



THE HANDBOOK OF PUBLIC ADMINISTRATION

VOLUME-1

Editors

Prof. Dr. Bekir PARLAK

Assoc. Prof. Dr. Kadir Caner DOĞAN



LIVRE DE LYON

2022

Social Sciences

THE HANDBOOK OF PUBLIC ADMINISTRATION

Vol. 1

Editors

Prof. Dr. Bekir PARLAK

Assoc. Prof. Dr. Kadir Caner DOĞAN



LIVRE DE LYON

Lyon 2022

The Handbook of Public Administration, Vol. 1

Editors • Prof. Dr. Bekir PARLAK • Orcid: 0000-0002-9173-7563

Assoc. Prof. Dr. Kadir Caner DOĞAN • Orcid: 0000-0002-3476-8865

Cover Design • Motion Graphics

Book Layout • Mirajul Kayal

First Published • October 2022, Lyon

ISBN: 978-2-38236-299-0

copyright © 2022 by Livre de Lyon

All rights reserved. No part of this publication may be reproduced, stored in a retrieval system, or transmitted in any form or by any means, electronic, mechanical, photocopying, recording, or otherwise, without prior written permission from the Publisher.

Publisher • Livre de Lyon

Address • 37 rue marietton, 69009, Lyon France

website • <http://www.livredelyon.com>

e-mail • livredelyon@gmail.com



LIVRE DE LYON

PREFACE

Public administration, as an interdisciplinary field, is based on a wealth of theory. As a matter of fact, a detailed analysis of public administration with different concepts, approaches and theories will confirm this determination. With this book, which contributes to public administration from quite different fields as a handbook, public administration has been subjected to a detailed examination. In this book, public administration is explained at the concept-theory-practice level with articles from different disciplines. In this book, public administration is a handbook prepared by academics working at many different universities in Turkey. Almost all important issues related to public administration are covered in the book.

In our age, public administration has emerged with very different dimensions with paradigm shifts, great transformation and change. In this regard, concepts and approaches such as postmodernism, new public management and governance are particularly important.

In this respect, the discipline of public administration has been dealt with in different articles in this work at the theoretical and practical level. On the other hand, analyzing this great transformation with a handbook will make a great contribution to the discipline and practice of public administration. This book has emerged as a very comprehensive work of interest to undergraduate, graduate and other researchers. With this handbook, which includes structural and functional analyzes of the political, social, economic and cultural analyzes of public administration, it is aimed to contribute to the field of public administration in the world, especially in Turkish public administration. As a matter of fact, in this study, theoretical and practical sections are included.

We would like to express our deepest gratitude to both the esteemed authors and the representatives of the publishing houses for the preparation of this work. Finally, we hope that this book will be of great use to all readers.

Prof. Dr. Bekir Parlak & Assoc. Prof. Dr. Kadir Caner Doğan
Editors

CONTENTS

PREFACE	I
REVIEWERS	IX

THEME I

PUBLIC ADMINISTRATION: CONCEPTUAL AND THEORETICAL ROOF

Chapter 1	INTERDISCIPLINARY RELATIONSHIP WITH THE CONCEPT AND PHENOMENON OF PUBLIC ADMINISTRATION	1
	<i>Bekir Parlak; Kadir Caner Doğan</i>	
1.	Concept of Public Administration	1
1.1.	Definition of Public Administration	2
1.2.	Characteristics of Public Administration	4
1.3.	Purpose and Elements of Public Administration	6
2.	Relationship of Public Administration with Other Disciplines	8
2.1.	The Relationship of Public Administration with Political Science	8
2.2.	The Relationship of Public Administration with Sociology	8
2.3.	The Relationship between Public Administration and Business	9
2.4.	The Relationship of Public Administration with Administrative Law	9
2.5.	The Relationship between Public Administration and Economics	11
	References	11
Chapter 2	HISTORICAL DEVELOPMENT OF PUBLIC ADMINISTRATION TEACHING	15
	<i>Nazlı Özcan Sarihan; İmren Pınar Dülğar</i>	
1.	Introduction	15
2.	On The Administration and Its Teaching	17
3.	Public Administration Teaching Tradition of Continental Europe and America	18
4.	Public Administration in Turkey: Development and Teaching	23
5.	Conclusion	29
	References	30
Chapter 3	CONSTRUCTING THE THEORY IN PUBLIC ADMINISTRATION	33
	<i>Bekir Parlak; Kadir Caner Doğan</i>	
1.	Scientificity of Public Administration Theory	33
1.1.	What is a Theory?	33
1.2.	Is a Theory of Public Administration Possible? Classification of Public Administration Theories	34
2.	A Brief Introduction to Public Administration Theories	36
	References	37

THEME II
STRUCTURAL ANALYSIS IN PUBLIC ADMINISTRATION

Chapter 4	PUBLIC ADMINISTRATION AND BUREAUCRACY	39
	<i>Erhan Örselli; Ahmet Tayfur Küçüktağılı</i>	
1.	Introduction	39
2.	The Concept of Bureaucracy: Definition and Features	40
3.	Bureaucracy Theories	42
3.1.	Weberian Bureaucracy	42
3.2.	Marxist Theory of Bureaucracy	44
4.	Advantages and Disadvantages of Bureaucracy	45
5.	Development of Bureaucracy in Turkey	46
6.	Result	48
	References	48
Chapter 5	A STRUCTURAL EXAMINATION OF PUBLIC ADMINISTRATION FROM PAST TO PRESENT	51
	<i>Arzu Yıldırım</i>	
1.	Introduction	51
2.	Restructuring in the Public Administration	53
3.	Factors That Make Restructuring Compulsory in the Turkish Public Administration	55
4.	Developments in the Turkish Public Administration After 1980	57
5.	A Model Proposal For Restructuring Work In Turkish Public Administration	61
6.	Conclusion	65
	References	66
Chapter 6	STRUCTURAL AND LEGAL DEVELOPMENTS IN PUBLIC ADMINISTRATION IN THE CASES OF EUROPEAN COUNTRIES	69
	<i>Soner Akın; Demet Dönmez</i>	
1.	Introduction	69
2.	Eastern European countries' cases	71
3.	Review of Western countries	78
4.	Northern countries in Europe	82
5.	The review of Southern countries	87
6.	Conclusion	94
	References	96

THEME III
CURRENT AND FUNDAMENTAL ISSUES IN PUBLIC ADMINISTRATION

Chapter 7	PUBLIC POLICY: CONCEPT AND THEORY	103
	<i>Bülent Savaş Furat; Abdullah Uzun</i>	
1.	Introduction	103
2.	Public Policy in General	103
2.1.	Scope and Elements of Public Policy	105
2.2.	Types of Public Policy	106
3.	Public Policy in Terms of Historical Development	108
4.	Public Policy Process and Classical Approach	109
4.1.	Agenda-setting	111
4.2.	Policy Formulation	113
4.3.	Decision Making	114
4.4.	Policy Implementation	114
4.5.	Policy Evaluation	115
4.6.	General Evaluation of the Public Policy-Making Process	116
5.	Conclusion	117
	References	117
Chapter 8	PUBLIC POLICY ANALYSES AND PRACTICE EXAMPLES	121
	<i>Abdullah Uzun; Bülent Savaş Furat</i>	
1.	Introduction	121
2.	What is Public Policy Analysis?	122
2.1.	Scope and Dimensions of Policy Analysis	123
2.2.	Policy Analysis Forms	125
2.3.	Use of Approaches and Models in Policy Analysis	126
3.	Public Policy Analysis Practice Examples	130
4.	Conclusion	132
	References	133
Chapter 9	CLIMATE POLICIES IN PUBLIC ADMINISTRATION: THE CASE OF TÜRKİYE	137
	<i>Seda H. Bostancı</i>	
1.	Introduction	137
2.	The Effects of Climate Change in Türkiye	140
3.	Climate Policies of Central Government	141
3.1.	Climate Policies in Ministries	142
3.2.	Climate Policies of Regional Development Agencies	146

4.	Climate Policies of Local Governments	147
4.1.	Climate Policies of Metropolitan Municipalities and Provincial Municipalities	148
4.2.	Climate Policies of District Municipalities	150
5.	Conclusion	151
	References	152

Chapter 10	MIGRATION POLICIES IN TURKIYE AND FRANCE: A REVIEW ON HISTORICAL PROCESS AND CURRENT SITUATION	157
	<i>Hicran Hamza Çelikyay; Semih Nargül</i>	
1.	Introduction	158
2.	Literature Review	160
3.	Short History Of Migration of Countries	161
3.1.	Turkiye	161
3.2.	France	165
4.	Regulations In the Context of Migration Policies	168
4.1.	Turkiye	168
4.2.	France	175
5.	CONCLUSIONS	180
	Acknowledgements	183
	References	183

Chapter 11	EVALUATION OF CULTURAL HERITAGE IN TERMS OF SUSTAINABLE TOURISM: THE CASE OF HARRAN CULTURAL HOUSE	189
	<i>Onur Akgül; Şefik Okan Mercan</i>	
1.	Introduction	189
2.	Conceptual Framework	190
2.1.	Cultural Heritage	190
2.2.	Sustainable Tourism	192
2.3.	Harran Culture House	194
3.	Objectives and Methods of the Research	195
4.	Findings	196
5.	Conclusion and Recommendations	199
	References	201

