

Reconsidering the Legal Dimension of Migration in the Triangle of Immigrant Identity and Belonging*

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Abstract

Migration as a global factor has become a pivotal and global concept, substantially impacting societies worldwide. The paper explores the multifaceted nature of belonging and the various challenges and opportunities immigrants encounter in their pursuit of becoming integral members of their adopted societies and accordingly delves into the complex interplay of factors surrounding immigrants' sense of belonging, evolving identities, and their pursuit of citizenship in the context of law in their new host countries. Furthermore, as the concept of "citizenship" represents an individual's bond with a specific state and the acceptance of associated rights and responsibilities. Due to these reasons, this paper also investigates the challenges immigrants face in obtaining citizenship and the implications this has on their sense of belonging and identity. Based on a literature review, this study was processed and analyzed. As a result of the research, it was concluded that when settling in a new country, immigrants face both the desire to preserve their culture of origin and the need to adapt to the values and norms of the new society. At this point, belonging refers to the extent to which immigrants feel they belong to a group or community.

Keywords: Identity, Belonging, Citizenship, Migration, Immigrant.

Göçün Hukuki Boyutunu Göçmen Kimlik ve Aidiyet Üçgeninde Yeniden Düşünmek

Öz

Göç, dünya genelinde önemli bir küresel faktör olarak ortaya çıkmış, dünya çapında toplumları derinden etkileyen bir olgu olarak belirmiştir. Bu makale, aidiyetin çok yönlü doğasını ve göçmenlerin, benimsedikleri toplumların önemli üyeleri olma çabalarında karşılaştıkları çeşitli zorlukları ve fırsatları araştırmaktadır. Bu bağlamda, makale göçmenlerin aidiyet duygusu, değişen kimlikleri ve yeni ev sahibi ülkelerindeki hukuki çerçeve bağlamında vatandaşlık arayışları etrafında karmaşık etkileşimini incelemektedir. Ayrıca, "vatandaşlık" kavramı, bir bireyin belirli bir devletle olan bağını ve bu bağa bağlı hakları ve sorumlulukları kabulünü temsil ettiği için, bu çalışmada göçmenlerin vatandaşlık elde etme konusunda karşılaştığı zorlukları ve bunun aidiyet duygusu ve kimlikleri üzerindeki etkilerini de araştırmaktadır. Bu çalışma, literatür incelemesi yöntemine dayanarak işlenmiş ve analiz edilmiştir. Araştırmanın sonucunda, göçmenlerin yeni bir ülkeye yerleşirken hem köken kültürlerini koruma arzusuyla hem de yeni toplumun değer ve normlarına uyum sağlama ihtiyacıyla karşı karşıya kaldıkları anlaşılmıştır. Bu noktada aidiyet, göçmenlerin kendilerini bir gruba veya topluluğa ne ölçüde ait hissettiklerini ifade etmektedir.

Anahtar Kelimeler: Kimlik, Aidiyet, Vatandaşlık, Göç, Göçmen.

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1. Introduction

Migration has become a significant social and political phenomenon on a global scale today. This process, in which people change places for different reasons, leaves a deep impact on societies. Immigrants' sense of belonging refers to the connection they feel to which society they belong to. The migration process can shape and change the identity of immigrants. As immigrants try to adapt to a new country or community, they try to develop a sense of belonging there. A sense of belonging can be built on social relationships, cultural similarities, and shared experiences. As a result of migration, understanding and analyzing the social dynamics of immigrants on concepts such as identity, belonging and citizenship is of great importance. Immigrants' identities include the way they identify themselves, their origins, and the groups they belong to. When immigrants need to start a new life outside of the society they were born or raised in, they need to reshape their identities and develop a sense of belonging. In this context, immigrants can struggle with different identities against both their origin society and the new society they live in.

The citizenship issue of immigrants implicates legal and political dimensions in the migration process. Citizenship refers to an individual's attachment to a particular state and acceptance of that state's rights and responsibilities. Immigrants often seek various ways to obtain citizenship status and face various difficulties in the process. Citizenship is an important factor affecting the social integration of immigrants and is closely related to their identity. This article aimed to understand and analyze the social dynamics of immigrants such as identity, belonging and citizenship. The challenges faced by immigrants, their search for identity, their sense of belonging and their effects on citizenship status will be emphasized. The main purpose of the research is to understand how immigrants define their social identities, how they develop their sense of belonging and how they perceive their citizenship status. The importance of this study is that it offers a broad perspective to understand the effects of migration on societies and the social dynamics of immigrants.

Immigrants' identity, belonging and citizenship issues raise important questions in many areas such as social integration, cultural diversity and political processes. This article aims to contribute to a more comprehensive understanding by addressing the social and political aspects of the migration process. The structure of the article will first deal with the sense of belonging of immigrants and the changes in the migration process, and then will be shaped through the search for identity and identity conflicts. Later, the concept of citizenship and the citizenship demands of immigrants will be focused on. Finally, the conclusions of this article for future research will be presented. Steps can be taken to develop a more inclusive and fair immigration policy when the experiences of immigrants in identity, belonging and citizenship issues and the impact of these issues on societies are better understood.

2. Migration As a Term

Migration mobility is a sociological phenomenon that enables cultures and individuals to meet in the public sphere and defines the processes of intertwining or inability of Indigenous peoples and immigrant societies in every society. It is understood that immigration concerns not only the source country but also the target country of immigration, not only one branch of science, but more than one discipline, especially sociology. In this context, it is argued that the issue of migration should no longer be a problematic concept (Kirman, 2017: 110). Zygmunt Bauman

sees the reason for this because of the change among the centuries. According to Bauman, the issue of migration refers to the transition from the borders of a nation-state to the borders of another country, however, these issues are the product of the 19th and 20th centuries, and the 21st century should now be seen as the “age of liquidity and openness” (Bauman, 2000: 214).

