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AUTONOMY DESPITE RESTRICTIONS: ASYLUM SEEKERS IN ISPARTA, ISTANBUL, AND YALOVA

Deniz SERT *

Uğur YILDIZ **

Abstract

In accordance with Article 17 of the Law 5683 on Residence and Travel of Foreigners, asylum seekers in Turkey are settled in assigned satellite cities in remote areas of Anatolia rather than staying in metropolitan areas such as Istanbul or Ankara. This is an unusual and unique regulation that is restricting the right of asylum seekers' freedom of movement. In this context, utilizing Giorgio Agamben's concept of the *homo sacer*, the article begins with a theoretical discussion of the extent to which asylum seekers and refugees settling in satellite cities are exposed to 'bare life' conditions. Based on an empirical research in Istanbul, Yalova and Isparta, the article examines the experiences of asylum seekers according to three dimensions, which are rather intertwined: The *macro* level, which is state-related, looks at the characteristics of asylum procedures and regulations in Turkey that put asylum seekers and refugees into bare and naked life conditions. The *meso* level utilizes the concept of 'the right to the city' developed by Henri Lefebvre. At this level, the role of migrants' interactions within city life is analyzed. The *micro* level presents the perspectives of the migrants through a focus on Michel de Certeau's conceptualization of 'tactics' as the 'art of the weak.' At this level, the article examines the direct and indirect impact of regulations and procedures in Turkey on the daily lives of asylum seekers and refugees, as well as their counter-strategies to overcome their bare life conditions.

Özet

5683 numaralı Yabancıların Türkiye'de İkamet ve Seyahatleri Hakkında kanunun 17. maddesi uyarınca, Türkiye'deki sığınmacıların İstanbul ve Ankara gibi metropol alanlar dışında kalan Anadolu'nun uzak bölgelerindeki uydu kentlerde yaşamaları öngörülmüştür. Bu düzenleme sığınmacıların özgürlüğünü kısıtlayan sıradışı ve başka bir ülkede görülmemiş bir uygulamadır. Bu bağlamda, bu makale Giorgio Agamben'in 'kutsal insan' kavramını kullanarak uydu kentlere yerleşen sığınmacılar ve mültecilerin hangi ölçüde 'çıplak hayat' koşullarına maruz kaldıklarına dair teorik bir tartışma ile başlar. İstanbul, Yalova ve Isparta'da yapılan

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ampirik bir araştırmaya dayanan makale sığınmacıların deneyimlerini iç içe geçmiş üç boyutta inceler: devlet ile ilgili olan makro düzeyde, Türkiye'nin sığınmacılar ve mültecileri 'çıplak hayat' koşullarına iten iltica prosedürleri ve yönetmelik özelliklerini irdeler. Orta düzeyde Henri Lefebvre tarafından geliştirilen 'kent hakkı' kavramı kullanılarak şehir hayatı içinde göçmenlerin etkileşimlerinin rolü analiz edilir. Mikro düzeyde ise Michel de Certeau'nun 'zayıfların sanatı' olarak ortaya koyduğu 'taktik' kavramına odaklanarak göçmenlerin bakış açıları sunulur. Bu düzeyde makale, Türkiye'deki düzenlemeler ve prosedürlerin doğrudan ve dolaylı etkilerini incelerken, sığınmacılar ve mültecilerin çıplak yaşam koşullarını aşmak için geliştirdikleri karşı stratejileri özetlemektedir.

Introduction

Even though the rights of asylum seekers and refugees are protected by international legal arrangements, the decision to grant asylum and refugee status still remains in the hands and at the discretion of national sovereign states. This discretionary power of the nation-state determines the limits and borders of inclusion and exclusion. Every sovereign power, i.e., the nation-state, strictly regulates international migration with the aim of controlling, monitoring and managing the in and out flows of individuals. In the domain of asylum and refuge, which is one of the few legal paths for becoming a member of a nation-state for foreigners, there are a range of state strategies for dealing with the influx of asylum seekers and refugees. These strategies vary from the construction of open or gated camps to detention or deportation centers. Because of its relatively stable position in its region, Turkey has been a receiver of refugees and has utilized each of these tactics during the course of different incidents of refugee flows, including during the Islamic Revolution in Iran, the Gulf War in 1991, the turmoil of the Saddam Hussein regime in Iraq, the troubles in the Balkans (i.e., the wars in Bosnia and Kosovo), and the latest turmoil in Iraq, Sudan, Somalia, Afghanistan, and most recently in Syria. However, Turkey, which is one of those few countries in the world that still maintains a 'geographical limitation' to the 1951 Geneva Convention Relating to the Status of Refugees, has also implemented a rather novel policy towards asylum seekers and refugees arriving to the country: the so-called 'satellite cities' regulation. This unusual regulation—which forces refugees to move temporarily to different cities in the country—makes Turkey a unique case for analysis. In particular, this case illuminates a unique means of enforcing sovereign power over refugees, while also demonstrating how migrants struggle against this state oppression.

In practice, in Turkey all refugees become temporary asylum seekers. The geographical limitation entails that Turkey grant refugee status only to those asylum seekers from 'the West'. Given the fact that almost all of the asylum seekers that Turkey receives are coming from the East, and not the West, the system is rather complicated: If the asylum seeker is a European national, i.e., from the West, Turkish authorities accept the application and consider whether or not to grant that person refugee status or not. However, if the asylum seeker is a non-European national, i.e., from the East, that person receives only a temporary asylum seeker status from Turkish authorities, while the United Nations High Commissioner for Refugees (UNHCR) in Turkey considers whether or not to grant refugee status. In this latter case, if the person is granted the status by the UNHCR, s/he cannot reside in Turkey, but is resettled into a third country. During the entire process, in accordance with Article 17 of the Law 5683

on Residence and Travel of Foreigners, these persons are settled by the Ministry of Interior (MOI) in assigned satellite cities in remote areas of Anatolia.