Chapter 12	RETHINKING GOVERNANCE: GOVERNANCE FOR STATE, PRIVATE SECTOR AND CIVIL SOCIETY ORGANIZATIONS	207
	<i>Eyüp Şen; Bayram Coşkun</i>	
	Introduction	207
1.	Governance: Together for All	208

2.	Whose Governance?	209
2.1.	The Governance of Governmental Organizations and Stakeholders	211
3.2.	The Governance of Civil Society Organizations and Stakeholders	212
3.3.	The Governance of Private Sector Organizations and Stakeholders	213
4.	How to Practice Governance as a public policy process? The Contributions of the Governance to the Public Policy Process	214
4.1.	The Power to Understand and Anticipate	215
4.2.	The Power to Work Together	217
4.3.	The Power to Monitor and Evaluate: Monitoring, Evaluation, Accountability, And Learning (MEAL)	218
5.	Conclusion	219
	References	220
Chapter 13	E-GOVERNANCE AND E-STATE RELATIONALITY AND FUNCTIONALITY	223
	<i>Handan BOYALI</i>	
1.	Introduction	223
2.	Governance	224
3.	Concept of E-Governance as the Digital Dimension of Governance	227
4.	E-State as the Site of the practice of Governance	229
5.	Relationship Between E-Governance and E-State	233
6.	Conclusion	235
	References	236
Chapter 14	THE NEW PUBLIC GOVERNANCE: IS IT A PARADIGMATIC WAY TO OVERCOME THE WICKED PROBLEMS?	243
	<i>Çağrı Çolak</i>	
1.	Introduction	243
2.	The NPG as a post-NPM Model	244
3.	Is the NPG a New Paradigm?	250
4.	Can the NPG Overcome the Wicked Problems?	253
5.	Conclusion	259
	References	260
Chapter 15	THE INTERACTION OF “NEW PUBLIC SERVICE” AND “NEW PUBLIC MANAGEMENT” APPROACHES	265
	<i>Mısra Cığeroğlu Öztepe; Sevinç Soyocak Özalp</i>	
1.	Introduction	265
2.	Transition from Traditional Public Administration (TPA) to New Public Management (NPM)	267

3. The New Public Service Approach and Its Relationship with the New Public Management	270
4. Conclusion	275
References	276

Chapter 16 DEVELOPMENT FROM TRADITIONAL APPROACHES IN PUBLIC ADMINISTRATION TO NEW PUBLIC ADMINISTRATION 279
Cüneyt Telsaç

1. Introduction	279
2. Classic Concept of Management	280
2.1 Mainstreams Directing the Classical Management Approach	283
3. An Overview of Neo-Classical Theory	287
3.1 Mainstreams Guiding the Neo-Classical Management Approach	288
4. The Concept of New Public Administration (NPM)	291
4.1 The Development Process of the New Public Administration	292
4.2 Factors Leading to the Emergence of the New Public Administration	294
4.3 Features of New Public Administration	298
5. Conclusion	300
References	301

Chapter 17 NEOLIBERALISM AND NEW PUBLIC ADMINISTRATION 331
Sedat Karakaya

1. Introduction	311
2. Break From the Keynesian Policy and Neoliberalism	313
3. Neoliberalism and the New Paradigm	316
4. New Public Management (NPM)	319
5. Principles and Criticisms of the New Public Management	323
6. Result	325
References	326

REVIEWS

- 1- Prof. Dr. Bekir PARLAK-Bursa Uludağ University/Turkey
- 2- Prof. Dr. Bayram COŞKUN-Muğla Sıtkı Koçman University/Turkey
- 3- Prof. Dr. H. Tuğba EROĞLU-Selçuk University/Turkey
- 4- Prof. Dr. Mithat Arman KARASU-Harran University/Turkey
- 5- Assoc. Prof. Dr. Kadir Caner DOĞAN-Gumushane University/Turkey
- 6- Assoc. Prof. Dr. Ömer UĞUR-Gumushane University/Turkey
- 7- Assoc. Prof. Dr. Vedat YILMAZ-Malatya Turgut Özal University/Turkey
- 8- Assoc. Prof. Dr. Şükrü Mert KARCI-Manisa Celal Bayar University/Turkey
- 9- Assoc. Prof. Dr. Erhan ÖRSELLİ-Necmettin Erbakan University/Turkey
- 10- Assoc. Prof. Dr. Aziz BELLİ-Kahramanmaraş Sütçü İmam University/Turkey
- 11- Assoc. Prof. Dr. Kadir SANCAK-Gumushane University/Turkey
- 12- Assoc. Prof. Dr. Kürşad Emrah YILDIRIM-Anadolu University, Turkey
- 13- Assoc. Prof. Dr. Berat AKINCI-Adana Alparslan Türkeş Bilim ve Teknoloji University/Turkey
- 14- Assoc. Prof. Dr. Hasan Mahmut KALKIŞIM-Gumushane University/Turkey
- 15- Asst. Prof. Dr. Emrah FİRİDİN-Karadeniz Teknik University/Turkey
- 15- Asst. Prof. Dr. Arzu YILDIRIM-Şırnak University/Turkey
- 17- Res. Asst. Dr. İmren Pınar DÜLGAR-Gumushane University/Turkey
- 18- Lecturer Mehmet MECEK-Afyon Kocatepe University/Turkey

CHAPTER X

MIGRATION POLICIES IN TURKIYE AND FRANCE: A REVIEW ON HISTORICAL PROCESS AND CURRENT SITUATION

Hicran HAMZA ÇELİKİYAY¹ & Semih NARGÜL²

*¹(Assoc. Prof. Dr.), Düzce University
hicrancelikyay@duzce.edu.tr
Orcid: 0000-0002-4256-1397*

*²(Ph.D. Candidate), Van Yüzüncü Yıl University
semihnargul@yyu.edu.tr
Orcid: 0000-0001-8694-0981*

Abstract

This study aims to demonstrate the migration policies, the dynamics of implementation, governments' ideological attitudes, and the impact of socio-economic conditions in countries on the policies produced for immigrants in Turkiye and France. A comparative assessment was conducted on migration policies based on the legal legislation, migration history, and institutions of Turkiye and France. Since the 1940s, France has accepted immigrants in line with development-priority programs as a receiving country, but has put the “Selective Immigration Policy” approach on the agenda sharply due to intense immigration pressure and increasing terrorist incidents after 2011. On the other hand, Turkiye has been a sending and transit country since the 1930s. Due to its “Open Door” policy after 2011, it has undergone significant changes in both its legal legislation and institutional structure with the mass migration it faced on the Syrian border. Serious paradigm shifts have been observed in the

migration policies of both countries in recent years. While France has recently manifested severe restrictions for security and economic reasons; Turkiye has faced unplanned mass migration and developed new policies to allow asylum seekers to live in safe areas.

Keywords: Turkiye, France, Migration Policy, Immigrants, Asylum Seekers

JEL Classification: J61, J68, K37

1. INTRODUCTION

Migration mobility is an important phenomenon that has formed the developments in the world in various aspects since human history. Sometimes during periods of war and internal turmoil, sometimes in line with economic goals, and sometimes due to the effects caused by natural disasters, people leave their places voluntarily or necessarily. While there were states whose economies were only dependent on trade in the 18th and 19th centuries, the emergence of “immigration states” was observed in the 20th and 21st centuries.

States have had to meet the security and political risks that come with international mobility while following open policies to the international migration phenomenon with their economic systems and social acceptances to protect their global competitive advantage and economic power balances. Inevitably, states are faced with establishing this delicate balance (Hollifield, 2004).

Although the national policies developed by the states are a determining factor in the acceptance of immigrants, refugees, and asylum seekers and the phases of integration and integration into the society, the foreign policies carried out in parallel with these policies and the dynamics that occur affect the relations and both economic and security balances among states (CMES, 2012: 8). Immigration policies that cannot be managed on a certain level could be a security threat to nation-states and lead to conflicts between regions (Hollifield, 2004: 887). The changes that come with immigration and the situation of immigrants concern the countries of origin as well as the countries they have settled in and leave permanent marks by shaping the interaction between these countries (URL1).

In this study, the migration history of Turkiye, which has been under the influence of migration flow for many years, and France as a receiving country is examined, the transformations, social, political, and economic breaking points experienced in this process are discussed, and especially the change in the

approaches to migration policies they have developed recently is addressed in the context of legal legislation and institutions.

Turkiye has recently become a receiving and transit country in terms of migration, but it used to be a sending and transit country in the past. Turkiye, which has intended to create a homogeneous society in accordance with nation-state construction since the 1920s-1930s¹, has prioritized connection to the Turkish lineage and culture in the immigrants it has placed in the country. It has developed a policy of opening its doors to its compatriots² who have remained outside its borders and granting them special status. It was not until the 2000s that a comprehensive and holistic approach to immigration policy was introduced. In particular, Turkiye, which faced a mass migration movement in 2011 and after, opened its borders with an “Open Door” policy³, considering humanitarian reasons, and has continued to develop its legislation accordingly. Strategies supporting the social cohesion of foreigners were developed with the Adaptation Strategy Document and National Action Plan issued in 2018.

