiyet kazandırdı, kendimiz daha bağımsız olabiliriz bu vatandaşlık işlerinde diye. Bu 5 yıl, on yıla çıkmaya başladı o süre içerisinde. Zaten yasa da 5 yıl geçen vatandaşlık alır demiyor açıkçası, beş yıl sonrasında başvurabilirsin diyor. İşte bu sebeple 2004 sonrası insanlar sıraya girdi gibi bir şey oldu, önce 20 yıla yakın olanlara verildi vatandaşlık, sonrasında 16-12 yıllıklar diye diye düştü.
8. Daha da ilginç bir şey anlatayım. Hataylı bir arkadaşımız vardı. Rahatsızlandı, burada hastaneye gitti. Buradaki hastane yapamadı ameliyatı. Dediler ki seni Türkiye'ye sevk ediyoruz. Ankara mıydı İstanbul muydu neydi, hatırlamıyorum. Ama bir yere gitti Türkiye'ye, orada 45-46 gün tedavi gördü hastanede. Uçak biletinden, hastane masrafına kadar her şeyi KKTC Sağlık Bakanlığı karşıladı sevk olduğu için. Sonra bu adam Kıbrıs'a geri döndü, o süreçte de vatandaşlık başvurusu için süre zorunluluğunu doldurmuş gitti başvurdu İçişleri Bakanlığı'na. Bakanlık ona dedi ki, sen çok fazla Türkiye'de kalmışsın (hastanede geçirdiği 45-46 günü göstererek), o sebeple

seni vatandaş yapamayız. Bizler de adama destek için gittik görüştük, Sağlık Bakanlığı sevk etti diye, ama İçişleri Bakanlığı o bizim sorunumuz değil diye geçiştirdi ve bu Hataylı arkadaşımız vatandaş olamadı.

9. Biz mesela şöyle bir şey yapmıştık, 2004 senesinde. Denktaş daha ölmeden, kapı kapı gezip insanları vatandaş yapmıştık. Bunu da ilk defa söylüyorum böyle ama. Referandum sonrası ortalık değişince ne olur, ne biter bilemediğimiz için bunu yaptık.
10. 1989 yılında koroya başladım burada, KKTC'yi temsilen yurtdışına gidiyorduk ... Bir de şey çok saçmaydı, ben KKTC'yi temsilen gidiyorum yurtdışına ama vatandaşı değilim ... Neyse o dönem aynı koroda yer aldığımız bir kadın vardı, UBP kadın kolları başkanıydı o sırada. Ona söyledim durumu. Aldı beni İçişleri Bakanı'na gittik onla beraber, o "Mesut benim oğlum ne zaman kimliğini alıyoruz" diye sordu. 20 gün sonra beni aradılar "gel kimliğini al" diye, gittim aldım aldım böylece vatandaş oldum.
11. Benim için çok zor olmamıştı o süreç, ben randevu ile gitmiştim İçişleri Bakanlığı'na. Telefon ederek bir randevu alınmıştı benim için, sonra ben gittim bakanlığa. İsmi hatırlamıyorum ama randevu sırasında bakanla da görüşme fırsatı bulmuştum, meramımı başvuru sebepimi anlatmıştım. Zaten sonra bakanlar kurulunda geçmişti adım.
12. Bakanlar Kurulu, 5.2.1997 Yeşilyurt/KKTC doğumlu [başvurucunun], 1997 yılından 18 yaşını doldurana kadar ülkemizde yaşadığı, ilkokul ve ortaokul eğitimini ülkemizde tamamladığı, ülkemiz eğitim ve kültürü ile büyüdüğü, 18 yaşından sonraki yaşamının büyük kısmını ülkemizde geçirdiği, anne ve babasının KKTC yurttaşlığına alındığı, iyi ahlak sahibi olduğu, genel sağlık bakımından tehlike teşkil eden hastalığı bulunmadığı ve devlet ile birey

arasında yurttaşlık bağı kurulması için gerekli koşulların oluştuğu hususlarının tümü birlikte değerlendirildiğinde, 25/1993 sayılı Yurttaşlık Yasası'nın 9'uncu maddesinin (1)'inci fıkrasının (C) bendinin öngördüğü koşul yerine gelmiş olduğundan, [başvurucunun] KKTC Yurttaşlığı'na alınmasına karar verdi.

