

(DE)CONSTRUCTING ASYLYM: TURKEY’S ALTERNATIVE POLITICAL  
ASYLUM APPROACH AND THE DISSEMINATION OF DUTY INTO HOST-  
GUEST RELATIONS

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by

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## ABSTRACT

The Syrian refugee crisis is the largest refugee crisis since the Second World War, with an international legal regime that is inadequately equipped to respond to it and has not evolved since it was created for displaced European refugees in the mid 20<sup>th</sup> century. The UN Refugee Convention and its Protocol legally require States to extend protection to refugees within their jurisdiction but place no legal obligation on States for refugees outside their territories or to help other countries shoulder the cost and burden of the crises. Countries function as sovereign nation-States with the rights to decide who may or may not enter and to whom they might grant asylum.

Economically affluent countries of the Global North have taken advantage of this “rights-based” approach which is reflected in their asylum policies and their relatively menial intake of refugees. Much work has been done on the shortcomings of the international legal asylum regime and the morality of a rights-based approach but much less exists on the efficacy of South-South migration and the ability of countries of first-asylum to aid and save millions of lives through a duty-based approach. This project seeks to attain a deeper understanding of the duty-based approach employed in Turkey, its accomplishments and its caveats, and most importantly, how discourse disseminates into individual host-guest relations and thus the lives of refugees when the dominant rhetoric around the issue of asylum is one of hospitality, as opposed to legality and security.

## BIOGRAPHICAL SKETCH

Duaa Randhawa received her bachelors at Sarah Lawrence College, where she concentrated in Sociology with a specific interest in marginality and inequality and went on to study Refugee Studies and International and Diaspora Development at the University of Oxford. Her areas of interest include examining the use of informal networks for community formation among refugee settlements in order to find a way to have refugees represent themselves in policy conversations and development initiatives.

She hopes to eventually apply theoretical frameworks and techniques from International Development onto diasporas, specifically looking at bottom-up grassroots mobilization and how relationships between and within grassroots organizations can fill gaps in development that are left by top-down state organizations.

In dedication to  
My grandfather, for whom is everything,  
And to my Lord, without whom is nothing.

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## LIST OF TURKISH TERMS AND DEFINITIONS

<i>KARAM</i>	Generosity; Hospitality
<i>HIJRI</i>	Islamic Calendar
<i>OSMALILIK</i>	Ottomanism
<i>UMMAH</i>	Global Muslim Community
<i>OSMANLI TORUNU</i>	Descendant of the Ottomans
<i>STRATEJIK DERINLIK</i>	Strategic Depth
<i>EMANAT</i>	God's Entrustment
<i>SADAQA</i>	Charity
<i>BARAKAT</i>	Abundance from God
<i>ENSAR</i>	The Helpers (Residents of Medina in the 7 <sup>th</sup> Century)
<i>MUHTESEM YÜZYIL</i>	The Magnificent Century
<i>PAYITAHT</i>	The Last Sultan



## LIST OF ABBREVIATIONS

UN	United Nations
IOM	International Organization for Migration
UNHCR	United Nations High Commissioner for Refugees
ASAM	Association for Solidarity with Asylum Seekers and Migrants
DGMM	Directorate General of Migration Management
IRO	International Refugee Organization
LON	League of Nations
UNRRA	The United Nations Relief and Rehabilitation Administration
LFIP	Law on Foreigners and International Protection
ISIL/ISIS	Islamic State of Iraq and the Levant
CIA	Central Intelligence Agency
AKP	Adalet ve Kalkınma Partisi (Justice and Development Party)
NGO	Non-Governmental Organization
EU	European Union
IDP	Internally Displaced Persons
DACA	Deferred Action for Childhood Arrivals
HDI	Human Development Index

## **PURPOSE AND SCOPE**

This project serves to analyze the political approach to asylum adopted in Turkey and its effects on individual migrants in terms of mobility, safety, treatment, and livelihood. This project is important because much of the existing political and academic discourse on refugees and migration focuses on international legal regimes, and those that address domestic and State level legal regimes tend to neglect transit countries and countries of first asylum, who are by and large carrying the load on their own with relatively less choice in the matter than is provided to affluent countries of the Global North. This project serves to fill those gaps and explore host-guest relation in Turkey on a micro-level that seems to be missing from the literature. While certain quantitative studies exist on the topic, they tend to document public attitudes through surveys and do not pose an answer to why the hospitality narrative in Turkey has been so successful that even when Turkish citizens have become unhappy with the growing Syrian presence, they do not act inhospitably.

## INTRODUCTION

The Syrian civil war began in March 2011 as a result of anti-government graffiti, drawn by young boys in support of the Arab Spring. The torture and successive killing of a thirteen-year-old boy, one of fifteen who were detained, led to peaceful pro-democratic protests. The Syrian government, under Bashar al-Assad's regime, responded to the protests by killing hundreds of demonstrators and imprisoning many more.<sup>1</sup> In July of the same year, military defectors announced the formation of the Free Syrian Army, a rebel group with the objective to overthrow the government, and Syria slid into civil war.

With the increase of armed conflict and rebel groups and thereafter foreign powers, the revolution developed a sectarian nature that it did not begin with. Most Syrians are Sunni Muslims, while the security establishment and Assad himself belong to the Alawi sect. Russia, Iran, Iraq, and the Shiite political party, Hezbollah, based in Lebanon, supported the Assad regime, while Sunni-majority countries including Turkey, Qatar, and Saudi Arabia supported anti-Assad rebels. Since 2016, Turkish troops have launched several operations against the Islamic State of Iraq and the Levant (ISIL/ISIS) near its borders, as well as against Kurdish groups armed by the United States. The US has also armed anti-Assad rebels and, along with allies, led airstrikes bombing ISIL targets since 2014<sup>2</sup> while Israel has carried out air raids in Syria attacking Hezbollah. Syria, like many countries before it, has served as a political battle ground for powers of the Global North. The US, along with the UK and France, attacked a launch at an alleged chemical weapons site against Russia's warning while Russia and China have repeatedly vetoed Western-backed resolutions on Syria.<sup>3</sup> Meanwhile, the CIA ran a covert

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<sup>1</sup> (Al-Jazeera, 2018)

<sup>2</sup> (Al-Jazeera, 2018)

<sup>3</sup> (Al-Jazeera, 2018)

program to arm, fund and train rebel groups opposing Assad and Russia launched a bombing campaign against what it referred to as, “terrorist groups”.

With death tolls in the hundreds of thousands from the war, nearly six million Syrians have fled their home to seek refuge in neighboring countries and some then attempt travel beyond to Europe, while over six million remain internally displaced. Appendix A shows an infographic of the migration trends of Syrian refugees based on figures from early 2019. The majority of Syrians have found refuge in Turkey, Lebanon, and Jordan and many have applied for asylum in European countries, predominantly Germany, Hungary, and Greece. While some European countries, like Germany, adopted a relatively welcoming approach to Syrian refugees at the beginning of the crisis, most economically advanced countries have secured their borders and attempted to contain the outflow of refugees from the Middle East, to the Middle East.

While the United Nations High Commissioner for Refugees and the International Organization of Migration have been on the ground since the beginning of the crisis, primarily assisting in registering refugees and establishing and administrating some refugee camps, the Syrian humanitarian crisis has revealed the drastic imbalances and inadequacies of our international asylum regime.

Refugees continue to die in the thousands every year attempting to cross the Mediterranean Sea to reach Europe through informal channels as Middle Eastern host countries continue to be overwhelmed by refugees. Meanwhile, the European Union is in a three-billion-dollar agreement with Turkey to crack down on refugees’ illicit departures to Europe in exchange for lighter visa restrictions and the UK refuses to support search and rescue missions

on the Mediterranean, like Mare Nostrum, hoping that it will discourage refugees from attempting the journey to Europe.<sup>4</sup>

The international asylum regime places legal responsibility on States for refugees in their territories or on their borders and protection of refugees is based on the principle on non-refoulment, meaning, with very few exceptions, an asylum seeker cannot be returned to a country in which her life is threatened. However, the regime places no sort of international responsibility on refugees outside of a State's territorial jurisdiction and also includes no burden-sharing frameworks. As a result, economically affluent countries have secured their borders and placed visa restrictions— like the United States' Muslim Ban— to prevent unwanted arrivals. States with the physical, geographical, and economic capacity to host large numbers of refugees instead reluctantly dole out some financial aid to first-asylum countries in the Global South who have already weak economies and much less carrying capacity<sup>5</sup>, and leave them with the responsibility to host and care for refugees. Turkish researcher M.M Erdogan writes that “This is very well-indicated by the fact that among the 28 EU countries . . . only two have more than 100,000 Syrians . . . while at least 10 cities in Turkey has more than 100,000 Syrians. If the number of Syrians in the EU were to be distributed among the member states, there would be 2,305 Syrians per country.”<sup>6</sup>

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<sup>4</sup> (British Broadcasting Company, 2019)

<sup>5</sup> Carrying capacity refers to the amount of people who can live in a geographical region and be given the opportunity to live long, healthy, self-fulfilling lives (Cocks and Foran 1995, 67).