As a receiving country since the mid-19th century, France started policy development for immigrants from the 1940s. Immigration policies in France have been developed in line with the needs of the country. First of all, immigrants who contribute to the economic development, do not threaten the values of the republic and the French identity and have a strong social adaptation were selected. Thus, France followed the approach called “Selective Immigration Policy.” The discourse of “unable to accept all the poor in the world” in France actually reflects its insistence on selective immigration when the immigration policies are viewed at the legal level and reveals the most important approach that determines migration policies in the past, present, and future. After 2011, the refugee movement towards Europe and its definition as “migration crisis (refugee crisis)” and security problem by European countries have been effective in making the immigration policy of France more rigid.

Throughout the historical process, many countries have signed international conventions prioritizing human rights on refugees and displaced persons. However, in the face of mass migrations that occur suddenly as a

1 Some historians suggest that this process occurred with the declaration of Constitutional Monarchy in 1908 which aimed at the creation of a modern, centralized nation state during the Ottoman Empire (Zurcher, 2019: 482).

2 When the Republic of Turkiye was established, it had compatriots who were outside its new borders. Various policies have been developed on their inclusion in the country.

3 After 2015, the policy has changed to “Security Policy”

result of internal conflicts or various crises, each country activates its internal dynamics and adopts different approaches. They enact new regulations in their domestic law and review their immigration policies. This study is an attempt to highlight this matter by selecting Türkiye and France as samples. Türkiye is the most preferred country by refugees due to the border with neighboring Syria. France, on the other hand, has become a less preferred country in terms of Syrian refugee hosting rate and remained below the average of European countries (Norwegian Refugee Council, 2020; Çakır, 2018). It is thought that this is due to the migration policies developed by both countries. Thus, France and Türkiye are exemplary preferred. Changes in migration legislation and policies made by both countries in the face of mass migration movement that took place after 2011 Syrian Crisis were examined in particular. The results were analyzed presented in a table. They show that Türkiye has previously pursued an “open door” policy and has recently entered a controlled phase. On the other hand, France strictly followed the “Selective Immigration Policy” approach. As a result, it has been observed that both countries adopt different approaches in the face of the sudden migration crisis and act in line with their national interests and past trends by regulating their domestic law.

2. LITERATURE REVIEW

Due to the increasing weight of human mobility in the world, migration policies have also started to be important on the basis of countries. The policies implemented by Türkiye and France, which have experienced migration for many years, even within the framework of different dynamics, towards immigrants have not been discussed comparatively. The policies carried out by both countries within their borders have been discussed by various researchers, and under what conditions and in which direction the migration policies have evolved (İçduygu and Yüksek, 2012; Schain, 2008). Mass migration movements continued during and after the foundation of the Republic, and Türkiye received both regular and irregular immigration movements. İçduygu et al. (2014), Goularas and Sunata (2015) and Güder (2016) analyzed five stages from 1923 to 2011 to express for the migration periods of Türkiye. While Türkiye evaluated its policies towards immigrants in the context of cultural and ethnic affinity in the early republican period, it has recently revised it due to the crises, wars and conflicts experienced especially in nearby geographies. Especially with the 2011 Syrian Crisis, it followed an open door policy. Recently, it has been trying to go

to the controlled migration process against irregular migration mobility (Örselli and Babahanoğlu, 2016).

When the immigration policies of France are examined, Rosenberg (2006) says that especially between years 1914-1918, during the First World War, the mobility of foreigners in France was followed seriously due to security concerns. Because of this situation, needs arose in the sectors based on the labor force and as a result various institutions were established in France to meet this need. Bertossi (2008) mentions the 1938 year and around. In these years due to the political and economic conditions of the period, the idea of producing a consistent immigration policy was not realized. After World War II, labor migration occurred. It has received immigrants from former French colonial countries. However, in the following period, immigration from different countries took place. Due to the economic crises and political disagreements in the world, it has taken a restrictive way in immigration.

Hargreaves (2007) express on the 1960s that France's migration policies gained momentum with the introduction of Europe and economic growth. During this period, agreements were signed to encourage workers' mobility to France from former French colonies and other continents and immigrants who entered the country granted legal status. Silverman (2003) and Wenden (2011) found that no special law on immigration was created until the 1980s and the issue of immigration was an instrument to politics and continued in this direction from those years to the present day. Odalm (2005) says about that period when the "zero migration" attempts began. Today, France uses the selective migration method (Silverman, 2003; Hollifield, 2010).

3. SHORT HISTORY OF MIGRATION OF COUNTRIES

3.1. *Turkiye*

Turkiye has faced significant migration flows in history due to its geographical, strategic, cultural, and political position. Turkiye's growing economic power is an element of attraction for migration movements while continuing political instability in its geographical region is seen as another element that encourages migration towards Turkiye. It is also a fact that while Turkiye has been mainly a "transit country" in terms of migration movements until recently, it is increasingly seen as a "receiving country" with its growing economic strength and stability, and in this context, migration to the country continues to increase (URL2).

Türkiye initially experienced the migration of compatriots who were left in the Ottoman Empire geography after the establishment of the Republic. Mass migration movements continued during and after the foundation of the Republic, and since these years, it has become a country that receives both regular and irregular immigration. Since the 1950s, “labor emigration” has occurred especially to North-West European countries. When different sources are analyzed, it is seen that the following stages are expressed for the migration periods of Türkiye (CMES, 2012), (İçduygu et al., 2014), (Goularas and Sunata, 2015) and (Güder, 2016):

- a) Nation-State Founding Period (1923-1950)
- b) Labor Migration to Europe (1950-1980)
- c) The Period of Global Trends (Post-1980)
- d) Becoming a Transit Country period (Post-1990)
- e) The Period of the Syrian Crisis (Post-2011)

In the initial years of the new Republic, the migration of Turks and Muslim foreign nationals occurred to Türkiye, but in this case, were limited to a certain period. This situation, which can be expressed as the first wave migration flow, took place, especially after the population exchange between Türkiye and Greece.

Migration policies in the period from 1923-1950 and extending to the 1960s are seen as efforts aimed at establishing a sense of nation-state, national identity, and belonging during the founding years of Türkiye. Because of this, immigration policies were developed in the form of resettlement of immigrants with Turkish lineage and culture within the framework of the understanding of creating a national identity and belonging.

International agreements signed by Türkiye also influenced the creation of migration policies. The United Nations Universal Declaration of Human Rights in 1948 and the European Convention On Human Rights in 1950 were signed. Türkiye's entry into NATO (North Atlantic Treaty Organization) in 1951 made the country a frontline country during the Cold War. During this period, policies with an inward-looking security axis were implemented, the borders of which were “closed to the outside.” This narrowed the field of a highly strategic element of development that has many social, economic, and political dimensions, such as migration.

The Geneva Convention Relating to the Status of Refugees was signed in 1951. Türkiye adopted the Geneva Convention and then the New York Protocol

Relating to the Status of Refugees in 1967 in the context of “asylum applications of European origin” with geographical limitation reservations. The signing of the Geneva Convention with reservations is considered a different turning point. During this period, migration policies were largely shaped around the geographical restriction laid down in the Geneva Convention (Tekelioğlu et al., 2015). Those from outside European countries are considered ‘asylum seekers,’ not ‘refugees,’ even if they have the qualifications necessary for ‘refugee’ status under the general provisions of the convention. Accordingly, Türkiye grants asylum to those who come from Europe to remain in Türkiye, while those who come from outside “Europe” can go to third countries (URL3).

By the 1980s, due to wars and globalization in neighboring countries, Türkiye became a transit country in terms of international migration and began to encounter mass and irregular migration movements (Işıkçı, 2017). Since the beginning of the 1990s, it was also influenced by waves of migration from many countries, such as Iraq, Bulgaria, and Yugoslavia (İçduygu and Yüksek, 2012). However, effective migration management was not followed until these years. Table 1 includes periods of mass migration to Türkiye and the number of migrants/asylum seekers.

Table 1: Periods of Mass Migration to Türkiye

Year	Migration movement	Number
1922-1938	Greece	384 thousand
1923-1945	Balkans	800 thousand
1933-1945	Germany	800 thousand
1988	Iraq	51.542
1989	Bulgaria	345 thousand
1991	Iraq after the Gulf War	467.489
1992-1998	Bosnia	20 thousand
1999	Kosovo	17.746
2001	Macedonia	10.500
April 2011-December 2020	Syria	3.638.420

Source: Aktel and Kaygısız, 2018 and DGMM, 2020.

Another of the most important elements that deeply affected Türkiye’s migration policies has been Türkiye’s accession process to the European Union (EU). In

particular, Türkiye's migration policies have come under the influence of EU migration policies with the start of the accession negotiations, and all regulations in this area were shaped in line with the EU *acquis*.

Especially since the 2000s, Türkiye has faced illegal immigrants from various countries who aim to pass into European countries. The position of transit country has strengthened during these years. Since Türkiye limited the definition of refugees in the Geneva Convention to "those who claim asylum due to events in Europe before January 1, 1951", many immigrants were excluded from this definition, and on the other hand, they could not be sent to the country of origin.