When evaluated in a historical context, the phenomenon of migration, which directly touches human life, is interpreted with many different definitions. At its narrowest definition, migration is defined in Glossary on Migration, the publication of the International Organization for Migration (IOM), edited by Perruchoud, as “the displacement of a person or group of people across an international border or within a state” (IOM Glossary of Migration Terms, www.publications.iom.int). As another definition, according to S. Everett Lee, migration is defined as 'permanent or semi-permanent change of settlement' (Lee, 2019: 47). Here, Lee develops his own theory and draws attention to the existence of a set of obstacles that arise during this process, by stating that the migration process is a starting and ending point. Describing the phenomenon of migration, it should not be forgotten that migration is an interdisciplinary and even transdisciplinary concept. In this context, it is considered that migration is in close contact with history, sociology, psychology, religion, political science and economics by considering its relationship with social science. From this point of view, the definition of migration can be interpreted with an inclusive description that also concerns these branches. So, from a multi-dimensional perspective, migration is a geographical, social and cultural displacement from one place to another for political, economic, ecological or individual reasons and with the goal of short, medium or long-term return or permanent settlement (Yalçın, 2004: 27). Based on this definition, it is possible to interpret the phenomenon of migration as follows: Migration is a sociological phenomenon since geographical, demographic, economic, political, psychological and most comprehensively social and cultural structures are affected by migration (Körükmez and Südaş, 2015: 8).

From an analytical point of view, he also listed the types of migration as follows:

1. By place of migration: internal migration and external migration
2. By legality: regular/legal/registered immigration and irregular/illegal/informal immigration
3. Optional: free/voluntary/voluntary migration and forced migration
4. By time: temporary migration and permanent migration
5. By size: individual migration and mass/mass displacement
6. Immigration for religious reasons: migration/sacred migration/exit (Kirman, 2017: 111).

The basic concepts and definitions related to migration studies are so comprehensive and varied that a glossary of migration terms can be created. The Glossary on Migration (www.publications.iom.int), the publication of the International Organization for Migration (IOM), edited by Perruchoud and Jillyanne Redpath, is a must-read for any researcher working in the field of migration. In the 104-page dictionary prepared by the International Organization for Migration, the migration process of a migrant is examined based on law and the processes of obtaining citizenship, legal methods and immigration and acceptance of immigrants are defined. Although it is known that the concept of immigrant is discussed from different perspectives, the institutions that migration researchers refer to the most in the literature are the definition of immigrant by the United Nations and the International Organization for Migration. In this context, the United Nations High Commissioner for Refugees (UNHCR)

defines a migrant as “an individual who has resided in a foreign country for more than one year, regardless of reasons, whether voluntary or not, migration routes, regular or irregular” (www.publications.iom.int). Under the 1967 Protocol on the Law of Refugees, status of refugees is not granted to those coming from outside the member states of the Council of Europe. The definition of refugee reached a wider scope with the Cartagena Declaration on Refugees signed in Cartagena, Colombia in 1984, following the 1951 Geneva Convention. Accordingly, immigration as a result of events that threaten the safety, life and freedom of individuals, especially internal conflicts, violations of human rights, foreign attacks or events that will affect public order are also included in the scope. If a migrant has been accepted as a conditional refugee, he or she is allowed to stay in the country where he or she is a conditional refugee until settling in a third country. The term conditional refugee is not found in the United Nations' Glossary on Migration. The reason for this is that there is no external situation other than meeting the conditions of being a refugee.

According to the definition of UNHCR, the definition of 'refugee' is a person who is afraid of being persecuted due to his religion, race, nationality, membership of a social group or political opinion, who is outside the country of his/her nationality and cannot benefit from the protection of that state or because of these fears. (Istanbul Bar Association Human Rights Center, 2004). In this case, an asylum seeker is a person who has been oppressed for different reasons and has immigrated from his country and has not yet become a citizen of another country. From this point of view, an asylum seeker can be interpreted as a person who has the legal responsibilities to be a refugee but has not yet attained refugee status.

Internally displaced persons are defined in the Glossary of Migration Terms as individuals who have been forcibly removed from places of human rights violations, armed conflict and violence, and from areas of habitual residence, who have not crossed the border of another state (www.publications.iom.int). Since internally displaced persons are individuals who cannot reach the borders of another state's country, they stand out as those who have less security of life compared to refugees and asylum seekers. On the other hand, there is no legal measure taken by international institutions and organizations for the displaced persons. The source country is the country where regular or irregular migrants leave for different reasons. In other words, the country of origin or the country of origin of the immigrants can be considered as the country of origin. The destination country is the first country a migrant reach when they leave their country for various reasons. In other words, it is the country where the regular or irregular immigrant wishes to arrive.

On the other hand, transit country is defined as the country where the regular or irregular immigrant visits and passes through or resides for a while on his way to the destination country. As stated above, this concept represents an important area when considering the situation of conditional refugees. As it is known, the place of residence of the individual is considered as a transit country in conditional refugees until they are placed in a third country.

The concept of “diaspora” is a phenomenon that is frequently talked about and discussed under the supervision of social scientists and political practices. However, In the literature, it is understood that there is no consensus on a uniform definition. In this context, it would be useful to go to this definition from the etymological dimension of the concept of diaspora. The concept of diaspora, which has etymologically entered the Turkish language from Greek, is derived from the words 'diasperien' 'spreading-sowing seeds' and describes the situations of dispersal,

scattering, scattering. Until the middle of the 20th century, this concept was included in theological texts that referred only to the disintegration of the Jewish community and to the peoples who united around their religion after the disintegration. literally began to consolidate (Cohen, 2019: 2).

Regular immigrants are immigrants that a state has given consent to enter and exit its sovereign country. Migration mobility is completely legal here and these immigrants can be qualified as legal immigrants. Regular migration, on the other hand, can be considered as the mobility of immigrants entering and leaving this country, depending on the laws of the destination country.

According to the “Handbook on European Law Relating to Asylum Borders and Immigration” published by the European Union Agency for Fundamental Rights in 2014, irregular immigrants, those who enter a country without permission or legal reason are in that country without being legal. Irregular migration can be defined as the displacement of irregular migrants. According to the Glossary on Migration, internal migration is defined as changing the place of residence of an individual within the country of the same state (www.publications.iom.int). Migration from rural to urban and from city to city, which is examined in migration studies and takes place in the same country, is defined as internal migration.

Individual migration is a domestic or international movement of displacement carried out by a person alone or with his/her family. In this type of migration, at migration studies, it is understood that there is displacement due to better living conditions instead of being forced to migrate. Therefore, it can be considered that individual migration occurs when pushing factors are disabled and pulling factors are prioritized.

Mass displacement is the movement of communities and groups to migrate from one geographical region to another geographical region. Contrary to what is stated in the title of Individual Migration, this concept, which is referred to as 'forced-mass displacement in the literature, stands out as one of the concepts that played an important role in shaping the history of migrations and thus the history of the world.

