Caring (for) relations: Syrian refugees between gendered kin-contract and citizenship in Germany and Turkey

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ABSTRACT
As two of the major countries that received Syrians during the exodus led by the civil war, Turkey and Germany have responded to this wave of migration with different asylum and migration management schemes. These responses have created a significant disparity between the family constellations of Syrian refugees in these countries and have produced different outcomes at the intersections of familial care arrangements and citizenship statuses. This article foregrounds kinship as a system of relatedness founded on gendered care practices, and the ‘kin-contract’ as the patriarchal scaffolding of familial entitlements and obligations in the lives of Syrian migrants. Based on ethnographic research in Istanbul and narrative research in Berlin and Leipzig, it compares the effects of the migration and citizenship regimes of Turkey and Germany on the experience and consequences of this ‘kin-contract’ in refugees’ lives.

Majid, came to Germany, through Greece and the Balkan route in 2015, when he was 22 years old. Originally from Qamishli in northern Syria, he left his family back in Şanlıurfa, Turkey, where he also had lived for 3,5 years prior to his journey. He said, he left Turkey because his attempts to receive higher education had failed and it had been impossible to find a decent job with regular pay. His father opposed the idea at first but eventually let him go, on the condition that he would take his 15-year-old brother Amir with him.

The brothers survived not only the dangerous journey but also the life in German refugee camps and separation due to Amir’s young age, for a year and a half. Just after they finally moved to a flat, Amir, the younger brother, decided to go back to Turkey, again via the smuggling route. When Majid told me this in passing during our conversation at a Leipzig café in 2018, I took it in with some astonishment. I had so far heard and experienced enough to know that Germany was not the dream world as some migrants imagined it before their arrival. Still, having had worked with refugees in Turkey for many years, I thought I had a clear understanding of the downsides of the living in Turkey as a refugee. Why would a Syrian boy go back to Turkey, taking the same risks on the smuggling route again? Majid explained it very simply: ‘He just went back to his family’. While Majid chose to stay and Amir to leave, their longings in Germany were not quite different from each other. They missed the family life they were accustomed to and the caring relations within the family. As Majid explained: ‘Even if you have like a million...”

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friends you feel lonely because you miss your family’. Yet, evidenced by their initial decision to come to Germany, life in Turkey was very tough. Their family life was deeply affected by legal uncertainties and financial precarious. Moreover, there were abuse and exploitation within the larger family networks, like the six months of wage theft Majid experienced when he worked for an acquaintance of an uncle in a textile workshop.

This article looks into the family constellations of Syrian refugees in Turkey and Germany, as a product of the immigration and citizenship regimes of the respective states. In return, these family constellations shape the desires towards and engagements with acquisition of nationalities by naturalisation, i.e. citizenship as status. This article provides neither a legal analysis, nor a demographic one. The focus is on the gendered care practices that are transformed, dissipated and condensed within these new entanglements of family and citizenship. Based on ethnographic research with Syrian migrants in Istanbul, Berlin and Leipzig, it explores how bureaucratic procedures, legal definitions, and migration policies affect the experience of kinfolk as ‘persons who participate intrinsically in each other’s existence’ (Sahlins 2013, ix) through practices of care, and how they encumber the ‘kin-contract’ (Joseph 2000), which lays out the ground-rules of this participation.

The kin-contract: how familial care mediates citizenship

Following Aihwa Ong’s proposition that citizenship be approached as a ‘social process of mediated production of values concerning freedom, autonomy, and security’ (Ong 2003, xvii), Ilana Feldman (2007) states that ‘citizenship has as much to do with the enactment and management of social relations as with codified relations with the state’. Feldman’s own work with Palestinians in Gaza attest to the power of citizenship, even in its formal absence, in transforming, shaping, and framing relations. This effect does not only stem from the rights and entitlements that come with certain legal statuses (like asylum and citizenship), but also from the intricate ways they are enacted and embodied in daily life. As has been widely illustrated, humanitarian operations and refugee management systems take part in making subjects (Feldman 2007; Malkki 1995; Pandolfi 2003). These subjects are not, however, atomistic, independent, singular beings. Political subjectivities are always formed intersubjectively and relationally with others, as much within families as outside them (Richter-Devroe and Suerbaum 2022). Therefore, the new fashioning of one’s legal status by the political authority of the newly settled land has deep effects on the networks of relatedness these subjects are embedded in, as well as their personhood. In other words, the state, with its juridical and governmental mechanisms, is a significant party to the lived experience of relations, importantly for the case here, of family and kinship relations. The opposite is also true. Kinship relations often mediate citizenship and lay at its very heart by serving as criteria for enfranchisement and belonging (see particularly the chapters in Joseph 2000).

