

Reference Paper for the 70th Anniversary of the 1951 Refugee Convention

Refugee Reception in the Ottoman Empire and the Turkish Response to Syrian Refugees

Şevin Gülfer Sağrıç, Ph.D. Candidate, University of California San Diego

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Abstract:

This paper looks at the main pillars of the Ottoman refugee policy and briefly compares it to Turkey's response to Syrian refugees. Today, Turkey hosts the world's highest number of refugees. Its predecessor, the Ottoman Empire, also had a similar experience as it received massive refugee waves in the 19th and 20th centuries. As a response to these refugee movements, the empire created probably one of the first, if not the first, refugee commission in the world to regulate migration and devise a settlement policy; it provided refugees with religious, economic, and social rights alongside an extensive economic support package that aimed to transform refugees into self-sufficient economic actors. The discussion in this paper provides insights from the Ottoman Empire to better understand the contemporary Turkish response to Syrian refugees in the wake of the Syrian civil war.

The refugee movements are far from being a modern phenomenon. However, both policymakers and academics tended to focus their analyses on the post-1951 context. Nevertheless, having a broader historical framework helps us put our modern issues into perspective, and assess policy options and their potential outcomes. In the context of refugee policies, the Ottoman Empire provides us with an extreme case of receiving refugee migration that magnifies refugee policies and their impact. The Ottoman Empire experienced massive refugee movements in the 19th century, one century before the rest of Europe. For the most part, the empire did not see the refugees as a problem but instead a solution to its domestic and international political problems. As a response to these refugee movements, the empire created probably one of the first, if not the first, commission in the world to regulate migration and devise a settlement policy (Karpas 1996:88) It also established the earliest “Western’ Refugee regime” (Chatty 2010:50). The empire’s institutionalized refugee policy shaped the refugee policies and institutions of the subsequent century.

Three centuries later, the Ottoman Empire’s successor, Turkey, had a similar experience when Syria’s civil war resulted in the displacement of millions across international borders. The Syrian refugee wave to Turkey started in 2011, and by 2016, Turkey was the country that hosted the highest number of refugees in the world. As of 2021, Turkey keeps the title by hosting 3.6 million Syrians (World Bank 2021). While Turkey’s response has been subjected to analysis on various grounds the historical roots of it has not received enough attention. To what extent Turkey’s response is similar the Ottoman refugee policy? What insight does the Ottoman Empire’s response offer that are relevant for Turkey and other states experiencing refugee migration?

While a lot has changed in the international refugee regime, and nature and volume of the refugee waves, problems of refugees and states amidst a refugee movement stayed the same. The Ottoman Empire’s experience provides insights into the policies that are still being used by states and international agencies, as well as new policy options. This paper aims to briefly chart the main characteristics of refugee reception in the late Ottoman Empire, and impact of the

rationale that had refugees stay permanently. The second part of the paper will discuss the Turkish response to Syrian refugees.

This paper has two nested contributions to the growing conversation on refugee policies. First, the research and analyses on refugee policies overwhelmingly focus on the post-Geneva Convention period. This temporal focus limits the available data to a very short period of seven decades. This paper aims to push the temporal boundaries of this debate and provide new insights by integrating the 19th century Ottoman policies into the discussion. Analyzing these two time periods simultaneously will illustrate how different rationalities towards the duration of refugees' stay, and domestic demographic objectives can shape refugee policies in addition to what lessons the Ottoman response can offer. Furthermore, it will challenge Western-centric approaches by bringing perspectives from the Global South and investigating the modern refugee system's origins in the Ottoman Empire.

1. The nature of the refugee waves in the Ottoman Empire

Territorial losses, revolts, war, and political attempts to hold the empire together marked the 19th century Ottoman Empire. This political turmoil triggered refugee movements from the lost territories to new borders and shaped the Ottoman administration's refugee policies. A brief survey of these wars shows the pressure of migration brought to bear on the empire, and the conditions under which its institutionalized refugee policy evolved.