A major breaking point that led Türkiye to reconsider its migration policies was the civil war in Syria in 2011. Türkiye experienced an intense mass migration movement as a result of international migration policies and alignment with EU *acquis* and the implementation of an Open Door policy. With the civil war, refugees from Syria, who reached thousands and then millions, led to the need for new and effective policies to be raised (Tekelioğlu et al., 2015). It should be stated that after 2015, Türkiye has followed Security Policy, which has been developed as a result of the idea that the threat develops within as well as outside the borders, the number of the refugees exceeding the expected threshold, social and political reactions and concrete attacks on security (Bayır and Aksu, 2020).

The Law on Foreigners and International Protection No. 6458, adopted in 2013, granted "temporary protection status" to migrants seeking asylum in Türkiye. Thus, due to the geographical restriction in the Geneva Convention, refugees who remain illegal immigrants could receive basic public services. Türkiye's migration legislation will be discussed in detail in the following chapters. Table 2 contains statistics on immigration in Türkiye.

Table 2: Statistics on Immigration in Türkiye

Numbers Related to Immigration	1995	2010	2020
Number of Foreigners	6.762.956	27.024.609	869.735
Residence Permit	84.727	176.944	869.735
International Protection Application	2.024	8.190	56.417
Irregular Migration	11.362	32.667	115.684

Source: www.mevzuat.tbmm.gov.tr, DGMM (2020).

3.2. *France*

The 19th century was a period of a serious demographic crisis in France (Sacquin, 2002). In this sense, immigration became free, and control of the foreign population was put aside, or even a policy was not followed in this direction. France, a country that received immigration after the mid-19th century, established legal norms on migration management dating back to the mid-20th century (Hollifield, 2010). Approaching France's immigration policies from a historical perspective, it seems that until 1945, a reactive attitude towards immigrants and foreigners in the country was displayed, and after 1945, serious policies began to be produced. In these years, the immigrant population of France gained weight from those from Eastern European countries. Table 3 shows periods of mass migration to France by year.

Table 3: Periods of Mass Migration to France

Year	Migration movement	Number (Thousand)
1911	Spanish	105
	German	120
	British	40
	Russian	35
	Maghreb	30
1945	Italian	500
	Spanish	290
	Algerian	210
1968	Spanish	620
	Italian	590
	Algerian	470
	Portuguese	300
	Polish	130
	Moroccan	90
	Belgian	67
	Tunisian	60
	Yugoslavian	50
1974	Algerian	711
	Moroccan	260
	Tunisian	140
	Yugoslavian	80
	Turkish	50

Source: Histoire de l'immigration en France: La contribution des immigrés au développement économique et aux guerres françaises de 1850 à aujourd'hui, Collectif des luttins, http://www.preavis.org/formation-mr/Luttins/brochure_immigration_1-0.a5.pdf, janvier 2004.

During the First World War, the mobility of foreigners in France was followed seriously due to security concerns, and detailed records were kept (Rosenberg, 2006). Because of the war that took place during the years 1914-1918, needs arose in the sectors based on the labor force. Various institutions were established in France to meet this need: Agricultural Workforce Organization (le Service de la main-d'oeuvre agricole - SMOA), Foreign Labor Organization (le Service de la main-d'oeuvre étrangère - SMOE), and Colonial Workers' Organization. (le service des travailleurs étrangers) can be given as an example of such organizations.

During this period, agreements were also signed with the French colonies and various European countries to bring foreign workers to France. Institutions started to function after the war, and activities were carried out solely for the control and coordination of foreign workers. Various private initiatives also played a role in the recruitment of foreign workers who arrived in France to work in these years. In this context, the "General Migration Society (Société générale d'immigration - SGI)" was established by the employers. This initiative contributed to France becoming Europe's first immigration country in 1924 (Schain, 2008). Since this period, the number of immigrants increased in France. The ratio of the immigrant population to the general population is shown in Table 4.

Table 4: Immigrant Population in France and Its Ratio to Total Population

Year	Immigrant Population (Million)	Ratio to Total Population
1921	1.429	%3,7
1931	2.729	%6,6
1946	1.986	%5
1954	2.293	%5,4
1962	2.861	%6,2
1968	3.281	%6,6
1975	3.887	%7,4
1990	4.166	%7,4
1999	4.387	%7,3
2010	5.514	%8,5
2019	6.707	%10

Source: INSEE <https://www.insee.fr/fr/statistiques/3633212>

The crises in the 1930s triggered the development of France's immigration policy. Many laws restricting foreigners emerged during these years as a result of practices such as banning the professing of certain occupations, illegal pressures, and not renewing residence permits. The Undersecretariat for Immigration (Sous-Secrétariat d'Etat à l'Immigration) was established in 1938. This institution, which was assigned to work on immigration, could not achieve its purpose due to the political and economic conditions of the period. In these years, the idea of producing a consistent immigration policy was not realized. Policies in this direction were formed in the following years (Bertossi, 2008).

As a result of the labor force migration experienced after the Second World War, with the increase in the diversity of immigrants in the country, the policies regarding migration management gained importance. Statistics on asylum applications, irregular migrants, and residence permits are given in Table 5.

Table 5: Statistics on Immigration in France

	1990	2010	2018
Application for Asylum	56.053	52.762	162.640
Irregular Immigration	70.000	228.036	313. 293
Residence Permit	121.522	194.157	258.929

Source: Ministère de l'Intérieur français, <https://www.immigration.interieur.gouv.fr/fr/Immigration>

The 2000s coincided with the period when France developed policies on immigration. Various circular letters, council and commission reports were published. Migration policies formed based on integration had an assimilationist feature during this period. The necessity of adhering to the values and norms of the Republic was emphasized. The approach that the cultural characteristics of immigrants constitute an obstacle to integration has led to the perception of immigrants as a threat to French identity (Lochak, 2006).

In 2002, discussions on immigration policies in France gained momentum. France switched to "selective immigration" policies instead of "imposed immigration" policies formed by family reunification and acceptance of asylum seekers. Including quotas for family reunification and selection of immigrants according to their geographical and ethnic origin are among the practices that set an example for these policies. In this period, immigration was attempted to be controlled with public support caused by exaggerated statistical data on irregular immigrants.

Efforts were made to evolve immigration policies into an “selective immigration” application made up of specially skilled individuals in line with the economic needs of the state (Kaya, 2016).

4. REGULATIONS IN THE CONTEXT OF MIGRATION POLICIES

4.1. *Turkiye*

4.1.1. *Pre-2013 Period*

Until 2013, migration legislation in *Turkiye* appeared to be disorganized. Migration policies covering 1923-1960 are efforts aimed at establishing a sense of nation-state, national identity, and belonging during the founding years of *Turkiye*. Therefore, within the framework of the understanding of creating a national identity and belonging, a number of legal regulations reflected in immigration policies in the form of resettling immigrants with Turkish lineage and culture in the country were implemented during this period. In 1932, “The Law on the Art and Services Allocated to Turkish Citizens in *Turkiye*” No. 2007 was enacted. With this law, it was stipulated that some professions were performed only by Turkish citizens (Örselli and Babahanoğlu, 2016).

Another law legislated during this period is the Settlement Law No. 2510, which is considered the first policy document in *Turkiye* that includes a general regulation on immigrants, asylum seekers, and refugees. The law regulates migration movements to *Turkiye*, asylum requests, and resettlement. By this law, *Turkiye* is divided into three main zones in terms of the settlement:

Type One Zones: Places where the concentration of populations of Turkish culture is desired.

Type Two Zones: Places set aside for the relocation and settlement of populations whose representation into Turkish culture is desired.

Type Three Zones: Places that will be uninhabited and where settlement and residence will be prohibited due to spatial, sanitary, cultural, political, military, and security reasons.

This law prioritized the resettlement of immigrants with Turkish ancestry lineage and culture within the framework of the understanding of creating a national identity and belonging. Besides, only the right to emigrate to *Turkiye*

was to be given under the provisions based on the article “the Turkish nomads descended from built-up areas or individuals and tribes and Turkish culture to anyone connected to the built-up” (Law No. 2510, 1934: Article 3).

When the legal process of migration management in Turkiye is examined, Passport Law No. 5682 enacted in 1950 and Law No. 5683 on the Residence and Travel of Foreigners v are considered important. The Passport Law No. 5682 regulates business and transactions related to foreigners who are excluded from international protection status. Law No. 5683 regulates the residence and travel of foreigners in Turkiye. However, it was found that these laws responded to the needs of the relevant period but were not comprehensive enough to solve the problems that arised after it.

Other regulations introduced in the migration legislation between 1950 and 2000 are as follows:

- a) Law No 403 on Turkish Citizenship Law dated 1964 was adopted.
- b) In 1980, Law No. 2257 Regarding the Approval of the European Convention on the Legal Status of the Immigrant Worker was adopted.
- c) In 1983, Law No. 2922 on Foreign Students Studying in Turkiye was adopted.
- d) Refugee Regulation was adopted in 1994.
- e) The Regulations on the International Transportation, Transport of People and Goods dated 1994 and
- f) The Law Concerning the Fight Against Global Criminal Organizations dated 1999 were adopted.