Joseph’s (2000; 2005; 2018) illuminating concept, ‘kin-contract’, is key to the argument in this article. Kin-contract points both to the daily formation of kinship structures in the Middle East, and how citizenship from the start is reliant on kinship structures, idioms and practices. Joseph (2005, 149) argues for the Middle East that ‘[t]he kin-contract is organised around the notion that all citizens belong to families prior to membership in the state and that families claim the primary and primordial loyalties of citizens’. Joseph
contrasts this particular entanglement of citizenship and family in the Middle East with the fraternal-contract of the Western liberal regimes, as discussed in detail by Carole Pateman. Pateman’s (1988) historical analysis shows that modern Western notions of citizenship rested on a contract between male heads of household, whose status was derived from having women and children as dependents. This particular notion has quite different implications than an understanding of citizenship that prioritises kinship and one’s position in the (non-nuclear) family, as in the ‘kin-contract’. These different implications, starting with the assumption of the refugee as an autonomous individual (Richter-Devroe and Buffon 2019), now reverberate particularly in Syrian migrants’ lives in Germany and shape their desires for legal status, as will be shown in the coming pages.

The ‘kin-contract’ does not only point to a particular notion of citizenship but also to a particular family structure, namely a patrilineal and patriarchal one. Joseph (2005) elucidates that this structure is made possible and maintained by care and control arrangements. It assigns care duties differentially according to gender and age, and requires obedience to male and elder relatives. Yet, this is not only a matter of distribution of tasks, labor and power. Care is a foundational element of kinship relations and it has the power to make people kin (Thelen 2015). Yet, the kinship relations that are the subject matter of this article are not as freely chosen as the ones Borneman (2001) studied within the gay communities of East Germany, nor are they strategically built like the brother-ness undocumented migrants establish on the legal margins of Europe (Andrikopoulos 2017). They are also temporally different than the relations Sudanese refugee men establish through hosting each other in Jordan (Jordan 2022) and the families trans women create for themselves in Turkey (Zengin 2019). They are the relations my interlocutors are born into. A kin-contract is not a contract into which individuals freely enter. Instead, it is a contract one is pulled into through relations of care, which start even before birth. The contract here is created within a spiral of caregiving that spans over a life time that is put into motion by reciprocity that is immanent to gift and care relations.¹ Familial care has two facets, both of which are relevant to the argument in this article: It is a responsibility often pre-defined by the established social regulations, in this case the kin-contract. At the same time, it is an affective task, a generator of familial feelings, gratefulness and emotional bonds. With these two features combined, acts of care are practical realisations of the social category of family (Bourdieu 1996).

In the following pages, I will first illustrate how the migration and citizenship regimes of Germany and Turkey allowed starkly different family constellations for Syrian migrants. Germany’s family reunification schemes impose a very limited understanding of family, therefore causing smaller family units, and negatively affecting the family life of migrants. As Richter-Devroe and Buffon (2019) argue, ‘[f]or Syrian refugees this implies a legalist transition from the extended family to the nuclear family, reducing the social horizon of kinship to the individual subject’. As a consequence, Syrian refugees are forced to find new solutions to perform their care duties. In Turkey, however, the kin-contract of Syrians, in so far as it is operational in their daily lives, is subject to less intervention, regulation, and rupture. This is not due to a particular civil judicial difference between Turkey and Germany, both of which have secular family laws as opposed to the congregational family laws of many Middle Eastern countries including Syria (Maktabi 2010), but due to a difference in the migration regimes. As will be illustrated below,
Turkey’s migration regime has allowed for fuller family constellations; at the same time (and also because) it has been hesitant to give Syrians long-term legal status. Little promise of a secure future has come along with softer governmental restraints on families, and therefore, there has been little friction between their kin-contract and the country’s citizenship regime. Yet, when the patriarchal kin-contract comes together with financial and legal insecurities, gendered inequalities in the distribution of care responsibilities are only exacerbated. As will be shown in the respective sections, these different outcomes eventually lead to differential orientations towards gaining citizenship via naturalisation.

**Research method and context**

This article is based on the material I collected in two interrelated research projects that took place between 2015-2019 in Turkey and Germany. Between the final months of 2015 and early 2018, I conducted ethnographic research on informal neighbourhood initiatives that aided Syrian migrants in two Istanbul neighbourhoods (Alkan 2021). The research process involved extensive participant observation, i.e. attending to the activities of aid networks, observing their fund-raising and distribution efforts, and establishing close connections both with the volunteers and the migrants they came into contact with. I also conducted focus group interviews with Syrian women residents of the neighbourhoods, and in-depth interviews with several of these women, members of the aid initiatives, and NGO workers/activists. I have sustained both research relationships and friendships with some of my Syrian interlocutors until today.

