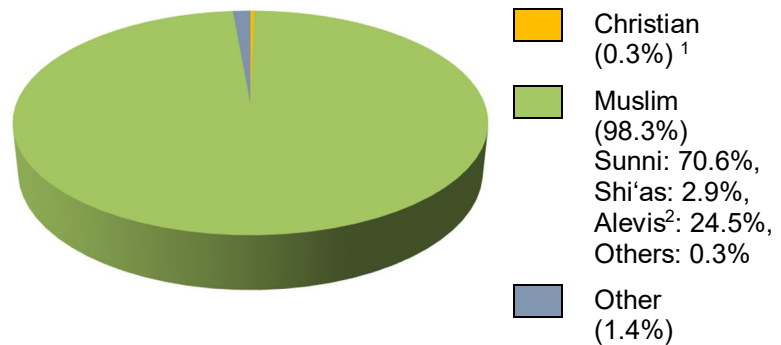


TURKEY



Area: 769,295 km ²	Population³: 79.6 million	Political system: Democracy / Autocracy ⁴	Major Language(s): Turkish
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Legal framework on freedom of religion and actual application

Founded in 1923, the Turkish Republic incorporates the principle of secularism in its constitution. However, modern Turkish nation-building is premised on the notion that “Turk” equals “Muslim”.⁵ This means that non-Muslims, whether Christians or Jews, can never be fully considered to be Turkish citizens. In everyday language, they are referred to as “giaours”, i.e. “infidels”. Churches in Turkey, be they Catholic, Orthodox or Protestant, are often perceived as missionary institutions. Since the attacks of 2003, Istanbul synagogues are under special protection.

Since 2002 when the Justice and Development Party (Adalet ve Kalkınma Partisi (AKP)) took power, the secularisation of society has been challenged. The process of moving away from a “secular” Republic seems inevitable, but the exact meaning of the term must be agreed upon. The AKP restored Sunni Islam’s place in the public sphere. In fact, this process had begun in 1983 when Turgut Özal founded a reformist party. The army has long been seen as the guardian of Turkish-style secularism, but that is no longer the case today. The Republic itself was established as a bulwark against the influence of Islam in Turkish politics.

Paradoxically, the comeback of religion under the AKP has allowed non-Muslim communities to have their voices better heard. “At least the government now answers our letters,” said Bartholomew II, Ecumenical Patriarch, in an interview.⁶ Recently, a 2008 law has allowed the return of assets taken from minorities during the dark decades of post-Kemalism (1940-1970). However, this remains a long, difficult and expensive process.

Since the summer of 2015, following the offensive launched by President Tayyip Erdoğan against the Kurdish Workers’ Party (Partiya Karkerên Kurdistanê, PKK), most likely for electoral purposes (before the 1st November 2015 election⁷), the destabilisation of south-eastern Turkey has harmed local minorities (mainly Christians and Yazidis). Syriac villages in Tur Abdin are in the eye of the storm, caught between the PKK and the Turkish army. Local Syriac monasteries are the last of their kind that are still active in Turkey.

Although freedom of religion is respected in Turkey, groups such as the Alevi, Protestants and other denominations have complained of discrimination. Turkey’s legal framework is quite broad, ranging from the laws that apply to non-Muslim minorities after the signing of the Treaty of

Lausanne on 24th July 1923 to the laws on associations and foundations (Vakif laws), as well as the 1936 law on assets belonging to minorities, such as historical monuments.⁸

The Republic of Turkey is secular and there is no reference to Islam in its constitution. However, although conversion from Islam to other religions is not formally banned, it is frowned upon in society. Religion is indicated on identity papers but, that said, the law does allow people to refrain from indicating their religion, an option popular with young people. Neither the army nor the government administration has a Christian or high-ranking Alevi officer.