The regulation presents a unique case when compared to other countries, as asylum seekers and refugees in most parts of the world are either settled into closed spaces, detention centers or camps, or their movement within the country is not restricted at all. The regulation in Turkey is distinct because it provides an *open space* for the asylum seekers, who are supposed to be resettled into a third country if granted a refugee status. However, the system is not as liberal as it seems, as asylum seekers and refugees are not allowed to leave their designated cities. Thus, satellite cities are neither a totally open nor an entirely closed space for refugees and asylum seekers, but semi-camp spaces. Asylum seekers and refugees staying in these satellite cities live according to the free residence principle, but they are prohibited from leaving their satellite city, where they have to visit the police station once or twice a week to sign a paper attesting to their presence. Thus, while a *satellite city* is not a camp, it resembles a camp-like-situation because of the restrictions the regulation places on the principle of free movement.

It is in the context of this unusual regulation, which is both liberal and constricting that this article aims to achieve the following: *First*, by utilizing Giorgio Agamben's concept of the *homo sacer*, the article aims to propose a theoretical discussion of an empirical phenomenon through the extent to which asylum seekers and refugees settling in satellite cities are exposed to 'bare life' conditions. To do so, the article examines the experiences of asylum seekers according to three rather intertwined dimensions. On the *macro* level, which is state-related, the article looks at the characteristics of asylum procedures and regulations in Turkey that put asylum seekers and refugees into bare and naked life conditions. On the *meso* level, which utilizes the concept of 'the right to the city' developed by Henri Lefebvre, the role of migrants' interactions within city life is analyzed. On the *micro* level, which presents the perspectives of the migrants through a focus on Michel de Certeau's conceptualization of 'tactics' as the 'art of the weak', the article examines the direct and indirect impacts of regulations and procedures in Turkey on the daily lives of asylum seekers and refugees, as well as their counter-strategies to overcome their bare life conditions.

Second, the article presents that the satellite city regulation in itself does not have good intentions and is not a genuine effort towards improving the life situation of asylum seekers. These cities are creating semi-camp situations for asylum seekers, and the weekly signature duty is creating a barrier regarding their freedom of movement. Asylum seekers as legal (legal being the word that the sovereign most likely likes) foreigners should not be restricted in terms of their movement in any country according to international asylum procedures and norms. However, Turkey is using its power to limit and delimit the movement of asylum applicants with, at least they claim, its friendly and protective regulation for asylum seekers.

Third, the empirical work shows that the regulation is failing to reach its aim of control and monitoring. The main research strategy used to generate empirical data for this article is in-depth interviews, which are conducted with a sample of asylum seekers and refugees living in Istanbul and two small sized satellite cities of Yalova and Isparta, as well as open-ended interviews conducted with practitioners in the field, from 2011 to 2012. The interviews lasted anywhere from one hour to two hours based on the input of the participants where there were no attempts to cut short any answers allowing them to provide as much information as they saw fit. The interviews were conducted according to participants' schedules. Mainly, the in-

interviews took place in restaurants and cafes. An important result of the interviews is that asylum seekers and refugees settling into satellite cities are exposed to 'bare life' conditions. They are the *homo sacer* with only the 'art of the weak' at their disposal, where, at the *micro* and *meso* levels, they are creating their own strategies to overcome the barriers created by the sovereign.

Theoretical discussion: Homo Sacer

"The refugee, who, breaking the bond between the human and the citizen, moves from marginal status to the center of the crisis of the modern nation-state; and the sphere of pure means or gestures (those gestures that, remaining nothing more than means, liberate themselves from any relation to ends) as the proper sphere of politics" (Agamben, 2000: Preface).

Scholars working in migration and refugee studies have concentrated heavily on the relationship between sovereign power and migrants, and the term *homo sacer* has often been utilized (Agamben, 1998; Walters, 2008; Biehl, 2007). While the term is derived from Ancient Roman Law, it is also a modern concept embedded in Foucault's notion of *biopower* and *biopolitics*, where bare life is the object of sovereign power (Fitzpatrick, 2001). In *Homo Sacer*, Agamben (1998), utilizing Aristotle, makes a distinction between *zoé* and *bios* to describe the bare life conditions of the sacred man, the *homo sacer* (Agamben, 1998: 8). To do so, he first analyzes Aristotle's distinction between biological and political life, which was discussed as *bios* (political life) and *zoé* (biological life, or for Agamben *bare life*). This distinction is important for explaining the actual living conditions of the *homo sacer*. According to this distinction while *zoé* refers to the nature and common life of every creature, including animals, *bios* refers to the good life in which human beings are distinct from other animals (Owens, 2009). The distinction between the two is simple: humans, unlike other animals, are 'born with regard to life, but existing essentially with regard to good life' (Agamben, 1998: 7). Through this distinction between *bios* and *zoé*, Agamben aims to illustrate the link between politics and bare life, such that politics refers to a kind of special competence that distinguishes man from other beings. Agamben wants to illustrate how bare life creates a condition that he calls *homo sacer* or 'sacred man'. In this condition, Agamben argues the 'human being is *included* in the juridical order solely in the form of its *exclusion*' (Agamben, 1998: 8). To understand what he means by this, we must first examine why a person is called sacred, in other words, *homo sacer*, for Agamben. He explains this usage with reference to history. Historically speaking; 'the sacred man is the one whom the people have judged on account of a crime. It is not permitted to sacrifice this man, yet he who kills him will not be condemned for homicide' (Agamben, 1998: 71).