13. Bakanlar Kurulu, 22.5.1983 Birecik doğumlu [başvurucunun], 2001 yılından beri ülkemizde yaşadığı, 15 yıl 6 ay çalışma izni bulunduğu, geçimini sağlayacak işe sahip olduğu, iyi ahlak sahibi olduğu, genel sağlık bakımından tehlike teşkil eden hastalığı bulunmadığı, ancak babaannesinin vefatı nedeniyle yurt dışına çıkış yapmak zorunda kaldığı ve bu nedenle yasanın öngördüğü 40 günden fazla yurt dışında kalmama koşuluna uymadığı gerekçesiyle Bakanlık kararı ile yurttaşlığa alınmadığı hususlarının tümü birlikte değerlendirildiğinde, 25/1993 sayılı Yurttaşlık Yasası'nın 9'uncu maddesinin (1)'inci fıkrasının (C) bendinin öngördüğü koşulun yerine gelmiş olmasından, [başvurucunun] KKTC Yurttaşlığı'na alınmasına karar verdi.

14. Türkiye Cumhuriyetinin fetih zihniyeti ile hareket ederek ülkemize uyguladığı demografik yapıyı bozacak şekilde nüfus aktarımına devam etmesi demografik yapıyı bozduğu gibi ülkede sosyal sorunlara da neden olmaktadır.

REFERENCES

- Aftan yararlanın! (2011, December 10). *Kıbrıs Star*. Retrieved from: <http://www.starkibris.net/index.asp?haberID=107482>
- An, A. D. (2004, September 13). How Many Turkish Cypriots Remain in Cyprus. *Written Evidence ordered by the House of Commons, Foreign Affairs Committee*. Retrieved from: <https://publications.parliament.uk/pa/cm200405/cmselect/cmfa/113/113we33.htm#note78>
- Arendt, H. (1973). *The origins of totalitarianism*. New York: Harcourt Brace Jovanovich.
- Artman, V. M. (2013). Documenting territory: Passportisation, territory, and exception in Abkhazia and South Ossetia. *Geopolitics*, 18(3), 682–704.
- Ayhan, D. (2017, November 14). Egemen Bağış KKTC vatandaşı oldu. *Sözcü*. Retrieved from: <https://www.sozcu.com.tr/2017/gundem/son-dakika-haberi-egemen-bagis-kktc-vatandasi-oldu-2090395/>
- Bauböck, R. (2006). *Migration and citizenship: Legal status, rights and political participation*. Amsterdam: Amsterdam University Press.
- Bauböck, R., Honohan, I., Huddleston, T., Hucheson, D., Shaw, J., & Vink, M. P. (2013). *Access to citizenship and its impact on immigrant integration: European summary and standards*. Florence: European University Institute
- Besim, M., Ekici, T., & Güven Lisaniler, F. (2015). Labor market experience in a “pseudo-home” country: Turkish immigrants in Northern Cyprus. *Turkish Studies*, 16(3), 411-432.
- Bitsios, D. S. (1975). *Cyprus: The vulnerable republic*. Thessaloniki: Institute for Balkan Studies.
- Bizden, A. (1997). Kıbrıs'ta güç/iktidar mücadelesinin değişen yüzü: Kıbrıs(lı/Türk) milliyetçiliği. *Birikim*, 97, 79-91.
- Bosniak, L. (2008). *The citizen and the alien: Dilemmas of contemporary membership*. Princeton, NJ: Princeton University Press.
- Brubaker, R. (1992). *Citizenship and nationhood in France and Germany*. Cambridge, MA: Harvard University Press.
- Bryant, R. & Hatay, M. (2020). *Sovereignty suspended: Building the so-called state*. Philadelphia: University of Pennsylvania Press.
- Christopoulos, D. (2017). An unexpected reform in the maelstrom of the crisis: Greek nationality in the times of the memoranda (2010-2015). *Citizenship Studies*, 21(4), 483-494.