The second research project has had a different methodological approach driven by comparative questions. I conducted 21 life story interviews with Syrian refugees in Berlin and Leipzig between April 2018 and May 2019. All of my interlocutors had lived in Turkey for at least six months prior to their departure to Germany. During the interviews they generously compared and contrasted various aspects of their lives in both countries. All but one, who lived in camps, had lived in Turkish cities, rented flats, and took on employment. Only one of my interlocutors came to Germany through the UNHCR resettlement program, and another one arrived with a German long-term visa that had been facilitated by a fellowship. All the others had to make undocumented journeys through sea and land routes across Greece and Italy. At the time of our interviews, all of them had completed the asylum process and received fixed-term resident permits. Some lived in their own flats, while others were still residing at refugee accommodation facilities. Eighteen of my participants identified as men (cis and trans) while only three identified as women (cis). The low number of women reflects both the demographics of Syrian asylum seekers in Germany, and the effectiveness of the barriers husbands and male relatives put between their female family members and researchers, as I experienced in several cancelled meetings with women. I conducted the interviews in English, Turkish, German, and in Arabic with the help of two native Arabic speaking assistants. All but two interviews were recorded, and all of them were transcribed and translated to English. All names were anonymised at the transcription stage.

In the face of the Syrian exodus led by the violence that followed the uprisings of 2011, Turkey and Germany have become two of the major destinations for fleeing Syrians. As of 2021, Turkey has a population of 3.6 million Syrian nationals under temporary
protection, while Germany hosts the largest population among the members of the European Union with about 840 thousand, including all visa types. Both Germany and Turkey are signatories to the 1951 Geneva Convention and the 1967 Protocol Relating to the Status of Refugees. Turkey applies a geographical limitation to the Convention and accepts asylum applications only from citizens of European countries (see Ergin 2021, for a nuanced discussion). This limitation has, for a long time, allowed Turkey to remain a country of transit migration where asylum seekers have either passed through the country or applied to UNHCR for third country resettlement while in Turkey. Yet, as Syria’s neighbour, it is home to 3.6 million Syrian nationals and also about 500 thousand other protection holders (Adalı and Türkyljmaz 2020). While Turkey upholds the restriction on refugee reception, the presence of Syrians in the country is legalised by way of temporary protection. Germany has been a favourite destination for Syrians especially during and after 2015, and 42% of those who arrived have previously lived in Turkey (Brücker, Rother, and Schupp 2016), while the percentage of those who stayed less than three months is probably much higher. At the end of 2019, Germany was home to around 590 thousand Syrian asylum seekers and refugees at different stages of the asylum process (StBA 2019). As much as the EU borders have been externalised and Turkey has turned into a (not-so-reliable) guard at the gates of fortress Europe, these two regimes have become increasingly interdependent (Afailal and Fernandez 2018; Rygiel, Baban, and Ilcan 2016). Yet the citizenship and welfare regimes of Germany and Turkey have created quite different outcomes in refugee family constellations, particularly for Syrians.

One quantitative indicator of these divergent outcomes is the gender distribution of migrants. In Germany, as of 31. 12. 2019, 63.2% of Syrian asylum seekers and refugees were male (StBA 2019). The gap was larger for new arrivals. Within the general refugee population, 79% of female refugees had fled with their families, while for men the ratio was only 37% (Lareiro and Schwarzmüller 2021; for slightly different numbers, see Brücker, Gundacker, and Kalkum 2020). In comparison, in Turkey, the male-female ratio is much more balanced, with men comprising the 53.8% of all Syrian migrants (Adalı and Türkyljmaz 2020). Turkey’s open-door policy that lasted well into 2016 allowed larger kin groups from Syria to migrate together—or in stages—without any hassle about family reunification. Authorities were relatively lenient about family documents in initial registrations and issuance of temporary protection IDs. In a survey with 1235 Syrian household heads, conducted in 2016, 52% of the participants (all of which were adults) said that all their immediate family members were in Turkey (Erdoğan 2018, 117). The immediate family members included siblings, parents, spouses, and children. Among those who had family members outside Turkey, 43% had a sibling in another country and only 16% had their parents in Syria or elsewhere. The Turkish Directorate General of Migration Management keeps data at the individual level, and does not publish statistics about household size and household demographics of Syrians under temporary protection (Adalı and Türkyljmaz 2020). However, a nationwide survey identified a mean household size of 6 people for Syrian nationals in Turkey (Hacettepe 2019). All these numbers and various ethnographic accounts indicate that, contrary to Germany, Turkish migration policy towards Syrians has resulted in larger and fuller family networks.
Germany: impediments to care

I met Haroon in 2018 within the context of my research in Berlin. On every occasion that we met, he would tell me how happy he was to see me, however he would soon start to look absorbed in his own thoughts. When I asked him about it, he usually said he would not want to upset me. So, he rarely spoke about his sadness. Instead, he told me and taught me a lot about the Syrian revolution, the Assad regime and the intricacies of German asylum bureaucracy. However, when he finally did get personal, what he told me was quite intense:

‘Most of the time I feel like, OK it is safer here, but I can’t stand it anymore. I want an end to it. I am already tired. I want to be dead. Just to be relieved from this life. I cannot do it myself because of my beliefs. But I want it to end. I am not afraid of it, I wish it. I am so sorry, it will affect you too.’