The 19th century started with Christian groups' nationalistic revolts against the Ottoman Empire in the Balkans. These revolts started the population displacement in the region as well. The first example of such revolts is the Serbian Revolt of 1804. The revolt forcibly displaced the Muslims living in these territories. The same pattern was repeated with the Greek Revolt of 1821, and the subsequent independence of Greeks. With the 1867 Bulgarian revolt, the non-Christian population was displaced once again. The Balkan Wars of 1912-1913 increased the number of displaced non-Christians, mostly Muslims and Jews, driving them to the already shrinking Ottoman territory. Additionally, in the east, the Ottoman defeat in the wars and conflicts with

the Russian Empire resulted in refugee waves of Muslim groups such as Crimean Tatars (1856), Circassians (1864), and Laz (1877-1878) to the Ottoman territory; the 1897 displacement from Grete and Thesselia, and finally the displacement during the First World War (Tasbas 2017:29).

The 20th century did not bring peace and stability to the empire, as this period continued to be marked by revolts and wars. Following the Albanian Revolt of 1910-1912 and the Italian-Turkish War of 1911-1912, the First Balkan War triggered massive population movements. It is estimated that at least 346,500 Muslims, Greeks, and Bulgarians had to flee due to the changing borders after the First Balkan War. The Second Balkan War of 1913 displaced a further 390,000 individuals. While in the Treaty of Bucharest the parties agreed to the exchange of 48,570 Muslims and 46,764 Christians(Ladas 1932:20), other migration movements also took place. 15,000 Bulgarians fled from Macedonia; 10,000 Greeks fled Macedonia to Serbia and Bulgaria, and 70,000 Greeks from Western Thrace (Ladas 1932:15). These people were displaced by shifting borders, religious persecution and the war scattered around the Ottoman Empire. The movements continued in an almost reciprocal fashion; in 1914, 100,000 Muslims fled from Central and Eastern Macedonia to Turkey and 100,000 Greeks from Turkey to Greece (Pallis 1925:317–20). In 1914, in order to pressure the Greek government to surrender the Aegean Islands that it captured during the First Balkan War, Young Turks started expelling Greek populations from Eastern Thrace and the sea regions of Anatolia. The Greek government resettled the 80,000 people from Eastern Thrace and 20,000 people to Macedonia (Pallis 1925:318).

As this overview shows, frequent and massive population displacement in a relatively short span of time marked the political terrain in the late Ottoman Empire. While there is no reliable count of the total number of the displaced during this period, it is the century of migration for the Ottoman Empire. The population moving to the new frontiers of the empire was diverse in terms of culture, language, religion, and economic activities. Moreover, the migrants were expected to remain permanently in their new country. Consequently, the policymakers had to integrate newcomers into the existing structure of the empire with the least possible financial burden.

2. Socio-economic logic of the refugee policy

During its 600-year history the Ottoman Empire has received diverse migration waves that we would today consider refugee migration. Ottoman responses to these earlier waves constituted the basis of the systematic refugee policy of the 19th century. For instance, in 1492 and 1513, two major Jewish refugee waves flowed from Spain to various countries in the region. The Ottoman Padishah, Bayezid II, invited the persecuted Jews, the *Sephardim*, to settle in the Ottoman territory and a significant proportion of this group accepted the invitation and went to the Ottoman territory. A powerful driver for such an invitation was the Ottomans' desire to replace the vital workforce perished during the conquest of Istanbul (Constantinople) in 1453 and the subsequent Balkan wars (Ther 2019:24). The expectation from the refugees was loyalty to the empire and regular tax payments. Refugee policies before the founding of the *Muhacirin*¹ Commission in 1860 were ad hoc, and policymakers delegated refugee management to local authorities. Local authorities, especially municipalities, had the primary responsibility of caring for refugees. Local social and religious networks functioned as non-state actors in providing help to refugee groups (Dündar 2018:169).

The major socio-economic drivers of 19th century Ottoman refugee policy were economic and demographic concerns. In the second half of the 19th century, the population of the Ottoman Empire decreased for the following reasons: (1) wars; (2) uprisings and revolts; (3) diseases; (4) famines; and (5) inadequate health services. The effect of the population drop was shattering; massive plots of lands became uncultivated and tax revenues decreased significantly, and hampered investment into agricultural production. The settlement of new populations to the uncultivated arable lands offered a rapid solution to this problem (Kale 2014:258). As such, the refugees provided the empire with necessary fresh labor power for agriculture. The settled refugees were also expected to protect the railways, telegraph lines, and pay taxes several years after settling (Hamed-Troyansky 2018:14).