- Chung, E. A. (2017). Citizenship in non-western contexts. In A. Shachar, R. Bauböck, I. Bloemraad & M. Vink (Eds.), *The Oxford handbook of citizenship* (pp. 431-448). Oxford, UK: Oxford University Press.
- Citizenship Law No. 25 (1993). Retrieved from:
<https://www.mahkemeler.net/birlestirilmis/25-1993.doc>
- Citizenship Law No. 3 (1975). Retrieved from:
<http://evrak.cm.gov.nc.tr/siteler/belgeler/Yasalar/Shared%20Documents/1975/03-1975.DOC?Mobile=1&Source=%2Fsiteler%2Fbelgeler%2FYasalar%2F%5Flayouts%2Fmobile%2Fdispform%2Easp%3FList%3Dbbddeade%252D458c%252D4cd2%252D9e69%252D4adf85428f0e%26View%3Dc416ca3f%252D0780%252D45d0%252Db55a%252Ded521f0b17bc%26RootFolder%3D%252Fsiteler%252Fbelgeler%252FYasalar%252FShared%2520Documents%252F1975%26ID%3D1441%26CurrentPage%3D1>
- Code on Foreigners and Immigration (2007). Retrieved from:
<https://www.mahkemeler.net/tuzuk/stf105b.pdf>
- Code on Residence Permits and Visas No. 561 (2019). Retrieved from:
<https://www.mahkemeler.net/tuzuk/561-2019.pdf>
- Code on Work Permit for Foreigners No. 140 (2007). Retrieved from:
<https://www.mahkemeler.net/tuzuk/140-2007.pdf>
- Çok fazla talep var. (2019, November 21). *Diyalog Gazetesi*. Retrieved from:
<https://www.diyaloggazetesi.com/kibris/cok-fazla-talep-var-h74242.html>
- Çolak, Y. (2013). Identity and citizenship among Turkish immigrants in northern Cyprus. In A. İçduygu, D. Yüksek & D. B. Aksel (Eds.). *Migration around Turkey: Old phenomena, new research* (pp. 401-454). Istanbul: ISIS Press.
- Danış D, Taraghi C, & Perouse, J-F. (2009). Integration in Limbo: İraqi, Afghan, Maghrebi and Iranian Migrants in Istanbul. In A. İçduygu & K. Kirişçi (eds.), *Land of Diverse Migrations. Challenges of Emigration and Immigration in Turkey* (pp. 441-636). Istanbul: Bilgi University Press.
- Denkaş'ın seçmen telaşı. (2003, October 14). *Bianet*. Retrieved from:
<https://m.bianet.org/bianet/siyaset/25012-denktasin-secmen-telasi>
- Derrida, J., & Dufourmantelle, A. (2000). *Of hospitality: Anne Dofourmantelle invites Jacques Derrida to respond*. California: Stanford University Press.
- DPÖ KKTC [Devlet Planlama Örgütü] (2018). 2018 hanehalkı işgücü anketi sonuçları. Retrieved from: <http://www.devplan.org/Isgucu/2018.pdf>
- Dzankic, J. (2014). Citizenship with a price tag: the law and ethics of investor citizenship programmes. *Northern Ireland Legal Quarterly*, 65(4), 387-404.
- Ellermann, A. (2019). Human-capital citizenship and the changing logic of immigrant admissions. *Journal of Ethnic and Migration Studies*, 1-18.

- Erhürman, T. (2010). *Kıbrıs 'ın kuzeyinde yeni sol: Kıbrıs Türk soluna eleştirel bir bakış*. Lefkoşa, Kıbrıs: Işık Kitabevi.
- Friedman, S. L. (2017). Reproducing uncertainty: Documenting contested sovereignty and citizenship across the Taiwan Strait. In B. N. Lawrance, & J. Stevens (Eds.), *Citizenship in question: Evidentiary birthright and statelessness* (pp. 81–99). Durham, NC: Duke University Press.
- Geldenhuis, D. (2009). *Contested states in world politics*. Basingstoke: Palgrave Macmillan.
- Geneva Convention (1949). Relative to the protection of civilian persons in time of war of 12 August 1949. Retrieved from: <https://www.icrc.org/en/doc/assets/files/publications/icrc-002-0173.pdf>
- Güryay, E. (2011). The economy of the Turkish Republic of Northern Cyprus. In S. Tkachenko & M. T. Özsağlam (eds.), *Isolated part of Cyprus* (pp. 75-100). Saint-Petersburg: Saint-Petersburg State University.
- Hadjipavlou, M. (2007). The Cyprus conflict: Root causes and implications for peacebuilding. *Journal of Peace Research*, 44(3), 349-365.
- Hansen, R. (2009). The poverty of postnationalism: citizenship, immigration, and the new Europe. *Theory and Society*, 38(1), 1-24.
- Harris, N. (2002). *Thinking the unthinkable. The immigration myth exposed*. London: I. B. Tauris.
- Hatay, M. (2005). *Beyond numbers: An Inquiry into the political integration of the Turkish 'settlers' in Northern Cyprus*. Oslo: International Peace Research Institute (PRIO).
- Hatay, M. (2007). *Is the Turkish Cypriot population shrinking?: An overview of the ethno-demography of Cyprus in the light of the preliminary results of the 2006 Turkish-Cypriot census*. Oslo: International Peace Research Institute (PRIO).
- Hatay, M. (2008). The problem of pigeons: Orientalism, xenophobia and a rhetoric of the 'local' in North Cyprus, *The Cyprus Review*, 20(2), 143-171.
- Hatay, M. (2017). *Population and politics in north Cyprus: An overview of the ethno-demography of Cyprus in the light of the 2011 census*. Nicosia: Friedrich Ebert Stiftung and Peace Research Institute Oslo (PRIO).
- Hatay, M. & Bryant, R. (2008). *Migrant cities research: Nicosia north*. Nicosia: British Council.
- Howard, M. M. (2009). *The politics of citizenship in Europe*. Cambridge: Cambridge University Press.