Incidents

Relating to religious minorities in Turkey⁹

Several issues continue to play a prominent role in Turkish politics, most notably: the intractable situation of the Greek Orthodox theological school on Halki Island; the unfair action over a few acres of land undertaken by the State against the Syriac Orthodox monastery of Mor Gabriel in southeastern Turkey; the Turkish Government's ambivalence on the Armenian question (unlike civil society); the non-recognition of the special position of Turkey's Alevi; and the regular association of Turkish Jews with Israel's foreign policy. The Catholic Church, the Ecumenical Patriarchate and the Armenian Patriarchate in Turkey have no legal standing under Turkish law (the same is true for certain Islamic institutions such as the confraternities). In church, sermons are sometimes delivered in Turkish, as well as in the congregations' language of origin, such as Greek, Armenian, Italian, or French. Christians and Jews can have their own schools and hospitals, but subject to Turkish law on foundations (Vakif). Christian prelates have demanded for years that their Churches be granted legal personality.

Early 2015: After several years of litigation in which the Forestry and Waterworks Directorate and the Treasury Department challenged the title of the Syriac Mor Gabriel monastery to important parcels of land (some inside the monastery), President Erdoğan suspended the legal action. This is not the victory of the rule of law, but that of the prince exercising his power.

January 2016: The Public Policy and Democracy Studies (PODEM), a centre founded in Istanbul in 2015, published for the first time this year a study about how Armenians see themselves in Turkish society. Among the most striking findings is the fact that Turkish Armenians are constantly worried. They believe that they are not treated as equal citizens and that they are disliked by the rest of society. Although they would like to see the 'genocide' recognised, they do not see it as a priority. Equal rights and the opening of the border with Armenia are more important.¹⁰

28th January 2016: Yusuf Akbulut, a Syriac priest in Diyarbakir, was forced to leave the Church of the Virgin Mary after it was hit by a shell during fighting between the Turkish army and the PKK. Caught in between the warring parties, Christians are being forced to choose a side.

February 2016: During the curfew imposed by the army on Āzağ/Idil (south-eastern Turkey), local Syriac families were brutalised. The doors of the Church of the Virgin were forced open.

10th February 2016: In response to critics who accused her of being Christian, Selin Sayek Böke, a Member of the Turkish Parliament for the opposition Republican People's Party (Cumhuriyet Halk Partisi, CHP), said: "Part of my family is Christian and the other is Muslim. Both are children of Anatolia, heirs to a rich culture. I have nothing to hide." She also said: "We are going to win this fight. We shall not allow the country to fall back into darkness."¹¹

12th February 2016: Trabzon's Church of St Sophia, until now classified as a "museum", thus falling under the jurisdiction of the Culture Ministry, was transferred to the Diyanet, i.e. the Religious Affairs Directorate. One can expect this historically important Byzantine church to be turned into a mosque in the coming months.

27th March 2016: Police issued an alert about possible attacks by Daesh (ISIS) on churches over Easter in the country. Another alert was issued about possible provocations by members of the terrorist organisation Turkish Hezbollah.¹²

April 2016: A trial began in Diyarbakir to challenge the expropriation proceedings of several churches, namely a Syriac Orthodox church, a Protestant Syriac church, an Armenian church and a Chaldean church. Since a curfew was imposed in the area, the Turkish government seized 6,300 parcels of land in Sur, Diyarbakir's historic centre, home to these historically important religious buildings.¹³

1st April 2016: The Protestant community, which lacks places of worship, was denied the right to use the historical Taşbaşı Orthodox Church in Ordu. There are plans to turn the church into an archaeological museum.¹⁴

3rd April 2016: The Christos Greek monastery, on Heybeliada Island, was emptied because it is built on forest land. The Ecumenical Patriarchate expressed its regret and said that meetings are planned with officials in Ankara.¹⁵

8th April 2016: The Church of Surp Minas in the abandoned village of Kez near Erzurum came under threat of demolition even though it was classified as a historic building in 2010. If the church is destroyed, its owner Sabri Ergin is prepared to take the case to the European Court of Human Rights.¹⁶

15th April 2015: Syriacs in Midyat (south-eastern Turkey) began a hundred-day hunger strike to make the world aware of "the genocide of their people" along with that of the Armenians. They call their genocide Seyfo, 'sword' in Syriac.