Biopolitics

Referring to the concept of *biopolitics* and *biopower*, Agamben reformulates Foucault's term of *biopower* in his description of the power of the sovereign over their subjects and the subjects' bare life conditions. For Foucault (1995), *biopower* is the manifest power of the sovereign in modernity, in which population becomes isolated, regulated, administered, and is not only eliminated when necessary, but also protected. The very essence of the modern political order is the enactment of disciplinary strategies on the part of the sovereign over their subjects in

order to protect the population's well-being (Foucault, 2003: 255). In this context the sovereign has authority over the population where the 'privilege of sovereign power is the right to decide life and death' (Foucault, 1978: 135). Foucault then identifies a binary categorization between 'us' and 'them,' or between 'normal' (citizens) and 'abnormal' (non-citizens) (Zembylas, 2010).

Agamben's perception of *biopolitics* differs from Foucault's because he argues that *biopower* is not a modern phenomenon, and he postulates that 'the production of a *biopolitical* body is the original activity of sovereign power' (Agamben, 1998: 6). Agamben presents a narrative in which contemporary politics tends ever more to become subsumed within *biopolitics*, and the figure of the citizen approximates a naked and exposed form of life, stripped of rights and vulnerable to the 'decisionistic' operations of sovereign power (Walters, 2008: 185).

Within this context of *biopolitics*, asylum seekers and refugees are in an in-between position, especially in and at the margins of the political domain, through being situated between inside and outside, inclusion and exclusion, or *bios* and *zoé*. Thus, their place in political and social space seems to be the very zone of distinction and indeterminacy, such that an asylum seeker is a person who is 'included in a set without being one of its members' (Agamben, 1998: 24). This is also the case in the Turkish asylum system. This situation has been defined and codified by Alain Badiou as *excrement*, which means a person is included in a population without being a member of that population (Agamben, 1998: 24). Their position is ambiguous *vis-à-vis* the citizens who have been granted citizenship status by the sovereign power and which is therefore 'the new *biopolitical* body of humanity' (Agamben, 1998: 9). They experience bare life conditions as the extreme 'biopolitical subjects', who are governed and regulated by the sovereign of a given population, but in a permanent 'state of exception', in a so-called 'camp life' (Owens, 2009).

'Bare Life' and the State of Exception

For Agamben, who is following Schmitt, the sovereign is the one who decides on the nature of exceptions to the law (Schmitt, 2005). The sovereign holds 'the legal power to suspend the validity of the law and legally places himself outside the law'. The sovereign accordingly remarks that 'there is nothing outside the law' (Agamben, 1998: 15). The suspension and amendment of law is very attached to the decision of the sovereign who declares the state of exclusion and inclusion for refugees and asylum seekers (Agamben, 1998). Thus, it has a duty to build camps, detention and reception centers, and/or to designate satellite cities as in the Turkish case. In doing this, the sovereign creates a state of exception, which is actually quite worthy of examining as it is 'more interesting than the regular case' (Schmitt, 2005; Agamben, 1998).

The state of exception, for Saint-Bonnet, is a 'point of imbalance between public law and political fact', offering an ambiguous and uncertain intersection of the legal and the political borderline (Agamben, 2005:1). In fact, even though it seems like a legal form, it is the 'suspension of law itself' (Agamben, 2005). The suspension of law does not mean that the state of exception is external to the juridical other. Rather, it constitutes 'a zone of indifference, where inside and outside do not exclude each other but rather blur with each other' (Agamben, 2005: 23). The state of exception is the case, which exceeds the regular case, and it is crucial for the sovereign to understand how sovereign power works in order to manage its subjects within the borders of modern *biopolitics*. The sovereign does so by excluding certain stigmatized, marginalized and victimized groups *via* exceptional cases.

The sovereign in the Turkish context intentionally creates otherness of asylum seekers and temporary refugees, despite the fact that asylum is a legal right of the oppressed. While the sovereign aims to exclude aliens, due to social, political and economic concerns, it also does so to emphasize the differences between citizens and non-citizens. As the final decision-maker over acceptance and rejection, the sovereign controls the bargaining power when compared to other political entities, and this marks its *biopolitical* relations with its citizens. Thus, the sovereign manipulates its citizens, the ‘normal’ beings, through its control over the exceptional cases.

Asylum Seekers and Refugees as Homo Sacer

The subject of the sovereign, i.e., in our case the asylum seekers and refugees, becomes the object of *biopower*, such that they are exposed to bare life conditions within camp establishments. The camps are the ‘matrix of modernity’ created by the sovereign power over life and, thus sovereign power becomes, so to speak, the mechanism of reproduction of the *homo sacer* and its bare life conditions through the very creation and invention of camp-like sites. The camp does not have to be a physical surrounding with high walls or fences and with a clandestine gate as in the case of Nazi concentration camps. Any space, which generates bare life conditions, can be labeled a camp. The camp, where the state of exception takes place, has a paradoxical status, since it is a piece of territory, which is placed outside the normal juridical order, but it is not an external space for those who are obliged to live within it (Agamben, 2000).