¹ Muhacirin plural for muhacir: Muslims who *had to migrate due to religious persecution* were referred to as *muhacirin*. There is also the common acceptance that a *muhacir* is someone who is Muslim and needs refuge. However the 1857 law is that it does not specify a muhajir as a Muslim.

In the second half of the 19th century and prior to the First World War, the Russian Empire, the United States, Canada, Australia, New Zealand and South Africa also adopted similar, welcoming immigration/refugee policies to increase agricultural and industrial production, frontier expansion, and demographic growth (Hamed-Troyansky 2018:15). Despite this global trend, two characteristics of the Ottoman policy stood out. First and foremost, the migration wave to the Ottoman lands was mostly a refugee migration while migrants to the U.S., Canada, Australia, New Zealand, and South Africa during this time period were primarily labor migrant. Secondly, resettlement in the Ottoman territory was strictly regulated in terms resettlement and economic activities. The state determined the settlement locations and explicitly prohibited the *muhacirs* from moving to urban areas (Hamed-Troyansky 2018:16).

The changing political terrain in Europe, and simultaneously, in the Ottoman Empire was another significant driver of refugee policy. Nationalism deeply affected multicultural empires like the Ottoman Empire. The ruling elite and intellectuals in the Ottoman Empire sought to employ a range of ideologies to keep the state working despite the growing nationalist trends. The creation of a modern and centralized state was considered crucial for sustaining the empire while requiring an ideological transformation. The first ideology that was adopted to save the empire was Ottomanism. With the Tanzimat Edict of 1839, all residents of the Ottoman territory were declared as equal citizens instead of subjects. The Ottomanism ideology was intended to keep non-Muslim groups' support for the state. The edict of 1839 provided non-Muslims the right of representation in local municipalities and promised equality with Muslims. These reforms were changing the religion-based hierarchy of the society simultaneously. While providing them with brand new rights, the state also began to decrease the autonomy that religious groups, *millet*s, had previously enjoyed.

In this respect, the Ottoman refugee policy has similar traits with respective policies of the Netherlands and England in absorbing Protestants in the context of religious solidarity (Ther 2019:40). However, the revolts of non-Muslim groups in the Balkans showed that Ottomanism

was not met with widespread support in society. Subsequently, in response to the nationalistic revolts of Christian groups in the Balkans, Islamism, uniting the society under the Muslim identity, rose to center stage as an alternative ideology in the Ottoman Empire.

The rising nationalism among its subjects started shaping the Ottoman refugee resettlement policies. By the early 20th century, the settlement of Muslim refugees in potentially “hostile” predominantly Christian-inhabited regions was a security policy tool for the Ottoman Empire as they could be used to change demography of a region and balance of power between different groups (Şeker 2013:4). The refugee policy, particularly the refugee resettlement, played into the larger demographic project. This settlement process was accompanied by the dispossession of Armenians, Greek, Assyrians and other Christian groups (Fratantuono 2019; Hamed-Troyansky 2018:14–15).

The refugee regime was designed to blend refugees in the multi-ethnic and multi-religious structure of the empire (Kale 2014:260). Consequently, it is imperative to discuss the *millet* system in order to contextualize the refugee regime. The Ottoman society was organized around self-governing autonomous religious groups, namely, *millets*. The *millet* system is non-territorial autonomy based on religious groups, the *millets*. The system was created in 1453, with the Ottoman’s conquest of Constantinople and the fall of the Byzantine Empire. Despite the transformations it went through, the system functioned as the main axis of administration until the fall of the Ottoman Empire in the 20th century (Barkey and Gavrilis 2016:1). The system was a result of the efforts to incorporate the organization and culture of diverse groups living under Ottoman rule into state structure (Kale 2014:255). There were three main millets in this system: Greeks, Jews, and Armenians. Other smaller groups were incorporated into these three larger groups. For example, Albanians, Bulgarians, Serbians, Syrians, Arabs and many other ethnic groups were placed under the umbrella of the Greek Orthodox Church. The *millet* system originated from periodically renewed treaties between the Ottoman rulers and the heads of non-Muslim religious communities. These treaties determined the principles of protection for the non-Muslim communities and their autonomy in exchange for a capitation tax, *jizya* (Barkey and

Gavrilis 2016:25-26). In other words, non-Muslim groups retained their autonomous powers in exchange for extra taxation and obedience to authority. Under the *millet* system these religious minority groups enjoyed not only religious freedom, but also administrative autonomy; the minority groups operated their own schools, welfare, and financial institutions, had the freedom to collect internal taxes, and had their own courts (Chatty 2013:40–41). It is essential to highlight that the *millet* system was not based on equality: *millets* were separate, unequal but protected (Barkey and Gavrilis 2016:28). As expected from the Islamic character of the empire the most favored *millet* was Muslims.

