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## INTRODUCTION

On June 11, 1932, the Turkish Grand National Assembly passed Law Number 2007, the “Law regarding Trades and [The Provision of] Services in Turkey that are reserved for Turkish Citizens” (*Türkiye’de Türk vatandaşlarına tahsis edilen sanat ve hizmetler hakkında Kanun*). The law’s intent was to put an end to the employment of foreign citizens living and working in Turkey in the minor artisanal trades and crafts, and to thereby fill the resulting void with unemployed Turkish citizens. Apart from a doctoral thesis by Gündüz Ökçün (1936-1986)--later Professor Gündüz Ökçün and published in 1962<sup>1</sup> on the manner in which the law was implemented, not a single serious study has been made of this law. Moreover, only a very few scholars have even touched on the law in most superficial ways, and what mention there is has been largely within the framework of the ‘Turkification’ policies of the the Single Party Period (1923-1946), policies that were put in place as part of the ruling Republican People’s Party’s ‘state building’ process and with the goal of assimilating the country’s non-Muslim minorities into the polity of the new Turkish nation-state.<sup>2</sup> Finally, those who have made these cursory

1 A. Gündüz Ökçün, *Yabancıların Türkiye’de Çalışma Hürriyeti*, Türkiye İş Bankası - Siyasal Bilgiler Fakültesi, Ankara, 1962.

2 Ayhan Aktar, *Varlık Vergisi ve “Türkleştirme” Politikaları*, İletişim Yayınları, İstanbul, 2010, pp. 121-126, Murat Koraltürk, *Erken Cumhuriyet Döneminde Ekonominin Türkleştirilmesi*, İletişim Yayınları, İstanbul, 2011, pp. 277-288.

investigations have done so using either no foreign sources<sup>3</sup> or very few of them.<sup>4</sup> In contrast, this work has attempted, through the use of heretofore unexplored foreign archival documents, to approach the subject from an entirely new angle and to thereby shed new light on the law and the diplomatic, economic, and political climate surrounding its passage.

<sup>3</sup> In his work, Koraltürk did not avail himself of any foreign sources.

<sup>4</sup> The bibliography in Aktar's book contains three documents from the U.S. National Archives.

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## THE SITUATION IN THE EARLY YEARS OF THE REPUBLIC

One of the principal aims of the Nationalist Forces in fighting what, upon their triumph, would become known as the Turkish War of Independence was to achieve economic independence, both from Europe and from their own non-Muslim minorities. In one sense, it represented a reaction to the economic privileges afforded by the Ottoman State to foreign merchants and companies under the system of "Capitulations." The founders of the Turkish Republic hoped, with their victory, to establish an "independent Turkish Republic" in every sense. This meant not only the removal of all foreign occupation forces from Turkish soil, but also economic independence.

### **Situation of the Companies in the Early Republican Period**

Yet, it soon became clear that the situation in the early years of the Turkish Republic had not fulfilled its founders' vision. In this period the people still dominating the fields of banking, insurance, shipping, city services, port operations, as well as the import and export trade, as well as the personnel of the many foreign companies operating in Turkey, were almost without exception non-Muslims, both Turkish and foreign; this was an economic demography almost identical to that of the Ottoman period. One of the reasons for this continuity was the simple fact that it was

still largely the non-Muslims who possessed the foreign language skills and business experience to operate in this environment. But this was not a situation that the Republic's founding fathers could lightly accept. After such a bitter and protracted struggle against European powers and their own non-Muslim populations for their independence, the political cadres and leading luminaries of Turkish nationalism were not prepared to stomach an class of non-Muslims "who had not shed their blood for the homeland" continuing to preserve their preeminence and domination of the country's economy. To them it was not merely preferable, but absolutely essential that control of the economy pass into the hands of Muslim Turkish citizens, the "true sons of the land who had paid for their country in blood.

### **Obligation to Employ Turkish Citizens**

For this purpose, shortly after the establishment of the Republic foreign firms operating in Turkey were legally obliged to employ Turkish citizens. Although "The Citizens" did not mean Muslim ones in practice this was interpreted as "Turkish Muslim Citizens". The implementation of this regulation resulted in the sudden dismissal, from one day to the next, of large numbers of both foreign and Turkish non-Muslims.

### **Interpretation of the Civil Service Regulation**

Moreover, although the 92<sup>nd</sup> Article of the 1924 Constitution guaranteed the right of "every Turk possessing political rights" to government employment, the condition of "being a Turk" for government employment found in the 4th Paragraph of the Civil Service Regulation (*Memurin Kanunu*) No. 788 (passed on March 18, 1929) has been ever since implemented in a manner that would recognize an ethno-religious character to Turkish citizenship, namely, that only those 'Turks' belonging to the religion of Islam



would be considered as such. By definition, then, non-Muslim citizens of Turkey could not find employment in the civil or other government service. The condition of "being Turkish" was not only mentioned in the Civil Service Regulations, but also found place in the regulations and codes organizing the professions of medicine and insurance. In their implementation, these codes as well the non-Muslims were not recognized as 'Turks' and subjected to discrimination.<sup>5</sup>

### Reasons of the Discriminatory Policy

There were two principal reasons for this policy of discriminating against non-Muslims in the implementation of these regulations.