The *sui generis* characteristic of the satellite city that refugees are sent to in Turkey is of an urbanized space that actually forms a semi-camp space. They are living in a gray area, which creates a state of ‘permanent temporariness’ (Yiftachel, 2009). Moreover, the asylum seeker as ‘*homo sacer* becomes indistinguishable from the citizen,’ due to the paradigmatic structure of the gray area (Agamben, 2000: 40). Thus, the Turkish authorities are making asylum seekers and refugees in Turkey indistinguishable from Turkish citizens, by not putting them in a camp, but sending them to a satellite city, which is on its façade, a normal, urban setting. In reality, the satellite city turns into a zone where everything, i.e., death or marginalization, is truly possible and legitimate for any asylum seeker. The essence of the semi-camp situation in the satellite cities consists in the materialization of the state of exception and in the consequent creation of a space for naked life (Agamben, 2000). Thus, asylum seekers of the satellite cities are ‘stripped off every political status and reduced to a naked life,’ without any mediations (Agamben, 2000: 40). How do migrants and refugees experience this state of exception in Turkey?

Empirical Discussion: Autonomy despite Restrictions in the Satellite City

“Before I decided to be a refugee, I had many expectations such as healthcare, and more support for refugees. My expectations were not realized in fact. I built my life alone and with my friends, without any support from any authority. No one helped me. I worked illegally. It was stressful to deal with the police and bureaucracy. I have to move to a satellite city. Economically, it is stressful.” (Male, 25, from Iran)

“My city is Antakya, but I escaped because some people were looking at my face and some of them were calling me a monkey.” (Female, 30, from Somalia)

At a macro-level, the state attempts to exert sovereignty over refugees and asylum seekers through the creation of satellite cities, which are similar to refugee camps. Unlike camps, the satellite cities are not physically constructed to specifically settle asylum applicants, but they are urban spaces already established as settlement areas by city dwellers. However, the satellite cities are in fact new types of camps, in which there is a limited freedom of movement, and they are therefore not distinct from other closed and gated zones in terms of opportunities and restrictions. The main difference between these new camps and other examples (i.e. refugee camps, detention centers, etc.) is that the new camp does not have walls; instead, it has invisible walls.

These walls are visible in the eyes of the sovereign, which constructs them through legal arrangements and laws. The new camp built by the Turkish sovereign power is not only a matrix of modernity, but also a matrix of legality. This nouveau camp does not offer total isolation, but it marginalizes certain groups through making them visible without physically isolating them. Thus, the satellite city regulation in Turkey offers an in-between condition for asylum seekers and temporary refugees living in Turkey. It does not represent a mere camp life like Agamben described –one that is covered with fences and high walls to control entry and exit. What makes these designated cities *semi*-camps is that entry and exit are invisibly controlled through the signature obligation (the requirement of weekly taken attendance through signing in with authorities), and exit is very dependent upon the discretion of the sovereign and the relevant officers in the field. The prefix of *semi* refers to the fact that camp inhabitants have the chance to travel; that walls are invisible, and that a lack of boundaries make it easier to escape. However, the sovereign spontaneously creates arbitrary regulations to prevent escape from these cities, such as, for example, issuing fines if a person misses their signature duty.

Still, while the power of the sovereign seems absolute and unconditional in the *macro* level, it has its own limitations, and it is transcended by the acts of individuals. Individuals' acts cannot be prevented in the *meso* and *micro* levels, despite the attempts of the sovereign. All attempts on the part of the sovereign to put restrictive, exclusionary and inclusionary rules in the name of the rule of law remain at the *macro* level. Interactions between officials and asylum seekers; city dwellers and asylum seekers; and NGOs and asylum applicants—the *meso* level—provide a space of movement and activity, and resistance. The attempt to immobilize and inactivate human beings is almost impossible at the *meso* level where interactions take place. Finally, at the *micro* level, where asylum seekers develop certain counter strategies against the measures of the sovereign, we can see that sovereign power is even further limited. The next sub-sections analyze three different urban contexts of Istanbul, Isparta, and Yalova where asylum seekers are seen as active beings at these two levels.

Istanbul: The Bios

“Istanbul is a mix between east and west. The variety of cultures makes life easier in comparison with other cities, satellite cities, in Turkey.” (*Male, 30, from Iraq*)

“The reason why the Ministry of the Interior decided to resettle asylum seekers and refugees into satellite cities is maybe that they wanted to prevent a concentration of foreigners—asylum seekers and refugees—from developing in Istanbul.” (*Male, 25, from Iran*)

In Istanbul one feels the *bios* sense of life, as it is a major metropolitan city, and it offers myriad opportunities and survival strategies to the excluded, subordinated and marginalized groups. Apart from its financial gravity, and perhaps most importantly, Istanbul is a place in which the very realization of the concept ‘the right to the city’—Lefebvre (1996) summaries the concept as a ‘demand ... [for] a transformed and renewed access to urban life’—is verified. The asylum applicants do not want to be settled in other cities, because they want to take advantage of opportunities in Istanbul. Speaking of his feelings about Istanbul, one migrant explained,

“There are many art galleries, festivals, concerts and activities. And, of course it is a very beautiful city.” (*Male, 25, from Iran*)

Attending such activities brings more than fun and joy to migrants, but also creates an idea of freedom—the freedom to attend, i.e., an experience of being involved. It includes the power and right to attend, the right to sing, and the right to dance. To illustrate the distinction between a satellite city and Istanbul, one migrant related,

“I like Istanbul, despite all of the restrictions of the authorities. For instance, last week I went to Enzo Ikah’s concert. Is it possible to attend such an activity in Adana?” (*Male, 21, from Afghanistan*)

In addition to attending activities in Istanbul, the high number of NGOs and foreigners—who are either regular or irregular migrants—in the city further enhances migrants’ freedom and their right to move and speak. For a French or Arabic speaking asylum seeker, it might be really problematic to develop meaningful interactions and communication in a designated satellite city. As one migrant explained,

“Many foreign people live in Istanbul. There are many civil society organizations. Istanbul is more open and welcoming than satellite cities, and satellite cities are conservative. In Istanbul, you can go out easily; you can find friends from your home country; there are many people who speak French, so language is not a barrier, and your visibility (as I am black), becomes more invisible.” (*Male, 20, from Congo D.R.*)

“Although there are certain constraints in Istanbul, the existence of thousands of foreigners creates an opportunity to adapt and communicate, as this Congolese asylum seeker asserts.”