I was certainly affected, but also a little surprised: Within two years of coming to Germany, after a long stretch in Turkey, he was already almost-fluent in German, he had got all his papers sorted, had moved into his own apartment, and he was applying for jobs. According to German integration standards, he looked well on track, especially in comparison to many other refugees I had known. But his sadness was incessant and I was soon to learn how misplaced these assumptions about being ‘on track’ were. When I asked him in June 2018, what he missed most about his previous life in Aleppo, he kept silent for a while. In silence, I tried to intitate which big part of him he had left there—a part that was obviously irreplaceable—until he finally said, barely audibly, ‘my family’.

Haroon was in his late 30s at the time. He was not married; he did not have children. His family consisted of his parents and his two married siblings. His sister was in the United Arab Emirates, while his brother was in Aleppo. His elderly parents, whom he had cared for throughout their joint stay in Turkey, lived in Turkey for another year but then returned to Aleppo for financial reasons. He was constantly worried about them and felt guilty for leaving them behind. He could not bring them to live with him, nor could he send regular remittances to support them. He did not yet have a job in Germany, despite his university degree and extensive job experience. The allowance he received as a refugee was barely enough to survive on. Now that his parents were old and frail, he felt that he needed to take care of them—they were his dependents—although they were not recognised as such, because German migration and asylum legislature only recognises spouses and underage children as dependents.

In Germany, the family migration rights of refugees are kept separate from standard marital sponsorship schemes and assume different tracks for different statuses. The German refugee protection system is stratified and creates many shades of ‘liminal legality’ (Menjivar 2006), which translates into a hierarchy between refugees in terms of their rights (for a detailed review of the system within the context of Syrian migration, see Seethaler-Wari 2019). The statuses that have applied to Syrians, namely asylum, refugee protection, and subsidiary protection, have given them privileged family reunification rights, which redeems their spouses and children of language requirements and themselves of the requirement to have the financial resources to support them. Other, much more precarious and liminal statuses like the deportation-ban, the toleration-to-stay (Duldung), and pending asylum applications do not entitle residence holders to family reunification.
When I interviewed my interlocutors in 2018-2019, all of them fell into the first three (and hierarchically higher) categories. However, the processing time of their asylum and family reunification applications varied greatly, depending on the German federal state they applied to, when they made the first application, and the documents they submitted. They also came out with different results. Some managed to bring their spouses and underage children within less than six months, while for others, especially subsidiary protection holders, this process took several years. However, what I want to highlight here is not the hardships involved in this process. What is more significant for the discussion in this paper is the fact that those who were reunited with their nuclear families constituted a minority and even their re-unification was only partial. Haroon’s refugee protection status did not qualify him for family reunification, because his family members did not count as dependents. This fact points to a more fundamental issue: Who counts as family and what counts as ‘family life’?

Marilyn Strathern’s (2005, viii) formulation about what law does is pertinent here: ‘the law is the classic locus for situations where categorical and interpersonal relations confront each other’. The lawful definition of who counts as family/kin—i.e. the category—does not always correspond to the relationships people form. New kinship literature provides many examples of such situations (see for example: Borneman 2001; Carsten 2004; Weston 1997). Even when the legal categories map onto people’s own understandings of kinship, how such relationships are categorically governed by the state leads to frictions. Law urges relations to unfold in predefined ways. Take, for example, this proposition from modern Western legal traditions: Parents have to care for their children; caring for elderly parents, however, is not a legally binding duty. Hence parents, by definition, are often not considered as dependents and do not bring along the same rights that are attached to the category. This is a particularly significant reason for the confrontation of categories and relations in the lives of Syrian migrants’ in Germany, as family rights defined by migration law fall short of recognising certain configurations of families as lived relatedness, and this breaches the kin-contract (Joseph 2000) that has been prevalent in the lives of Syrians.

The right to a family life is enshrined in major human rights treaties, including the Universal Convention of Human Rights and the European Convention on Human Rights. However, immigration and asylum laws in Germany, as elsewhere in Europe, define family in a very restricted sense, and include only spouses and underage children. This limited understanding does not only leave out members of extended families but also immediate family members like parents, siblings, adult children, and grandchildren, as well as unregistered marriages. Needless to say, it also leaves out countless different kinship systems that effectively link people to each other in other parts of the world. In response to various attempts to make adult dependency recognised as a legitimate source of claim-making, the European Court of Human Rights has determined that ‘[I]n immigration cases . . . there will be no family life between parents and adult children unless they can demonstrate additional elements of dependence’ (Khan A.W. v. The United Kingdom 2010, para. 32).