The first is the negative effect created by the collaboration that some of Istanbul's non-Muslims engaged in with the Entente forces occupying Istanbul after the First World War and with the Greek Expeditionary Forces after their landing in Izmir in 1919. These actions have left a bitter memory among the Muslim population that has lasted until today. As a result, neither the population nor the country's leadership tend to look upon the non-Muslim populations—today mostly concentrated in a few large cities—as "true Turks." In fact, though, this social division extends back much further into Ottoman history, when the relations between Muslims and non-Muslims were that of master and subject, of 'ruling nation' (i.e., the Muslims) and the protected 'dhimmis' (non-Muslims).

The second reason for the negative image of non-Muslims in the eyes of the majority was their economic domination of Ottoman society in the fields of commerce and industry that had, as

5 Rıfat N. Bali, *Cumhuriyet Yıllarında Türkiye Yahudileri - Bir Türkleştirme Serüveni (1923-1945)*, İletişim Yayınları, İstanbul, 1999, pp. 196-240; Murat Koraltürk, *op. cit.*, pp. 277-288.

mentioned, survived into the period of the Turkish Republic. This was a situation that the “true owners of the country”—namely, the Muslim Turks—found entirely unacceptable. Simply put, the problem was that the “True Turks” were the Muslim population that had suffered untold hardships and spilled rivers of blood during a decade-long travail, and especially during the War of Independence. It was only fair and natural that the “foreign” elements, even if tolerated, should be removed from any position of power and control in the new Turkey.

# THE SITUATION IN THE YEARS PRIOR TO THE ACCEPTANCE OF THE LAW

## The Situation After the 1929 Depression

The situation in the Republic of Turkey during the first years of its existence being thus, the world-wide Depression of 1929 would only serve to exacerbate things, since, like most of the world, Turkey would not escape its effects. The Turkish regime would also look upon the crisis as an opportunity to implement a number of forceful measures, among them the nationalization of foreign firms operating in Turkey.<sup>6</sup> It was against this background of global economic crisis that Law No. 2007 would be passed.

Two years before the law's passage, in 1930, it was already clear from the reports in the daily press that the laws passed during the first years of the Republic demanding that foreign firms hire "Turkish" citizens was not being observed. In a piece found in a February 1930 issue of the daily *Milliyet*, the percentage of Turkish citizens employed by foreign insurance companies was only 20 percent. The paper mentioned that the situation was similar in foreign firms operating in other sectors of the economy, and gave the following assesement:

Despite their being obligated by the government to take on Turkish employees and the numerous [official] declarations

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6 Alev Gözcü, *1929 Dünya Ekonomik Buhranı ve Türkiye*, Libra Kitap, İstanbul, 2013, pp. 364-404.

to that effect, the [foreign] companies have still not fully set out on the path that has been demanded [of them]. It has been announced in the relevant gathering places that, since the majority of these establishments have not given sufficient positions in their workforce to the true members of the country in which they make their money and have, for various reasons, preferred to hire non-Turkish elements, they will unfortunately be forced by the government to revise their [employment] conditions.<sup>7</sup>

The following day, the paper repeated its claim that an investigation by Companies Commissariat (*Şirketler Komiserliği*) affiliated with the Ministry of Trade had discovered only a very small number of “Turks” working for country’s foreign firms, and called on the government to subject these companies to be subjected to harsh sanctions.<sup>8</sup>

It is against the this background of economic distress and abiding xenophobia that the 1932 law was passed that would pave the way for the dismissal of foreign small tradesmen and craftsmen.

### **The Situation in the Turkish Press Prior to the Law**

There were already reports in the press in February 1932, almost four months before the law’s actual passage, that it would be enacted. When it became clear that the government was preparing such legislation, the press started featuring the opinions of Turkish artisans, craftsmen and small traders regarding the upcoming law. One article in *Haber Akşam Postası* went as follows:

There are approximately 2,700 waiters in our city. Only seven hundred of these waiters are Turks. Along with this the other two thousand waiters are foreigners. And this, while more than 200 Turkish waiters still go around unemployed. In all the institutions where they go, they are met by foreign waiters. Faced

7 “Ecnebi şirketlerde yapılan tetkikat”, *Milliyet*, 2 February 1930.