<sup>6</sup> (Erdogan, 2017)

Turkey has adopted an alternative approach. While it borders Syria, and was due a large influx of refugees formally or informally<sup>7</sup>, Turkey is a developing country (with an HDI of 0.76, falling short of the 0.8 threshold for developing nations) but with enough resources to have secured its borders, barring entry and instead rerouting refugee flows to other bordering countries. Instead, it welcomed Syrian refugee with open arms, adopting an “open-door” policy based on the rhetoric of “brotherhood” and an Islamic duty to hospitality. As a result, in the past nine years, Turkey has successfully hosted and integrated approximately 4 million Syrian refugees, more than any other country in the world.

In this paper, I delve into the depths of our international asylum regime and its tunnel-vision focus on “rights” and “legality” and explore why those might be its pitfalls. I suggest, thereafter, that we look at existing alternative approaches to asylum that are outside of Western-Colonial formed international institutions, and pose a case-study of Turkey. I delineate the history of Turkey’s “duty-based” approach to asylum, its Ottoman origins, and the many political and cultural factors at play that led to an open-door policy. Particularly, I look at Turkey’s current AKP party’s pan-Islamist rhetoric, under which “an obligation to our Muslim brothers” fits neatly; where in Sultan Abdulhamid II of the Ottoman Empire this rhetoric found its influence, and how, looking forward, it is a framework for Turkish foreign policy in the Middle East and relations with the EU. Finally, I pose an exploration of the dissemination of this political rhetoric into the larger public. I ask if this notion of hospitality is deeply embedded enough in Turkish culture and society to truly create a welcoming or successfully integrating

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<sup>7</sup> Countries neighboring those from which there is an outpour of migrants tend to act as countries of first asylum and receive large amounts of asylum seekers because people tend to seek refuge in countries closest to their homes and because travel trajectories require crossing through bordering countries to continue forward and many choose not to continue forward.

environment for Syrian refugees, or is there a disconnect between the President's speeches and local people's attitudes. I conclude by examining where Turkey's asylum approach has been successful and where it could be improved for refugees and what other governments and international institutions can learn from Turkey's case.

I also propose that to evaluate where Turkey's success really lies there needs to be a deep qualitative examination of host-guest relations. While a few quantitative studies on the topic exist, and determine that the Turkish public's attitudes have evolved from welcoming to increasingly hostile, they do not answer the question of why there is a large disconnect between hostile attitudes and hostile action. In comparison to other migrant-receiving countries, like the United States, the rates of xenophobic and hate crimes against Syrian refugees are very low in Turkey. Syrians also consider themselves to be happy and well integrated in the country.<sup>8</sup>

## **LITERATURE REVIEW**

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<sup>8</sup> (Erdogan, 2017)

## **I. International Legal Asylum Regime**

### **1. During the World Wars and Prior to the Establishment of the UNHCR**

The first semblance of an international regime to deal with refugee related issues, was created to deal with Russian refugees only. As a result of the first World War and the wars that led up to it (the Balkan war, the wars in the Caucasus, and the Greco-Turkish War, all taking place between 1912-1922), there was mass upheaval in the States involved and especially in the Russian Empire.<sup>9</sup> Somewhere between 1 and 2 million refugees left Russia for various countries of Europe and Asia within the years of those wars. The UNHCR existed in the form of a High Commissioner for Refugees, designated by the League of Nations (the world's first intergovernmental organization created with the mission to maintain peace) in 1920. Nansen's tasks were specifically to define the legal status of Russian refugees, organize their repatriation or "allocation" to countries able to receive them, and to undertake relief work with the aid of "philanthropic agencies".<sup>10</sup> Even with a very limited mission, Nansen depended on governments for donations. Without official funding to undertake any relief programs, the ability to intervene actively was largely determined by Nansen's ability to raise funds and to convince governments to increase refugee aid, ease immigration barriers, and provide more legal protection for refugees within their borders.<sup>11</sup> Assistance and protection for refugees was largely a political matter, and was influenced by governments' own foreign policy, security, and strategic concerns. Governments also refrained from adopting a universal definition of the term refugee in order to

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<sup>9</sup> (Jaeger, 2001)

<sup>10</sup> (UN High Commissioner for Refugees (UNHCR), 1992)

<sup>11</sup> (Loescher, 2001, p.28)



avoid opening the door to international recognition of political dissidents in any States.

Therefore, there was no legal definition of “refugee” in circulation.

The 1930s saw a flood of European refugees, escaping fascism in totalitarian states. Germany, Italy, Portugal, and Spain had regimes rise to power that wanted to create homogenous and “racially pure” societies and thus adopted policies that forced out those they considered unassimilable. Groups targeted were political opponents, such as Communists, Social Democrats, anti-fascist intellectuals, but also population groups that were considered to be racially inferior like Jews, Slavs, and Gypsies.<sup>12</sup> Not only was the League of Nations weak at this time and the High Commissioner limited in his abilities, refugees were left largely vulnerable because industrialized States decided that it was in their best national interests to maintain rigid limits on immigration as well as refugee initiatives so as not to upset countries producing refugees or risk foreign policy aims by accepting their “unwanted dissidents and minority groups.”<sup>13</sup>

During the League of Nations period (1921-1946) and after the outbreak of World War II, several institutions were created to perform some or all of the tasks of the High Commissioner for Refugees. Amongst them were the Nansen International Office for Refugees, the Office of the High Commissioner for Refugees Coming from Germany, and the Nansen’s International Office. In 1938, the Intergovernmental Committee on Refugees was created, following a conference on “the question of involuntary emigration” from Germany and Austria. “The work of this Committee was extended in the course of World War II to all refugee groups. It was replaced in 1947 by the International Refugee Organization”<sup>14</sup>

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<sup>12</sup> (Loescher, 2001, p. 29)

<sup>13</sup> (Loescher, 2001, p.29)

<sup>14</sup> (UN High Commissioner for Refugees (UNHCR) , 1992)

Several initiatives rose and declined after Nansen's death because they failed to adequately deal with the growing refugee problem. The World Wars left hundreds of thousands of people displaced as tensions between East and West became more aggravated. Many people were reluctant to return to countries that were now dominated by new political ideologies. This reluctance signaled a major new refugee issue (the need for resettlement rather than repatriation), as a result of which the Bermuda conference of 1943 extended the mandate of the Intergovernmental Committee to "all persons wherever they may be who, as a result of events in Europe, have had to leave their countries of residence because of the danger to their lives or liberties on account of their race, religion or political beliefs".<sup>15</sup>

The International Refugee Organization (IRO) was established as "the first international agency to deal comprehensively with all aspects of refugees' lives, including registration, determination of status, repatriation and resettlement"<sup>16</sup>, after the General Assembly included the refugee problem as a priority item on the agenda of its first session in 1946. The IRO found itself at the center of growing East-West tensions due to its resettlement activities and accusations of aiding subversive groups.<sup>17</sup> Since forty percent of its budget was contributed by the United States, the Soviet Union and its allies accused its intentions and activities of being partisan and providing a source of labor for the West. This hostile reception, compounded with the fact that it had a very limited budget, led swiftly to the IRO's demise by end of the decade.

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<sup>15</sup> (Bermuda Conference to Consider the Refugee Problem, April 19-28, 1943, And the Implementation of Certain of the Conference Recommendations, 1943)

<sup>16</sup> (United Nations High Commissioner for Refugees (UNHCR), 2005)

<sup>17</sup> (United Nations High Commissioner for Refugees (UNHCR), 2005)

## 2. The Establishment of the UNHCR

As a result of discussions about creating a new international refugee organization, the office of the UNHCR was established as a “subsidiary organ of the General Assembly by Resolution 319 (IV) of the United Nations General Assembly of December 1949. The Resolution stated that UNHCR would operate for a period of three years from January 1951, reflecting the disagreement among States over the political implications of establishing a permanent body.”<sup>18</sup> Although all the governments involved in this decision-making process had differing policy preferences regarding authority, longevity, and the financing of this new organization, as well as the definition of the term *refugee*, the need for it was not debated. There was strong support for safeguarding refugee rights including the right to return or resettle and protection against forcible return.