In her discussion of the Article 8 of the European Convention on Human rights, which frames ‘the right to respect for a family life’ Carmen Draghici (2018) shows how this article, which proved to be very plastic in other matters, has been interpreted very narrowly when it came to the definitions of families that consist of elderly parents and
their adult migrant children. Draghici (2018, 43) argues that there exists ‘a notable gap between the social understanding of “family life” in European countries and the legal understanding of “family life” under Article 8’, especially when reunification claims come from migrants. Accordingly, all European immigration regimes limit their understanding of the family to a very restricted version of the nuclear family—a legally recognisable couple and their underage children—contrary to the colloquial understanding of family of, not only the migrants and refugees but also their own native-born citizens. This limited notion of family lies at the heart of the citizenship regimes of many Western nation states.

Due to these limitations, family life often exists only at a distance for unmarried adult migrants in Germany, unless they have other relatives nearby. Distance does not mean lack of care practices but a serious transformation of them (for examples of digital care, see Palmberger 2022). My interlocutors worked hard and often informally to send remittances to their family members in Syria and elsewhere. They put their proficiencies to use even at a distance. Haroon, for example, used his newly acquired IT skills to help his father build a database for the association he headed in Aleppo. This required him to work extra several hours every day but helped him to keep his significant ties in a relatively good shape. His practice of care also involved not talking about his troubles to his family members, as he said ‘I cannot tell them. I want them to think that I am safe here, I am happy here. I cannot’. Another one of my interlocutors, Aisha, on the other hand, said that her mother and sisters in Syria were still the only ones she conversed with about the problems in daily life, ranging from child rearing to conflicts with other women in the camp. Daily correspondence with them formed the backbone of her routine.

Migrants often tolerate physical distances by holding on to the hope that they will, one day, overcome these distances (cf. Constance 1999; Schielke 2019). However, return was not an option for my interlocutors—at least not in the foreseeable future. The unfolding of the war and their status in the eyes of the Syrian regime made it impossible. Many of them feared imprisonment. Their hopes were tied to legal statuses and documents, like a German passport, which do not actually guarantee family reunion but allow short visits. Many studies show that acquiring a high value passport is one of the main motivating factors for migrants to become naturalised citizens (Birkvad 2019; Gálvez 2013; Leitner and Ehrkamp 2006). Certainly, freedom of movement can be sought for its own sake. Yet migrants who lead transnational lives have some more particular reasons to yearn for a passport. My interlocutors’ desire for permanent residence permits or naturalisation is often, but not exclusively, fuelled by the desire to overcome the distances between themselves and their families, and to show and receive appropriate care.

My interlocutors imagine their reunion in two ways. The first is to have the chance of almost visa-free travel with a German passport, so that they can visit their family members who live outside Syria. These family members are often scattered. Jordan, Egypt, Turkey, Lebanon, United Arab Emirates and several European countries are popular destinations in these dreamed of travels. They also envisage their relatives living in Syria crossing the border to Lebanon, Jordan, or Turkey to meet them. Before the Covid19 pandemic started in 2020, those with valid Syrian passports and German residence permits, could, in principle, already travel and visit family members in third countries. Yet acquiring a visa for these countries was often impossible and renewing Syrian passports was extremely expensive and burdensome (see Ferreri 2022). Still, at
least one of my interlocutors managed to go to Turkey to meet his siblings. The second way to arrange a family meeting once a secure status is obtained is to sponsor family members’ trips to Germany. For this option, one has to have a substantial income and a place to host their guests. Being a citizen makes this process of issuing invitations a lot easier. However, both permanent residence and naturalisation are very hard to get, although Syrians in Germany show a relatively strong tendency to apply for naturalisation (Worbs, Rother, and Kreienbrink 2020). These statuses require long-term well-paid jobs, a steady contribution to the social security system, the mastery of German language and proof of integration, the latter being a rather flimsy and arbitrary criteria. Hence, although on paper these statuses seem to be universally attainable, in practice both statuses are protected by class barriers. Syrian refugees who arrived Germany during the war are gradually meeting the time requirement (6-8 years) to become eligible to apply. An exponential increase in applications is expected (Destatis 2021), however the results will only be documented later.