The *millet* system was crucial to the survival of the Empire. The system was among the main pillars that ensured the administration of vast territories and diverse religious and ethnic groups in the empire for the following reasons: (1) vast diversity within the empire made it impossible, at least not cost-effective to assimilate different ethnic and religious groups; (2) the role of heads of religious groups as intermediaries between the state and non-Muslim groups relieved the central authority from some of the responsibilities as the heads of the religious groups were responsible for peace and order of their communities; (3) diverse ethnic and regional groups were incorporated into large *millet* categories, which prevented large scale territorial movements against the state in return (Barkey and Gavrilis 2016:26) and (4) the separated groups were easier to identify and move around if the rulers deemed necessary (Ther 2019:26).

Retrospectively, one can define the *millet* system as the blueprint of an integration policy. Although the system evolved and was transformed through time in response to international and domestic developments, it had religious tolerance, inclusion, and diversity as its fundamental principles because of its non-territorial autonomy² structure. Based on this societal complexity, the Ottoman state adopted a tolerant policy towards multi-ethnicity and religious variety while subjecting these groups to Ottomanization in other spheres like taxation (Kale 2014:255).

² Non-territorial autonomy: The heads of the millets had authority over members of their community but not over any territory.

The *millet* system's effect on the empire changed as the international political ideologies evolved. The *millet* system is regarded as what kept the Ottoman Empire intact or at least functioned well (Ther 2019:25). However, the rise of ethnic nationalism in the 18th century is a critical juncture that saw the end of the *millet* system. Once this ideology arrived, the clear boundaries between religious and ethnic groups as well as self-awareness in terms of culture, language, and religion enabled a rapid spread of nationalism. Furthermore, the autonomy enjoyed by these groups provided them with the tools to challenge the central authority relatively easily compared to a centralist state. These developments first resulted in the system's transformation by the state elite to accommodate new conditions and then eventually the disintegration of the *millet* system. (Kale 2014:256). One external factor to note about the adverse impact of the millet system on the Ottoman Empire is that it has been utilized by the European states to interfere with the politics of the Ottoman Empire in the pretext of protecting the Christian minorities (Blumi 2013:34).

The *millet* system created the blueprint of refugee integration. The *muhacirs* who arrived in the country were placed in the hierarchy of *millets*, given rights and responsibilities within this framework. For example, as it will be discussed further in the following section, Muslim *muhacirs* had different rights and resources than non-Muslims. Furthermore, as the internal political problems increased, the refugees were resettled strategically to balance power of certain *millets*. Overall, the *millet* system created the general social context that refugees arrived and the modalities of refugee integration policies.

3. Institutionalization of the refugee regime

a. Muhacirin Commissions and Directorate General of Migration Management

When refugees started to arrive in the 19th century, consistent with previous refugee responses, the Ottoman administration tried to answer the needs of refugees through the Ministry of Interior and local administrations like municipalities (*sehremni*). However, the constantly increasing numbers of refugees and growing problems of refugee management pushed the empire to further institutionalize its response (Erdem 2018:5). The ad hoc responses and the

rights provided to refugees were formalized as a refugee regime in the 19th century. As early as 1857, the empire issued *Muhacirin Nizamnamesi* on refugee migration, which laid the foundation for refugee rights and resettlement.

In 1860, the Ottoman Migration Council (*Muhacirin Komisyonu*) was established under the Ministry of Trade and became an independent agency in 1861 (Chatty 2013:45). It was probably one of the first commissions in the world that was established to regulate immigration and policy (Karpas 1996:88). The commission's responsibilities involved settling refugees distributing land, and collecting statistical data (Kale 2014:264). After playing a prominent role in the refugee regime for seventeen years, the commission's name was changed to the Commission for the General Administration of Refugee Affairs (*Idare-i Ummumiyye-i Muhacirin Komisyonu*) and its duties and powers were expanded. In 1877, the General Commission for Refugees (*Umum Muhacirin Komisyonu*) (March 1877- April 1878) replaced the earlier administration. In its formative years, it had five sub-commissions and 55 staff members.