Statelessness defines the status of individuals who are not citizens under the domestic law of any state. Statelessness can occur in many situations, such as the state's revocation of the nationality of the individual, the absence of birth registration, and the transfer of territory.

2.1. Migration as a Phenomenon

Procurement of the means of transportation necessary to carry out the migration movement from the primitive times to the present, the distance to be migrated, the travel time and the costs of the migration, as well as the social and cultural barriers, explain that the story of migration is not easy to write. In that case, the phenomenon of migration can be interpreted as a reality that should be evaluated from social, cultural, economic and political perspectives, since it concerns individuals and therefore societies. The fact that the subjects affected by the phenomenon of migration have such a wide distribution causes the phenomenon of migration to be in the interest of more than one discipline. Sociology and anthropology in terms of affecting human life and human societies, ethnography and religious sciences depending on the change or protection of cultural values, economics within the scope of changes in the economic structure of the migrated country, and political science within the scope of the role and attitude of the political power in the formation of migration. It is among the main branches of science that examines the issue.

The phenomenon of international migration, which is a revolutionary concept that reshapes the international community all over the world (Castles and Miller, 2008: 11) can be interpreted as a harbinger of change for both the source country and the destination country experiencing migration. At this point, since defining migration only as a physical mobility and evaluating it with a reductionist perspective would mean narrowing the scope of migration, this multidimensional and complex phenomenon of migration, which cannot be explained by a single theoretical perspective or discipline (Arango, 2004) with social, cultural, political and economic dynamics (Meilaender, 2001: 12) would be a more rational approach.

The phenomenon of migration stands out as a phenomenon that concerns the individual, social segments and the country with its causes, consequences, formation and development. Migration, which is a multilateral and comprehensive phenomenon that affects socio-economic dynamics in all societies (Meilaender, 2001: 15), should first be considered as social causes and consequences and their reflections, then issues such as alienation, othering and cultural harmony brought about by migration. should be examined.

Due to many interrelated and unrelated reasons such as economic troubles, labor transfer, wars, regime change, political and religious oppression, persecution, denial of social and political rights, changes in borders, exchange agreements, family reunification, natural disasters, sexual and ethnic discrimination. migration may occur. From this point of view, the phenomenon of migration, which is generally seen in political, economic, religious and ecological topics, can be examined under two main headings: pushing factors (unemployment and security) and pulling factors (economic and social welfare) (Kirman, 2017: 115).

One of the most important reasons for migration is economic reasons. In other words, migration usually takes place for the purpose of work and study. In this context, the term 'economic immigrant' is used to express those who leave their country in order to improve their economic welfare or quality of life. Bilateral migration agreements between states for work purposes are also among the factors that trigger migration. In this context, leaving one's country for work and study purposes and going to another state is defined as 'labour migration' (Kirman, 2017: 16). It is possible to interpret the migration mobility of these economic immigrants who leave their society, relatives and lands behind and go to other countries on an individual level. As a result of the search for better living conditions, the immigrant individual migrates with the aim of increasing the level of welfare, and there are individual preferences here.

In addition to economic reasons, political reasons stand out as another dominant factor that causes the phenomenon of migration. Contracted migration movements such as the Population Exchange between Turkey and Greece between 1923 and 1925 are among the events that can set an example for political reasons (Güçlüten, 2021: 167). In addition to mutual agreements such as exchange, internal turmoil in a country, political pressures and subsequent persecution are among the political reasons that trigger migration from one country to another.

In addition to political reasons, factors such as social differences, blood feuds and honor killings are among the factors that constitute the social reasons for migration (Kirman, 2017: 116). Cultural factors are an extremely inclusive concept that includes individuals' religious lifestyles, eating and drinking habits, clothing styles, marriage preferences, traditions and customs and the language they speak. The phenomenon of migration can also occur depending on the changes in cultural values. Culture is an integral part of immigrants, so that immigrants go to

the places they go with their 'cultural baggage' and cause a change not only in themselves but also in the places they migrate (Kirman, 2016: 87).

While the reasons for the migration phenomenon can be expressed with the above explanations, the consequences of migration can bring about important changes for the immigrant. When we evaluate at the political consequences of migration, the fact that the migrant can lose everything he has in the source country, including citizenship, causes the perception of identity on the migrant to change. The immigrant individual, who initially exhibits an apolitical attitude towards the political events in the target country, starts to turn more towards the area where they abstain over time (Kirman, 2016: 119). After this political inclusion, the immigrant who wishes to obtain citizenship may want to vote in the future and then become a part of the political will in order to represent his people or himself. Regardless of the reason, the struggle for existence, integration, extinction and staying the same is seen as the common denominator in the phenomenon of migration, which stands out with its compulsory economic and political consequences. In the same way, an immigrant may prefer to lose their cultural values and tend to preserve their values in the same way when they immigrate to another country.

As a result, the processes that affect the political life of immigrants spread the concept of multiculturalism in the world public opinion. While the fact that immigrants are affected by political consequences brings such important changes, the fact that immigration has become a political issue is one of the critical issues affecting the world together with local peoples. Especially after the September 11 attacks, the escalation of anti-immigration, the increase in transit migrants, the increase in the number of converts due to immigrants and the spread of irregular migration; It has pushed immigration to be a political phenomenon with its causes and consequences rather than being an economic and demographic phenomenon (Kirman, 2017: 118).

3. Migration and Belonging

3.1. Belonging as a Concept

The sense of belonging is a sociological concept that allows individuals to integrate with society, adapt to society and live together with other individuals. When the individual thinks that he is not free or that he is alone, his social ties weaken. Durkheim (1951: 150) in his famous work 'Suicide'; He argues that egoistic suicides occur when social ties are loose, and the individual feels lonely. In such situations, in which separation and disappearance from society are experienced, the individual gradually becomes lonely and moves away from the ability to define and complete himself. Durkheim, in his work named 'Suicide', summarized the disconnection of the individual from the society with the word 'anomie' and, emphasizing this deficiency, described this disconnection that can be experienced between the individual and the society as rootlessness. In that case, belonging can be considered as a sociological and psychological phenomenon that tightly binds the individual to society and life.