- İlter, T. (2015). The island of love/the island of conflict: Hospitality and hostility of Turkish Cypriot identity and citizenship in north Cyprus. *Communication and Critical/Cultural Studies*, 12(1), 19-41.
- Ioannides, C. P. (1991). *In Turkey's image: The transformation of occupied Cyprus into a Turkish province*. New York: Aristide D. Caratzas.
- İşte iptal edilen vatandaşlıklar. (2018, May 16). *Yeni Düzen*. Retrieved from: <http://www.yeniduzen.com/iste-iptal-edilen-vatandasliklar-102421h.htm>
- İşte KKTC vatandaşı olan Türkiye kökenli ünlüler. (2004, April 18). *Hürriyet*. Retrieved from: <https://www.hurriyet.com.tr/kelebek/iste-kkct-vatandasi-turkiye-kokenli-unluler-218581>
- Jacobson, D. A. (1997). *Rights across borders: Immigration and the decline of citizenship*. Baltimore: Johns Hopkins University Press.
- Jensehaugen, H. (2017). 'Filling the void': Turkish settlement in Northern Cyprus, 1974–1980. *Settler Colonial Studies*, 7(3), 354-371.
- Johnston, L. (2013). A passport at any price? Citizenship by investment through prism of institutional corruption. *Edmond J. Safra Working Papers (No. 22)*. Retrieved from https://papers.ssrn.com/sol3/papers.cfm?abstract_id=2324101
- Joppke, C. (2003). Citizenship between de-and re-ethnicization. *European Journal of Sociology/Archives Européennes de Sociologie*, 44(3), 429-458.
- Joppke, C. G. (2017). *Citizenship in immigration states*. In A. Shachar, R. Bauböck, I. Bloemraad & M. Vink (Eds.), *The Oxford handbook of citizenship* (pp. 385-403). Oxford, UK: Oxford University Press.
- Kadirbeyoğlu, Z. (2010). *Country Report: Turkey*. Florence: European University Institute.
- Kadirbeyoğlu, Z. (2013). *Naturalizations procedures for immigrants: Turkey*. Florence: European University Institute.
- Kirişçi, K. (2000). Disaggregating Turkish citizenship and immigration practices. *Middle Eastern Studies*, 36(3), 1-22.
- Kızılyürek, N. (2005). *Doğmamış bir devletin tarihi: Birleşik Kıbrıs Cumhuriyeti*. İstanbul: İletişim Yayınları.
- Kızılyürek, N. (2019). *Demographic shift in the northern part of Cyprus*. Retrieved from: https://www.europarl.europa.eu/doceo/document/E-9-2019-004220_EN.html
- KKTC Bakanlar Kurulu (n.d.). Bakanlar kurulu karar arama. Retrieved from: <http://bkkararlari.gov.ct.tr/>
- KKTC DPÖ. (2011). İlçe ve cinsiyete göre sürekli ikamet eden nüfus. Retrieved from: <http://www.devplan.org/Nufus-2011/Tablolar/Tablo-1-IlceCinsiyet.xls>