19th April 2016: Start of the lawsuit by the State against the Ecumenical Patriarchate to cancel the title deed to land returned to the Patriarchate four years ago. One large piece of land is in Göksu and the other in Ümit Tepesi, on Halki Island. The State Forestry Department wants the property returned to the Government Treasury.¹⁷

20th April 2016: At the Hrant Dink murder trial, a police officer said, "The State shut its eyes in Dink's death." The murder of the journalist by Ogün Samast outside the offices of the Agos newspaper dates back to 19th January 2007. One of the policemen on trial, Muhittin Zenit, defended himself by saying that he had warned the relevant services of an assassination plot.¹⁸

29th April 2016: Laki Vingas, after two terms as an official in the Minority Foundations, published a book titled Yok Hükümünde (No provisions), in which he looks at the legal problems faced by minority communities in the Republican era, human rights violations included.¹⁹ This is an important book.

29th May 2016: Members of the Nationalist Anatolian Youth Association prayed in front of Saint Sophia on the anniversary of Istanbul's conquest, demanding that it be "reconverted" into a mosque.²⁰

31st May 2016: Ali Atalan, a Member of the Turkish Parliament for the pro-Kurdish People's Democratic Party (Halkların Demokratik Partisi, HDP), filed a complaint against President Erdoğan if he does not apologise for insulting Zoroastrian believers in his speech in Diyarbakır, where he described Kurdish rebels as "atheists" and "Zoroastrians".²¹

2nd June 2016: Bülent Aral, the last of the accused still in detention for the murder of three Christians – two Turks and a German – killed in Malatya on 18th April 2007, was released.²²

7th June 2016: After Germany recognised the Armenian Genocide, President Recep Tayyip Erdoğan strongly condemned the vote. "We can deport Armenians who do not have Turkish

citizenship,” he said, referring to the tens of thousands of Armenians living Turkey without Turkish citizenship. Turkish Prime Minister Binali Yıldırım said, “It is an absurd vote. These events took place during the First World War in 1915 and are ordinary acts of war experienced in all countries and all communities.”²³

8th June 2016: The Armenian Patriarchate of Turkey criticised the decision of the German parliament and wrote a letter to President Recep Tayyip Erdoğan to apologise. “[I]t is unacceptable that a parliament [. . .] expressed its opinion, though it has no right to do so. [. . .] As we stated on a number of occasions, using this tragedy that traumatized the Armenian nation in international politics causes sorrow and pain. [. . .] And because of this ugly mind-set, the [. . .] identities of Turkish Armenians are harmed.”²⁴

9th June 2016: Greece issued a protest against the reading of the *Qur’an* inside the ancient basilica of Hagia Sophia. On 7th June, Mehmet Görmez, head of the Religious Affairs Directorate (Diyanet İşleri Başkanlığı, commonly known as the Diyanet), performed his first Ramadan prayer in the building. The Greek Foreign Ministry said it would file a complaint with UNESCO.²⁵ The return of Hagia Sophia to Muslim worship could become a major issue in coming years.

13th June 2016: Eleven German MPs of Turkish origin received death threats after they voted in favour of a resolution recognising the Armenian Genocide of 1915. The German Foreign Affairs Ministry advised them to avoid travelling to Turkey for the time being because their security could not be guaranteed.²⁶

15th June 2016: The Francis of Assisi Foundation filed a lawsuit against the Kuveyt Türk Bank and the Kuwait Finance House on behalf of Syriac Christians from Syria and Iraq, accusing the two financial institutions of crimes against humanity for aiding the Islamic State group.²⁷

Positive actions

Since 2005: Conferences and exhibitions remember the September 1955 anti-Greek pogroms in Istanbul.²⁸

Since 2010: On 24th April, public commemorations of the 1915 Armenian Genocide are held in several Turkish cities, mainly Istanbul. The event attracts a large crowd.