Since the sense of belonging is a political and social animal, as Aristotle emphasized, it allows people to live together with other individuals. Everyone feels close to the lands, society and therefore the culture to which he/she belongs and defines himself/herself in accordance with these sociological and cultural values. Apparently, an individual's social identity is related to the

value and meaning given to his or her membership in a group or nation. In this context, belonging determines and shapes social identity.

The concept of belonging is a concept that is generally interpreted through social interactions through identity perceptions, shared beliefs, values and practices. Belonging refers to the bond between individuals with their common cultural values and the piece of land they live in, rather than the fictional unity they form with each other. Belonging, which is a basic human motive, is interpreted as a functional desire to build, develop and sustain interpersonal relationships (Baumeister and Leary, 1995). In this context, we can talk about the elements that shape a person's material and spiritual world.

Tellefsen and Thomas (2005: 24) define belonging as “the desire to maintain a valued relationship for a long time”. The concept of belonging can also be interpreted as a fluid concept that can be built on the basis of people, objects, places, neighborhood relations, culture, politics, various social strata, and ethnicity, depending on how the individual positions and interprets himself.

While the concept of belonging defines the sense of belonging to the society, culture or the piece of land where the individual lives in emotional and spatial dimensions in terms of attachment or attachment to a place, it is also affected by which emotions, beliefs, political orientations, and who he is. While the sense of belonging defines a comprehensive process that starts with the birth of a person and continues until death unless he/she experiences migration, it can also be considered as a concept that can become a choice or a necessity with the experience of migration. Although it is understood that there are definitions of belonging in a wide perspective in the literature, just like the concept of migration, the concept of belonging is a result that is difficult to define on its own. When the concept of belonging is evaluated together with identity and harmony, it can be handled more clearly by migration researchers.

In societies where the sense of belonging is built, individuals form the basis of the perception of 'us' by creating a sense of trust towards the groups they feel belong to. Individuals for whom a sense of belonging does not occur or cannot occur are now described as 'they' for individuals who have a sense of belonging. The sense of belonging inherent in the human figure biologically and sociologically has affected human life throughout history.

While the concept of belonging is evaluated together with the concept of identity, the similarities that the immigrant individual creates in the subjects associated with his/her own culture play an important role in the development of belonging, and the differences play an important role in the preservation of the identity. In today's world, where multicultural societies are becoming more and more widespread, the immigrants who struggle to settle in another society by ignoring class differences in the formation of their worldview, and the formation of a new sense of belonging without denying themselves points to a comprehensive, painful and complex process. Belonging to a place is not a process that can be experienced in a short time. It is an exception if the dominant culture in the places visited is the same as in the abandoned places.

3.2. Immigrant's Belonging

It is observed that the concept of belonging is increasingly being associated with the concept of 'migration' as a result of the changes and transformations experienced in the international public opinion, especially in recent years. Especially with the forced migration, the separation of spatial and social ties of belonging and the feeling of insecurity on the immigrants intensified

the studies on immigrant belonging. (Turut and Ozgur, 2018: 165). These studies cover ranging from integration, belonging, adaptation and identity of the immigrant (Balci, 2022: 111). These studies have also become quite popular at global literature. To exemplify, Bassem's book titled *Emotions and Belonging in Forced Migration: Syrian Refugees and Asylum Seekers* (2021), Ana Mijic's article titled "(Re-)Construction of Identity and Belonging after Forced Migration: A Sociology of Knowledge Approach" (2022) have proved the fact that social ties and belonging matter for immigrants.

Administrative-political barriers of immigrant belonging and encounters in the public sphere with the concept of "foreigner" are considered among the factors that make it difficult for immigrants to belong (Ulubay ve Onal, 2022: 265)

While the immigrant who feels connected to any group, society, institution and the land where he lives, accepts to be attached to a place, he actually accepts the supremacy of the one to whom he belongs. Belonging is not a character that is innately loaded into human codes. Although belonging is a concept that is formed later, the belonging of the immigrant is an event that develops later and becomes possible with the feeling of acceptance, even if something that does not belong to the individual is later imposed on the individual and whether it is their own culture or the cultural codes that are customary in the country of destination. The fact that it is noteworthy where the immigrant individual feels himself to be rather than how he defines himself, and the question 'where do I belong' rather than the 'who am I' question that the immigrant asks himself defines the identity of the immigrant in the real sense (Uysal, 2014: 188).

In order to understand where the immigrant belongs, it is necessary to know where the immigrant came from. Knowing where the roots of the immigrant individual belong is the basic factor that creates the individual's world of meaning. At this point, it is considered that immigrant belonging will be measured at different levels between generations. Among the immigrant individuals who have to leave the country they are in, the first-generation members pass through the immigration identity with more difficult stages, while it is observed in the researches that the third generations born in the destinations pass the immigrant identity more easily (Uysal, 2015: 66). When an immigrant's belonging is mentioned, first, the feelings and thoughts about the homeland; Then, feelings and thoughts about the country of immigration come to mind. Therefore, while the feelings and thoughts about the homeland are much stronger in the first-generation immigrants, they are relatively weak in the second and third generation immigrants.

The sense of belonging that immigrants feel towards the lands they belong to and leave from may remain the same, change, increase or disappear depending on time and place. From this point of view, new relations and connections with migration postpone or transform previous belongings. Understanding where the immigrant individual feels himself to be may cause the immigrant to integrate with new societies, assimilate and preserve his identity. The sense of belonging stands out as a sociological phenomenon that can develop depending on the acceptance of the immigrants by the native people in the target countries, the immigrant's getting used to the cultural values of the native people and learning that culture. Therefore, belonging gains meaning at the point where the individual feels himself/herself rather than where he/she seems to belong (Demirtaş, 2003: 129-130).

The fact that the destination country and the source country have common cultural values such as ethnicity, religious belief and spoken language can undoubtedly be seen as a phenomenon that accelerates the sense of belonging and perhaps affects the process of accepting the one without the need for any change.