8 “Ecnebi şirketlerde Türk memurlar”, *Milliyet*, 3 February 1930.

with this situation a delegation of waiters finally formed and appealed to the provinc[ial government]. However they received the response from the provinc[ial government] that there was nothing they could do but wait for the law to come out. These waiters, who came to our printing house yesterday, had the following things to say:

- We've got something to look forward to now.... We'll wait for the law... What else can we do? We've got no other choice. God will ease our troubles, no doubt. This way we'll finally be able to support our families.<sup>9</sup>

The government mouthpiece *Cumhuriyet* would make the following assessment:

A young Turkish worker came to our printing house yesterday. He was excited and distressed. The reason derived from the fact that he had lost his job where he'd been working for a year due to an accident at work. When he was a child during the First World War, this young man had been sent to Europe for education. Today, he is the head of his family. The individual has worked in various factories in Germany and America, but was finally forced to return to Turkey because every other country has recently begun to prefer their own workers, and since every nation thinks first about its own and so there was no more work for foreigners.

When we took a look at our own country's industrial and commercial institutions, and at all the sectors of economic activity what we see is that we have not yet started to think of ourselves first.

We can fairly claim that a foreigner here can be more successful in finding work than the local population. Apart from in a number of specialized trades, does any foreigner have the right to take money from this country's purse while a Turk young cannot find enough money to feed his family due to unemployment?

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9 "Türk garsonlar yekûnu 2 bine varan ecnebî garsonları istemiyorlar?", *Haber Akşam Postası*, 16 February 1932.

We say that a decision must be made immediately to determine the jobs that foreigners can and cannot be allowed to perform; before all else, we must fill our own bellies.<sup>10</sup>

For its part, the daily *Son Posta* gave space to the views of three Turkish citizens, who would say the following:

- In the draft of the law that lists the artisanal trades and services in Turkey that are to be preserved for Turks alone, the article that I find especially pleasing is [the one which says] that foreign musicians and actors shall not come to our country. Have fewer women and theatrical performers come to our country since the Second Constitutional Period [1908-1918] claiming to be 'artists' and 'musicians'? The money that we have given them has been in the millions, no less. But after this these lackluster musicians and inferior women will no longer be able to enter our country and make off with fists full of our money. In the draft bill the door was left open for true artists. I found that to be perfectly natural.
- In the face of the global crisis, every country in the world has decided to ensure that their own jobs should go only to their own citizens, and therefore to ensure that their national wealth does not go into foreign pockets. For these nations there was a great value in [preserving] even a smidgen (*santim*) of money. We were even allowing foreigners to pave our roads. Whether in our coffeehouses, our restaurants, bars, or dance halls, all of the women and most of the workers were persons with foreign citizenship. That's why a great many Turkish waiters remained without work, why even most of our shoeshine boys are foreigners. I am eagerly anticipating the passage of the law that will reserve these [positions] only for our own citizens.
- Masonry, plaster work, mural and fresco painting, paving, pipe fitting, turnery, bakery work, oven tenders, baking, zincography, portage and housecleaning are easy and simple work that Turks can do. To give such work to foreign citizens—especially in a pe-

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10 "Ecnebilerin yapıp yapamıyacağı işler sür'atle ayrılmalıdır", *Cumhuriyet*, 23 February 193



riod like this—is an incredible mindlessness. I applaud the new law on this count. It was correct for printing to be reserved for Turkish citizens. Since the Alphabet Revolution bookbinders and printers have absorbed much [financial] damage. Only those parts of the printing industry that are dependent upon specialization and whose practice demands expertise should be excused [from these restrictions]. I want that [provision] placed in the draft bill.<sup>11</sup>

### Statistics Regarding Foreign Nationals

After reports were received that the law had reached its final form and would be discussed in the Turkish Grand National Assembly,<sup>12</sup> another report appeared offering some statistics regarding the citizenship of chauffeurs working in Istanbul. According to the article, the breakdown of chauffeurs in Istanbul according to nationality was as follows:<sup>13</sup>

Turkish Citizens				Foreign Citizens						
Muslim	Armenian	Greek	Jewish	Greek	Italian	French	German	Serbian	White Russian	Other
2990	136	150	70	17	20	17	4	4	45	6

Another report offered similar breakdowns of foreign citizens in other fields of employment:<sup>14</sup>

Manufacturers : 88  
 Male Restaurant Owners : 181  
 Female Restaurant Owners : 9  
 Male Laborers : 756  
 Female Laborers : 43

11 "Türkiyede İş Türkündür", *Son Posta*, 16 March 1932.

12 "Türklerle ait meslekler", *Son Posta*, 20 March 1932.

13 "Ecnebi Esnafın listeleri yapılıyor", *Son Posta*, 25 March 1932.

14 "Ecnebilere yasak edilecek meslekler", *Son Posta*, 27 March 1932.