The sovereign aims to silence and inactivate human beings in the *macro* level, but the very existence of asylum applicants provides a setting for relations with the community (citizens), and also, with the sovereign. The *meso* level where interactions between migrants and citizens take place carries both negative and positive meanings for asylum applicants. Any interactions and relations that occur in the city can offer asylum seekers ‘the right to the city.’ Asylum seekers who have been exposed to *bare* and *naked* life at the *macro* level transform themselves into active beings with regard to the concept of ‘the right to the city’ at the *meso* level and become the very agents of the interaction.

As Lefebvre (1996) and de Certeau (1988) assert, any practice during everyday life consists of a variety of interactions. It is within this context that we ask the question: how does

the city offer the right to not to be marginalized and excluded from the community? *First*, it is very crucial to emphasize that Istanbul as a metropolitan and multicultural space presents a viable and lively space for any newcomers, despite its challenges. Istanbul offers an abundance of opportunities in terms of finding accommodation, a job and attending social and political activities via political associations, organizations and networks. Interviews conducted during the research reveal the richness of human rights organizations and associations working with migrants and asylum seekers. One migrant explained his feelings about Istanbul like this:

“How can I go to a satellite city? I have many friends and a life in Istanbul. I have close contacts with the civil society organizations here. The Ministry of the Interior (of Turkey) does not provide housing and shelter. The system wants money from you to give you a residence permit. The Ministry does not allow you to work. Policemen treat refugees badly. The UNHCR pushes them to settle in satellite cities. There are zero health services.” (*Male, 20, from Congo D.R.*)

In this regard, Istanbul is the first preference for asylum seekers in terms of a place to stay and live because of the opportunities it offers at the *meso* level. The Turkish state can prohibit migrants from living in the city of Istanbul, but it does not have the power to prohibit movement and action within the city. Thereby, the sovereign does not have the power to prohibit relations and interactions derived basically and at the first glance from migrants’ daily activities. Istanbul, at the *meso* level, provides shelters and healthcare services with its solidarity organizations and networks, job opportunities with its tremendous informal labor market, language and communication opportunities with its organizations, and religious, cultural and entertainment activities with its churches, museums, art galleries and night clubs. These activities and acts can be considered as one side of the coin—the positive side.

On the other side of the coin, there are constraints and challenges that asylum seekers face, mainly because of the sovereign’s impositions at the *macro* level. For example, while migrants are able to reach healthcare services through networks of civil society, they cannot go to state hospitals because they are in Istanbul, and because they are not supposed to be in Istanbul in the first place. They can go to language courses, but they cannot attend school. In their workplaces, since they do not have work permits, they are subject to exploitation. Employers generally manipulate them by paying less, forcing them to work more, and, in many cases, forcing them to work under unhealthy conditions. This ambivalent situation derives mainly from the sovereign’s insistence upon exclusionary politics, which put asylum seekers into a situation of being *homo sacer*.

Migrants find the *first* tool of survival on the *micro* level to be language and the power of speech that any human being has. As survivors of torture, referring to the reasons why they became asylum seekers, they develop certain strategies in order to live on. Asylum applicants become subjects of a narrative through telling their life stories to their neighbors, employers, house owners, police, and most importantly, researchers. Each story or narrative told and any words used by asylum seekers living either in satellite cities or Istanbul has a surplus value and is part of their survival strategy. Furthermore, the more tragic and tearful the life story is, the more opportunities they may find in terms of accommodation, employment and friendship.

Migrants also have other tools. For instance, having a baby, as one Eritrean woman asserted, can be a favorable strategy for any immigrant who does not have legal documents. The woman explained that she had a baby and thereby expected to be included into the system:

“I have many friends who passed into Greece, and before they passed, they got pregnant. This is because in Europe, if you have a baby on their soil, you are able to get official documents to stay there legally, and I heard that such is also the case in Turkey. I had a baby in a satellite city, but I noticed that I am still a non-citizen, despite my baby.” (*Female, 35, from Eritrea*)

This woman's baby was two years old at the time of the research, and she has not received any citizenship documents. It seems that the strategy of having a baby does not work in the Turkish system the same way that it works in Europe. However, her baby does become a valuable asset, since she has been financed by various humanitarian organizations and individuals because of her baby. The assistance she received includes a gift card from one of the cheapest and most widespread supermarkets in Turkey and monthly financial assistance and nutrition for her baby. When the owner of the small kiosk in the neighborhood where she lives sees her, even he says, ‘help that little boy’, referring to her son. Some neighbors come to her flat regularly and ask whether she needs anything because of her baby. Her baby is a valuable asset for her existence in Istanbul becoming a strategy of living for her.

Speaking a different language, which is usually considered as a disadvantage for immigrants, can sometimes become a survival strategy. Particularly in a space like Istanbul where many foreign language speakers live, speaking French, Russian or Arabic provides a vital chance for existence. A number of NGOs working with foreign populations—mainly immigrants—need translators to work with and communicate with their target groups. Thus, they often employ asylum applicants as translators. Besides NGOs, there are other sectors where knowing a language can become an asset. Istanbul is a financial and cultural center that attracts thousands of foreigners who visit Istanbul for investments in import and export, or just for shopping. Shopping mall tours to Istanbul, especially for Arabic speakers, are a recent development in the tourism sector, and some asylum seekers who are Arabic speaking are employed as translators in shopping malls or as travel agents.