The legislation listed above include the regulations that were needed under the conditions of the relevant day they were issued and the applications were limited to the area they covered. A comprehensive and holistic implementation was not carried out until the 2000s. After 2000, developments in the international arena and foreign policy forced Turkiye to make more comprehensive and effective arrangements with respect to international protection. Thus, there is a serious acceleration in the studies carried out in the post-2002 period.

In 2003, within the scope of the work to be done regarding immigration and asylum during the EU accession process, the “Law on Foreign Direct Investment” numbered 4875, Strategy Document on the Protection of External Borders, Asylum Strategy Document, and Immigration Strategy Document were prepared. In 2005, Turkiye’s National Action Plan for the adoption of

the European Union *acquis* in the field of asylum and migration was prepared. In 2006, the “Implementation Instruction of the Ministry of Internal Affairs,” which was accepted as the second basic regulation of the domestic law in the field of asylum and immigration after the 1994 Regulation, was enacted.

4.1.2. Law No. 6458: Purpose, Justification and Definitions

In 2011, after the civil war began in Syria, Türkiye had intense mass migration from this region. The regulations made that year and after were intended to clarify the legal rights and legal status of asylum seekers. Syrians have been granted “temporary protection status” created after similar crises in different geographies of the world, based on the 1994 Regulation of the Ministry of Interior since April 2012. This includes the principles stipulated by minimum international standards such as Open Door policy, non-forced return, no individual status determination, accommodation in camps, and provision of other basic services (Öner İhlamur, 2014).

Due to the growing crisis and the increasing immigration from Syria, Law No. 6458 on Foreigners and International Protection entered into force on 11/04/2013. On the grounds of this law, it is emphasized that Passport Law No. 5682, adopted in 1950, and Law No. 5683 on the Residence and Travels of Foreigners in Türkiye are insufficient in the face of current problems and developments. It is stated that there is no basic regulation at the level of law with regards to international protection and that the practices are carried out in accordance with administrative regulations. Additionally, the absence of a public institution specializing in immigration was also cited as a justification. It is stated that migration management should be carried out effectively considering examples in the world, and therefore a competent institutional structure is needed. The justification of the law also emphasizes the European Union negotiation process. Accordingly, until Türkiye’s full membership in the EU is realized, the international protection system must be parallel to the *acquis* and its practices.

The objective of the Law is expressed as “The purpose of this Law is to determine the procedures and principles with regard to the foreigners’ entry into, stay in and exit from Türkiye and with regard to the scope and implementation of protection to be provided to persons who apply for protection in Türkiye” (Law No. 6458, 2013). The law covers major definitions such as asylum seeker, refugee, conditional refugee, temporary protection, stateless and foreigners, entry and deportation provisions to Türkiye, visa procedures and

residence provisions, admission and housing centers and repatriation centers, and international protection. Besides, the Law includes adaptation, integration, migration policies, and the implementation of these policies, the structures of the Directorate General of Migration Management, and the Migration Policies Board (Law No. 6458, 2013).

The law also regulates adaptation, which is an integral component of migration management. Thus, the issue of adaptation was introduced to the legislation for the first time. The law also fills an important gap in this aspect. Entries to the country are not only managed, but also the provision of education, work, social assistance, and health opportunities to those who have international protection status is regulated. A flexible structure is estimated that will enable and facilitate the coliving of foreigners and society in a conscious and organized way. With the practices to be carried out in this direction, it is aimed to implement the migration system in line with international standards and the EU *acquis*, to reduce bureaucratic procedures in regular migration while combating irregular migration, and to establish an effective and manageable migration system in accordance with the legal, administrative, and physical infrastructure (www.mevzuat.tbmm.gov.tr).

It is especially stated in the 91st article of the Law that “temporary protection” will be provided for the asylum seekers who come to the country collectively. Thus, the legal status of the increasing number of Syrian refugees was revealed more clearly, and the basis for the policies to be followed for them was established. It issued on the basis of this provision of the Law on the Temporary Protection Directive issued in 2014 formed the basis for the regulation of temporary protection status in Turkiye.

Two new status definitions were made for migrants in the form of ‘conditional refugee’ and ‘subsidiary protection,’ and rights were granted. Accordingly, migrants from outside Europe are granted ‘conditional refugee’ status and allowed to reside in Turkiye until they settle in another country. Those whose status fails to comply with these two statuses will remain in the country with a “subsidiary protection status.” Subsidiary protection status is granted to foreign or stateless persons who will face a serious threat to themselves due to indiscriminate acts of violence in situations of international or internal armed conflict, who cannot benefit from the protection of their country of residence or who do not want to benefit due to the said threat (Law No. 6458, 2013: Article 63). This status is a new definition that is introduced with the law.

4.1.3. Institutions Related to Migration

It seems that the immigration policies followed before 2013 are quite disorganized, given the current legislation, and their basic functions remain limited in time and space. During this period, the activities related to migration management were undertaken by institutions whose main service area was different. These institutions can be listed as Department of Foreigners affiliated to the General Directorate of Security, Governorates, and affiliated organizations.

The establishment of the Migration Studies Group in 2002 is suggested as a remarkable initiative in this period. Established for the implementation of policies consistent with the EU, the Migration Studies Group is also recognized as the first structuring in an institutional context as a public policy actor in the field of migration in Türkiye. The Migration Studies Group was composed of the Turkish General Staff, the Undersecretariat of Customs of the Ministry of Foreign Affairs, the General Directorate of Security, The Gendarmerie General Command, and the Coast Guard Command.

Law No. 6458 aims to implement migration management in a certain order. The most important are the innovations introduced in regulation and corporate structuring, which are the application areas of policies. In addition to making existing institutions an effective actor in migration management, new institutions were also established.

4.1.3.a. General of Migration Management (DGMM)

The Directorate General of Migration Management was established under Law No. 6458, under the Ministry of Interior. With the transition to the Presidential System of Government in 2018, the Directorate was rearranged with the Presidential Decree No. 4.

The most important task of the Directorate is to carry 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. Besides, executing operations related to temporary protection, victims of human trafficking and protection of stateless persons and the studies on adaptation-related business and ensuring coordination between agencies to combat irregular migration, assist in the programming and projecting of the activities of public institutions and organizations in the field of migration, and support the implementation of such work and projects in accordance with international standards are among the other tasks to the Directorate (P.D. No. 4,

Article 158). In carrying out these tasks, the Directorate can establish the central organization as well as the provincial and foreign organizations.

4.1.3.b. Migration Board

The Migration Board, which was established under the name of the Immigration Policies Board in Law No. 6458, continued its activities until 2018. With the transition to the Presidential System of Government, it was abolished with Decree No. 703, but it was restructured with the Presidential Decree No. 17 under the name of the “Migration Board.” Accordingly, the Migration Board is responsible for determining migration strategies, monitoring their coordination and implementation, and it consists of representatives of ministries and institutions, and organizations to be determined by the Ministry of Interior under the chairmanship of the Minister of Interior (P.D. No. 17, Article 522).

The Board took decisions on issues such as the creation of the Migration Strategy Document, the adoption of the Adaptation Strategy Document and the National Action Plan, and the regulation of the issues within the scope of its duty regarding residence permits (DGMM, 2018).

4.1.3.c. Disaster and Emergency Management Presidency (DEMP)

As mentioned above, the General Directorate of Migration Management and the Migration Policies Board affiliated to this directorate were held responsible for conducting migration management at the central level by Law No. 6458. DEMP was also appointed to assist them. DEMP was held responsible for the management of tent cities and container cities and the shelter, heating, clothing, food, and health supplies of the refugees (Demirhan and Aslan, 2015: 52). In 2018, Temporary Refugee Centers were transferred to the Ministry of Interior General Directorate of Immigration Management by the decision of the Council of Ministers (Official Gazette, 2018)

4.1.3.d. Presidency for Turks Abroad and Related Communities (TARC)

The Presidency for Turks Abroad and Related Communities was established in 2010, based on the Presidential Decree. No. 4, having a public legal personality, with a special budget, and under the Ministry of Culture and Tourism (URL4).

The aim of the Presidency is to work on Turkish citizens living abroad and to find solutions to their problems, carry out activities to develop social, cultural, and economic relations with compatriots and relative communities, ensure the

coordination between relevant institutions for the successful conclusion of the educational processes of foreign students in Türkiye (P.D. No.4, 2018, Article 732).

Presidency maintains institutional relations with the citizens of the Republic of Türkiye living in different regions and countries of the world and with the communities of relatives and compatriots with common history and cultural heritage (URL4).

4.1.3.e. Presidential Policy Councils

It is also necessary to mention the Presidential Policy Councils. With the Presidential Decree on the Presidential Organization published in the Official Gazette on July 10, 2018, the Presidential System of Government Policy Councils were designed (URL5).

The policy councils involved in migration management and studies are seen as the Security and Foreign Policy Council, the Social Policies Council, and the Local Governments Council, respectively. The Security and Foreign Policy Council is assigned to determine and monitor the application of the immigration policies and strategies of Türkiye, monitor the immigration applications and make recommendations, evaluate the new regulations planned in the field of migration, follow and report regional and international developments in the field of immigration policy and law. Among the duties of the Social Policies Council is to develop policy recommendations on the solution of migration and immigrant problems, while the Local Governments Council is tasked with developing policy recommendations on migration and settlement issues (URL6).