Although the decision makers were Western, non-communist governments (The Soviet Union and its allies were not part of the negotiations that led to the establishment of the UNHCR), they still had many disagreements amongst them. The United States did not want to finance international refugee programs after it had financed the IRO. The British, likewise wanted to limit their financial and legal obligations. In drafting the refugee convention, the US and UK tried to ensure that the UN did not have resources available to commit itself to future responsibilities towards refugees.

The United States wanted to deny the UNHCR a relief role by making it unable to carry out material assistance operations for refugees and instead have the sole function be international legal protection. The UNHCR was given \$300,000 and three years to resettle Europeans who were displaced as a result of World War II and its mandate was not meant to expand to address

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<sup>18</sup> (United Nations High Commissioner for Refugees (UNHCR), 2005)

any of the problems it attempts to now (including the expansion of the definition of “displaced” and “refugee”, State accountability and responsibility, and burden-sharing). Countries such as France, who were the principal countries of asylum wanted to secure large scale operational funds for the refugees they were assisting. Meanwhile the UK, which was, geographically, largely inaccessible to refugees anyway, argued they should be the responsibility of host states. Occupied territories such as Germany, Italy, and Austria, who housed the bulk of Eastern European refugees had no voice in the UN deliberations. And non-European states like India and Pakistan, who were in the midst of massive population exchanges and displacements due to the aftermaths of British Colonial rule and partition, argued that the UNHCR should be a strong and permanent organization with the ability to raise funds for material assistance on a voluntary basis. The result was an organization that was “dependent upon a small administrative annual budget granted by the UN General Assembly and a small emergency fund to which the USA did not contribute until 1955.”<sup>19</sup> The US and UK also managed to make UN General Assembly approval a precondition of all appeals for voluntary contributions.

### **3. The 1951 Convention and '67 Protocol, and their Legal Implications**

The 1951 convention was a major milestone in refugee law because its first article provided a general definition of the term “refugee”; it embodied the principle of “non-refoulment”; it set the minimum standard of treatment of refugees; it contained provisions regarding juridical status, gainful employment and welfare, the issue of identity and travel documents, naturalization, and other administrative matters; and it required States to “cooperate with UNHCR in the exercise of its functions, and to facilitate the task of supervising the

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<sup>19</sup> (Loescher, 2001)

application of the Convention.”<sup>20</sup> However, the first statute was heavily influenced by post World War Europe and had its limitations. The convention only applied to individuals who became refugees as a result of events occurring before 1 January 1951.<sup>21</sup> The events were understood to mean “events occurring in Europe before 1 January 1951” or “events occurring in Europe or elsewhere before 1 January 1951”. States becoming party to the Convention were allowed a geographical limitation clause to limit their obligations exclusively to European refugees through a clause, which states like Turkey did.

The 1950s brought about decolonization movements and the emergence of new groups of refugees, particularly in Africa, whom the 1951 convention did not address or protect. The 1967 Protocol was thus added to remove the 1951 dateline. When acceding to the Convention or the Protocol, States are allowed to make reservations to articles they do not want to apply. However, there are no reservations allowed for the following articles and acceding States must accept them: “Article 1 (refugee definition); Article 3 (non-discrimination as to race, religion or country of origin); Article 4 (freedom to practice religion); Article 16 (1) (free access to courts); Article 33 (non-refoulement); Articles 36-46 (information on national legislation; final clauses).

Although the UNHCR has largely expanded and come very far from where it was in the 1950s, many of the core issues that led to its creation as well as those dealt with during its creation are still relevant today. The biggest debate concerning the UNHCR is often the issue of its autonomy in relation to donor States. How much can the UNHCR function on its own, under its own mandate, if it is largely dependent upon support from developed Western States,<sup>22</sup> who have been determining its functions since its beginning and who want their sovereignty to be

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<sup>20</sup> (UN High Commissioner for Refugees (UNHCR) , 1992)

<sup>21</sup> (Assembly, 1951)

<sup>22</sup> See Appendix B for Top 10 Donors of 2019

respected? This history also establishes that the UNHCR was created (initially) by and for States of the Global North; its understandings and conceptions of refugees, their needs, and paths to progress are rooted in a system that caters to their needs and understandings.

During the Cold War era, Western governments encouraged the flow from the (Soviet) East to the (primarily American) West because refugees from the East undermined the communist system. The US was committed to bringing in a very specific type of refugee from a specific region. It strongly opposed funding UN organizations and agencies because it felt that it would have more control over the kinds of refugees and migrants being assisted outside the UN framework. The United Nations was not prioritized by the United States and it funded specific programs which aligned with its interests. It chose to assist displaced Palestinians and Koreans—arguably strategic moves to keep these populations away from the influence of the Soviet Union and for the US to maintain political control. “International refugee relief operations were curtailed, unilateral initiatives were encouraged, and international organizations unwilling to subordinate themselves to US foreign policy objectives were denied American aid.”<sup>23</sup>

The UNHCR had to fight hard to remain internationally relevant. “The United States kept the UNHCR as non-operational as possible . . . from the American perspective, the High Commissioner's clients were of little political value to the United States in the emerging Cold War.”<sup>24</sup> The High Commissioner repeatedly appealed to the international community to help him. He tried to convince the General Assembly of the importance of his programs and the need to expand. He turned to the private sector for help and was able to secure limited financial assistance for his programs from the Ford Foundation. The Ford grant was significant in the

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<sup>23</sup> (Loescher, 2001, p. 42)

<sup>24</sup> (Loescher, 2001, p. 54)

UNHCR's expansion because it emphasized that funds not be spent on direct relief, but instead on local integration and self-sufficiency programs. This was a turn from the international community's emphasis on emergency relief to a more developmental approach.

The range of issues facing the High Commissioner became vast and complex in the post-Cold War era (particularly in the past three decades starting in the 1990s), with old certainties and old definitions of *refugee* seeming very inadequate to the realities of people whose situations of displacement were generated by violence, human rights abuses, ethnic, communal, and religious conflicts, underdevelopment, ecological disasters, and climate change. As political climates and thus the nature of displacement have changed, the UNHCR has largely been successful in expanding its mandate to include the aforementioned people. As with internally displaced persons, for example, their extreme vulnerability led to widespread recognition that there was a need to develop a coherent legal basis for protecting them. Against resistance and even internal lack of enthusiasm, UNHCR did manage to include IDPs under its wing, albeit under certain guidelines. (see footnote for more)<sup>25</sup>

#### **4. The Rights-Based Approach and Refugee Law, A Critical Analysis**

Throughout the past fifty-plus years up until today's massive refugee crisis centered in Middle Eastern countries, a point of contestation has been the UNHCR's role in development. Additionally, as is the case with the entire international human rights system, there is the issue of

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<sup>25</sup> No international treaty exists to define "internally displaced persons" or govern their treatment. The UNHCR has, on an exceptional basis been given permission by the General Assembly to provide assistance to a certain group of IDPs. Since IDPs remain in their country of origin, intervention is thought to interfere with State Sovereignty. It has taken constant advocacy on the part of the UNHCR and changing conception of sovereignty to acknowledge that IDPs are often the result of human rights abuses and there should be greater international action. At the request of the High Commissioner, a Special Representative of the United Nations Secretary-General on Internally Displaced Persons, was appointed in 1992 (Dr. Francis Deng).

the clash between State sovereignty and the implementation of human rights. Professor Jost Delbruck, a scholar of international law at University of Kiel and Indiana University, remarks in an article written on the International Protection of Human Rights and State Sovereignty, “The degree to which human rights norms are implemented remains in marked contrast with the degree to which such norms have been codified and accepted by the international community as binding conventional law.”<sup>26</sup> The sovereign States remain the prime constituent elements of the international system, both politically and legally. Sovereign States not only are creating the international norms for the protection of human rights, but also are determining the process of their implementation – or nonimplementation – according to their will.<sup>27</sup>

Peter Ulvin discusses the change in development discourse from “the right to develop” to the rights-based approach, in his article *From the Right to Development to the Rights-Based Approach: How Human Rights Entered Development*. The right to develop refers to arguments made by developing countries for the international redistribution of resources. The shift to the rights based approach was a shift from a focus on resources and development as economic assistance to the human rights of people in developing countries. Discussions of human rights and a focus on their advancement was first combined with discussions of economic growth. Institutions like the World Bank, whose focus is primarily economic, emphasized the importance of fighting corruption. “Modernizing the economy” was only one part in the larger scheme of creating environments in which people could pursue human rights. This shift reframed the core purpose of development and the nature of the problem – what are people owed as human beings and how can we fulfill those needs?