Since 2011, yearly Masses are celebrated at the Greek Orthodox Sumela monastery in the hills above Trabzon and at the Akhtamar Armenian Church, on the historic island in Lake Van.

The Dink Foundation and the bilingual (Turkish and Armenian) Agos newspaper are steadfast defenders of the present and the past of Turkey’s non-Muslim minorities.

2014: After Fethiye Çetin published *Anneannem* (My Grandmother: A Memoir), some 20 books have been published in Turkey by people rediscovering the Christian past of their family.

2014: Turkish journalist Hasan Cemal, grandson of Djemal Pasha (connected with the 1915 genocide), published *1915: Ermeni Soykırımı* (1915: Armenian Genocide), a book available in bookstores. Even though the term ‘Armenian genocide’ is still punishable by law, it is no longer taboo.

2015: Joint opening of two Byzantine Studies departments in Istanbul’s major universities.

2015: The Greek school on Gökçeada/İmvrros Island, near the Dardanelles, reopened. It was closed in 1964.²⁹

February 2015: An ancient Syriac village in Mardin Province regained its original Syriac name.³⁰

November 2015: Four Christian candidates were elected on the AKP, CHP and HDP tickets.

April 2016: In Muş, work to restore the Surb Karapet monastery began under the supervision of the Armenian Association of Sason, Bitlis and Batman. An application was also made to restore the Armenian cemetery in the city centre.³¹

2016: The Syriac community in Istanbul was authorised to open a school and build a church in Yesilköy.³² This is a first in Turkey since the end of the Ottoman Empire. Forty-eight children attend the kindergarten next to Mor Efrem and are taught in Syriac and Turkish.³³

29th May 2016: For the first time in 41 years, a Jewish wedding was celebrated in Edirne's synagogue.³⁴ The synagogue was restored in 2015 with state funds.³⁵

Related to Alevis

31st May 2016: Opening of Turkey's first Alevi Book Fair (20 to 25 million Turks are Alevi). About 25 publishing houses took part in the event. Discussions centred on Alevi philosophy and theology, community history, visibility and demands.³⁶

In Turkey the Alevi community is very important. It is the backbone of the country's republican tradition. Alevis are fierce defenders of secularism. They want the State to recognise them as different from the Muslim majority. They want their places of worship, Cem Evi (houses of prayer), to be recognised so as to be exempt from taxes, like mosques and churches are. Alevis are often of rural origin and are ostracised by Sunnis. They still mourn the 1993 Sivas massacre, when a mob set fire to a hotel that was holding an Alevi poetry festival. Erdoğan chose Yahuz Sultan Selim as the name for Istanbul's third bridge on the Bosphorus. For Alevis, this is a provocation, because Selim I, known as "the implacable", is famous in Ottoman history for his slaughter of Alevis in 1514 after his campaign against the Safavids of Iran.

Others

24th May 2016: In Strasbourg, the Jehovah's Witnesses of Turkey won their case before the European Court of Human Rights (ECHR).³⁷ The case concerns the Witnesses' inability to have a suitable place of worship in Mersin and Izmir. In a unanimous ruling, the ECHR agreed with the Association for Solidarity with Jehovah's Witnesses and Others that planning restrictions constituted a violation of freedom of religion since they prevented Jehovah's Witnesses from gathering in a suitable location to celebrate their worship on a regular basis.