As councils study in this field, ministries, institutions and organizations, representatives of non-governmental organizations and sectors, experts in their fields, and other interested parties will submit a report to the President of the Republic. In general, it is seen that all three councils have migration and migration management studies and are assigned to develop policies.

4.1.4. Adaptation Strategy Document and National Action Plan (2018-2023)

2018 is considered as the start of the integration work associated with immigrants in Türkiye. The prolongation of returns due to forced mass migration and the preference of “guests” to live in cities across the country rather than temporary refugee centers or camps brought up the issue of social cohesion.

The Adaptation Strategy Document and National Action Plan were prepared under the coordination of the Directorate General of Migration Management. It

is stated that the plan was designed by collecting the opinions of relevant public institutions, local governments, international organizations, non-governmental organizations, and foreigners living in Turkiye to form the basis of an effective cohesion policy (DGMM, 2018). The plan was created to map out the activities for adaptation and to determine the priorities.

In the plan, it is stated that Turkiye has been approaching people from different cultures and civilizations with tolerance for centuries with an emphasis on the property of being a society of compassion. The plan regulates all migrant affairs in such a way as to establish social cohesion on the basis of the human rights approach and maintains social cohesion in line with human-oriented, transparent, and rights-based migration management (DGMM, 2018). Experts, senior public officials, provincial organizations, local governments, non-governmental organizations, international organizations, as well as immigrant communities, took part in the preparation of the plan.

4.2. France

4.2.1. Pre-2011 Period

As a result of the young population died in both world wars and the low level of birth rates, and the economic reasons of the country, France seems to have been flexible in its migration policies for a period. A dynamic population structure was needed first in order for the country to recover economically. De Gaulle's speech in 1945 is remarkable in this sense: "... in the next few years, we must incorporate elements of good emigration into French society with a certain method and prudence." (URL7)

With the admission of immigrants to the country, the National Immigration Office (Office national d'immigration – ONI) was established with the decree issued in 1945 (Ordonnance N°45-2658 1945). This decree issued for the residence and entry of foreigners is considered as a necessary and innovative initiative in the reconstruction of France. In the decree, it is seen that an egalitarian approach is followed in the theoretical sense in the immigration policies of France, and there are no racist expressions. The decree includes documents that foreigners who can work as workers in France should have and various applications for migration management (Silverman, 2003).

For the French Government, the National Immigration Office (NIO) played an important role in its decisions regarding foreign workers (Wenden, 2011). With a decision taken in 1946, the National Immigration Office (NIO) was turned into a public administration institution. Recruitment of foreign workers

under the Ministry of Labor and Social Security and health examinations of foreigners under the Ministry of Population and Public Health were carried out by the National Migration Office.

NIO became an important institution in the restructuring of France under state control (Hollifield, 2010). For employers in France, migrant workers were preferred more often than French workers because of their easier relocation, being eligible to work flexibly, having work experience, and working with lower wages (Silverman, 2003).

The 1960s were the years when France's migration policies gained momentum with the introduction of Europe and economic growth. Agreements were signed to encourage workers' mobility to France from former French colonies and other continents, especially in Europe. During this period, immigrants who entered the country legally and lived unregistered were granted legal status and given a residence or work permit if they found a job (Hargreaves, 2007). From 1945 to 1975, six million immigrants entered NIO's records. During these years, the proportion of those who came to France with irregular migration and were subsequently registered reached up to 90% (Hollifield, 2010). In those years, it seems that there was diversity in the practices of immigration policies. Persons with less than six months of residence permits and who mainly arrived as seasonal workers in agriculture were considered "temporary" status, while those who worked mainly in the construction, steel, and forestry sector were regarded as "permanent" immigrants.

French immigration policy in the early 1970s tended to support the integration of foreigners and the equality of their rights with the French. However, the oil crisis negatively affected the French economy, and as of 1974, mobility for labor migration was suspended, but social services for immigrants were increased. The activities of missions abroad were decreased; some even ended. New objectives were also set during this period. The first of these goals is to ensure the integration of foreigners in France and to ensure that they are informed about it. Moreover, family reunification became an important issue in France, first discussed by a decree of 1976. Workers who came to France leaving their families behind, thinking they were permanent, made attempts to bring their families to the country. Although recruitment of workers was halted in France during these years, migration mobility continued due to family reunifications. Policies aimed at stopping immigration were pursued. The assistance of 10,000 francs was provided for foreigners to return to their country with their families (Silverman, 2003). At that time, this practice was much discussed and was repealed in 1981.

No special law on immigration was created until the 1980s, and that practices were conducted in accordance with decrees and orders of managers (Wenden, 2011). In these years, it turned out that the issue of immigration was sitting on political ground. Immigration was an instrument to politics and continued in this direction from those years to the present day (Silverman, 2003). These years also appeared to be the period when the “zero migration” attempts began (Odmalm, 2005).

The National Immigration Office (NIO) was renamed The International Immigration Office (Office des migrations internationales – IIM) in 1988. Although this change was seen as a new approach, the duty area of the office did not change much, and activities were carried out to recruit foreign workers and control the flow of migration. With the free movement in Europe, the control of immigration flow from European countries came to an end, and it continued for those coming from other countries. Since the end of the 1980s, the National Employment Agency (Agence nationale pour l’emploi - ANPE) provided support to encourage French citizens who cannot find a job in France to work abroad.

After the 1990s, the level of meeting the needs of France, housing opportunities, and language skills were evaluated as a result of individual interviews with each immigrant with the determination of the health status of the migrants’ work areas related to social cohesion in France. Despite all efforts, cohesion policies remained disorganized and narrow-scoped in those periods. In the report published on the integration of immigrants, it was emphasized that cohesion policies affect only 10% of immigrants coming to France (Haut Conseil à l’intégration 2010). Accompanied by intense discussions, it was proposed that the “individual adaptation agreement,” which was generalized in 2005, should be implemented within the scope of the Integration and Acceptance Agreement (Contrat d’Accueil et d’Intégration - CAI). During his speech in Troyes in 2002, Chirac emphasized that immigrants should be directed to citizenship and language education for their integration (Déclaration de M. Jacques Chirac, 2002).

Asylum seekers were also included in immigration policies in the early 2000s. The follow-up of asylum seekers was started by the IIM. In 2005, the National Agency for the Admission of Foreigners and Immigrants (ANAÉM) was established. In 2007, the Ministry of Immigration, Integration, National Identity and Development Based on Solidarity (Ministère de l’Immigration, de l’Intégration, de l’Identité nationale et du Développement solidaire - MIIINDS),

was founded and the General Review of Public Policies (Revision générale des politiques publiques - RGPP) program was launched.

4.2.2. Central Approach in Migration Policies and Decree No. 728 (2013)

Immigration policies in 2010 and beyond are shaped based on reducing the number of immigrants and controlling the borders. Attitudes such as the difficulty of admission and residence permits, the skepticism of mixed marriages, complicating the citizenship requirements, and the increasing difficulty of family reunification show that France perceives immigration as both a security problem and, in a sense, the cause of economic crises (Burban, 2009).

During those years, efforts were made to give a decentralized direction to immigration and integration policies. Integration policies and migration control strategies were adopted within the Ministry (Safi, 2014: 3). The decree issued in 2013 on amending the central government organization of the Ministry of the Interior also supported this approach. Article 8 of the decree mentions the duties assigned to the General Directorate for Foreigners. Accordingly, the following were included in the scope of the Directorate's duties:

- a) Welcoming foreigners and acceptance of citizenship and asylum procedures,
- b) Combating irregular migration,
- c) Foreigners' job and residence status and entry into the country,
- d) Preparation of rules for the acquisition and deprivation of French citizenship,
- e) Regulations regarding deportation, administrative detention, illegal work,
- f) Draft agreements on migrant flows,
- g) Development and negotiation of European migration standards,
- h) Issues related to the Asylum Office, asylum law, and beneficiaries of international protection

Additionally, important duties were assigned to the Central Directorate of the Border Police in combating irregular immigration. The Directorate is responsible for the control of cross-border mobility and people crossing national borders. This contributes to the border security of the European Union Member States. It is also the duty of the directorate to collect and analyze statistics on migration flows and the prevention and suppression of irregular migration.

Article 23, which refers to the internal turmoil that occurred in Syria in 2011, is as follows: “The Directorate of International Cooperation is responsible for implementing technical cooperation in immigration, asylum, and integration issues within the framework of harmonized management agreements for migrant flows, if necessary.” Thus, it is stated that millions of people were displaced due to the internal turmoil in Syria in 2011 and that Europe developed national and international public policies against the potential were thought to be affected by this migration mobility (Décret no 2013-728, 2013).

4.2.3. Law No. 778 on Managed Immigration, an Effective Right of Asylum, and Successful Integration (2018)

The “Law on Managed Immigration, an Effective Right of Asylum, and Successful Integration,” commonly known as Asylum and Immigration Law, entered into force on September 10, 2018. The most important justification of the law is that it was enacted as a response of, especially France and Europe, more generally, experiencing unprecedented immigration pressure on a unique scale.