4. Immigration and Identity

4.1. Identity: Expression of Belonging

The concept of identity started to be studied as a subject of social psychology at first, and then it became a subject of sociology and individual behavior. The concept of identity, which deals with the behavior of individuals in society, is a sociological manifestation that determines an individual's stance in society, who he is and what he is against (Yıldız and Demir, 2003: 3)

Identity, which is the most important indicator of the expression of belonging in individuals, should not be described as an object that will not change once it is owned. The acquisition of identity and the preservation of that identity are related to the society, cultural values and the ability to get used to these values. At this point, identity restructures and positions itself in the process of change or in changing condition. Of course, adapting does not mean fully adapting to the indigenous people, but beyond the control of the immigrant individual, identity can be questioned and subsequently transformed. The cultural world of the individual is strengthened and rooted if his commitment to the group and country to which he belongs is maintained. The individual, who decides where he belongs, maintains the sense of belonging and then makes his identity permanent. On the other hand, the individual, who must get used to different cultural codes, needs to review and transform his identity in order to keep up with the society he lives in, even if he resists to protect his identity. Identity, then, requires both continuity and transformation (Gozubuyuk T, 2014: 99)

From the first societies until today, individuals have basically needed a sense of belonging and a sense of identity for their 'security' and 'freedom' needs. The security concern created by the human figure in order to cope with the negativities it encounters in its struggle with the wild nature and to maintain its existence has always remained at a high level. This naturally led the individual to live in the community and to be together with the social actors he trusts (Çağırkan, 2019: 560). Today, the individual has the feeling of being a member of a society, creating his own comfort zone and belonging to a place by adhering to a society and its values. The individual, who wants to ensure his security, takes action to create his identity and tries to mount himself in a part of the society. Identity, then, is both a security reason and a motivator (Smith, 1994: 4-7, 9-14).

Starting from the definition of the concept of citizen, the feeling of belonging to each other by individuals who have unity of destiny on the same land shows that identity is the result of the expression of belonging. The wars that peoples go through with different societies while gaining their national identities stem from their struggles to separate themselves from other groups. The emergence of a sense of national identity here brings people living in the same country closer together, while it leads to the exclusion and separation of identity groups outside this pot. Identity is understood to be both holistic and decomposable.

4.2. Identity of Immigrant

The problem of identity comes first among the difficulties faced by immigrants. As stated in the "Expression of Belonging" section, the migrating individual can cling to his own identity for

security and they have to review their identities in order to survive in the social and cultural environment in the destination country, and therefore they begin to question their identities (Tajfel and Turner, 1979: 33-47).

While the concept of identity of immigrants is intended to be explained by examining the relationship between the cultural values and social structure of immigrants, immigrant identity is a different identity that immigrants reconstruct within the social, political, economic, legal and cultural relations in the place where they migrate (Alpman, 2018: 338). The cultural baggage acquired by the immigrant in the source country and the cultural encounters in the destination country are among the elements that shape the identity of the immigrant individual.

The process of identity construction is a mechanism that can cause immigrant individuals to review their identities over time and can be interpreted as the sum of the processes they go through to adapt to the society they live in, often after a long stay in new societies. It is not possible to destroy the values that are inherited, like the innate characteristics of man. However, these values are divisible, divisible and changeable (Chambers, 2005: 40). From this point of view, immigrants can see at the values inherited from their ancestors and lean on these values, create a new identity for themselves or adapt to an existing identity. The immigrant individual, while reviewing his identity, can combine his own identity with the culture of the new society and reveal a hyphenated identity model (Kirman, 2016: 34). The hyphenated identity model, which is a structure in which both cultures are preserved, is one of the identity types that immigrants can prefer because it is a model that protects the values of the immigrant individual in the places they come from and contributes to their adaptation to the new society. In addition, individuals who want to combine the cultural values of the lands they come from with the society they go to and who want to create a new identity can also choose the hybrid identity model and define themselves with a new identity with this model procedure. The hybrid identity preference, which occurs at lower rates in the first generations of immigrants, stands out as the identity preference that is more common especially in the third generations who do not live their cultural values for a long time in their place of origin.

The transformation of the immigrant identity into a local identity depends on a time-independent sociological transformation process. An individual who is purged of his immigrant identity in a country within a few years may have to live in another country forever depending on his immigration identity. Indigenous societies' perspective on immigrant individuals is related to the continuation or finalization of immigrant identity. The fact that immigrants, who are settled but never 'native', are described with negative adjectives by 'natives' causes immigrants to attempt to redefine themselves. In such a case, the immigrant begins to search for his identity again in his roots, and as Roy (2003: 27) states, a 'hard core' begins to form in the immigrant's identity.

The concept of "foreigner" defined by Bauman (2001: 182) as "ante portas (the person at the door)" is a concept that has an important place in the formation, change and transformation of immigrant identity. If the immigrant individual can get rid of being a foreigner, he can save his identity from being an immigrant and therefore a stranger to society.

5. Individual and Social Identity

In sociological research, symbolic interactionism focused on the individual rather than the society, and produced important analyzes of self and identity development. George Herbert

Mead, on the other hand, emphasizes that individuals' selves or identities are constructed as a result of social interactions (Mead, 1934: 26). However, the fact that Mead caused a change in his perspective on this interaction rather than reversing the relationship between the individual and society can be considered as Mead's real construction (Joas, 2013: 106). According to Goffman (Goffman, 1967: 7-16), on the other hand, identity development evokes the image of 'I versus others' in minds and takes into account the impression that a person presents to other people. According to Goffman, people perform a performance to their audience in order to establish a stable sense of self. For this reason, Goffman likens social life to a theater and people to actors performing on stage. According to him, a person wants to discover the true nature of any environment he is in and to display a self that will be accepted by others. In this context, the individual often exhibits carefully calculated behaviors in order to obtain a certain reaction from others. Thus, the self is seen because of the dramatic interaction between the actor and the audience (Cosser, 2010: 496). The authors, who defended the formation of identity with the effects of globalization, led by Zygmunt Bauman and Simmel (Bauman, 2005: 1), discussed the formation process of identity within the framework of global sameness and argued that identities are a temporary concept that does not need protection.

People's lives and experiences are closely related to how they define themselves. How the individual appears in a society that he adopts or is a member of becomes clear with the occurrence of similar and differentiating features with the society. These realized similarities and differences play an important role in the individual's self-finding, in other words, in forming his identity. At this point, it is important to know the types of identity. The concept of identity is discussed in the literature under two headings, individual and social identity. In general, individual (personal) identity refers to general beliefs about one's values, goals, and aspirations (Erikson, 1968; Marcia, 1966: 75), as well as personal conceptualizations of one's physical, psychological, and social characteristics and abilities (Harter, 2012: 25). According to Erikson's (1968) identity theory, identity achievement stands out as the most congruent identification with which an individual reaches identity commitments after a period of discovery. This process results in a sense of identity synthesis, in which the person feels the continuity of their self over time. Everyone has their own inner world and self. Individual identity is not part of a static process after its acquisition, it is dynamic and may change or re-emerge later. Studies have shown that the basic codes of personal identity do not change, and even if it is covered up, it reveals its existence without delay (Vatandaş, 2021: 551). Apparently, individual identity is a sociological phenomenon that always continues to exist in one's subconscious.