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<sup>26</sup> (Delbruck, 1982)

<sup>27</sup> (Delbruck, 1982)



Posited in those terms, the rights-based approach sounds to be very efficient in solving problems like refugee crises. However, the question to be asked is: whose rights, and rights for whom? The rhetoric surrounding a rights-based approach leaves room for some open interpretation of these questions and creates tension between individual rights and State rights. Although it is equally necessary to consider the rights and needs of both, the problem exists in whose rights are being centered. The pitfall of the rights-based approach is that it pushes discussion of human rights into legalistic and political discourses. We focus more on the logistics of crises than on those in need. In the example of the refugee crisis and the migration of refugees, developed Western States easily reject the acceptance and inclusion of refugees because of their own rights to sovereignty. This conversation, and a focus on the technicality that States are not *obligated* to grant asylum to refugees, effectively undermines the humanity in the international human rights system. While issues of sovereignty are important in their own right and need to be given due consideration, this sort of framework lends itself to the dehumanization of refugees. The main problem suddenly becomes not how can we best fulfill the needs of refugees, but how can States do the least possible amount to help, while protecting their own rights. In Ulvin's words: "the Third World got its right to development, while the First World ensured that the right could never be interpreted as a greater priority than political and civil rights, that it was totally non-binding, and that it carried no resource-transfer obligations."<sup>28</sup>

The international human rights system and the rights-based approach upon which it depends has enabled a tendency amongst developed States to find "loopholes" in implementation. Article 4 in the International Covenant on Civil and Political Rights allows that

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<sup>28</sup> (Ulvin, 2007)

“In time of public emergency which threatens the life of the nation and the existence of which is officially proclaimed, the States Parties to the present Covenant may take measures derogating from their obligations under the present Covenant to the extent strictly required by the exigencies of the situation, provided that such measures are not inconsistent with their other obligations under international law and do not involve discrimination solely on the ground of race, colour, sex, language, religion or social origin.”

Although non-refoulment in the refugee context is increasingly acquiring the status of a *jus cogens*<sup>29</sup> norm and States that are party to the Convention are obligated to examine asylum claims, there is no duty to admit under the 1951 Convention or '67 Protocol and asylum examination is contingent upon presence on territory. Therefore, States like the US can put legislation in place to significantly deter arrivals and thus asylum claims. In recent years, the “Muslim Ban” and the US-Mexico border wall have both been such measures and both have been put into effect under the guise and rhetoric of “national security”. When the issue of migration itself is posited as a security issue, it is removed from the socio-political realm and becomes less of a democratic issue. Migrants and refugees are seen as a homogenized distant threat against which State protection is necessary, rather than vulnerable individuals whose own security is a matter of concern, effectively centering State sovereignty and decentering humanitarianism.

If our international human rights system is itself not the most conducive to a sense of humanity, what is the alternative? We must take a critical look at our rights-based approach and its deep exclusively Western roots and look at existing alternative knowledge systems and their effectiveness. The current international human rights regime is derivative of and dependent upon Western knowledge systems. The production of knowledge by the West—most often Euro-

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<sup>29</sup> A principle of international law from which there is no derogation.

Christian and colonial nations has served as the dominant world system due to centuries of Western hegemony and posited against “indigenous” and “Eastern” knowledge systems, which have historically been disregarded as barbaric and primitive and criticized for their proximity to nature and relationship with their environments. While many ways of knowing and being exist throughout the world, Euro-American frameworks remain dominant and inform most, if not all, international systems. The international human rights regime is derivative of the Western conception of human rights and the international asylum regime thereafter uses the “rights-based” approach to inform asylum policies and attempt to address the refugee crises of the world.

Because of Euro-American hegemonic constructions of the Other, ways of knowing and problem solving that are not productions of the West are not given due significance, whether it is the issue of farming and agricultural practices or migration and refugee provision.

While the United Nations and its underlying organizations purportedly represent the interests of all countries, it was founded specifically by the victors of the Second World War, with the intent to sustain a certain kind of world order.<sup>30</sup> Upon acknowledgement that the World Wars were caused by the absence of human rights, their inclusion became one of the basic values of the UN. The first paragraph of the UN charter notes:

“WE THE PEOPLES OF THE UNITED NATIONS DETERMINED to save succeeding generations from the scourge of war, which twice in our life time has brought untold sorrow to mankind, and to reaffirm faith in fundamental human rights, in the dignity and worth of the human person, in the equal rights of men and women and of nations large and small, and to establish conditions under which justice and respect for the obligations arising from treaties and other sources of international law can be maintained, and to promote social progress and better standards of life in larger freedom”

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<sup>30</sup> (Novosad & Werker, 2019)

The Universal Declaration of Human Rights was agreed upon in 1948 and provided the first global definition of human rights. The rights can be seen as falling broadly into two categories: civil and political rights (where the United States, along with France and Great Britain, had a leadership role) and economic, social and cultural rights. The latter were pushed, after World War II, by the Soviet Union and its allies. The Western influence on the Universal Declaration of Human Rights is evident, and indisputable where it borrows language from the United States Constitution. The next section examines an asylum approach outside of the Western/Northern framework, specifically Turkey's alternative to the rights-based approach, which is referred to as a duty-based approach.<sup>31</sup>

## **II. Asylum Alternative: Turkey's Duty-Based Approach**

### **1. Turkey's Legal, Political, and Public Response to Syrian Refugees**

Turkey is the largest refugee accepting country in the world, hosting approximately 65% of the world's refugees.<sup>32</sup> Although Turkey is limited in capacity and resources, relative to many countries of the Global North, it has been welcoming, in rhetoric and practice, to millions of refugees. Turkey has no legal obligation to Middle Eastern refugees who comprise a majority of that 65%, because it signed the 1951 Convention with the clause that it only had obligations under the Convention to European refugees, which means that where the Syrian crisis is relevant, Turkey is not a part of the international asylum regime.

Turkey's duty-based approach is rooted in the religious and cultural notion of *karam*, which translates to hospitality or generosity<sup>33</sup> and it has exhibited this through political

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<sup>31</sup> (Chatty, 2017)

<sup>32</sup> (UNHCR, 2019)

<sup>33</sup> (Chatty, 2017)

narratives and opening its borders to Syrian refugees. At the onset of the Syrian civil war, in 2011, Turkey opened its borders to Syria and allowed entry from various physical points. Syrians were allowed in without any visa requirements and Turkey's capital, Ankara, soon announced it would pursue an open-door policy for the refugees. "In effect, any Syrian who made it to Turkey, through any means, would be welcome. In April 2014, a new migration law established a General Directorate of Migration Management (GDMM) and the Turkish government announced that the refugees would be given "temporary protection" status."<sup>34</sup> Prior to the implementation of this legal protection, Turkish officials were careful about using the word "refugee" for incoming Syrians, lest it be assumed that they had the rights instituted by the Geneva Convention. Instead, Syrians were referred to as "guests."

In 2014, *The New York Times* published a piece titled "How to Build a Perfect Refugee Camp" that provided evidence of this hospitality narrative and showed the world the amenities available to refugees including free salons, grocery stores, schools, playgrounds, internet, workshops, art, and security. The container camps set an example for the world for what was possible in response to the refugee crisis and what a middle-income country could do. It made a strong case for the duty-based approach and generally for alternatives to the international asylum regime and international humanitarian system.

After terrorist attacks in Turkey in 2016, however, Turkey began to tighten and frequently close its borders. It began to require that Syrians entering Turkey by land do so only through the official border posts, to enable border guards to screen more efficiently for security threats and under its updated Temporary Protection policies, Syrians entering otherwise would be considered "illegal" and liable for return to Syria. Ankara formalized its

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<sup>34</sup> (Makovsky, 2019)

Temporary Protection regime with Article 91 of its Law on Foreigners and International Protection in October 2014.<sup>35</sup> The law includes the right to health and education for refugees, however, they need government granted permission to work and Turkey reserves the right to end Temporary Protection individually or collectively. In 2016, Turkey amended the LFIP to facilitate deportations of individuals associated with terrorism.