### **Musicians**

White Russian	: 24
Italian	: 13
Greek	: 16
Czech	: 9
Hungarian	: 7
Romanian	: 7
Bulgarian	: 8
Spanish	: 4
Australian	: 4
Serbian	: 4
Soviet Union	: 3
British	: 2
French	: 2

### **Carpenters:**

German	: 82
British	: 6
Greek	: 156
Iranian	: 6
Serbian	: 6
Hungarian	: 8
Russian	: 7
Italian	: 16
Bulgarian	: 24
Romanian	: 1

### **Auto Dealers:**

White Russian	: 54
Italian	: 20
French	: 17
German	: 4
Serbian	: 4

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**Grocers:**

German	: 2
American	: 1
Albanian	: 96
Bulgarian	: 11
Finnish	: 1
French	: 1
Iranian	: 330
Russian	: 13
Serbian	: 9
Greek	: 443

Additionally, an article from the following day would report that there were some 200 barbers and 223 waiters of foreign nationality working in Istanbul:<sup>15</sup>

**Waiters:**

Russian	: 54
Greek	: 98
Albanian	: 21
French	: 2
Serbian	: 14
Italian	: 1
Bulgarian	: 4
British	: 1
Iranian	: 6
Romanian	: 2
German	: 5
Spanish	: 1
Austrian	: 4
Georgian	: 1

Another article, this one in the daily *Haber Akşam Postası*, would focus on a lumber factory in Ayancık. It reported that some 500 German workers were employed at the site with the desig-

15 "Ecnebi berber ve garsonlar tespit edildi", *Son Posta*, 28 March 1932.

nation of "experts," and that an equivalent number of Turkish workers had been terminated. It was written that the daily wage that the Turkish workers received was somewhere between one half or one quarter of the amount received by the German workers, but that the factory operators had nevertheless pulled a fast one and labeled their regular workers as "specialists" and thereby evaded the law that was on the verge of being passed.<sup>16</sup>

### Editorial of the Daily *Cumhuriyet* Newspaper

*Cumhuriyet* Editor-in-Chief Yunus Nadi suggested a cautious approach:

It's well known that the Interior Ministry has long labored to prepare a law concerning the question of which fields of employment in our country will be open to foreigners and which ones won't, and that the draft of this bill will be reviewed and discussed by the Grand National Assembly this year. In this way any defects in the law will be completely corrected before it is put into place. We hope that while the defects are still being corrected they will be possess a broad-mindedness that will lead us to a cool-headed investigations [of the situation].

The principle [behind] this questions is this: the country must see that the work, the jobs within its borders [must be for] the individual members of the country's population, and it is they who must benefit from them. This principle is one that is accepted, with certain exceptions, in almost all the civilized countries of the world. The bases for determining exceptions are things such as the sheer amount of work being too great for the country's citizens alone to accomplish, and the fact that some tasks demand a level of expertise and specialization [that one's own citizens may not possess]. But because this law will be implemented among us for the first time, it is necessary not to give rein to a mindsent that would see it necessary to immediately give every job to [Turkish] citizens [irregardless of other considerations]. In

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16 "Ecnebi amele meselesi", *Haber Akşam Postası*, 30 March 1932.

such conditions [as these] there is a need to take into consideration that the excesses of nationalism are liable to cause differing degrees of harm.

We might do well to recall an event that we ourselves witnessed as an [warning] example. Due to specialized nature of the tasks involved, it was necessary to contract an agreement with a company that dealt in large-scale forestry efforts, but this gave rise on occasion to a violent debate in which the two sides proved unable to understand each other's grievances. The relevant ministries asked a question that was, in and of itself, quite reasonable:

"Does it demand specialization for a tree that is on a mountain to be cut and the log rolled [down to the bottom]?" The group that managed the forest responded:

"If there's no need for this [expertise], then should we have to spend more money to attract foreign labor?"

The argument went at length; finally the problem was resolved for that one time, so as to be able to start off on the same level of harmonious understanding at which they'd arrive during a second or subsequent occasion [of such disagreement].

We examined this problem closely. In truth, the problem really did derive from the matter of cutting the trees and rolling the logs. It wasn't a matter of simply cutting down and rolling a handful of trees and logs. We were talking about a situation in which tens of thousands of trees were being cut down and a similar number of logs which had to be rolled or otherwise removed from hills, from mountains, and from valleys, and brought to the factory; such an operation demanded the adoption of certain technical methods [in order to ensure a] secure pace of movement and delivery. In this way trees could be more quickly cut and the logs more quickly extracted and sent on their way. It was no great shame that Turkish workmen didn't know how to do this, because others had gained mastery [of this task] through long years of practice [and experience]. Until sufficient time had passed in which Turkish workers could learn to master this operation we would see that they would gradually begin to show



ability in this task. Until that time, it was necessary to admit our need [for such work to be done] and to surrender [it to those] who could do it. It's well known to all that we don't have the time to open up a school for every single job. The "school" for some tasks is the work itself, especially given time.