Individual identity has important effects on shaping one's life. governing the preferences and actions of the individual; Personal identity, which structures their behavior and provides their sociological positioning against others, is a mechanism that determines who and which ideas to be close to or far from in the public sphere. It seems that individual identity removes the person from being the object of the sentence and makes it the subject of the sentence. Therefore, there is a significant relationship between individual identity and the state of being a subject, and between individual identity and the effort to exist and maintain its existence. The way a person defines himself/herself in family, relatives, close friends and public environment constitutes the basic component of individual identity.

In identity interpretations, the other type of identity defined in addition to individual identity is social identity. According to Turner and Tajfel, social identity is a part of individuals' self (Tajfel

and Turner, 1982: 277). The social identity theory put forward by Henri Tajfel and John Turner can be summarized as the fact that identification of individuals with any group of the society takes place through their self-evaluation and classification, considering the social group they are a member of, and at the end of this process, social identity occurs and accordingly the individual creates his own position because of the comparisons he makes with different groups. In such a comparison, individuals tend to underestimate opposing groups by favoring the group they are in. This can be seen as the point where the boundaries of social identity begin to be drawn.

At the definitions and interpretations of social identity, in fact, there is a collective mechanism that is obtained as a result of the integration process with the values of the society as a result of how the individual positions himself/herself and the sense of belonging to the society, similar to individual identity. So much so that the identity of the individual is also his address in the society. Sociological, biological and cultural assets such as religion, ethnicity, race, to which an individual belongs, are shaped and developed by the influence of the society to which they belong. As stated in the title of "Belonging" of this study, the individual's understanding of where he/she belongs enables the development of the individual's social identity.

People may tend to highlight their own group, community or nationality to raise their self-esteem and strengthen the perception of 'me versus others'. This manifestation is the desire of the individual to see the other person as lower than his/her own society by favoring his/her own groups in the construction of a positive social identity. This situation, which is defined as 'ingroup favoritism' (Doosje & Ellemers, 1997: 70) in the literature, is among the basic assumptions of social identity theory.

The behaviors exhibited by the individual by feeling that he belongs to a group, both perceptually and emotionally, can lead to depersonalization of the individual. However, this concept should not be considered as a negative change. Depersonalization is when social identity becomes evident and overshadows individual identity. At this point, the individual stops behaving as an individual and acts as a group member in the society. These behaviors can be interpreted as the perceptions exhibited by individuals sharing the same social class, showing the effects of social identity on the individual.

6. Immigration In the Context of Law

6.1. Immigration and Citizenship

Migration mobility has pushed states to change many policies, especially security, due to developments that compelled them to migrate, such as wars and natural disasters, especially in the 21st century. In this context, especially in developed countries, migration mobility has been handled as a security problem instead of humanitarian law, and strict measures have been taken across the world in this framework. Although it is known that procedural safeguards and legal assistance in asylum and return cases in Europe are provided in the Handbook on European Law Relating to Asylum Borders and Immigration, European states see the phenomenon of migration as a process that needs to be controlled. In this context, it is understood that immigration has changed the legal regulations. The impartiality of the national legal rules of a state is directly related to the bindingness of that state to the rules of international law and the rules set by international organizations.

Migration mobility has gained a national dimension due to the legal regulations arising from the rights left to the sovereignty of the countries, and an international dimension due to the bilateral or multiple diplomatic relations of the countries with each other. From this point of view, international agreements, conventions, summits and programs prepared on the resettlement and citizenship processes of immigrants undoubtedly form the basis of international immigration legislation. The first of these agreements is the Universal Declaration of Human Rights. The Universal Declaration of Human Rights was adopted by the representatives of 48 states at General Assembly of the United Nations on 10 December 1948. Since this declaration was accepted because of voting at the United Nation Security Council (UNSC), it is not legally binding and is 'recommendation'. Although these decisions are not binding, it is understood that efforts are made to have these articles in legal status to increase the value given to human rights in the international community. In fact, this effort continues with the views stating that these principles should be considered as general principles recognized by civilized nations in accordance with the Statute of the International Court of Justice (art. 38.1/c). The fact that the declaration includes not only classical rights, but also social and economic rights and freedoms transforms the scope of the declaration into a socio-economic structure. At this point, everyone as stated in article 22 of the declaration has the right to social security as a member of society; Furthermore, the statement that every state has the right to realize the economic, social and cultural rights necessary for the free development of its dignity and personality through national effort and international cooperation and in proportion to its organization and resources (UDHR, art. 22) reveals this versatility. The declaration expresses its recommendation based on human rights in its 14th article for those who have to immigrate. In the relevant article, It is stated that everyone has the right to seek and benefit from the right to asylum in other countries in the face of persecution (UDHR, art.14). It has been stated here that the realization of migration mobility should be handled by considering humanitarian law.

Violation of human rights and experiences of persecution and oppression, which can be considered as the cause and consequence of migration, have also been tried to be prevented in another international agreement, the European Convention on Human Rights (ECHR). The rights conferred by the ECHR apply not only to citizens or local peoples, but also to foreigners. For this reason, the general provisions of the convention express that every foreigner enjoys basic human rights such as the right to life, not being subjected to degrading treatment, freedom of expression, conscience and religion. Although the ECHR has recognized social and economic rights for foreigners and citizens, it has fallen behind the provisions that directly protect the rights of asylum seekers. On the other hand, in the United Kingdom case, the European Court of Human Rights (ECHR) ordered the release of Hassan after arresting him, thinking that the British forces might violate security during the 2003 invasion of Iraq and stated that his death within a short period of time could be regarded as a violation of Article 5 of the ECHR and that this activity would contradict his right to remain free. In particular, the ECHR has clear and objective regulations on the right to life and the right not to be subjected to degrading treatment. The ECHR sees the prohibition of torture as *jus cogens*, which means superior law in Latin, and evaluates it within the scope of legal rules that all societies should adopt.