The alternative to the international rights-based system does beg the question of the extent of oversight that is possible when it comes to human rights and also the limitations of hospitality. It seems that Turkey's local population reflects the welcoming and hospitable sentiments of its government to a much lesser extent. Multiple studies, such as Professor M. Murat Erdogan's *Syrian-Barometer of 2017: A Framework for Achieving Social Cohesion with Syrians in Turkey* have done quantitative analyses on host reception of refugees. Erdogan's study concluded, through 3324 surveys of Turkish citizens and Syrian refugees that in 2017, "Turkish society still display[ed] a high level of social acceptance, albeit fragile, even after 6.5 years . . . This 'reluctant' acceptance takes place simultaneously with the fact that the Turkish society is anxious and deeply pessimistic about Syrians."<sup>36</sup> 84.4% of the people stated that Syrians would not culturally enrich the society, 82% stated that Syrians would have no contribution to the Turkish economy. And 75.8% maintained that Syrians should not be conferred citizenship.<sup>37</sup>

Within a few years of the onset of the crisis, when Turkey's intake of Syrians escalated from one million to four million, efficiently run container camps were not the most feasible solution for all refugees. Turkey's treatment of refugees still has not been

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<sup>35</sup> (Makovsky, 2019)

<sup>36</sup> (Erdogan, 2017)

<sup>37</sup> (Erdogan, 2017)

inhospitable, although it might not be as ideal or at as high a standard as it was at its inception. The Turkish government continues to take steps towards integration by phasing out Temporary Education Centers and moving Syrian students into the Turkish public-school system and drawing down camps with less than 45 percent of Turkey's Syrian refugees living in them<sup>38</sup>, and furthering a “non-camp” and government financed approach<sup>39</sup>, allowing refugees to settle in urban areas where they can seek their own accommodation and work opportunities.

The next sections are an examination of Turkish political discourse around hospitality and its origins and why there might be a disconnect between the reigning political party's welcoming narratives and their dissemination into micro-level host-guest relations.

## **2. Turkish Political Ideologies and Foreign Policies**

### **i. European Affinity and Islamic Aversion**

Few countries have undergone a “rebranding” as much and as often as Turkey has. Western, Eastern, Islamic, Pluralistic, and Secular are just a few of the reclassifications that a long and rich history has allowed the region. What has remained constant, however, is that a sense of what it means to be a Turk and a vision of what Turkey should look like differs and is dependent upon whom you ask. Since the establishment of The Republic of Turkey in 1923, an understanding of Turkishness has drastically changed with shifts in political parties and

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<sup>38</sup> (Makovsky, 2019)

<sup>39</sup> (World Bank, 2015)

exchanges of power. Leaders have used different eras of the region's long Ottoman history as points of reference by which, or against which, they might define a contemporary Turkey. External powers, antagonistic forces, and relationships with Europe have also been influences in this process of identity formation and reformation.

The Kemalist revolution, which founded the Republic of Turkey, sought to untether itself from its Ottoman past, more specifically from its Islamic past, and align itself instead with Western-oriented thought and state models. Under Mustafa Kemal Atatürk's leadership there was not only a rejection of Islam from the definition of State, in contrast with the source of political legitimacy for the Ottoman Empire, but also a social and cultural overhaul.

Atatürk believed:

“The Turks were a great nation even before they had accepted Islam. However, after they had accepted this religion, it loosened their national ties and numbed their national feelings. That was a natural outcome because the purpose of Islam as laid out by Mohammed was an unmet policy.”<sup>40</sup>

In his desire to be accepted as European, Atatürk attempted to thoroughly and institutionally rid Turkey of Islam. He criminalized certain symbolic Muslim dresses and headwear, replaced the Islamic *hijri* calendar with the Gregorian one, abrogated “the second article of the 1924 constitution stating that ‘the religion of the Turkish state is Islam’, and banned the Arabic alphabet, replacing it with the Latin one.”<sup>41</sup> He even converted the Hagia Sophia Mosque into a secular museum in 1935 and moved Turkey's capital from Istanbul to Ankara, signaling that politically and geographically, the republic was turning away from its Ottoman past to instead face Europe and the West.<sup>42</sup>

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<sup>40</sup> (Bozdağlıoğlu, 2003; quoting Mustafa Kemal Atatürk)

<sup>41</sup> (Bozdağlıoğlu, 2003)

<sup>42</sup> (Bozdağlıoğlu, 2003)



The formation of Turkish national identity was and is in a feedback loop with its foreign policy. During the Kemalist regime, Turkey sought involvement in European affairs and thus pursued an isolationist policy in Middle Eastern affairs. Arab countries, after the first World War, were largely under European mandates<sup>43</sup> and involvement in their affairs did not serve Turkey's goals, nor would supporting Arab national or independence movements have worked in Turkey's favor.

## **ii. Pan-Islamism's Ottoman Origins**

Negotiations with Western influences were characteristic of the last few centuries of the Ottoman Empire and eventually led to its decline. After the major loss of the Balkan territories to Russia during the 1877-78 Russo-Ottoman war, Ottoman Sultan Abdulhamid II emphasized the idea of a caliphate in the Empire. In other words, that the Ottoman Empire, which was home to Muslims, Jews, and Christians alike, should primarily be an Islamic Empire. Writing on the subject, Ottoman historian Roderic Davison says that, Russia had used its "status as head of the Orthodox Church as a way to gain entrance into the Ottoman Empire. It used its influence to encourage that the Balkan states, which had high numbers of Christians who felt little loyalty to the Ottoman Sultan, revolt and 'liberate themselves from the Empire."<sup>44</sup> Countering the external and Western ideals that led to these losses, Abdulhamid II stressed "the Islamic religion as a new bid for unity against what he saw as an increasingly hostile Christian world."<sup>45</sup> By evoking the idea of the caliphate, he not only emphasized the Ottoman Empire as a Muslim Empire, but also as the protector of the entirety of the Muslim population, the greater *Ummah*.

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<sup>43</sup> (Danforth)

<sup>44</sup> (Hourani, 1983)

<sup>45</sup> (Deringil, 1991)

As European powers added non-Ottoman Muslim countries to their roster of colonial territories, pan-Islamic sentiments intensified in concurrence with anti-colonialist sentiments. India and North Africa, in resistance to British and French rule, looked towards the Ottoman Empire and Abdulhamid's agenda sympathetically. Within two years of his rule, Abdulhamid II suspended the constitution that he passed in the beginning of his rule and centralized control in the royal palace and the sultanate. He deemphasized a sense of Ottoman-ness that the *Tanzimat*<sup>46</sup> centered and instead used Islam's Arab history and the Arabic language to reach across territories within and outside the empire in an attempt to speak to all Muslims. He also called for a return to the glory days of Islam, much in the way president Erdogan now calls for a return to the glory days of the Empire.

Abdulhamid II's reign and reputation are part of a contested history, although opponents and proponents both acknowledge him as the last "great" sultan of the Ottoman Empire, in that his rule brought large impact and changes. In European polemic, he was coined "The Red Sultan" and the Empire under his reign was called "the sick man of Europe." His reputation as a despot was the result of the brutality he exhibited in silencing dissent and rebellion such as the massacres of the Armenians and the use of secret police as a censoring force. Abdulhamid II did, in fact, become increasingly paranoid as assassination attempts against him increased, as did the threat of nationalist secessionist movements among the Empire's myriad minorities.<sup>47</sup>

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<sup>46</sup> A period of reform in the Ottoman Empire that attempted to modernize and centralize once the Ottoman Empire had begun losing parts of its territories. "In order to save the Ottoman Empire, a new egalitarian citizenship and concept of patriotism, *Osmanlilik* or 'Ottomanism', had to be created to break through the boundaries of the millet system, which separated different religious communities within the Empire.

<sup>47</sup> (Armstrong, 2017)

Although modernization is often synonymized with Westernization, Abdulhamid II's pan-Islamism was a direct repudiation of Westernization without a compromise of renewal and reform. His regime accelerated improvements in transportation, communication, public schooling and public finances as well as commerce, diplomacy, journalism, translation, and theater. "He founded the first archaeology museum, public library, faculty of medicine, academy of fine arts, and schools of finance and agriculture."<sup>48</sup>

Abdulhamid II's reign ended with the revolt of the Young Turks, a constitutionalist opposition to the Hamidian reign.<sup>49</sup> For the Young Turks, Islamism was still the ideological underpinning that would safeguard the unity and continuity of what was left of the Empire. "Islam became the pillar of the supranational ideology of Ottomanism."

Following the Young Turk revolt was a period of further attempts at keeping the Empire afloat while it continued to decline, the World Wars, the End of Empire and the decline of States. Chatty, an Oxford professor of Anthropology and Forced Migration, describes the period as a division of "Single states . . . into several, and each of these non-national, multi-ethnic entities had to be transformed into a number of notionally national but often, in fact, still multi-ethnic states."<sup>50</sup> The formation of the Turkish Republic, following the Kemalist revolution, as described earlier, pivoted away from all things Islam and Empire, and looked towards the European West for integration and acceptance.

### **iii. The AKP's Pan-Islamic Rhetoric Today: Foreign Policy and Hospitality**

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<sup>48</sup> (Akyol, 2005)

<sup>49</sup> The term "Young Turks" was coined by Europeans, the group was not actually the beginning of a Turkish nationalist movement, it included in its ranks many Arabs, Albanians, Jews, Armenians, and Greeks.