The occasionally disrupted but continuing institutionalization, changing names, and duties of the commissions can be better understood as a response to the internal turmoil in the Empire and the peculiar conditions of the waves of displacement. The Ottoman-Russian War (1877-1878) and the displacement due to the war triggered a further institutionalization. However, this institutionalization is attributed to the macro political agenda of Islamism pursued by the state rather than the high number of refugees reaching the Ottoman territory or the humanitarian situation (Dündar 2018:171). The commission specifically referred to the Muslim refugees: The Commission for Muslim Refugees (*Muhacirin-i Islamiyye Komisyonu*) (August 1877- September 1894). This commission operated under the auspices of the Padishah Abdulhamid II. The commission had five to seven members and is known to be the first refugee commission openly displaying Islam in its name. The official mission of the commission was the determination of cultivable and vacant areas for settlement. In line with its name, the commission was also serving the political agenda of Islamism through settlement decisions and solidarity campaigns to increase the sense of identity among Muslims (Dündar 2018:171–72; Erdem 2018:138).

After the Ottoman-Greek War, another commission was established under the name of The High Council for Refugees (*Muhacirin Encümen-i Alîsi*) (1897-1898). However, this commission was short-lived as the 1912-1913 Balkan Wars started to displace much larger volumes of people. In 1913, another commission, *Aşâir ve Muhâcirîn Müdüriyet-i Umûmiyesi*, was established for refugees coming from the Balkans. This commission had better resources than its predecessors. There were two main reasons for the unequal authority commended by the commission established in 1913 and other entities with similar assignments. First, by 1913, there was a constitutional monarchy in the Ottoman Empire, and the governing party, the Committee of Progress and Union (CUP), had more power than the padishah. Most of the refugees were coming from the strongholds of this party. Secondly, the CUP pursued a nationalistic-Islamist ideology and political agenda that required them to change the demographic composition of the state. The incoming population matched the population engineering ideals of the CUP (Dündar 2018:174).

Over time, the commission was shut down several times and re-opened under new names as its specific duties evolved. However, the core of the responsibilities of these commissions remained as follows:

- Hosting newcomers upon their arrival
- Resettlement in locations that are going to create a minimum burden on the state
- Land distribution
- Transporting immigrants from their initial arrival point to the lands that they were given
- Resolution of disputes between the locals and refugees
- If necessary, providing housing, seed, animals, and agriculture tools
- If necessary, providing heating supplies, monthly income
- Forcing local nomadic tribes to become sedentary (Erdem 2018:5).

b. Rights and services

The cultural, social, and religious rights provided to refugees in the Ottoman Empire corresponded to the rights of the *millets* within the empire. These rights were also reinforced by the economic support provided to the newcomers. These rights and the support promised to the refugees, especially in the 1857 Regulation, functioned as an invitation to the country (Fratantuono 2019:3). One of the most appealing promises was religious freedom. The state not only promised not to intervene with the religious affairs of the groups but also protection against the religious infringement and permission to build temples if there was none in the place of resettlement (Kale 2014:258).

The economic support package provided to refugees aimed to make the newcomers producers and contributors to the economy as soon as possible. The Ottoman Empire granted all refugees free plots of agricultural land. The land was given with the condition of cultivating it, and that it could not be sold or rented out for twenty years. Significant steps were taken to enable the refugees to cultivate the land as well. These families were given cattle, farming tools and grain, and temporary financial aid. In order to give the farmers enough time to cultivate and become economically self-sustaining, they were exempted from taxes for several years (six years in Balkans and twelve years in Anatolia) (Hamed-Troyansky 2018:15–16). The economic incentives were also backed by a military exemption. The abled-bodied men could stay with their families and keep farming instead of joining the army for prolonged periods of war.