If we consider this example, we can [accurately] judge that in tasks demanding expertise and specialization, the insertion of a clear allowance for [foreign] expertise will by itself bring benefits to our country and even to our nation's laborers.

We shall recall that for a while we were seeing complaints in a number of newspapers about the fact that the members of a jazz band that was playing various places were foreigners. It is hoped that the natural statement will be expressed with all sincerity that the musicians and those who know music among us will reach a state of such competence that they will [eventually] be able to fill every need. But as long as this field of labor has not reached the necessary level of development, we are doing a good thing by showing a relative amount of tolerance in this regard and not causing disruptions in public life. While some might say "Let's forbid [some persons from doing something] and the need will create for itself persons who can meet it," let us also take into account that the discontinuity that will result from this will not fail to leave a bad impression [on the public].

There are probably not many examples of this now, but there are some artists who sing and dance in the bars and musical venues in our country, just like in all other countries. These people are not creatures who are "owned" by a given country, they travel from country to country, spreading a little fun and enjoyment wherever they go, and in exchange, they earn themselves as much of a living as possible and move on [to the next country]. We do not know exactly how this situation is viewed under the law. Nevertheless, the great traveling artists must absolutely be an exception [to any labor restrictions to be put in place]. As for the lesser artists, we would assume that the doors will not be entirely closed to them either.

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Are we unaware that there are those who would ask us if "such things are to be considered in these times of crisis?" Let there be such persons, but we are not of those who believe that a nation's population should always go around with sad countenances. Joy is the thing that motivates people to live their lives, to act. A nation doesn't just need places to work, they also need places to recreate and enjoy themselves.

Finally, there is great benefit for our own nation in behaving with a breadth and generosity of thought in regard to the foreigners who are to be allowed to work in our country. It must not be forgotten that, in this century, no nation can live a turtle, withdrawn into its own shell. Any such law must secure the rights of Turks, but it must not show the Turk in an extremist light, as one whose understanding of nationalism is excessive and loutish.<sup>17</sup>

17 Yunus Nadi, "Memleket İşlerinde Yerli ve Yabancı İşçiler", *Cumhuriyet*, 29 March 1932.

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## DISCUSSIONS AT THE TURKISH PARLIAMENT

The law would be debated in the Turkish Grand National Assembly on June 4, 1932. During the course of the discussions, Interior Minister Şükrü Kaya made the following statement:

This law, that is to say, the law that forbids foreigners from practicing certain trades, is a law that all of the advanced nations have long implemented in their own countries. And the wording of this in international law is *régime d'étrangers*. In other words, the rules and regulations to which foreigners will be subject. We have long wished for this law, too, but the Capitulations that always prevented the development of the country and blocked its future brought any efforts in this direction to naught. The unilateral abrogation of the Capitulations during the First World War allowed the Turks to enter certain trades and crafts. We won the lion's share of these rights at [the] Lausanne [Peace Talks]. At Lausanne we set aside a number of trades and careers for our citizens. There were still a few sectors remaining [outside our reach], but we will have completed and fulfilled this through this law. The principles upon which this law is based are these:

One section of labor market which is connected to public safety was earlier reserved for [Turkish] citizens through the Law on Medicine, through the Law of Pharmacology, and another through the Law of Cabotage. The last remaining sector in this, is trades like chauffeur and doorman, gatekeeper, etc.. These are things that are connected to the security of the country, and of the pub-



lic. We are securing th[ese] sectors and reserving them for [our] citizens thorough this law.

The second of these sectors is the one connected to public services, such as bathhouse operators and such. We will reserve these for [Turkish] citizens. Things like shoe sales and garment sales.

The third sector is social and economic and we have reserved this for the citizenry as well. This is an economic necessity. The trades and professions that demand less capital investment and skill mastery. The trade of shoe seller might be used as the best example of this. In a difficult period one of our citizens might be forced to take his handkerchief out of his pocket and sell it so that he has enough money for bread for his house. If he finds that there are persons from another nation to compete against him, they might deprive the citizen of his rights. The total body of these laws, and of the principles [behind them] is defensive and preservative. They do not violate the rights of anyone. We found it very advantageous to pass this [law] at this time; the reason is, first and foremost, that there is an economic need. Second, the number of foreigners practicing their trades in our country is still not great. With this law, therefore, we are not going to be snatching away the earnings or jobs from foreigners who have settled in the country and earn their wage [here]--even though we should have the legal right as well as the right [to economic] independence to take it and leave them unemployed. There are some trades that they wanted to occasionally close [to foreigners] and others to sometimes leave open, according to need. Let's imagine, for example, that one day there is a bumper crop of cotton in our city of Adana: we will certainly have a need for extra hands to process it. At such a time it would be necessary to "open the gates" [to foreign workers]. Some times, it is necessary to open the doors to this same trade and bring in the greatest possible level of labor from abroad in order to work the excess. Sometimes these things also result from political necessity. Such as situations in which there are reciprocal agreements. If any other country closes a given service to Turkish citizens, then it naturally concludes that

the State of Turkey will close that service to that country's citizens as well. This must be assured through this law. The law will thoroughly ensure these various aspects [of the issue].