Another process that accelerated the drafting of the law was the strained situation as a result of a significant increase in asylum requests in all countries, and specifically, cities such as Paris, Alpes-Maritimes, and Calais were exposed to the flow of migrants. The talks on draft law provide insight into immigration policy approaches. In parliamentary talks, statements such as “urgent action must be taken on the influx of asylum seekers facing France; otherwise, hundreds of thousands of asylum seekers will enter the country every year, and therefore the need to build an average-sized city every year to welcome refugees” are significant to note (Rescan, 2018). This approach raises clear statistics of international migration and policies that need to be developed for them.

The government appears to be using the law primarily as a matter of domestic politics. In this context, it becomes impossible to develop a public policy in which permanent and definitive solutions can be implemented. The disproportionate acceleration of immigration movements has led to the law being prepared in a very strong security priority, restrictive, and pressure-oriented direction of the immigration movement. The primary objectives that the law aims to achieve are as follows (URL8):

- a) The asylum procedure is intended to be accelerated.
- b) Procedures for ensuring the right of residence of beneficiaries of international protection and foreigners in legal status were simplified.

The law effectively improves the system of residence permits that those who benefit from secondary protection and stateless persons can claim. Reform and progress in this area are positively received.

- c) Strengthening the fight against irregular migration is prioritized (Article L552-7, 2020).
- d) The support of immigrants, whose positive contribution to France's economic development, linguistic, and cultural impact is emphasized again based on past policies.

In many ways, the law has failed to achieve its objectives. Although the law states that issues such as entry of foreigners, granting a residence permit, and requesting asylum are applied in accordance with the provisions of international conventions (Loi 2018-778, 2018), the criticism suggested is that policies are becoming increasingly strict for the rights of foreigners. Curbing immigration has been criticized not only by human rights advocacy NGOs but also by the French Council of State. It was emphasized that the law is missing a few basic points, and it would be more useful to make a conclusion by comparing statistics about France with other European countries (Conseil d'Etat, 2018).

5. CONCLUSIONS

It is seen that Türkiye began to develop migration policies in the 1930s. In these years, the country prioritized the proximity to the Turkish lineage and culture in the immigrants they placed in the country to create a homogeneous society in accordance with the construction of a nation-state. Türkiye tried to implement its migration policies primarily through legislation, and recent globalization and developments in neighboring countries played an important role in monitoring the country's migration policies through institutions. Periods such as the 1951 Geneva Convention and the EU accession negotiations were instrumental in driving migration policies. As a result of the mass migration to the country due to the internal turmoil in Syria that began in 2011, it approached the issue with the dimension of human rights and tolerance and opened its borders by observing human rights, following an "Open Door" policy. After this year, the country also regulated its legal legislation accordingly. Türkiye's Adaptation Strategy Document and Action Plan for foreigners within its borders, issued in 2018, is an indication of the search for social cohesion for foreigners within the country, which as of today is approaching four million.

France, on the other hand, has systematically developed immigration policies since the 1940s. Since the middle of the 19th century, immigration policies in France have progressed in the form of labor agreements, economic needs, and the selection of skilled immigrants. From the very beginning, France has tried to carry out its migration policies through institutions. The process, which started with the establishment of the National Immigration Office in 1945, started with a wide organization both in the center and at the local level and then continued with the enactment of legal and administrative regulations. The basis of the policies that have been tried to be put forward from the past to the present is to preserve the sovereignty drawn by the nation-state borders and to approach immigrants as a factor that will contribute to the economic development of the country. France regards immigration as a tool for economic development. Immigrants who contribute to the economic progress of the country, do not threaten the French identity, and who are compatible with the society were preferred. As of 2011, the mass migration movement was described as a refugee crisis and security threat, and the terrorist events of 2015 made the immigration policies implemented by France tighter. With the law that entered into force in 2018, France is trying to follow a systematic path with “Selective Immigration Policies,” with practices such as the acceptance of immigrants according to sectoral needs and restrictions on health expenditures, and accelerated the efforts to this end. In Table 6, the migration policies of both countries are included in their key features.

Table 6: Key Features of Turkiye and France for Migration Policy

–Migration Policy	Turkiye	France
Initial Years	1930	1940
Country Feature (Previous Period)	Sending and Transit Country	Receiving (Target) Country
Country Feature (Last Period)	Transit and Receiving (Target) Country	Receiving (Target) Country
The Basic Origin of Policies	Laws	Institutions
Policy Approach	Open Door and Security (after 2015)	Selective Policies
Basic Immigration Law	Foreigners and International Protection Law (2013)	Law on Managed Immigration, an Effective Right of Asylum, and Successful Integration (2018)
Main Policy Executive Organization	General Directorate of Security. Department of Foreigners General Directorate of Migration Management (2013)	National Immigration Office (1945) Department of Foreigners (2013)
Immigration Policies Major Turning Points	1920s-1930s Nation-State Building 1951 Geneva Convention 2005 EU Acquis Harmonization and Open Door Policy 2011 Syrian Crisis 2013 Foreigners and International Protection Law The 2018 Year of Integration	1945 Labor Migration Period 1977 Return Incentives 2002 Selective Immigration Policies 2011 Syrian Crisis 2015 Terror Events 2018 Law on Managed Immigration, an Effective Right of Asylum, and Successful Integration

Compared to the migration policies of both countries, it is seen that the notion of the nation-state is at the center of focus. Although countries have softened their policies towards immigrants at different times, they have not given up on the requirements of the nation-state. At times when social and economic conditions become unfavorable and security risks arise, immigration policies go

in a restrictive direction, stricter controls are implemented at border crossings, and quotas for migrants are reduced. Practices like France's selective migration policy and Turkiye's open-door policy followed by a controlled phase and building of walls on its borders can be interpreted as reflecting this situation. On the other hand, although Turkiye has been affected by migration movements for many years due to its geography, it has not made serious arrangements in its corporate structure. Until recent years, the process has been managed within the framework of laws, regulations and legislation. However, France has preferred to manage the process through institutions from the very beginning and has implemented institutional arrangements. The migration movements faced by France were usually planned and demanded, while the mobility suffered by Turkiye was often suddenly developed and mass due to the instability and internal turmoil of the countries around it. Therefore, the fact that both countries differ in this aspect of the migration experience has affected their institutional structures and legislative arrangements.

ACKNOWLEDGEMENTS

All authors have read and agreed to the published version of the manuscript.

Author Contributions: All authors contributed to the design and implementation of the research, to the analysis of the results and to the writing of the manuscript.

Funding: The authors received no financial support for the research.

Data Availability Statement: The data presented in this study are available on request from the corresponding author. The data are not publicly available due to restrictions.

Conflicts of Interest: The authors declare no conflict of interest.

REFERENCES

- 17 Sayılı CBK (2018). Presidential Decree No. 17, Bazı Cumhurbaşkanlığı Kararnamelerinde Değişiklik Yapılması Hakkında Cumhurbaşkanlığı Kararnamesi, <https://www.resmigazete.gov.tr/eskiler/2018/09/20180913-6.pdf>
- 4 Sayılı CBK (2018). Presidential Decree No. 4, Bakanlıklara Bağlı, İlgili, İlişkili Kurum ve Kuruluşlar İle Diğer Kurum ve Kuruluşların Teşkilatı Hakkında Cumhurbaşkanlığı Kararnamesi, <https://www.mevzuat.gov.tr/MevzuatMetin/19.5.4.pdf>

- 6458 Sayılı Kanun (2013). The Law on Foreigners and International Protection, Yabancılar ve Uluslararası Koruma Kanunu, www.mevzuat.gov.tr
- 703 Sayılı KHK (2018). Presidential Decree No. 703, Anayasada Yapılan Değişikliklere Uyum Sağlanması Amacıyla Bazı Kanun ve Kanun Hükmünde Kararnamelerde Değişiklik Hükmünde Kararname 703 No.lu KHK, <https://www.resmigazete.gov.tr/eskiler/2018/07/20180709M3-1.pdf>
- Aktel, M. and Kaygısız, Ü. (2018). “Migration Management in Turkey, Türkiye’de Göç Yönetimi.” *Süleyman Demirel Üniversitesi İktisadi ve İdari Bilimler Fakültesi Dergisi* 23 (2): 579-604.
- Bayır, K. D. and Aksu, F. (2020). “Açık Kapı Politikasından Güvenlik Tehdidine: Türkiye’de Suriyeli Sığınmacılar Olgusu, From the Open-Door Policy to Security Threat: The Case of Syrian Asylum Seekers in Turkey” *Marmara Üniversitesi Siyasal Bilimler Dergisi* 8 (2): 324-356.
- Bertossi, C. (2008). “France: the State strives to shape “chosen” immigration.” Centro Studi di Politica Internazionale (CeSPI). <https://www.ifri.org/sites/default/files/atoms/files/cespi08.pdf>.
- Çakır, A. (2008). “Fransa’ya Rekor Mülteci Başvurusu” Amerikanın Sesi. Accessed 2 January 2021 <https://www.amerikaninsesi.com/a/fransaya-rekor-multeci-basvurusu/4197845.html>.
- Geneva Convention. (1951). UNHCR Refugee Agency, Refugee Convention <https://www.unhcr.org/1951-refugee-convention.html>
- CMES. (2012). “Global Migration and Development of Turkey with the European Union’s Immigration Policy, Küresel Göç ve Avrupa Birliği ile Türkiye’nin Göç Politikalarının Gelişimi”, The Black Sea International Rapor No:22.
- Conseil d’Etat (2018). Avis sur un projet de loi. Accessed 2 January 2021 <https://www.dalloz-actualite.fr/sites/dalloz-actualite.fr/files/resources/2018/02/avis-ce-pl-immigration.pdf>.
- Déclaration de M. Jacques Chirac, <https://www.elysee.fr/jacques-chirac/2002/10/14/declaration-de-m-jacques-chirac-president-de-la-republique-sur-la-reforme-constitutionnelle-pour-le-renforcement-de-la-democratie-et-des-libertes-locales-la-reforme-de-letat-le-renforcement-de-legalite-des-chances-a-lecole-la-politique-de-la-vil>, 14 October 2002 (Accessed 05 November 2020)