4. Resettlement

Resettlements were a significant part of the refugee regime. Compared to its contemporaries that also invited migrants to bolster agriculture or industry and manage the demographic composition of its border regions, “the Ottoman state exercised a more thorough control over resettlement, choosing settlement locations within the empire, as well as placing explicit prohibitions on *muhacirs* from moving to urban areas. These circumstances mattered immensely for *muhacirs*’ economic integration” (Hamed-Troyansky, 2018, p. 16). Thus, the resettlement served various economic and social purposes, assuring the survival and sustainability of the empire (Kale 2014:255). Three principles constituted the basis of the resettlement decisions: (1)

settling Muslim communities on the frontiers of the state; (2) resettling refugees to environmentally similar areas to their places of origin; (3) preventing any group from becoming the majority in a region (Chatty 2013:44). Also, refugees were granted Ottoman citizenship if they were not already Ottoman citizens coming from former Ottoman territories (Ther 2019: p.40).

The refugees were obliged to reside in their places of resettlement. The 1879 Directive clearly states that *muhacirs* in the Ottoman Empire were not allowed to move from one place to another. If they needed to travel for various purposes and commerce, they had to get a permission document (*mürûr tezkeresi*, and later, *tahrirat-i resmiye*). If they were caught travelling without permission they were going to be returned to their original city of residence (Erdem 2018:48).

5. Non-homogenized refugee regime

The rights provided to refugees regardless of one's religious affiliation in the 19th century laws and regulations were not implemented uniformly across the Ottoman territory. The success of the implementation of the 19th century laws was linked to the availability of land in the settlement area, the relative wealth of the region, connectedness with other cities, local power dynamics, and infrastructure. For example, while refugee resettlement was successful in the Levant region the same process created tensions and paved the way for the ejection of Ottoman rule in the Balkans. The difference between these two experiences is attributed to the lack of available land in the Balkans, local landholders' unwillingness to share the land with refugees (Ther 2019:41), as well as, in the case of the Levant, the region's increasing wealth thanks to the Hejaz railway, and availability of fertile lands (Hamed Troyanski 2018).

Another significant factor that created divergent practices was the favored treatment of Muslim refugees. The institutionalization and the resettlement process that are outlined in this report show the differentiated treatment of Muslim and non-Muslim refugees. The 1857 *Muhacirin Nizamnamesi*, does not make any reference to religious groups. Everyone willing to submit to the authority of the padishah was invited to the Ottoman territory regardless of their religion.

The rights related to the *muhacir* status provided to these groups were the same. However, the *millet* system is intrinsically based on the difference between religious groups. This system of difference favored Muslims thus Muslims and non-Muslims were subject to different conditions after their resettlement.

As the objective of the refugee policy shifted from repopulating agricultural lands to protecting the territorial integrity of the empire, the gap between non-Muslim and Muslim refugees increased along with the strategic importance of Muslim refugees. Muslim refugees were treated particularly favorably, and migration channels were open to them in line with the demographic policy of promoting Islam as the unifying force of the empire in the 20th century. Ottoman consulates were instructed to issue passports free of charge to needy Muslim migrants (Karpas 2002:797). When Muslim Circassian refugees arrived in 1887, Sultan Abdul Hamid opened his private lands to them. These lands were divided among 150 families who were also given tools and seeds to cultivate them (Chatty 2013:48). Between 1848 and 1849, 16,000 Polish and Hungarian refugees arrived from Central and Eastern Europe. The governor of Aleppo, a significant resettlement zone, was instructed to “provide accommodation in royal residences and if such places did not exist ‘then to rent proper mansions’ and furnish them” while also treating the refugees with great respect and ceremony (Kale 2014:262–63). This favorable treatment is evident in the Muslim Refugee Commission and the higher budget allocated to 1913 refugees.

6. Is the Turkish Syrian refugee policy an Ottoman legacy?

One being a multi-religion multi-ethnic empire in the disintegration process and the other a nation state, the late Ottoman Empire and Turkey possess many differences. Neither can the vast distinction between the international arenas of the 19th and 20th centuries be overlooked. However, they both faced refugee movements like they had never experienced before, and both opened their borders. Consequently, a comparison still carries valuable lessons as it helps us elucidate how states respond when they need to host large amounts of refugees and how different rationales translate into policies.