Although not widely included in the literature, the Arab Convention on Human Rights has been drawn up within the scope of human rights violations in the Arab geography and the resulting forced migration. Arab States established the League of Arab States on March 22, 1945 in

order to strengthen social, political and economic relations. Since there is no application in the case law of the Union, the Union Council, which consists of the Foreign Ministers of the Arab states, came together on September 3, 1968 and formed the Arab Human Rights Commission. The UN Development Program and the Arab League defined the countries that accept Arabic as the official language as the Middle East and North Africa Region (Arıkan, 2020: 349).

Although efforts were made to improve human rights as of 1968, the political instability and pressure in the region, especially the internal turmoil in Syria, increased human mobility significantly in 2011. This situation forced the Arab countries to try new methods. Accordingly, as of 2013, the Working Group on International Migration in the Arab Region was established under the chairmanship of the International Organization for Migration (IOM), and the Arab Region Consultative Process on Refugee Issues and Migration in 2014. Known in the literature as the Arab Regional Consultative Process on Migration and Refugee Affairs (ARCP), it brings together Arab Region countries to address issues arising from migration issues, discuss and work on international migration issues, strengthening cooperation between participating countries and addressing migration and refugee issues in the Arab region. It was created to work for a deeper understanding, to promote a common understanding of its causes and dimensions, and to help governments engage with a unified vision in global events related to migration and refugee issues, as well as the effects and future trends of migration in the Arab region. /www.iom.int).

The two most comprehensive arrangements that deal with the legal dimension of migration and international migration within the framework of the United Nations' control are the Convention on the Legal Status of Refugees (1951 Geneva Convention) and the 1967 Protocol. 1951 Geneva Convention, II. It is one of the international mechanisms created to ensure the establishment of the deteriorated world order on a global scale after World War II. The 1951 Geneva Convention, to which 145 countries are party, made two historical references when defining the refugee. One of these dates covers events that occurred in Europe before 1 January 1951, and the other covers events that occurred in Europe or elsewhere before 1 January 1951. The purpose of making such an arrangement is evaluated in the literature as increasing the number of states party to the convention for countries outside of Europe and expanding the scope of the convention. The 1951 Geneva Convention sees the definition of refugee in terms of persecuted persons and the need for international protection. The definition of refugee, which was determined in order to respond to the international protection applications of individuals fleeing from Central and Eastern European countries and the USSR (Union of Soviet Socialist Republics) (Odman, 1995: 40), was formed by being influenced by the political developments of the period. The statement in the preamble of the 1951 Geneva Convention that the right to seek asylum may pose a serious burden on some countries also reveals what kind of concerns the convention was prepared by the European states.

The evaluation of the right to asylum as a burden (burden) is also an indication that the immigration policies of European states are not based on an open-door approach. It took the 1990s to realize that this word, which was preferred in the beginning of the Convention, did not refer to migration mobility.

An internationally binding regulation about refugees does not yet exist in international law texts. To increase international solidarity and solve the problems of refugees, the UNSC adopted the New York Declaration for Refugees and Migrants with its decision dated September 19, 2016,

however, it has been concluded that an international agreement should be formed in order to establish a more just order for all refugees. The Draft Global Compact for Safe, Orderly and Regular Migration was adopted by the UNSC to implement the provisions of the 1951 Geneva Convention and to ensure international cooperation and solidarity.

Although not widely included in the literature, the Arab Convention on Human Rights has been drawn up within the scope of human rights violations in the Arab geography and the resulting forced migration. Arab States established the League of Arab States on March 22, 1945 in order to strengthen social, political and economic relations. Since there is no application in the case law of the Union, the Union Council, which consists of the Foreign Ministers of the Arab states, came together on September 3, 1968 and formed the Arab Human Rights Commission. The UN Development Program and the Arab League defined the countries that accept Arabic as the official language as the Middle East and North Africa Region (Arıkan, 2020: 340).

Translated into Turkish by the Center for Asylum and Migration Studies (IGAM), this agreement published by the United Nations High Commissioner for Refugees is organized under the main headings of arrangements for sharing the burden and responsibility, areas in need of support, meeting needs and supporting communities. However, although it is aimed to regulate the funds to be transferred to refugees and to relieve the states under the control of refugees, and at the general agreement, the safety and security clause for the actions of refugees is determined not according to the rules of international law, but according to the national law of the states. In Article 1.3/56 of the relevant memorandum, security issues and international protection are complementary. The primary responsibility for safety and security rests with States, which can benefit from the support of national integrated approaches that protect refugees and their human rights while securing national security. In addition to the legitimate security concerns of the host countries, the importance of international protection and the protection of the civil and humanitarian character of applicable international law is fully considered in both urgent and protracted situations (Global Consensus, art.56). phrase is included. As it can be understood from here, the absolute sovereignty of the states over their countries forms the basis of the security measures of the agreement, and international security rules have remained at the regional and national level, as well as the document's lack of international binding.

6.2. Identity of Immigrant towards Citizenship

Transition from immigration to citizenship is a legal process that enables the immigrant to be promoted from temporary to permanent, with the advantage of benefiting from all the rights that the native people can access in the country of destination. The concept of citizenship, which regulates the obligations and freedoms of individuals towards the state, is a concept that expresses being a full member of a society sociologically and points to the statuses in societies (Marshall, 2009: 833). Marshall pointed out that citizenship has passed through three important historical processes in this axis and these stages are civil, political and social rights (Marshall, 2000: 833). From another point of view, Bottomore (Marshall and Bottomore, 1992: 27) highlights the concept of legal and sociological citizenship, which Marshall makes a distinction, as the concept of official citizenship and private citizenship. At this point, Bottomore considers the acquisition of citizenship rights by individuals regardless of their language, religion, race and gender within the scope of human rights (Marshall and Bottomore, 1992). Bottomore attributes the result of all these thoughts to world citizenship and points out the necessity of

world citizenship. These theories of Bottomore once again reveal the importance of human rights and citizenship rights in migration mobility. In democratic societies, the only restriction on citizenship for foreigners is the absence of the right to vote and participate in elections. (Castles and Miller, 2008: 409). Foreigners also benefit from all other rights; can be seen as the progress expected from developed societies. The acquisition of citizenship by immigrants can actually be considered both as a cause and a result of the immigrant individual's sense of belonging and identity. When immigrants acquire citizenship in the societies they want to belong to, they can develop their sense of belonging and shape their identity according to the values of this society. On the other hand, citizenship, which is one of the important steps of the journey towards the center of societies, can also be seen as the result of immigrants' sense of belonging and identity. At this point, the immigrant individual who feels himself to belong to a society and behaves towards others as a member of that society may want to complete this process legally by obtaining citizenship. In this case, the acquisition of citizenship is of great importance for immigrants. Immigrants have a desire to acquire citizenship depending on their desire to live a peaceful and comfortable life by taking advantage of social and political rights, even if they are temporary in the countries they go to, although it is not yet included in the literature. In such a case, the immigrant may desire to obtain citizenship regardless of their sense of belonging and identity and may take legal steps towards it. Therefore, when evaluated from the perspective of immigrants, citizenship can be defined as the most basic and easiest way to access political rights, job opportunities, health rights, free movement and family reunification in the host communities.