The reunion with their families occupies a significant place in my interlocutors’ desires for secure legal status, alongside safety, stability, and an equal standing in society. But it does not mean that Syrian refugees aim for naturalisation only for strategic reasons. Although pragmatic considerations always play a role in applications for naturalisation, naturalisation is also an affective process that involves fantasies (Fortier 2013). My interlocutors had their own pre-departure imaginary visions of a future and a possible belonging in Germany (Alkan 2019), and that is why they paid their smugglers exorbitant amounts and risked their lives making undocumented border crossings. They imagined a smooth transition to stability, financial welfare, education and a dignified life. Yet after the years they have spent as refugees, their visions have changed quite substantially and the pragmatic realities have started to weigh over the chimerical aspects of their legal status. Or rather, their desires have been partially re-calibrated and re-directed towards their own families, as the nests of relations, emotions, and belonging.

Yet I want to end this section by re-emphasising that patriarchal families distribute care, esteem, resources and power unequally among their members according to gender and age. Hence as would be expected, not all of my interlocutors shared the same longing for their families, which gave them little of what Haroon or Amir received, like loving care, support or compassion. One of my interlocutors, Ahmad, left Turkey, because of his Syrian family’s connections there. They threatened to kill him after he publicly came out as a transgender man. When we talked in 2018, he only had contact with one sister, while the rest of his quite large family disowned him. Similarly, Jamshid Hussein’s (2022) research provides striking examples of how flight to Germany made it possible, especially for young women, to break free from the straight-jacket of their patriarchal families. These accounts, when read in parallel with the ones I detailed in the previous pages, point to the essentially gendered nature of the kin-contract and ‘the darker side of kinship relations’ as Andrikopoulos (2017) puts it. It is important to remember that many of the young men I talked to were privileged members of their families due to their gender. While they were cared for by their female family members at home, their own care responsibilities were oriented towards bread-winning and furthering family businesses. In the following section, I will introduce the story of a young girl and how familial care unfolds for her in the legal and financial precarity of migrant life in Turkey.
Turkey: Burdens of care

When I first met Sanaa in 2015, she was only 9 years old. It had been about a year and a half since she and her family fled their village near Aleppo and settled in Istanbul. She was living in a crowded household—with her mother Malika, four older sisters, two brothers, a sister-in-law and two toddler nieces. Her father was living nearby with his new wife. Malika’s marriage was not registered in Turkey. However, her husband’s second marriage was formally recognised by the authorities. When we last met in March 2021, Sanaa was living only with her mother and 16-year-old brother who worked in a textile workshop. All of her sisters had got married in the meantime and had moved out. She was, by then, visibly overwhelmed with online teaching and with the financial hardships they had to endure during the Covid19 pandemic. But her list of troubles did not end there. As the youngest of the family and a girl, she had to meet many demands coming from her elders and especially the male family members: her older sisters, who lived nearby and left their infants and toddlers to Sanaa’s and her mother’s care; her brother who wanted her to serve him obediently; and most vehemently her father, who showed up only to scold them but never to support them, neither financially nor emotionally. He even wanted his children to hand over their earnings to him. In Sanaa’s life the precarities created by the Turkish migration regime were infinitely entangled with the entitlements and obligations that arise from the kin-contract she was born into.

Turkish immigration infrastructure and legal framework was fundamentally unfit to handle the massive influx of Syrian refugees after 2011. During the initial few years, refugees were left in a legal limbo. In 2014, the Regulation on Temporary Protection came into force, clarifying and delimiting the application of the 2013 Law on Foreigners and International Protection to Syrian refugees (Köşer Akçapar and Şimşek 2018). Legally, temporary protection is not the same as refugee protection, in the sense that it does not require individual application and assessment, and it is more easily retractable (as indicated by the adjective ‘temporary’). This status gives Syrian citizens in Turkey several social rights, like the right to residence, and access to education, health care, and work permits, although the latter is limited by other regulations. It also guarantees non-refoulement, however, there have been occasions when the violation of this principle has been documented on a massive scale, like in 2019 (WWLTI 2019).

While temporary protection has provided Syrians in Turkey with some rights and safety, it has left them in a legally precarious position within differential citizenship arrangements (Baban, Ilcan, and Rygiel 2017). Until well into 2016, Turkey employed an open-door policy and accepted Syrians regardless of the nature of their entry. Initially, attempts were made to encamp Syrian refugees in the vicinity of the border but it has never been the primary choice of Turkish policy makers. Syrians in Turkey have settled on their own in cities and towns all around the country, and have concentrated more in major metropolitan centres and border towns. These two features of the reception of refugees—i.e. open door policy and self-settlement—has allowed families and kin groups to migrate and settle together.