Thus, knowing a foreign language can open new doors. A French speaking asylum seeker whose foreign language ability has provided him with the opportunity to work in a migrant-related organization as a translator explained,

“I have registered for the UN's online International Human Rights course. The exams are online, and, in the end, I will be taking the UN certificate exam on Human Rights, in order to enter into a law department at a Canadian university.” (*Male, 20, from Congo D.R.*)

The fact that he could speak French enabled him to work in an office with the opportunity to access the internet. Even though he was not able to go to school in Istanbul, he registered with an online International Human Rights course and got a certificate. He was eventually able to enter university through his own efforts and strategies. However, due to the restrictive policies of the Turkish authorities, he was required to attend a university in a third country of settlement, in his case Canada, rather than being able to go to a university in Turkey.

Isparta: Far away from a desired place

Isparta is a small Central Anatolian city, which is far away from Istanbul. It is also a conservative city like many other Central Anatolian cities. Generally speaking, asylum seekers in Isparta live under relatively good conditions in terms of social assistance as a result of solidarity foundations' presence and assistance. They receive daily meals, coal for heating in the winter months and a monthly subsidy for housing—including the allocation of two guest houses for single female asylum seekers. There were approximately 750 asylum seekers living in Isparta during the time of research, and their country of origin varied. The largest group was Somalis, but there were also many Sudanese and Iranian migrants.

Isparta presents a zone of *zoé* because there is a lack of opportunities there, including a lack of creative arts, entertainment and cultural activities, limited opportunities for religious activities and a restrictive way of life. In fact, not only Isparta, but all satellite cities represent a space of *zoé* for asylum applicants. The most important restriction is obeying the signature duty. The signature duty is physically and emotionally a momentous challenge. It is physically a challenge because migrants must spend at least one working day in the police station. It is emotionally a challenge because, psychologically speaking, as survivors of torture in their countries dealing with the police because of this obligation makes them feel like criminals. One man from Somalia explained:

"I have been in Isparta since 2008. I decided to go to Istanbul to see my friends and began to stay with them. One day police seized us and took us to the police station. They accused me of helping human smugglers. My court case is still continuing. As an asylum seeker, how can I be a part of a group of human smugglers? Due to the court decision, I have to go to the police station every day to give a signature. In the past, I was going to the police station once a week." (*Male, 18, from Somalia*)

Besides the obligation of the signature duty, which is a big handicap on the freedom of movement of asylum seekers, a fieldworker listed other problems in Isparta that included unemployment due to lack of work permits; discrimination, especially against gays, lesbians, and children who are going to school—who are usually mocked by classmates because they are different; and lack of health services (interview, 17 April 2012, Isparta). Furthermore, while Article 18 of the 1994 Asylum Regulation guarantees asylum seekers and refugees the right to pray freely if the MOI approves and provides a place of worship, in practice, there is no church in Isparta for Christian asylum seekers. Thus, there is no freedom of faith. The city dwellers are more sympathetic towards Somali people due to the proximity of their religious beliefs—both are Muslim. In fact, a citizen's statement about gays and lesbians is illustrative of discrimination:

"Some of them are neither a woman nor a man. It is against our customs and religion." (*Housewife, 33, Isparta*)

Isparta is a conservative and small city, and many of the city dwellers are not acquainted with people of diverse cultural backgrounds. Confronting those asylum seekers, who are black and are coming from African countries, is a new experience for many dwellers of Isparta. Many of them have feelings of prejudice against Africans and stereotype them as cannibal, hungry, poor and/or soccer players. Whether they claim to be hospitable or not, the local community often has a negative perception on any act on the part of asylum seekers. The statements of a municipality worker show how some locals perceive asylum seekers:

“Why are they coming? I think they do not have money, and they are coming to work. They do not pay any bills, such as electricity and water. They do not pay money for their accommodations and health services. They have access to free meals three times a day. And the United States sends them 250 USD every month.” (Worker, 28, Isparta)

This statement demonstrates the resentment that some residents feel towards asylum seekers. Similarly one taxi driver explained the general condition of asylum seekers in Isparta on the labor market like this:

“Because they are refugees, they are paid monthly by the UN. Some of them work in industrial areas. Employers do not pay social security for them, and they are paid the lowest salaries.” (Taxi driver, 38, Isparta)

Offering a different stance, one employer claimed that he puts himself into a risky position by employing asylum seekers because they do not have work permits. Furthermore, he was proud of himself since he provided an opportunity for survival to a ‘miserable person’. According to another taxi driver, there are almost five or six hundred Somali people, and there have been no problems in terms of public order or any other negative incidents, due to their presence (interview, 18 April 2012, Isparta). For him, ‘they are harmless’. One might ask: harmless to whom and in what sense? This perception is the very product of a mentality derived from the discourse of the sovereign that is discussed earlier.

Communication between asylum seekers and the dwellers of Isparta is another problematic area. One asylum seeker, with a sense of humor, who is critical of the system, explained:

“The only thing they know is a few *suras* (sections of the Koran) in Arabic” (Male, 24, from Iran).

Migrants’ counter strategies at the *micro* level enacted against the sovereign’s restrictive measures are not as obvious as they are in Istanbul due to different opportunity, chance and cost-benefit considerations. However, just like in Istanbul, the stories that asylum seekers tell to local individuals turn into strategies of survival. Stories make it easier to find housing and jobs, and can help them to form various relationships in their neighborhoods. A process that begins with the efforts of persuasion of officials during application interviews with the UN-HCR and the MOI continues here. In the first place, any asylum seeker has to communicate with the owner of the house they will rent and has to perform extra effort to convince the owner to rent the place to them. In this case, the asylum seeker again becomes a narrated subject. Very similar processes continue during the job searches of asylum seekers.