One significant similarity between the 19th century Ottoman refugee policy and Turkey's response to Syrian refugees is the open-door policy. Between the arrival of the first Syrian refugee groups in April 2011 and the report of first border closures in 2015, Turkey followed an open-border policy towards Syrian refugees for four years (Yeginsu and Shoumali 2015). While the open borders policy is a common characteristic of the Empire and Turkey, their rationales about this policy are entirely different. Turkey's open border policy is explained by the government's belief that the crisis in Syria would end soon, and Syrians would return. Relatedly, changes in the border policy are seen as a reflection of changing foreign policy priorities, and indicate the realization that the conflict in Syria would not end anytime soon and Syrians will stay longer than initially expected (Şahin Mencütek 2018:80–81). In terms of the motivation for an open border policy it is not possible to draw any similarities between the Ottoman Empire and Turkey, since the former pursued an open border policy to increase its population, diversify its demographic, and receive increased agricultural tax revenues. Turkey had no such purpose and saw the refugees' stay as temporary.

The open-door policy, unsurprisingly, resulted in a large volume of refugees and the need for an organized response. The Ottoman refugee policy was institutionalized as a response to the increase in numbers of refugees it started to receive in the 19th century. The institutionalization of Turkish migration and refugee policy corresponds with the arrival of Syrians. Within the European Union Accession framework, Turkey was already working on a comprehensive migration and asylum law when the first groups of Syrians started to arrive. The Turkish government introduced the most detailed and longest single law on foreigners, the Law on Foreigners and International Protection (*Yabancılar ve Uluslararası Koruma Kanunu*, known as LFIP) in 2013. However, the law was not legislated until 2016.

The Ottoman system was based on the permanence of newcomers, while the Turkish system is based on the temporariness of the stay. The status of the refugees and the rights and support associated with it differ accordingly. Turkey retains a geographical limitation to its ratification of the Geneva Convention, meaning that only applicants from Europe can be recognized as

“refugees”. The LFIP established different forms of protection that could be provided to foreigners. Under this law, a major protection type is “temporary protection.” Syrian refugees in Turkey are also protected under this categorization. The LFIP was followed by another regulation in 2014, the Temporary Protection Regulation, to detail the forms of protection and the procedures of temporary protection. According to this regulation, temporary protection guarantees that foreigners in this category will not be punished for illegal entry or stay, and the state will abide by non-refoulement (Articles 5 and 6). The bundle of rights associated with the temporary protection status are healthcare (Article 27), primary and secondary school education (Article 28), and access to the labor market (Article 29). Whereas the labor market access is more restricted than the other rights. While the state determines in which geographical areas, sectors, and jobs those under temporary protection may work, individuals residing in temporary accommodation facilities are provided with food, accommodation, health care, social assistance, and education (Temporary Protection Regulation, 2014).

Refugees are not encamped, but their mobility is restricted both in Turkey and the Ottoman Empire. Even though there are temporary accommodation centers, those under Temporary Protection Regulation can stay in cities so long as they do not pose a risk to public order, public security, or cause a public health threat. However, they must reside in places determined by the governorates (Article 24). In 2020, only 1.77 percent of refugees were in the temporary accommodation centers (DGMM 2020). Both the Empire and Turkey used the same method to control population movement: tying refugees to resettlement cities. Upon their arrival in Turkey, refugees are responsible for going to registration centers in their locales for pre-registration. After pre-registration, they receive a temporary identity card valid for 30 days. In the meantime, the request for temporary protection is evaluated. If they are granted protection, refugees must go to the City Migration Administration to complete their registration (Refugee Rights Turkey 2017). While different sources note various numbers of protection centers, according to the official records, there are seven protection centers in five towns along the Turkey-Syria border. These towns are Adana, Kilis, Kahramanmaras, Hatay, and Osmaniye. Except for Hatay, which has three protection centers, each of these cities has one. According to official records, every city in

Turkey has people protected under temporary protection. However, the population is heavily concentrated in industrialized, big cities (DGMM 2020). After the registration, temporary protection grantees are obliged to stay in their place of registration. If the grantees leave their locale of registration, they lose their rights, other than emergency health services and education (Temporary Protection Regulation, 2014, Article 34). However, the grantees also have the right to apply to change their place of residence.