During the discussions Kılıçoğlu Hakkı, member of parliament from Muş, proposed that barbers also be included in the law and this motion was accepted. Ahmet İhsan, member of parliament from Ordu, proposed that typographers and lithographers working in the printing houses be included in the Law, but this was refused. Rahmi Bey, member of parliament from İzmir and President of the Economic Commission, replied that there was no need to include them. He explained that the Law aimed to reserve the trades which Turkish citizens could very well perform to Turkish citizens and prohibit the foreigners to perform them. Since there were many such trades and occupations it was impossible to list all of them in the text of the Law. In any case since with article 3 of the Law, the Council of Ministers had the authority at any moment to widen the scope of the Law there was no need to include lithographers and typographers in the text.<sup>18</sup>

<sup>18</sup> T.B.M.M. Zabıt Ceridesi, Devre: 4, Cilt: 9, İçtima:1, 4 June 1932, p. 65.

## THE TEXT OF THE LAW

The text of the Law no. 2007, "Law On Trades and Services Which in Turkey Are Reserved to Turkish Citizens" which was accepted on June 11, 1932 was as follows:<sup>19</sup>

Article 1 - The trades and services indicated below may in the Turkish Republic be carried out exclusively by Turkish citizens. The exercise of these trades and services by other than Turkish citizens is prohibited.

A) Peddler; musician; photographer; hairdresser; typesetter; broker; maker of clothing, caps and footwear; exchange (bourse) broker; seller of articles subject to state monopoly; guide and interpreter of tourists; workers engaged in the construction, iron and woodworking industries; permanent or temporary workers on public transportation means and water, light, heating and communication services; loading and unloading services on land; chauffeur and aid; all kinds of labourers; watchman, janitor and messenger in all kinds of institutions and commercial establishments, apartments, hotel, office buildings and companies; waiter or waitress in hotels, 'hans' (may mean both inn and office building), baths, coffeehouses, casinos, dancehalls and bars; bar dancers and singers.

B) Veterinerian and chemist.

Article 2 - Unless a special permit is issued by decision of the Council of Ministers the trades enumerated below may not be carried out by foreigners.

<sup>19</sup> NARA, document dated June 29, 1932, reference 867.504/4.

Aviation mechanic and pilot.

Services in institutions attached to the State or provinces or in municipalities and related establishments.

Article 3 – The exercise by foreign citizens of trades and services not reserved to Turkish citizens by this law may in case of necessity be prohibited by decision of the Council of Ministers.

Article 4 – Foreigners employed in the services mentioned below are exempt from the provisions of the present law:

Janitors of foreign embassies and consulates accredited to the Turkish Republic and persons of their citizenship or that of another state driving the transportation means at their disposal.

Article 5 – Foreigners engaged in the trades and services reserved to Turkish citizens at the date of the publication of the present law are required to relinquish their occupation within one year from the date of the publication of the present law.

Article 6 – Foreigners who carry out the trades and services reserved to Turkish citizens at the expiration of the period specified in Article 5 shall by order of the highest local civil officer in addition to being actually prevented from the exercise of their trade or service be committed to the peace court together with the pertinent process verbal drawn up and be sentenced to a heavy fine from 10 to 500 liras.

Article 7 – Citizens of foreign states imposing restrictions of an administrative or legal nature in regard to Turkish citizens may by decision of the Council of Ministers be prohibited from carrying out the trades and services in which they (normally) may engage in Turkey.

Article 8 – Foreigners are not authorized to open shops in places which are neither 'vilayet' (province) nor 'kaza' (country) centers.

Article 9 – The present law is valid from the date of its publication.

Article 10 – The Council of Ministers is charged with the application of the provisions of the present law.

According to article 5 of this law, the foreigners had to relinquish their occupation within one year from the date the Law was published in the *Official Gazette (Resmî Gazete)* which meant by June 16, 1933.