In the domain of access to health services, asylum seekers have some problems accessing treatment in hospitals. Another field of restriction is the domain of freedom of faith. Even though the sovereign’s written document claims that there should be freedom of faith, and the state has duty to provide a suitable environment for religious worship, in Isparta, there is no church or religious place for non-Muslim communities. The counter-strategy of non-Muslim asylum seekers, especially Christian asylum seekers, is to live in a city close by, which has a church. In the case of Isparta, Christian asylum seekers prefer to live in Antalya where large numbers of Germans live and where a church was recently constructed. According to a priest

living in Isparta (interview, 20 April 2012, Isparta), others who are not able to leave Isparta are secretly praying in flats turned into churches.

Some asylum seekers travel between Isparta and other cities. One man explained,

“I have a job in Istanbul, so I have to stay in Istanbul. I am going to Isparta twice a month to give my signature. How I can manage to do this is complicated. First, I registered with a language course in Istanbul, and then I convinced some policemen that they should allow me to stay in Istanbul.” (*Male, 23, from Sudan*)

This asylum seeker’s satellite city is Isparta, but living in Istanbul is part of his counter strategy. It is obvious that the satellite city of Isparta offers bare life conditions and a zone of *zoé*. Yet, asylum seekers, as active human beings, still try to develop counter-strategies against state’s *macro* level restrictions.

Yalova: A ferry can do it!

The city of Yalova has a population of almost one hundred thousand, and has recently been declared a satellite city. During the time of research, there were almost a thousand asylum seekers living in Yalova, who are mainly from Iran, Afghanistan, and Sudan. After being declared a satellite city, Yalova began to attract asylum seekers for their residency because of one crucial reason: its location. It is close to big cities, Bursa and Istanbul, which are only two hours away by ferry.

The main difference between Yalova and Isparta is basically the geographical location of the two cities. Geographical location makes Yalova more preferable than Isparta for those who are able to choose where to live. One asylum seeker explained why he selected Yalova as follows:

“I selected Yalova because I had to move to one of the fifty-one cities. I selected it because it is close to Istanbul.” (*Male, 25, from Iran*)

There is nothing special about Yalova for asylum seekers and their choice to live there is totally based upon the imperative of needing to live in a satellite city. Another asylum seeker expressed this viewpoint like this:

“If I had a chance to choose a city to live in Turkey, I would choose Istanbul, and the second one I would choose would be Izmir.” (*Male, 24, from Sudan*)

Neither Isparta nor Yalova nor other satellite cities can be considered even as third-choice options for settlement by asylum seekers, due to the challenges migrants face in these cities. An asylum seeker from Afghanistan briefly explained why he settled in Yalova:

“I do not have any problems in Yalova. Since I have a job in Istanbul every week I come to Yalova via ferry, which takes two hours. Then I go back to Istanbul for my work.” (*Male, 21, from Afghanistan*)

As this asylum seeker from Afghanistan notes, many asylum seekers are staying in Istanbul and only going to Yalova for their signature duty. The uncertainty and arbitrariness in

the regulations that were discussed above in relation to Istanbul and Isparta are also valid in Yalova. In all places, the signature is a compulsion for asylum seekers, but in Yalova, there is a striking and interesting *sui generis* regulation, which is absent in the case of the other satellite cities. Most likely this regulation is an arbitrary one. In Yalova, the policemen demand a rental contract from the asylum seekers, when they register with the police to start giving their signatures. This *sui generis* and arbitrary regulation means that asylum seekers must provide a document, which is generally provided by a real estate agent. The problem is that many real estate agents demand money for this service and usually two months' rent immediately. Without this contract asylum seekers are not able to get a residence permit from the policemen. Without a residence permit, in the case of resettlement into a third country, the asylum seeker will not be able to get permission to leave or to get an airline ticket, and s/he will have to pay an additional fine. One migrant explained work and housing difficulties in Yalova as follows,

"I am paying 500 TL for a flat in Yalova. And, in Yalova I searched for a job but employers offered me only 300-400 TL per month. Should I live in Yalova?" (Male, 20, from Sudan)

During the research in Yalova, a dialogue between an asylum seeker who is from Iran and a house owner demonstrated how difficult it can be for asylum seekers to find accommodation. The asylum seeker was seeking a rental flat, and at the beginning of the dialogue, the owner was willing to rent his house. But, after the asylum seeker informed him that he did not have a job, the owner decided not to rent the house, and his excuse was that he would prefer to rent his house to a family with a wife and husband rather than a single man.

The challenges of finding accommodation, job, and access to education and healthcare services are also present in Yalova. In comparing Yalova with Isparta with regard to these challenges, the cost of rent in Yalova is more expensive than Isparta, but less than Istanbul. Whereas an asylum seeker pays 200TL per month for housing in Isparta, in Yalova it costs almost 500TL. Furthermore, if they rent this house from a real estate agency, it costs more than it would, even if they rented a similar apartment. In the case of job opportunities for the two satellite cities, the chance of finding a job is almost equally low. If they can find employment, they are subjected to similar types of exploitation, including low wages and no social security. To illustrate, in an incident in Konya, another satellite city, an asylum seeker from Sudan died in his workplace due to an electric shock.