The legal regulations in the country they are in are determinative in the process of citizenship acquisition of immigrants. While the definition of "foreigner" of a country refers to people who reside in another country and are temporarily in the country of a state, states can also use this definition for refugees and asylum seekers. Therefore, not only regular immigrants, but also irregular immigrants can be referred to as 'foreigners' by the states. In that case, the only way for immigrants to get rid of the title of 'foreign' is to legally resemble local peoples and have access to their rights. Citizenship, it turns out, is both stabilizing and regulating.

A migrant individual is a person who takes all of his vital signs from having migrated, who is 'foreign' to others with the cultural baggage he carries with him, and whose individual and social identity has been shaken. The immigrant, then, is Simmel's 'stranger' and Bauman's 'other'. The process of obtaining citizenship by immigrants can be associated with the fact that indigenous forces put immigrant societies to the test. The immigrant's request for citizenship can be read through the effort of the Indigenous people to become a member of society. For immigrants who have acquired citizenship, 'approved membership' has now been realized. Thus, it can be said that the immigrant is always in a performative process in the difficult migration mobility. The acquisition of citizenship, which is realized legally, requires the expression of emotions and thoughts in terms of immigrants in the understanding of modern citizenship. Indigenous peoples can now demand that an immigrant who acquires citizenship carry that country's flag, know its national anthem, and perhaps support their national team (Karadeniz and Çiçek, 2021: 32). As a result, it is understood that immigration and citizenship can be seen as a legal, social and psychological dichotomy, and it is interpreted that this dichotomy should be evaluated from an interdisciplinary perspective.

7. Conclusion

This study examines how social dynamics are affected by dealing with the issues of belonging, identity and citizenship of immigrants and reveals that the experiences of immigrants on these issues are complex and multidimensional. Immigrants, while settling in a new country, are faced with both the desire to preserve their origin culture and the need to adapt to the values and norms of the new society. At this point, belonging refers to the degree to which immigrants feel they belong to a group or community. Research shows that the sense of belonging of immigrants reflects their efforts to maintain a balance between maintaining their ties with their culture of origin and gaining the acceptance of the new society. The sense of belonging is important for individuals to develop their social relations, increase their social participation and feel themselves as a part of the new society. Identity expresses how immigrant individuals define themselves and what cultural characteristics they adopt. Immigrants often experience dual identity or mixed identity. They reshape their identities under the influence of the new society, along with a commitment to their culture of origin. The search for identity and conflict is an important social process experienced by immigrants, and this process is closely related to the sense of belonging. Citizenship refers to the legal and political status of immigrants. Citizenship is of great importance in terms of social participation, rights and responsibilities. Reinforcing the citizenship status of immigrants is important in terms of being accepted as a part of society and having equal rights. At the same time, the right to citizenship is not only limited to its recognition at the legal level, but also includes processes of social acceptance and integration.

The legal aspects of migration emerge within a complicated interaction of national sovereignty, international relations, and human rights while negotiating the complex terrain of immigration law. Global events, especially natural catastrophes and wars have been the primary drivers of migrant mobility. As a result, affluent nations have come to see immigration primarily through a security lens and have put strict controls on the phenomena. This change has significant ramifications for immigrants since it modifies laws and changes the character of citizenship and belonging.

The laws controlling immigration have developed into two-fold forces: the national laws, which are based on national sovereignty, and the international laws, which are derived from diplomatic ties. International treaties and accords, including the Universal Declaration of Human Rights, are fundamental in forming international immigration law. Nonetheless, the fact that many statements are not legally obligatory highlights the continuous effort to make human rights concepts legally binding everywhere.

The Universal Declaration of Human Rights emphasizes humanitarian considerations, which call for a more humane approach to migration by emphasizing the right to apply for refuge when facing persecution. The European Convention on Human Rights recognizes the universality of human rights, provides protection against degrading treatment, and extends fundamental rights to non-citizens.

As a result, the issues of belonging, identity and citizenship of immigrants are interrelated in a complex and interactive way. Understanding these issues helps us better understand the experiences and needs of individuals who migrate. The issues covered in this article are important to consider in shaping immigration policies and societies' integration efforts towards

immigrants. Not only strengthening the sense of belonging of immigrants, but also supporting dual identity experiences and securing citizenship rights is the key to creating a more inclusive and just society. At this point, a great responsibility falls on policy makers, community leaders and non-governmental organizations. It is important to develop policies and programs based on the principles of diversity, inclusion and equality to support the issues of belonging, identity and citizenship of immigrants.

The study's conclusions provide insight into the intricate dynamics that immigrants encounter when they move to a new nation. In this period of transition, immigrants face a complex challenge that requires them to perform a delicate balancing act between their strong desire to preserve the richness of their cultural heritage and their obligation to assimilate into the norms and values of the new society they are living in.

Immigrants frequently find themselves navigating a maze of identity construction in the complex dance of cultural adaptation and preservation. A key theme in their story is the interaction between embracing a new cultural identity and preserving one's history. The constant negotiation of identity markers, such as language, customs, belief systems, and social behaviors, characterizes this journey. In the process of transforming their lives, immigrants are not only forming their own identities but also adding to the dynamic story of the multicultural fabric that defines modern society.

Overall, the research's findings provide light on the complex and multidimensional aspects of immigrants' experiences as they settle in a new nation. The intricate nature of their trip is highlighted by the constant interaction between maintaining their cultural roots and adjusting to the rules and values of the new community. A poignant perspective through which to see the complex relationships immigrants make among the varied cultures of their new homelands is the idea of belonging.

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