- KKTC Resmi Gazete (2019, December 30). Bakanlar Kurulu kararları. Retrieved from: <http://basimevi.gov.ct.tr/Portals/105/2019/187.pdf?ver=2020-01-01-150235-123>
- KKTC Resmi Gazete (2020, February 4). Bakanlar Kurulu kararları. Retrieved from: <http://basimevi.gov.ct.tr/Portals/105/2020/19.pdf?ver=2020-02-05-134033-200>
- Konsta, A. M. & Lazaridis, G. (2010). Civic stratification, 'plastic citizenship' and 'plastic subjectivities' in Greek immigration policy. *Journal of International Migration and Integration*, 11(4), 365-382.
- Koopmans, R., & Statham, P. (1999). Challenging the liberal nation-state? Postnationalism, multiculturalism, and the collective claims making of migrants and ethnic minorities in Britain and Germany. *American Journal of Sociology*, 105(3), 203–221.
- Krasniqi, G. (2019). Contested states as liminal spaces of citizenship: Comparing Kosovo and the Turkish Republic of Northern Cyprus. *Ethnopolitics*, 18(3), 298-314.
- Kurtuluş, H. & Purkis, S. (2008). Türkiye'den Kuzey Kıbrıs'a göç dalgaları: Lefkoşa'nın dışlanmış göçmen-enformel emekçileri, *Toplum ve Bilim*, 112, 60-101.
- Kurtuluş, H., & Purkis, S. (2014). *Kuzey Kıbrıs'ta Türkiyeli göçmenler*. İstanbul: Türkiye İş Bankası Kültür Yayınları.
- Laakso, J. (2003). Colonisation by Turkish settlers of the occupied part of Cyprus. *Parliamentary Assembly, Council of Europe* (vol. 5). Strasbourg: Council of Europe Publishing.
- Law for Housing, Allocation of Land, and Property of Equal Value (ITEM Law) No.41 (1977). Retrieved from: <https://www.mahkemeler.net/birlestirilmis/41-1977.doc>
- Law on Foreigners and Immigration No. 58 (2018). Retrieved from: https://www.mahkemeler.net/birlestirilmis/f_105.docx
- Law on Public Officials No. 7 (1979). Retrieved from: <https://www.mahkemeler.net/birlestirilmis/7-1979.rtf>
- Law on Real Estate Acquisition and Long Term Rental (Foreigners) No. 52 (2008). Retrieved from: <https://www.mahkemeler.net/birlestirilmis/52-2008.doc>
- Law on Small Business Owner No. 29 (2019). Retrieved from: <https://www.mahkemeler.net/birlestirilmis/29-2019.docx>
- Law on Social Security No. 73 (2007). Retrieved from: <https://www.mahkemeler.net/birlestirilmis/73-2007.doc>

- Law on Work Permit for Foreigners No. 63 (2006). Retrieved from:
<https://www.mahkemeler.net/birlestirilmis/63-2006.doc>
- Leech, B. (2002). Asking questions: Techniques for semistructured interviews. *PS: Political Science & Politics*, 35(04), 665–668.
- Lijphart, A. (1977). *Democracy in plural societies: A comparative exploration*. New Haven, Connecticut: Yale University Press.
- Loizides, N. (2011). Contested migration and settler politics in Cyprus. *Political Geography*, 30(7), 391-401.
- Lori, N. (2012). *Temporary workers or permanent migrants? The kafala system and contestations over residency in the Arab Gulf States*. Paris, Brussels: IFRI-Center for Migrations and Citizenship.
- Lori, N. A. (2017). Statelessness, ‘in-between’ statuses, and precarious citizenship. In A. Shachar, R. Bauböck, I. Bloemraad & M. Vink (Eds.), *The Oxford handbook of citizenship* (pp. 743-763). Oxford, UK: Oxford University Press.
- Lustick, I. (1985). *State-building failure in British Ireland & French Algeria*. Berkeley: Institute of International Studies, University of California-Berkeley.
- Marshall, T. H. (1950). *Citizenship and social class*. London: Cambridge University Press.
- Mehmet, Ö., & Tahiroğlu, M. (2000). An empirical study of Turkish economic migrants in North Cyprus. *Gazi Üniversitesi İktisadi ve İdari Bilimler Fakültesi Dergisi*, 2(2), 127-138.
- Mehmet, Ö., Tahiroğlu, M., Güven Lisaniler, F., & Katircioğlu, S. (2007). Labor mobility and labor market convergence in Cyprus. *Turkish Studies*, 8(1), 43-69.
- MFA Cyprus (2006). *Illegal demographic changes*. Retrieved from:
http://www.mfa.gov.cy/mfa/mfa2016.nsf/mfa15_en/mfa15_en?OpenDocument
- Ministry of Foreign Affairs of Turkey (2016, December 21). 2016 Kuzey Kıbrıs Türk Cumhuriyeti muhaceret affı hakkında duyuru. Retrieved from:
http://www.mfa.gov.tr/2016-kuzey-kibris-turk-cumhuriyeti-muhaceret-affi-hakkinda-duyuru_-21-aralik-2016.tr.mfa
- Ministry of Labor and Security of the TRNC. (2019, November 21). Çalışma affı yürürlükte: Afa başvurular 16 Lubat 2020’ye kadar sürecek. Retrieved from:
<https://csgb.gov.ct.tr/BASIN-VE-HALKLA-%C4%B0L%C4%B0%C5%9EK%C4%B0LER/HABERLER/ArtMID/12145/ArticleID/108218/199a1%C4%B1%C5%9Fma-Aff%C4%B1-Y252r252rl252kte-Afa-ba%C5%9Fvurular-16-%C5%9Eubat-2020ye-kadar-s252rececek>