## THE SITUATION AFTER THE PASSAGE OF THE LAW

### Initial Reactions

A few weeks after the Law was passed Charles H. Sherrill American Ambassador in Ankara, in his report to the Secretary of State, to which he attached the translation of the law, would made the following comments:

The importance of the law depends of course on its application and on whether a broad or narrow interpretation is to be used in defining the various trades and services prohibited to foreigners. The Minister of the Interior has already assured the Hungarian Minister that the Hungarian brick-layers, masons and carpenters in Ankara, amounting to several hundred persons, would not be affected since the terms "workers" and "laborers" as used in the law imply unskilled labour. German, Italian and Czech citizens in Turkey may also be greatly affected by this law. (Reciprocal action on the part of these countries would be more or less ineffective since they contain few Turkish citizens in the trades enumerated) So far as I am able to ascertain, this law does not affect American citizens in Turkey.<sup>20</sup>

Five months after the law was passed the American Embassy of İstanbul filed the following report with a "strictly confidential" warning:

The Istanbul representative of the Ministry of Economy admitted to a representative of this office that there is no warrant of

20 NARA, document dated June 29, 1932, reference 867.504/4.

law for his activities in encouraging the preferring of nationals to aliens, except where the point is covered by the legislation quoted above or by the provisions of a concession. It was admitted, however, that the policy is, wherever practicable, to go beyond the law. As a matter of fact, there are reported to have been occasions on which the authorities attempted to obtain, not only the dismissal of aliens, but also the dismissal of non-Moslem Turkish nationals. In recent months, however, the attitude towards non-Moslem nationals has been distinctly less unfriendly. It may be said in general that, in practice, the agents of the Ministry of Economy are able to impose upon all concerns except those large enough to have attorneys regularly employed and that even such large concerns often find it desirable, to the end of avoiding friction, to meet the demands of the agents of the Ministry.

It is difficult to arrive at accurate figures as to the number of aliens affected by restrictive measures in Turkey. In its issue of October 20, 1932, the *Cumhuriyet* said that Law No. 2007, which is quoted above, will put out of business, from June 16, 1933, about 700 Greek waiters, cooks and bar keepers, from 600 to 700 Persian tobacconists and coffee house keepers, from 400 to 500 Albanian restaurant operators and from 400 to 600 Bulgarian vendors of milk products. There is also in Turkey, notably in Istanbul, a very considerable number of Maltese British subjects and of Italian subjects. Many of these people are laborers of one kind or another or petty shop keepers and they will also be affected by the law in question the number possibly runs to 2000. Account must also be taken of a few hundred persons of varying nationalities, commonly designated as Levantines, that is, descendants of foreigners who settled in the country from three to ten generations ago and who, as a result of the capitulatory system, retained alien nationality. This applies also to a great part of the Maltese and Italians mentioned above who, but for the capitulatory system, would have, in great measure, become Turkish subjects with the passage of time. In the cases of most of these people, whatever passports they may bear, the language they speak is primarily Greek.

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In conclusion, it may be said that the restrictive measures affect almost exclusively inhabitants of Istanbul and, to a much smaller extent, Izmir who are natives of the country, if not nationals.<sup>21</sup>

## The Number of Foreigners Affected

According to the trade unions and artisanal guilds the number of foreigners engaged in the minor trades and services who would be affected by the new law was estimated to be around 40,000. Among these the greatest number possessed Greek citizenship.<sup>22</sup> A report that appeared in the Turkish daily *Cumhuriyet* claimed that some 30,000 Greek citizens resided in Istanbul, and of these some 10,000 were artisans.<sup>23</sup> Another development that was observed after the law's passage was the phenomenon of some 2,300 persons of foreign citizenship requesting from official quarters to become naturalized Turkish citizens. Among these some 1,500 of the requests came from ethnic Turks or Muslims from Romania, Bulgaria, Serbia, and Azerbaijan, while the remaining 800 requests came from non-Muslims.<sup>24</sup>

According to a report of the United States Embassy of Turkey, as of March 1933 there was an estimated number of 86,000 foreigners residing in Turkey, notably 26,000 Greek, 11,000 Italian, 8,000 Persian, 4,000 Yugoslav, 2,000 German and 3,000 British nationals, the later mostly Maltese.<sup>25</sup>

According to a cable from the French Ambassador the number of foreign nationals affected read as follows:

Greeks: Approximately 3,000 people.

Italians: About 2,000. 800 have already been repatriated to Italy.

21 NARA, document dated November 16, 1932, reference 867.504/5.

22 "4000 Türk'e iş sahası açılıyor", *Cumhuriyet*, 9 March 1933.

23 "Küçük san'at erbabı ecnebiler", *Cumhuriyet*, 11 March 1933.

24 "Türk tabiiyeti", *Akşam*, 2 May 1933.

25 NARA, document 867.504/8 dated May 15, 1933.

Yugoslavs: 1.000 people Instructions for their repatriations have been asked to Belgrade.

Bulgarians: 400 people have been repatriated to Bulgaria at the expense of the Bulgarian State.

Austrians and Germans: Some persons have been rapatriated at the expense of the States British: 250 people (Mostly Maltese) have been reinstalled in the countries of the Mediterranean basin.