These kinship networks have responded in myriad ways to the socio-economic consequences of the precarity this same regime has created, given that welfare support for refugees is minimal. Kinship networks serve as facilitators of movement, are buffers in the face of hardship, and the mediators between newcomers and Turkish citizens. For all
of my research participants, pooling incomes with family members has proved essential to their survival in Turkey, because rents and living expenses are quite high in big cities, while the wages for unqualified jobs in the informal labour market are appallingly low (Şahankaya Adar 2018) 3. The same networks are one of the reasons why great majority of Syrians stayed in Turkey instead of trying to cross to Europe in 2015-16 (Rottmann and Kaya 2021; Müller-Funk 2019). Rottmann and Kaya’s (2021, 484-7) research illustrates that it is not only the possibility of having larger families, but also the anxieties about the perceived adverse affects of European life-styles on family structures that has shaped these decisions to stay in Turkey.

Kinship networks in Turkey, also help normalise social life much faster than it becomes possible in Germany. One of my closest interlocutors and a friend in Istanbul, Hasna, a refugee from Aleppo had more than a hundred relatives and in-laws there. This meant regularly visiting each other, celebrating special occasions, and mourning together in funerals. I have been invited to engagement parties in packed flats attended by some relatives living in other parts of the city who rented buses to get there. All these occasions, although they were always subject to comparison to more lively, extravagant, and ‘happier’ gatherings in their hometowns, still evoked senses of normalcy in life courses despite the legal liminality and material precariousness of those who participated in them.

A similar sense of ordinariness found expression in intimate familial care relationships. Intergenerational care is more readily available to the Syrian migrants living in Turkey, in comparison to those in Germany. It is also an absolute necessity in the face of financial difficulties and the lack of care infrastructures. Grandmothers and sisters look after the children of women who are engaged in ‘coping labour’ (Culcas 2019) to earn a living. Sanaa’s mother Malika is typical in that she has been continuously looking after her grandchildren since we met in 2015, while her daughters worked in textile workshops, pharmacies, and health clinics. Similarly, adult children and grandchildren look after the elderly. Before dying of cancer at a late age, Sanaa’s grandfather spent three years shuttling between the flats of his several children and grandchildren in Istanbul and Kilis, staying for long stretches with Malika and Sanaa. Apparently, care duties reside with women in all these arrangements.

This aspect of life, as they told me, is not much different from what they were accustomed to in the rural surroundings of Aleppo. Accounts collected by Cankurtaran and Albayrak (2019, 23-25) from Syrian migrant women in Ankara, Turkey, draw a very similar picture of their past in Syria, where girls from a very young age were given the responsibility to care for their male relatives and siblings. These responsibilities only exacerbated with pregnancies once the women were married. Certainly, how unequally care duties were distributed according to gender and age varied between families of different classes and ethnic backgrounds. Still it is possible to argue that Joseph’s observations regarding the kin-contract in Lebanon (which she already generalises to ‘Arab families’) holds quite well for Syrian families.

When I visited Sanaa in 2021, she was heavily burdened with such care responsibilities. They were aggravated because she had been homebound for a year with online classes due to the Covid 19 pandemic. She was quite fed up with caring for her nieces and nephews when all she wanted to do was to study. Looking for a different and a relatively hopeful topic, I asked her about the possibilities for naturalisation. The second wife of
Sanaa’s father was a teacher and her profession gave her the chance to get Turkish citizenship through Turkey’s selective naturalisation scheme for Syrians. This would eventually make the husband eligible and possibly his children, because in Turkey, unlike many other Middle Eastern countries, citizenship passes as equally from the mother/wife as it does from the father/husband. So, I assumed Sanaa would be eligible soon and would welcome this possibility. Yet, she got visibly angry and snapped: ‘I don’t want citizenship coming from him [her father]. He would keep me hostage to it. I can study, go to university, and earn my own citizenship if it is necessary.’ Her mother urgently said something under her breath to cool down her loud fury over the patriarchal order of her family, however without success.

As of 2021, the prospect of getting citizenship is available only to a few select Syrians who have brought either significant economic capital, or the skills and expertise needed in Turkey. According to the Turkish Ministry of Interior, until December 2019, 110 thousand Syrians (including 57 thousand minor dependents) were naturalised (A3 Haber 2019). Turkey does not have a routine procedure of naturalisation for those under temporary protection. They are considered to be ‘exceptional cases’ whose naturalisation started only after a speech given by President Erdoğan in 2016. In this exceptional naturalisation scheme, selected migrants (doctors, teachers, engineers and the like) are invited by the migration authorities to apply for citizenship and the final decision lies with the Council of Ministers. The process has been opaque and directed to ‘class-based integration’ (Şimşek 2020) from the start. There are also journalistic reports arguing that several thousand migrants have received rejections without an explanation three years after they were invited to submit their documents (Karakaş 2021). Despite the low numbers, and procedural opaqueness and selectiveness, according to Murat Erdoğan’s (2020, 174) 2019 survey, 78.3% of the Syrian adults living in Turkey under temporary protection express a desire to have Turkish citizenship. The main reasons they give are for acquiring work permits, better rights, and an equal standing in the society, expressed in this order.