- Morvaridi, B. (1993). Demographic change, resettlement and resource use. In C. H. Dood (Ed.), *The political, social, and economic development of Northern Cyprus* (pp. 219-234). Huntingdon: Eothen Press.
- Multuyakalı, C. (2011). Sene 1975, Kıbrıs'a nüfus gerek. *Yenidüzen*. Retrieved from: <http://www.yeniduzen.com/sene-1975-kibrisa-nufus-gerek-14842h.htm>
- Navaro, Y. (2012). *The make-believe space: Affective geography in a postwar polity*. Durham, NC: Duke University Press.
- Orgad, L. (2017). Naturalization. In A. Shachar, R. Bauböck, I. Bloemraad, & M. Vink (Eds.), *The Oxford handbook of citizenship* (pp. 337-354). Oxford, UK: Oxford University Press.
- Ortak basın açıklaması: "Kendi evimizin efendisi olmak istiyoruz." (2011, June 2). *Kıbrıs Postası*. Retrieved from: https://www.kibrispostasi.com/c35-KIBRIS_HABERLERI/n55093-ortak-basin-aciklamasi-kendi-evimizin-efendisi-olmak-istiyoruz
- Patrick, R. (1976). *Political geography and the Cyprus conflict, 1963-1971*. (Faculty of Environmental Studies Publication). Waterloo: University of Waterloo.
- Perçin, G. E. (2016). Kuzey Kıbrıs ve Türk vatandaşlık hukuklarına ilişkin karşılaştırmalı hukuk çalışması. *Türkiye Adalet Akademisi Dergisi*, 7(27), 215-244.
- Polat Alemdar 5 dakikada KKTC vatandaşı oldu. (2012, November 29). *CNN Türk*. Retrieved from: <https://www.cnnturk.com/2012/yasam/diger/11/29/polat.alemdar.5.dakikada.kktc.vatandasi.ordu/686607.0/index.html>
- Popescu, N. (2006). 'Outsourcing' de facto statehood: Russia and the secessionist entities in Georgia and Moldova. *CEPS Policy Brief*, 109, 1-8.
- Purkis, S. (2008). Türkiye'den Kuzey Kıbrıs'a son göçlerde kadın işgücünün göçmenlik halleri. *Eğitim Bilim Toplum*, 6(23), 8-37.
- Purkis, S., & Kurtuluş, H. (2013). Spatially segregated and socially excluded Turkish migrants in northern Cyprus. *Journal of Faculty of Political Science*, 48, 1-22.
- Ramm, C. (2006). Assessing transnational re-negotiation in the post-1974 Turkish Cypriot community: 'Cyprus donkeys', 'black beards' and the 'EU carrot'. *Southeast European and Black Sea Studies*, 6(4), 523-542.
- Resmi Gazete (1988). Türkiye Cumhuriyeti ile Kuzey Kıbrıs Türk Cumhuriyeti Arasında Sosyal Güvenlik Anlaşması. Retrieved from: <https://www.resmigazete.gov.tr/arsiv/19900.pdf>
- Resmi Gazete (1991). Türkiye Cumhuriyeti Hükümeti ile Kuzey Kıbrıs Türk Cumhuriyeti Hükümeti Arasında Türkiye Cumhuriyeti Vatandaşlarının Kuzey Kıbrıs Türk Cumhuriyeti'ne, Kuzey Kıbrıs Türk Cumhuriyeti