<sup>50</sup> (Chatty, Displacement and Dispossession in the Modern Middle East, 2010)

It was not until the current Turkish president, Recep Tayyip Erdoğan, came into power that the Kemalist narrative really shifted. While the AKP (Turkey's ruling Justice and Development Party) does not favor the term "Neo-Ottomans," Erdoğan himself draws parallels between himself and Sultan Abdulhamid II and urges a return to Empire. AKP slogans include 'Osmanlı torunu' ("descendant of the Ottomans") and the general rehabilitation of the Ottoman Empire by State press as well as a favorable telling of the history of the Hamidian era, have bolstered the use of "neo-Ottomanism" as a descriptor of the current Turkish regime and its ideology.

Erdoğan has undertaken many massive infrastructural projects to "modernize" Turkey while, at the same time, emulating and evoking a sense of Ottoman history. These projects include "a major expansion of the Istanbul International Airport, the Trans-Anatolian Natural Gas Pipeline to transport gas from Azerbaijan to Turkey, and a new nuclear power plant in Sinop."<sup>51</sup> There are also Ottoman-themed museums, such as "the Panorama 1453 History Museum. . . colossal mosques meant to imitate the grandeur of Ottoman sultans, such as one being constructed on the hills of Çamlıca in İstanbul," meant to imitate the Blue Mosque.<sup>52</sup> One of the more contested large scale projects is the Istanbul Canal, which would essentially provide a waterway from the Black Sea to the Sea of Marmara. This idea "has been proposed several times in history by Turkish leaders but never undertaken, including [by] Suleiman the Magnificent. If the project is completed, Erdoğan can claim to have succeeded where even the most legendary of the Ottoman sultans failed."<sup>53</sup>

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<sup>51</sup> (Brasidas Group, 2020)

<sup>52</sup> (Ergin & Karakaya, 2017)

<sup>53</sup> (Brasidas Group, 2020)

Murat Ergin and Yağmur Karakaya study neo-Ottomanism as a popular culture phenomenon, coining it “Ottomania” and reserving “neo-Ottomanism” to describe political and State led representations of the past. The two are interrelated processes, in conversation with history and memory (a revisionist-history, according to critics and particularly the American Foreign Policy Council) to create a sense, in the collective consciousness, of a glorified Ottoman past, and a present desire to return to it or recreate it. Ergin and Karakaya conduct in-depth interviews to find how “interviewees are interpellated by neo-Ottomanism and Ottomania” and discover that while there are various perspectives on the valorization of the Ottoman past, most understand that popular culture does not tell the full truth about history, yet still feel an affinity for that past. However, a small group sees “nothing more than a past filled with concealed atrocities.”<sup>54</sup>

Contributing to these popular cultural sentiments are official and zealous celebrations of Ottoman-related anniversaries like the conquest of İstanbul; the revival of Ottoman themes in textbooks and banknotes; “and ever intensifying attempts to shape the urban fabric according to a nostalgic view of the Ottoman past.”<sup>55</sup> Television shows like *Muhteşem Yüzyıl* (*The Magnificent Century*) and *Payitaht* (*The Last Sultan*) are often central to these pop-culture discussions and elicit a wide array of responses. The former is a soap-opera based on the life of Suleiman the Magnificent, the Ottoman Empire is perhaps considered to be at its zenith under his reign, and the show depicts his love life and harem adventures. While widely enjoyed by the Turkish public and abroad, it has also caused a lot of uproar about historical accuracy and by Erdogan himself claiming that the Sultan was an emblem of piety and an

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<sup>54</sup> (Ergin & Karakaya, 2017)

<sup>55</sup> (Ergin & Karakaya, 2017)

exemplary Muslim and such depictions are defaming. The latter show is based on the last few years of Abdulhamid II's reign, "depicting a pious sultan confronted by scheming Zionists, Freemasons, liberals and rapacious Europeans," as described by William Armstrong in his article *The Sultan and the Sultan*, which draws parallels between Erdogan's regime and Hamidian reign.<sup>56</sup> Erdogan seems to be in favor of this serial, saying in an interview, "'The same schemes are carried out today in exactly the same manner. . . The West's moves against us are the same. Only the era and the actors are different.'"<sup>57</sup>

Another area in which the AKP regime resembles Abdulhamid II's is in its foreign policy. Not only in its scapegoating of Europe and the West, but also in its attempt to play a moderating role in Middle Eastern politics. Although the Middle East is a main thrust of AKP foreign policy goals, it is perhaps not the best example through which to examine the dissemination of Ottoman identity due to the amalgam of projects being attempted in the region by various actors. Erdogan's sometimes aggressive, sometimes conciliatory approach to Syria and Egypt shows an interesting level of practicality in following Neo-Ottomanist ideals. There is far more to consider in Turkey's ongoing conflicts with its neighbors and interpolating AKP rhetoric too far into these decisions risks reducing Turkish involvement to just some form of Ottoman romanticism, when the larger picture is far more complex. This section examines political rhetoric and State-led foreign policy ventures to see the context in which they are shaped and to what extent they self-proclaim to evoke neo-Ottomanist sentiments.

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<sup>56</sup> (Armstrong, 2017)

<sup>57</sup> (Armstrong, 2017; quoting Erdogan)

First, and foremost is Turkey's alienation from the West. While he was favored abroad as a charismatic and moderate reformer at first, the narrative around Erdogan's rule quickly changed and became about his authoritarianism and "illiberal democracy."<sup>58</sup> The AKP, like AbdulHamid, use the pan-Islamic agenda to reinforce alienation from the West. Erdogan, particularly, also attempts to undo the Kemalist legacy, or at least reverse its Eurocentric narrative. In 2014, Erdogan said:

[O]nly we can solve our problems. I speak openly; foreigners love oil, gold, diamonds, and the cheap labor force of the Islamic world. They like the conflicts, fights and quarrels of the Middle East. Believe me, they don't like us. They look like friends, but they want us dead, they like seeing our children die. How long will we stand that fact?<sup>59</sup>

The AKP's pan-Islamism and invocation of an imperial past is a supposedly unifying endeavor, however even within Turkey there is reason to doubt the veracity of Erdogan's supposed commitment to Islamic ideals. As an example, the complex and violent relationship that Turkey has with its Kurdish citizens has not seen the resolution and overtures that some AKP hopefuls were encouraging with universalist language. The pan-Islamic rhetoric of the AKP has a paternalist quality that makes reconciliation attempts with its neighbors appear less than genuine. Interventions in Syria and clashes with Iran have only exacerbated ties along Turkey's Eastern border.

Former AKP prime minister's book "Stratejik Derinlik" (Strategic Depth) essentially delineates the AKP's foreign policy justifications. By using its geopolitical and geostrategic position, Turkey and its former role as the center of Ottoman rule and the Empire, it can

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<sup>58</sup> (Brasidas Group, 2020)

<sup>59</sup> (Hoffman, Werz, & Halpin, 2018; quoting Erdogan)

become a regional and global actor.<sup>60</sup> As part of this vision, the government has pursued a policy of ending its long-term hostilities in the Middle East, that were exacerbated during the Kemalist regime when Turkish identity was disconnected from a larger Islamic or Ottoman one and thus isolated from and almost contrasted against an Arab one.

### **III. Pan-Islamism and the Duty To Be Generous**

#### **1. The Creation of Positive Political Rhetoric**

The (re)new(ed) pan-Islamist rhetoric emphasizes an Islamic obligation to the greater Muslim *Ummah*. Turkey's approach to the Syrian refugee crisis is, at least in political and early popular rhetoric, rooted in this understanding. It is difficult to separate where the notion of hospitality is driven by a genuine sense of religious duty and where it is a tool to reinforce the reconfiguration of the Turkish nation along more Islamic lines for the purpose of its geopolitical position in global affairs. While it is necessary to address the duality of intention so as not to accidentally glorify this approach as purely humanitarian, this project aims to assess the effects of the hospitality narrative. It is also important to note that multiple and varying discourses exist around Syrian refugees within Turkey; however, the AKP has been the ruling party for 18 years (since 2002) and its discourses are thus hegemonic, having significant social, cultural, and ideological influence on the Turkish popular consciousness, in addition to the obvious political influence. While continuously acknowledging ulterior motives behind rhetoric, this project serves to analyze how discourse disseminates into the public and host-guest relations, and thus refugee livelihoods, when the dominant narrative framing the issue of asylum is hospitality. It does not posit Turkey's asylum system as an ideal alternative to the rights-based one, but questions what goes right and what goes wrong when we shift away

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<sup>60</sup> (Birdal, 2014)



from legalistic and securitization narratives; and whether or not there is something to be learned from the alternative.