- Demirhan, Y. and Aslan, S. (2015). "Turkey's cross-border Migration Policy and Management, Türkiye'nin Sınır Ötesi Göç Politikaları ve Yönetimi." *Birey ve Toplum Dergisi* 5(9): 23-62.
- Goularas, G. B. and Sunata, U. (2015). "Immigration and Refugee Regime in Turkish Foreign Policy, Türk Dış Politikasında Göç ve Mülteci Rejimi." *Hacettepe Üniversitesi İletişim Fakültesi Kültürel Çalışmalar Dergisi* 2 (1): 12-40 doi: 10.17572/mj2015.1.124 0
- Göç İdaresi Genel Müdürlüğü (DGMM). (2018). Adaptation Strategy Document and the National Action Plan, Uyum Strateji Belgesi ve Ulusal Eylem Planı (2018-2023), <https://www.goc.gov.tr/kurumlar/goc.gov.tr/Yayinlar/UYUM-STRATEJI/Uyum-Strateji-Belgesi-ve-Ulusal-Eylem-Plani.pdf>
- Göç İdaresi Genel Müdürlüğü (DGMM). (2020). The Directorate General of Migration Management, www.goc.gov.tr
- Güder, M. (2016). "Türkiye'deki Dış Göç Olgusuna Sosyo Ekonomik Bir Yaklaşım ve Avrupa Birliği ile Geri Kabul Antlaşması'nın Olası Etkileri." *Sosyo Ekonomi* 24 (30): 129-137.
- Hargreaves, A. G. (2007). *Multi-Ethnic France: Immigration, Politics, Culture and Society*. New York: Taylor & Francis.
- Haut Conseil à l'intégration. (2010). *1990-2010 20 ans au service de l'intégration*. Paris: Direction de l'information Légale et Administrative. <http://archives.hci.gouv.fr/1990-2010-Vingt-ans-au-service-de.html>.
- Hollifield, J. F. (2004). "The Emerging Migration State." *International Migration Review* 38 (3): 885-912.
- Hollifield, J. F. (2010). Immigration, Integration and the Republican Model in France. *American Political Science Association (APSA) 2010 Annual Meeting*. Washington, DC. <https://ssrn.com/abstract=1642214>.
- Işıkçı, M. Y. (2017). "Türkiye'de Kamu Politikası Olarak 2000 Yılı Sonrası Uluslararası Göç Yönetiminin Analizi." *Yalova Sosyal Bilimler Dergisi* 8 (13): 25-47.
- İçduygu, A. and Yüksek, D. (2012). "Rethinking transit migration in Turkey: reality and re-presentation in the creation of a migratory phenomenon." *Population, Space and Place* 18 (4): 441-456.
- İçduygu, A., Erder, S. and Gençkaya, Ö. F. (2014). *Türkiye'nin Uluslararası Göç Politikaları, 1923-2023: Ulus-devlet Oluşumundan Ulus-Ötesi Dönüşümlere*. İstanbul: Koç Üniversitesi Göç Araştırmalar Merkezi.
- Law No 2510. (1934). The Settlement Law, <https://www.resmigazete.gov.tr/arsiv/2733.pdf>

- Lochak, D. (2006). "L'intégration comme injonction. Enjeux idéologiques et politiques liées à l'immigration." *Cultures & Conflits* 64: 131-147. doi:10.4000/conflits.2136.
- M. Rescan. (2018). Loi sur l'asile : Collomb évoque des régions « submergées par des flux de demandeurs. *Le Monde*. Accessed 2 January 2021. https://www.lemonde.fr/immigration-et-diversite/article/2018/04/04/loi-sur-l-asile-collomb-evoque-des-regions-submergees-par-des-flux-de-demandeurs_5280216_1654200.html.
- Mevzuat Bilgi Sistemi, Turkish Legislation Information System, www.mevzuat.gov.tr
- Norwegian Refugee Council, (2020). A few countries take responsibility for most of the world's refugees. <https://www.nrc.no/shorthand/fr/a-few-countries-take-responsibility-for-most-of-the-worlds-refugees/index.html> (Accessed 18 December 2020).
- Odmalm, P. (2005). *Migration Policies and Political Participation: Inclusion or Intrusion in Western Europe?*. New York: Palgrave Macmillan.
- Official Gazette. (2018). Geçici Koruma Yönetmeliğinde Değişiklik Yapılmasına Dair Yönetmelik, <https://www.resmigazete.gov.tr/eskiler/2018/03/20180316-15.pdf>
- Öner İhlamur, S. G. (2014). "Türkiye'nin Suriyeli Mültecilere Yönelik Politikası." *Ortadoğu Analiz* 6 (61): 42-45
- Örselli, E. and Babahanoğlu, V. (2016). "Türkiye'nin Göç Yönetimi ve Göç Politikalarının Gelişimi: Bir Kamu Politikası Analizi." *Uluslararası Sosyal Araştırmalar Dergisi* 9 (43): 2063-2072.
- Rosenberg, C. D. (2006). *Policing Paris: The Origins of Modern Immigration Control between the Wars*. Ithaca: Cornell University Press.
- Sacquin, M. et al. (2002). *Zola*, Bibliothèque nationale de France – Fayard.
- Safi, M. (2014). *Shifting Focus: Policies to Support the Labor Market Integration of New Immigrants in France*. Washington, DC: Migration Policy Institute and International Labor Office.
- Schain, M. (2008). *The Politics of Immigration in France, Britain, and the United States: A Comparative Study*. New York: Palgrave Macmillan.
- Silverman, M. (2003). *Deconstructing the Nation: Immigration, Racism and Citizenship in Modern France*. London: Taylor & Francis.
- TBMM, Türkiye Büyük Millet Meclisi, Grand National Assembly of Türkiye, www.tbmm.gov.tr
- TDK, Türk Dil Kurumu, Turkish Language Institution, www.tdk.gov.tr

- Tekelioğlu, M., Doğan, M. and Çelebi, A. (2015). Türkiye’de Göç Politikalarının Gelişimi ve Mevcut Durum. *Disiplinlerarası Göç ve Göç Politikaları Sempozyumu* (pp. 3-25). İstanbul: İstanbul Sabahattin Zaim Üniversitesi Yayınları.
- Wenden, C. W. (2011). The Case of France. (Eds.), G. Zincone, R. Penninx & M. Borkert in *Migration Policymaking in Europe The Dynamics of Actors and Contexts in Past and Present*. Amsterdam: Amsterdam University Press.
- Zurcher, E. J. (2009). *The Young Turk revolution: comparisons and connections*, Middle Eastern Studies 55(4): 481–498
- Websites
- URL1: The Directorate General of Migration Management www.goc.gov.tr (Accessed 2 January 2021).
- URL2: Turkish Legislation Information System mevzuat.tbmm.gov.tr (Accessed 12 December 2020).
- URL3: Council of Europe, Avrupa Konseyi <https://www.coe.int/en/web/conventions/> (Accessed 18 December 2020).
- URL4: Presidency for Turks Abroad and Related Communities, <https://www.ytb.gov.tr> (Accessed 18 December 2020).
- URL5: Turkish Legislation Information System <http://www.mevzuat.gov.tr/MevzuatMetin/19.5.1.pdf>, Article 22 (Accessed 12 December 2020).
- URL6: Turkish Legislation Information System www.mevzuat.gov.tr (Accessed 12 December 2020).
- URL7: Speech by Charles de Gaulle on March 2, 1945, The Reconstruction And Rebirth Of France State Control Of Means And Communications, <http://www.ibiblio.org/pha/policy/1945/1945-03-02a.html> (Accessed 18 December 2020).
- URL8: “Projet de loi: pour une migration maîtrisée, un droit d’asile effectif et une intégration réussie”, dossier de presse Ministère de l’Intérieur, <https://www.interieur.gouv.fr/content/download/110303/879695/file/dossier-de-presse-asile-immigration.pdf> (Accessed 18 December 2020).
- URL8: “Projet de loi: pour une migration maîtrisée, un droit d’asile effectif et une intégration réussie”, dossier de presse Ministère de l’Intérieur, <https://www.interieur.gouv.fr/content/download/110303/879695/file/dossier-de-presse-asile-immigration.pdf> (Accessed 18 December 2020).