The LFIP also established a standing institution to centralize the implementation of migration policies. Under the Ministry of the Interior, Directorate General of Migration Management (DGMM) was established. The main mandate and duties of the directorate are listed in the law as: (1) Carrying-out work on developing legislation and administrative capacity in the field of migration and monitor and coordinate the implementation of policies and strategies determined by the president of the republic; (2) Carrying-out activities and actions related to migration, human trafficking, temporary protection, harmonization processes, stateless persons; and (3) Ensuring coordination between law enforcement units, public institutions, and organizations (Law on Foreigners and International Protection, 2016).

Unlike the *Muhacirin* Commissions, the DGMM has a standing authority. It has not been established as a reaction to one specific refugee migration; it is very improbable for the DGMM to be dismantled after the need for response to Syrian refugee migration ends. Furthermore, the DGMM does not only work with the migrants/refugees but is also responsible for coordination between different authorities. While the *Muhacirin* Commissions produced data on populations of concern, the same responsibility mostly belongs to the Turkish Statistical Institute today instead of the DGMM. The Ottoman refugee policy relied heavily on local administrations and municipalities. While Turkey's response to the Syrian refugee migration does not have municipalities as an official pillar, but the municipalities respond to the needs of refugees residing within their borders.

As discussed previously, the Ottoman refugee regime suffered from regional differences in its applications. The Turkish refugee laws and regulations are also tainted by implementation gaps as the majority of refugees work in the informal sector, live in cities other than their resettlement places, and international and local non-governmental organizations are the primary providers of aid and services with very low government engagement (Mackreath and Sağnıç 2017). However, this low government engagement can be “strategic indifference”, and could be seen as a state decision not to directly engage with refugees (Norman 2021:7).

The main characteristics of the Turkish refugee response are similar to that of the Empire: foreign policy strategies and domestic concerns. However, because of the reasons discussed above, Turkish refugee policy is also not the same as the Ottoman policy. The initial open-door policy was consistent with the foreign policy objectives of becoming a regional leader and mediating peace in Syria. As the prospects of the war ending soon became unrealistic and the number of Syrians in Turkey reached a high-volume, Turkey started closing its border and shifting its refugee policy. Another critical factor for the Turkish policy is the potential impact of the Syrian citizen ethnic Kurdish refugees’ on the domestic struggle with the Kurdish groups in Turkey (Şahin Mencütek 2018:106). This policy blueprint, formulating the refugee policy with demographic concerns and foreign policy implications, is consistent with the responses to previous refugee waves (Abdelaaty 2021:124–25)..

7. Conclusion

The geographic region that Turkey inherited from the Ottoman Empire has been an important migration route and a bridge between East and West. The policy responses of this region to the refugee waves transformed over the centuries but their importance always stayed the same. Therefore, the evolution, continuities, and ruptures of the policies in the region is crucial for the international refugee protection regime. This paper, by bringing Ottoman refugee response and Turkish refugee policy together provides an important opportunity to challenge the Western-centrism and presentism in refugee studies.

The Turkish Syrian refugee policy is inherently different from the Ottoman refugee policy. The major source of difference between the Ottoman Empire and Turkey in terms of their responses to big refugee movements are based on their contrasting perspectives on the permanence of the refugees. Since the empire expected refugees to stay permanently, the policies were shaped around integrating them socially and economically. A significant lesson that can be drawn from the Ottoman practices is that of resettlement practices in this regard. The refugees, mostly, seen as economic development agents, were resettled in a way to ensure their economic integration and contribution. While this perspective also transformed refugees into cheap labor, it also helped them integrate into the society.

There are also structural factors that contribute to the formation of different refugee policies. The domestic social system (*millet* system vs. nation-state), and international social structures also resulted in divergent policies as Turkey operates as a part of the international refugee protection regime, while in the 19th century, there was not even a legal definition of refugee. Both states; however, acknowledged the necessity of an institutionalization of migration policy.

Due to the practical constraints, this discussion is limited in several ways. First, the report is focused on Turkey's Syrian refugee policy rather than its refugee policy for all the refugees and since its foundation. It also treats the policies as static, and it cannot capture the dynamic nature of the policies and modalities. However, it still shows that there are significant similarities between the two cases, and that demographic expectations shape the policies. Furthermore, the Ottoman Empire's refugee experience constitutes an important case as it prefigured national and international responses to refugee movements after the World War I (White 2014). Overall, the late Ottoman refugee response is full of insights that can inform policymakers, practitioners, and academics.

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