Yalova, like Isparta, is a small-sized and conservative city for asylum seekers. This conservatism is not a big problem for those asylum seekers who are Muslim as local citizens' reaction to them is mostly positive or neutral. However, many asylum seekers in Yalova are mainly coming from Iran, and they are either gays/lesbians, Christians or Baha'is. An Iranian asylum seeker explained how he feels in Yalova and why he prefers to stay in Istanbul as follows:

"Only in Beyoğlu I feel good. I am scared of traditional and conservative people. In Turkey, the police are not the problem, the public is the problem; in Iran, the police are the problem and the public is less problematic." (Male, 25, from Iran)

This asylum seeker problematizes the relation between the police and society through comparing Iran and Turkey because he applied for asylum due to his sexual identity. The conservative and closed-minded perspective of people is a problem for him in his satellite city.

Moreover, there is a crucial distinction between Yalova and Isparta in terms of a lack of civil society organizations in Yalova. To illustrate this, one Iranian woman explained,

“I went to the governorship to ask for financial assistance, but he said that ‘we have our own poor people; we do not provide you with anything’. I was shown no respect.” (Female, 27, from Iran)

As in the cases of Isparta and Istanbul, the challenges imposed by the sovereign in Yalova have also led asylum seekers to develop counter strategies. While counter strategies performed by the *homo sacer* are freeing the asylum seekers from the invisible chains of the sovereign, any such act is against the sovereign’s idea of rule of law and discourse of legality. Asylum seekers are aware of this. For example, three men explained:

“We rented a flat, but are not living in Yalova, since we also have a flat and a job in Istanbul. We know we are working illegally, but we need money to live. This is our strategy.” (Three male asylum seekers, 21, 21 and 23, from Sudan)

As is obvious in the case of these three Sudanese asylum seekers who were interviewed on the ferry, Istanbul is their first choice for a place to live and find a job. Their unique counter strategy in Yalova is to make a rental contract with the owner of a house. This requirement provides a new and crucial income door where asylum seekers who have already signed a contract register other asylum seekers and collect ‘rent’ from them. Revealing this strategy, one man related,

“I have two rented flats both in Yalova and Istanbul. I rented the flat in Yalova to five more asylum seekers who are paying me monthly. In Istanbul, I have a job, and I live alone.” (Male, 21, from Afghanistan)

He is paid monthly by five asylum seekers and this new source of income is a counter strategy against the work permit problem and provides him an opportunity to earn compensation for his flats in Istanbul and Yalova.

Due to limited job opportunities and the low level salaries in Yalova, asylum seekers find jobs in Istanbul where, as already explained, job opportunities are plentiful. Yalova is considered just a place where they visit to give a signature once a week. Even though they are against the rule of the sovereign and the law, these counter movements of asylum seekers provide opportunities for survival in their everyday lives.

Conclusions

The research here has aimed to reveal the unique characteristic of the Turkish asylum system in the process of refugee status determination with a focus on the satellite city regulation. The article illustrated to what extent and how the asylum seekers are put into *homo sacer* conditions by the sovereign with its laws and regulations. While doing so, it also showed how even on the *macro* level the Turkish asylum has remained uncertain and ambiguous in terms of the definition and distinction of the concepts. The satellite city regulation offers a complex and exclusionary policy considering the existence and temporary settlement of refugees where the sovereign has operated its power of inclusion and exclusion and created a

zone that have tried to prevent the acts of the asylum seekers, who have been settled in one of the fifty one designated cities, which are camps without walls and fences, but with a signature obligation. Although the laws and regulations have defined certain rights of asylum seekers such as right to seek asylum, right to be free, right to pray freely, right to access to healthcare services, and right to access to education, the main findings of the study show that the state as the sovereign power has transcended boundaries of its regulations through not providing those fundamental rights efficiently. Through the satellite city regulation, any asylum seeker in Turkey has become a *homo sacer* with the sovereign's effort to keep those human beings silent, immobile, docile in the conservative and underdeveloped Central Anatolian cities.

However, despite the efforts of sovereign on the *macro* level that created the naked and bare life conditions of asylum seekers, in the *meso* and *micro* levels, asylum seekers have proved their right to the city, which has connoted not to be marginalized and excluded in any domain of the life. Thus, while the term *homo sacer* has conveyed a total passivity for the asylum seekers, the research has aimed to illustrate the acts and demonstrations of the asylum seekers, who have been pacified but proved to be not passive beings. In many cases, despite the society's negative and unwelcoming responses, asylum seekers have come up with counter strategies in order to exist and survive. Each strategy and counter movement of asylum seekers has been the very mark of their existence against the concept and idea of the *homo sacer*. Staying in Istanbul instead of designated cities has been the first and common strategy of the asylum seekers, who have visited their satellite cities once a week or twice a month in order to fulfill their signature obligation. In this sense, Yalova has been more popular than other Central Anatolian cities due to the geographical location and vicinity to Istanbul and Bursa. Both in Yalova and Isparta, finding a job has remained the very problem owing to the limited job market and low scaled economies. To deal with this obstacle, the asylum seekers in Yalova and Isparta have found reasons and excuses to stay in Istanbul such as attending language courses or being employed as translators in civil society organizations. During their residency in Istanbul, asylum seekers have been employed in the informal economy as irregular workers without social security and any insurance.

Overall, this article has two main implications. *First* one is theoretical: while the critical migration literature applies the term *homo sacer* and *naked life* conditions to asylum seekers and refugees through ignoring their autonomous and creative activities, the argument here differs from this literature in terms of illustrating the autonomy of asylum seekers. *Second* one is the policy implication in which the article depicts that although satellite city regulation is an obstacle against the movements and freedoms of asylum seekers, it does not work in many cases with the transcending power and movement of asylum seekers where the autonomy of asylum seekers should not be ignored and they should not be depicted as total passive beings.

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