The preceding sections serve to delineate the factors that might be precursory influences for a dominant pan-Islamic rhetoric by the AKP, this section analyzes how that rhetoric has not only allowed, but possibly necessitated a duty narrative around Syrian refugees and asylum. While the hospitality/duty narrative is a consequence of the pan-Islamic rhetoric, it is also a reinforcement of that narrative for the purposes of geopolitical strategizing, emphasizing my earlier point that the separation of intentions is difficult and more importantly, revealing that the constitution of frameworks and the processes of meaning-making are discursive.

The dissemination process between political rhetoric and individual relations is not linear or unilateral or exclusively top-down. State and Society are in a dialectic relationship<sup>61</sup>, in which ideas and norms travel through individual consciousnesses to create a collective consciousness<sup>62</sup>. Collective consciousness in turn, when institutionalized, re-informs and re-enforces certain ideas and understandings in a top-down manner. State and institutions can, undoubtedly, be dominating and hegemonic centers of power, but they do not function in a vacuum and are not static. The notion of hospitality, therefore, is not a construction of the Turkish State, it is a deeply engrained cultural and religious ideal in Turkish society, which the AKP has institutionalized to use as a tool. Similarly, the current government's desire for an Islamic regime is located in a certain public affinity towards the religion, even after – or perhaps because of— a strict secular regime in recent political memory (levels of public

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<sup>61</sup> (Foucault, 1991)

<sup>62</sup> (Durkheim, 1897)

discord regarding the separation of Church and State and their effects on dialectic meaning-making processes needs to be further explored).

Here I am looking at the creation of a political discourse and how the AKP has used Islam to create a sense of duty/hospitality around Syrian refugees. The use of the term “guest” as opposed to refugee has already been explored in the paper but beyond that, AKP actors have also repeatedly used terms such as “Muslim brothers and sisters,” *emanat* (God’s trust), *sadaqa* (charity), and *barakat* (abundance from God).<sup>63</sup> The idea of Turks being entrusted by God to care for Syrians evokes a moral responsibility; Turkey’s spending on refugees as a form of *sadaqa* puts a selfless spin on the financial burden experienced by the government and the public, an inconvenience for which they will be compensated through God’s *barakat*.

In a 2015 speech, President Erdogan says, “We are a nation that has the consciousness of *ensar*. We see all our siblings coming to our country as *muhacir* and convivially welcome them. We open our homes to them. We share our bread.”<sup>64</sup> The terms *ensar* and *muhacir* evoke a historical sentiment—they are meant to refer to the Prophet Muhammad’s migration from Mecca to Medina in the 7<sup>th</sup> century, fleeing religious persecution. *Muhacir* translates to “migrant” a role adopted by the esteemed Prophet at the time and *ensar* refers to the people of Medina, who took him in and provided him refuge and are thus glorified in Islamic history. The analogy is encouraging, the use of “we” and “our homes” makes the nation and public feel like a family, while “sharing bread” creates solidarity between Turks themselves as well as Turks and Syrians.

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<sup>63</sup> (Polat, 2018)

<sup>64</sup> (Polat, 2018; quoting Erdogan)

Strategically, when addressing the United Nations General Assembly in 2014, Erdogan used a different example, recognizing that the *muhacir-ensar* analogy from Islamic history would not resonate. He said:

“Just like we opened our doors to Jews who were expelled from Europe 500 years ago and we protected the rights of Christian communities in Europe throughout history, today, irrespective of their religion, sect or race we embrace and help everyone.”<sup>65</sup>

Here Erdogan invokes Ottoman history, using “we” again to create a sense of solidarity but also historical continuity between Ottoman and Turkish history. He also attempts to address criticisms against Turkey practicing selective humanitarianism based on ethnic and sectarian divisions.

While these same lexical choices have the effect of (re)enforcing a certain national self-image and AKP speeches about Europe, the West, and the UN international system’s failure to welcome migrants and treat them with dignity have the effect of bolstering that image relative to the West, it is what these choices do for the public’s imaginary surrounding migration and refugees that is most important here. As Huysmans and Squire note in their critical analysis of the migrations-security nexus, “what matters here is not so much what people belie[ve] but the nature of and the available palette of languages upon which ordinary people, policy makers and professional organizations can draw when speaking about migration. . .”<sup>66</sup>

Many examples of a counterproductive “palette of language” can be drawn from migration discourses in the Global North. A particularly abundant source is the Trump presidential regime in the United States. One of his most popular quotes includes referring to

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<sup>65</sup> (Polat, 2018; quoting Erdogan)

<sup>66</sup> (Huysmans & Squire, 2009)

Mexican immigrants as rapists. He says, Mexico is “sending people that have lots of problems, and they're bringing those problems with us. They're bringing drugs. They're bringing crime. They're rapists.” These correlations and fears are so deep in effect, that Trump won the presidency over his promise to construct a wall along the Mexico-US border to keep out “illegal immigrants.” And once elected, he repealed DACA (Deferred Action for Childhood Arrivals) a policy that protected undocumented children from being deported. Trump provides very strong examples of negative language leading to negative sentiments and destructive policies; however, even when the dominant language surrounding migration has negative connotation, like “illegal”, “security”, “flood”, “burden”, and even “crisis” the effect is pervasive, the implications are solidified, and public attitudes are determined.

Turkey's, more specifically the AKP's, conscious use of positive rhetoric to form political discourse around Syrian migration has allowed it to host nearly 4 million Syrian refugees, with its public reflecting those welcoming sentiments for a long time. The next section explores the recent shift in public attitudes and a rising discrepancy between political and public rhetoric.

## **2. Discrepancies Between Political Rhetoric and Public Attitudes**

Although the public response to Turkey's humanitarianism began as a source of national pride, the narrative soon changed to one of a “guest overstaying their welcome.”<sup>67</sup> As Turkey's economy has worsened and State support for Syrian refugees like healthcare has begun to be considered a burden, many voters agree that “Turkey spends too much time and money caring for refugees.”<sup>68</sup> A study and interviews conducted by the Center for American

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<sup>67</sup> (Nielsen, 2016)

<sup>68</sup> (Hoffman, Werz, & Halpin, 2018)

Progress report that, AKP voters were twice as likely to disagree with the above proposition and “were more likely to agree with the statement that ‘immigrants and refugees in Turkey have much to contribute to Turkish society and deserve our support’ than other voters.”<sup>69</sup>

Anti-refugee sentiments were expressed through nationalist-sounding phrases such as, “‘I feel like a stranger in my own country,’ or ‘even the signs in the supermarkets are in Arabic—in Fatih, I feel like I don’t live in Turkey anymore.’”<sup>70</sup> Across the board, older people and self-described Kemalists and secularists were more skeptical of the contributions of immigrants and refugees.

Professor M.M Erdogan, whose Syrian-Barometer study was referenced earlier, also writes that “It is remarkable that the Turkish people define Syrians very rarely as ‘one of ourselves’ and ‘brothers/sisters in religion’. As such, the society displays very limited appeal to the “myth of solidarity” and sentimentalization symbolized by the Islamic ‘[e]nsar’ discourse of the Turkish politicians.”<sup>71</sup>

The effect of the AKP’s duty-based Islamist rhetoric cannot be ignored. Undoubtedly, Turkey has managed to not only host over 4 million Syrian refugees, saving 4 million lives, it is also the largest refugee receiving country in the world, hosting over 65% of the world’s refugee population. Nine years into the crisis, there is, certainly resentment in the public where once Turkish families were hosting Syrians in their neighborhoods and homes. However, in my own conversations with researches at Ankara Yildirim Beyazit University as well as staff of the International Organization on Migration, the United Nations High Commissioner on Refugees, and Association for Solidarity with Asylum Seekers and

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<sup>69</sup> (Hoffman, Werz, & Halpin, 2018)

<sup>70</sup> (Hoffman, Werz, & Halpin, 2018)

<sup>71</sup> (Erdogan, 2017)

Migrants, it is clear that there is a disconnect between rhetoric and action. While voters and citizens might espouse xenophobic resentment, there is not a lot of active hostility or very many reported hate crimes, though this discrepancy too needs further exploration.

## **CONCLUSION**

The depths and details of the level to which the Turkish State's neo-Ottomanist and pan-Islamist rhetoric disseminate into the public and then react with Syrian refugees and nationalist understandings still requires further exploration. It is also evident that the AKP's foreign policy, in discourse as well as implementation, is not as simple as it would hope for others to believe. Syrian refugees are not only honored guests, they are also political pawns in reelections and relations with Europe. The AKP is also not exclusively Neo-Ottoman, neither is its Islamism so straightforward. The "grand new Turkey" is not some revived Ottoman ghost, but history has been remobilized and the current creation is at least a pretense of a continuation of the old order. Just as evocations of an Ottoman past cannot be ignored in Turkey's mosques, its president's speeches and popular culture today, neither can the effects of its Islamism, positive and otherwise. Turkey has radically reoriented its dynamic with its neighbors and risks isolation and leaving the country vulnerable to long-term allies but it has also taken serious political risks to do the morally right thing and care for the Syrian refugee population.