If Sanaa ever wants to have a secure legal status in Turkey (because temporary protection does not provide that), she has three options, all of which involve serious bargaining with the patriarchy (Kandiyoti 1988): she can a) marry a Turkish citizen, b) prove herself worthy to the Turkish state as one of the exceptional migrants, c) earn her father’s appreciation by accepting his total control over her life, in line with the kinship contract she was born into. All three options require serious juggling of kinship and familial care with personal ambitions, and within patriarchal family and citizenship structures. So, instead of bothering herself with these, she may actually follow her four sisters, and many other Syrian girls as part of a family survival strategy, and marry another Syrian migrant at around the age of 16-17 (Yaman 2020). Her youthful dreams and desires may have to be calibrated by the particular entanglement of her family relations and the citizenship regime within which Turkey situates Syrian migrants.

In short, Turkey’s migration regime has allowed extended Syrian families to immigrate together. But it did not give them secure legal status. Care duties were relegated to families who were already strained under socio-economic precarities. Family members had to look after and support each other while they were being exploited in the labour market. Patriarchal hierarchies made the care responsibilities unequally distributed.
among genders, burdening women even more at the intersection of their kin-contract and Turkey’s citizenship regime. This is the setting where Sanaa’s vehement complaints come from.

Conclusion

Turkey and Germany, with their different legal and procedural responses to the arrival of Syrian refugees have created quite different family constellations and respective care arrangements. Germany has maimed Syrian families and disrupted hands-on care between siblings, and between adult children and their parents, not to mention all other relatives with two effective measures: First, being part of the European border-industrial complex, Germany pushes aspiring migrants, including war refugees from places other than Europe, to illegal, expensive and dangerous crossings, which makes it hard for complete families to migrate together. Second, with its limited understanding of family, it deliberately restricts family reunification rights who already received asylum. Turkey, on the other hand, with its open-door policy, has allowed immigration of full family networks. This, however, should be read parallel to Turkey’s reluctance to give Syrian migrants a secure legal status with prospects of permanence.

In the previous pages, following Marilyn Strathern’s (2005) understanding of law as the locus of confrontations between embodied relations and categories, I have demonstrated the conflict between the category of family as employed by the German asylum and immigration regimes, and by Syrian refugees’ own notions and relations of family. I have also illustrated how these familial relations unfold in Turkey’s more lenient yet insecure immigration regime and how the patriarchal kin-contract is reinforced. Turkish non-governance of familial affairs of Syrians, leave especially women vulnerable to increasing demands of their male relatives and seniors. These different constellations, I argued, lead to differential engagements with the laws regulating access to citizenship statuses. For those in Germany, the acquisition of the German passport means not only stability and equal standing, but also a pragmatic step towards closer family relations and satisfactory performance of care duties. In Turkey, on the other hand, naturalisation is laden with the same ambiguities that mark the migration regime in general. Managing these ambiguities requires not only bargaining with the state but also with families governed by a patriarchal kin-contract.

The kin-contract, in Suad Joseph’s conceptualisation, does not stop within the family but constitutes the basis of the citizenship regimes in the Middle East. Within the context of transnational displacement, the kin-contract of Syrians has initially become disconnected from the states as they transgressed state boundaries. In countries of refuge, however, it has gradually produced new engagements and frictions, and, as a result, new orientations towards citizenship. In this article, due to this particular disconnect I have limited my take on citizenship mostly to citizenship as status, rather than political subjectivity, and to citizenship regimes as a mesh of regulations and laws, rather than fields of subjectivation. However, as I have illustrated, even within this limited understanding, the state, with its notions of desirable citizenry and powers to legitimise and delegitimise, and to certify and disqualify, is a participant in the making of subjects within families. Syrians, who have started new lives in Turkey, Germany and all around the globe, and their transnational families, now live with the challenges posed by this process.
Notes

1. In that sense, the terminology of reciprocal gift (Mauss 1990; Bourdieu 1990) has greater potential than the concept of liberal volitional contract for explaining the role of care in creating bonds in families. However, Joseph also clearly negates this latter hegemonic understanding with her emphasis on care and control, and defines the contract as the framework that regulates rightful claims and responsibilities parties have on and against each other, regardless of the conditions of its inauguration.

2. While these fuller families are to be found more often in Turkey than in Germany, it does not mean that all Syrian refugees in Turkey are living like that. My own research and that of others also point to diverse family constellations in which family members are lost to war or live in Syria and elsewhere (see for example Korukcu et al. 2018).

3. However, we should not lose from sight that income pooling is imbued with patriarchal hierarchies in the family and raises questions about whose claims over the others (their labor, money, bodies, emotions) have greater power.

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