Vatandaşlarının Türkiye Cumhuriyeti'ne Pasaport Yerine Kimlik Belgesi ile Seyahat Etmeleri Hakkında Anlaşma. Retrieved from:
<https://www.resmigazete.gov.tr/arsiv/20945.pdf>

Resmi Gazete. (2004). Bilateral agreement between Turkey and the TRNC No. 43. Retrieved from:
<https://www.resmigazete.gov.tr/eskiler/2004/12/20041205.htm>

Şahin, İ., Şahin, C., & Öztürk, M. (2013). Barış Harekatı sonrasında Türkiye'den Kıbrıs'a yapılan göçler ve tatbik edilen iskan politikası, *Turkish Studies*, 8(7), 599-630.

Sassen, S. (2002). Towards post-national and denationalized citizenship. In E. F. Isin & B. S. Turner (Eds.), *Handbook of citizenship studies* (pp. 277-292). London: Sage.

Schneider, C. Q., & Wagemann, C. (2012). *Set-theoretic methods for the social sciences: A guide to qualitative comparative analysis*. Cambridge: Cambridge University Press.

Söylemez, Y. (1973). *Foreign policy of Turkey at the United Nations between the years 1966-1972: Public interventions, selected documents, official communications* (Vol. 3). Ankara: Türkiye Dış İşleri Bakanlığı.

Soysal, Y. N. (1994). *Limits of citizenship: Migrants and postnational membership in Europe*. Chicago: University of Chicago Press.

Sredanovic, D. (2016). Political parties and citizenship legislation change in EU28 countries, 1992–2013. *International Political Science Review*, 37(4), 438-452.

Stavrinides, Z. (1976). *The Cyprus conflict: National identity and statehood*. Nicosia: Cyprus Research and Publishing Centre.

Talat Zrilli, A. (2019). Ethno-nationalism, state building and migration: the first wave of migration from Turkey to North Cyprus. *Southeast European and Black Sea Studies*, 19(3), 493-510.

The Constitution of the Turkish Republic of Northern Cyprus (1985). Retrieved from: <https://www.mahkemeler.net/cgi-bin/anayasa/aing.doc>

Treaty of Establishment (1960). Treaty concerning the establishment of the Republic of Cyprus. Retrieved from:
https://www.mfa.gr/images/docs/kypriako/treaty_of_establishment.pdf

Trimikliniotis, N. (2015). *Country report on citizenship law: Cyprus*. Florence: European University Institute.

Trimikliniotis, N., Ioakimoglou, E., & Pantelides, P. (2012). A political economy of division, development, and crisis: envisioning reunification beyond the Cyprus economic miracle. In N. Trimikliniotis & U. Bozkurt (eds.), *Beyond a*

divided Cyprus: A state and society in transformation (pp. 217-276). New York: Palgrave Macmillan.

TRNC Ministry of Finance (2019). Maas alanların sayı ve miktarları (12 aylık). Retrieved from: <http://www.maliye.gov.ct.tr/maliye/f?p=100:1027:0::NO::>

Vatandaş olmak çok kolay. (2017, October 16). *Havadis Kıbrıs*. Retrieved from: <https://www.havadiskibris.com/vatandas-olmak-cok-kolay/>

Vink, M. (2017). Comparing citizenship regimes. In A. Shachar, R. Bauböck, I. Bloemraad & M. Vink (Eds.), *The Oxford handbook of citizenship* (pp. 221-241). Oxford, UK: Oxford University Press.

Vural, Y., Ekenoğlu, B., & Sonan, S. (2015). Politically motivated migration: The case of Turkish migration to Northern Cyprus. In G. Şeker, A. Tilbe, M. Ökmen, P. Yazgan Hepgül, D. Eroğlu & İ. Sirkeci (Eds.), *Turkish migration conference 2015 selected proceedings* (pp. 83-97). London: Transnational Press London.

Wallace Goodman, S. (2010). *Naturalisation policies in Europe: Exploring patterns of inclusion and exclusion*. Florence: European University Institute.

Walzer, M. (1983). *Spheres of justice: A defense of pluralism and equality*. New York: Basic Books.

Yakinthou, C. (2009). *Political settlements in divided societies: Consociationalism and Cyprus*. London: Palgrave Macmillan.