Although there are too many factors at play to be able to draw definitive conclusions about the difference between Turkey's asylum approach and the one enabled by the international asylum regime, the most pressing difference seems to be language, rhetoric, and construction of discourses. While a rights-based approach is an attempt to center human rights and distance refugee issues from the migration-security nexus, it is a pit that the Global North seems to keep falling into because it continuously centers legality instead of humanity. Legality constantly reroutes the conversation to State rights versus individual rights and State security versus individual security, because State security provides a loophole for States to derogate from their international legal obligations.

In security and rights-based discourses migrants are not awarded the agency and autonomy that they possess. Refugees are regarded as mere voiceless victims instead of acknowledging that they are active and autonomous agents, making decisions at every turn and making specific claims about their rights. Every time they risk their lives to travel from one country to another, they make decisions. An Afghani refugee, for instance, that decides to leave her country must travel through multiple other countries through many different routes, through mountains and rough terrains, through Iran to Turkey. She must make decisions to trust smugglers and boats and pay any and all money she has to strangers to make it from Turkey to the borders of Germany. Yet in the public imaginary, all the people involved in this process, playing various roles, are nothing more than a homogenous abstract threat. They can all be dismissed as "mafias" and "illegal"<sup>72</sup> and dangerous forces from which protection is needed. While Turkish rhetoric does a better job of humanizing refugees, it also employs the

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<sup>72</sup> Referencing president Trump's campaign rhetoric surrounding Mexican migrants and justification around building the Mexican-American border wall.

use of Syrian refugees as victims. Although the intention is to gain public sympathy, it still has the effect of homogenizing refugees (albeit to a lesser degree) and stripping their agency in the public consciousness.

This is not only detrimental to the actual lives of refugees, but it stunts the ability to create real solutions. Migration flows cannot be regulated and a better international system cannot be formed if migration is securitized, removed from the socio-political realm, or migrants are seen as anything other than real individuals. In academia as well, progress is limited if migrants and refugees are not granted the platforms to speak for themselves.

A true evaluation of the efficacy of Turkey's asylum approach requires a thorough qualitative analysis of host-guest relations. The analysis that I am proposing would answer what, in the amalgamation of present factors, is successfully contributing to Turkey's willingness and ability to host millions of refugees while more affluent countries do not, and what should be taken as a replicable model or lesson and what might be improved or left behind. Further questions include: Are welcoming public attitudes decreasing because of time (i.e. does resource-strain and resource-sharing inevitably lead to xenophobic sentiments)? At the current stage, would it require an alternation in State policy towards refugees to make the Turkish public happier? Alternatively, would increased transparency from the government or the depoliticization of refugees change anything? Would an increase in resources and thus the easing of the burden on the economy and welfare systems, or international burden-sharing, assuage hostile attitudes? Is there a disconnect between hostile attitudes and hostile action because the State policies have been effective to a large extent? Do policies such as a non-camp approach and a rigorous dedication to integration and the distribution of refugees amongst cities lead to a normalization of refugees that deters from a more vicious



xenophobia? Are these sentiments worse in other countries because refugees are usually more a part of the imagination than the reality (If countries did not seclude refugees in isolated camps or the US did not hold them in detention centers on the border, would host-guest exposure lead to reduced public prejudice)? Is it easier for Turks to accept Syrians because both are Sunni's? Has the not-so-distant repudiation of Islam from the Kemalist regime played any role in undermining religious common ground as a factor? Are there any remnant of Kemalist nationalist, anti-Arab sentiments present in host-guest relations? What is public attitudes towards Kurds, granted that Syrian-Kurds were provided refuge but Kurds are a clearly defines out-group, and political rhetoric around Kurdish refugees from Kobane was relatively more cautious? What is the importance of including refugees in the conversation and will xenophobia create hatred and animosity amongst the Syrian youth towards Turks?

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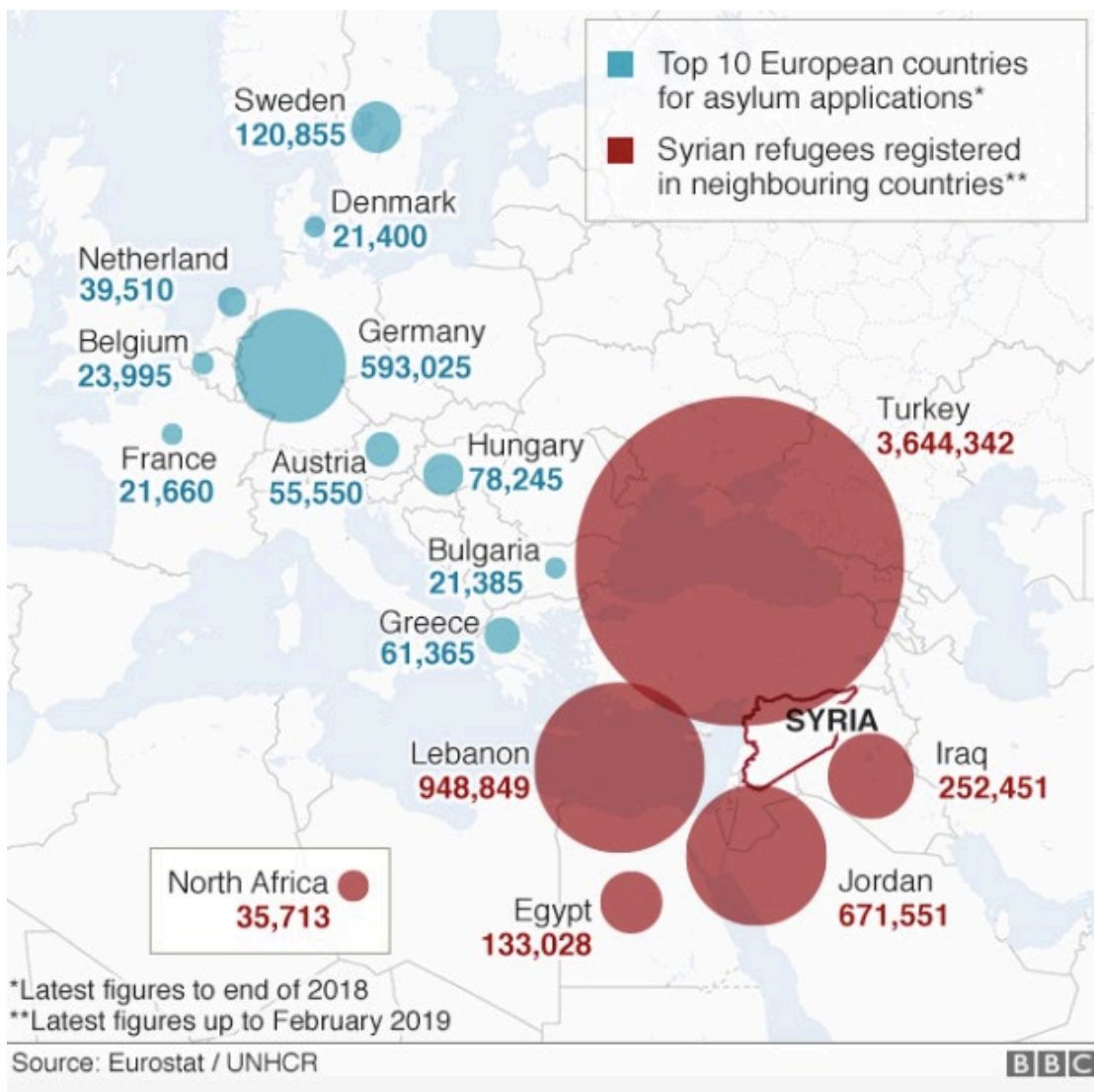
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## APPENDICES

### Appendix A:

*Migration Trends of Syrian Refugees Based on Figures from February 2019*



(British Broadcasting Company, 2019)

Appendix B:

*UNHCR Top 10 Donors as of December 31, 2019*

2019: Top 10 donors*	
Donor	USD
United States of America	1,706,832,053
European Union	473,024,447
Germany	390,479,234
Sweden	142,556,147
Japan	126,466,093
United Kingdom of Great Britain and Northern Ireland	122,408,890
Norway	94,345,776
España con ACNUR (Spain)	92,406,228
Denmark	91,641,152
Netherlands	72,362,386

\*As at 31 December 2019

(UNHCR The UN Refugee Agency, 2019)