Hungarians: 300 people. Repatriated at the expense of the State.<sup>26</sup>

### **The Postponement of the Law's Implementation**

However when the date by which the foreigners had to relinquish their occupations approached the Council of Ministers decided to postpone its application by two years from June 16, 1933 to June 16, 1935. Article 1 of this modification was as follows:

The withdrawal of foreigners from the trades and services reserved to Turkish citizens by virtue of the Law No. 2007 will be assured within two years from the expiration of the period specified in Article 5 of the said law.

The Council of Ministers shall decide within this period the dates after which each of the trades specified in the law may no longer be carried out by foreigners.<sup>27</sup>

The reason for this postponement was that there was not enough skilled Turkish workers, specially in the building industry.<sup>28</sup>

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26 Archives Quai D'Orsay, Direction des Affaires Politiques et Commerciales, 678, Serie E, carton 249. Cable from Kammerer to the Ministry of Foreign Affairs dated July 5, 1934.

27 NARA, document 867.504/8 dated May 15, 1933.

28 NARA, document no 867.504/8 dated May 15, 1933 and 867.504/9 dated June 12, 1933.

## The Publication of the Law's Regulations

In May 1934 a regulation of the law was published and the United States Embassy in Ankara reported it as follows:

I have the honor to report that foreigners residing in Turkey are much disturbed by the announcement of regulations governing the exercise of various callings in this country, the practical effect of which will be to compel thousands of them to leave unless the decree is modified or permitted to fall into desuetude. Apparently few American citizens will be affected by the rigorous measure announced.

In June 1932 the Grand National Assembly passed a law reserving certain professions, trades and services to Turkish nationals. Although Article 5 of the same law provided that foreigners engaged in the trades and services restricted to Turkish citizens were required to relinquish such occupations within one year from the publication of the law in question, that is to say by June 1933, a subsequently legislative act in May 1933, postponed the application of the first law until June 1935, authorizing, however, the Council of Ministers to decide within this period the dates after which each of the trades envisaged by the law could no longer be carried out by foreign nationals. This amendatory law which was obviously dictated by considerations of expediency as it prescribed a gradual enforcement of the original law, is now being put into effect by the publication of a regulation determining the periods within which foreign nationals engaged in the said professions and trades are required to quit these occupations.

The provisions of this regulation establish six categories of occupations and simultaneously specify six consecutive periods during which "an end will be put to the services of foreigners"; i.e.:

Category I – From May 21, 1934, to July 21, 1934.

- a- Chauffeurs and assistant chauffeurs.
- b- Tourist interpreters and guides.
- c- Hairdressers.

- d- Makers of clothing, caps and footwear.
- e- Exchange brokers.
- f- Musicians.

Category II – From July 21, 1934, to September 21, 1934.

- a- Laborers in general.

Category III – From September 21, 1934, to November 21, 1934.

- a- Watchmen, janitors and messengers in all kinds of institutions, commercial establishments, apartments, office buildings, hotels and companies.
- b- Male and female servants in hotels, office buildings, baths, coffee-houses, casinos, dance-halls and bars.
- c- Street vendors.

Category IV – From November 21, 1934, to January 21, 1935.

- a- Photographers.
- b- Typographers.
- c- Those engaged in loading and unloading on land.

Category V – From January 21, 1935, to March 21, 1935.

- a- Sellers of articles subject to state monopoly.
- b- Players and singers in bars.
- c- Permanent and temporary laborers employed in public transportation means and water, light, heating and communication enterprises, and veterinarians and chemists.

Category VI – From March 21, 1935, to May 21, 1935.

- a- Commission-agents.
- b- Laborers in the construction, iron and wood working industries, as well as
  - A- Aviation mechanics and pilots and
  - B- Persons employed in installation work in institutions attached to central or provincial administrations or in municipalities and allied institutions for whom a special permit has not been obtained from the Council of Ministers.

It is difficult to indicate the probable effect of these regulations by exact figures, as much will depend upon the interpretation placed upon certain rather broad definitions. According to the census of 1927 there were over 86.000 foreigners in Turkey. A guess by more or less competent persons indicates that about 10% of this figure will be affected by the law in question. As over 75% of the foreigners in Turkey are inhabitants of Istanbul, it is evident that the effects of this legislation will be felt more in this city than anywhere else.

In regard to the object of this law it can safely be said that its principal aim is to create employment for the native population; a policy which fits in completely with the nationalistic tendency of the present regime. That the government is seeking to increase the number of its citizens by thus forcing foreign citizens in Turkey to acquire Turkish citizenship would seem to be hardly in conformity with its obvious policy which aims at a strictly homogeneous Turkish population in contradistinction to the heterogeneous mixture composing the Ottoman population.<sup>29</sup>

29 NARA, document dated May 31, 1934, reference 867.504/10.