Prospects for Religious Freedom

On the basis of the constitution of 1981, secularism remains a central principle that defines the relationship between the Turkish State and Islam, as well as non-Muslims. Although theoretically it provides protection, "Turkish-style secularism" has been very coercive vis-à-vis non-Muslims. This kind of secularism has been destructive. Turkey's ruling Islamist party wants to open up this concept in order to "free" Islam from Kemalism (the secularist ideas and principles of Mustafa Kemal Atatürk, the founder and first president of the Turkish Republic). Paradoxically, minorities might benefit from this flexibility in terms of greater juridical recognition and protection for their assets. However, non-Muslims also know that they could be manipulated and used by Turkey's current rulers as a showcase. Non-Muslims are not asking for any special favours; they just want the rule of law to be upheld.

Still, it is quite apparent that the country is moving towards autocracy, and that this will result in a rollback in the protection of human rights and fundamental freedoms. The Islamisation of Turkish society is a fact. For Christians, it is already hard to express their faith in public. Churches and synagogues are regularly threatened. Already reduced to its barest expression, an untroubled future for Christians, Jews, and even Alevis (despite the latter's size) is hardly imaginable.

Discrimination is not directed at any one group – in fact, there is no persecution – but rather it is something that is felt by all Turks who are not of the same mind as Recep Tayyip Erdoğan and his government.

¹ (including: Armenians (mostly apostolic): 80,000 (Istanbul), Syriac (Orthodox majority): 25,000 (of which fewer than 2,000 in Tur Abdin, south-east of the country), Greek Orthodox: 1,500 people (Istanbul), Catholics (Latin rite): a few hundred in Istanbul, Izmir and Iskenderun)

² Many Alevi do not see themselves as "Muslim" as defined by Sunni orthodoxy. Political opposition among them against political Islam is strong. Most are republican and Kemalist.

³ Turkish Statistical Institute, <http://www.turkstat.gov.tr/Start.do>.

⁴ Recep Tayyip Erdogan is president since August 2014. His presidency is fuelling fears of growing authoritarianism. Turkey is a parliamentary republic and the presidency largely ceremonial, so Mr Erdogan is seeking changes to the constitution to create an executive presidency; <http://www.bbc.com/news/world-europe-17988453>

⁵ "Foreign Policy as a Determinant in the Fate of Turkey's Non-Muslim Minorities: A Dialectical Analysis," *Turkish Studies* (2013).

⁶ S. de Courtois, *Turquie Européenne*, (European Turkey), May 2012.

⁷ Interview with Kadri Gürsel, *Le Figaro*, 21 February 2016.

⁸ S. de Courtois, "Réflexions sur l'état présent des communautés syriaques du sud-est de la Turquie," (Reflections on the current state of Syriac communities in south-eastern Turkey) *Territoires et conflits au Moyen-Orient et au Maghreb*, Cahier du GREMAMO, n°21, Paris VII, Laboratoire Sociétés en Développement Études Transdisciplinaires, CNRS.

⁹ late 2015-first half of 2016

¹⁰ *Agos*, 29 April 2016, p. 3.

¹¹ *Habertürk*, 10 February 2016, p. 20.

¹² *Vatan*, 27 March 2016, p. 12.

¹³ *Agos*, 15 April 2016, p. 5.

¹⁴ *Agos*, 1 April 2016.

¹⁵ *Agos*, 8 April 2016, p. 4.

¹⁶ *Agos*, 8 April 2016, p. 4.

¹⁷ *Yeni Yüzyıl*, 19 April 2016, p. 13.

¹⁸ *Milliyet*, 20 April 2016, p. 16.

¹⁹ *Agos*, 29 April 2016, p. 7.

²⁰ *Milliyet*, 29 May 2016, p. 13.

²¹ *Posta*, 31 May 2016, p. 14.

²² *Cumhuriyet*, 2 June 2016, p. 14.

²³ *Zaman*, 7 June 2016, p. 9.

²⁴ *Sabah*, 8 June 2016, p. 22; *Agos*, 7 June 2016, <http://www.agos.com.tr/en/article/15576/atesyan-s-letter-to-president-we-submit-our-regret-to-your-dignified-office>, accessed on 21 June 2016.

²⁵ *Hürriyet*, 9 June 2016 p. 24.

²⁶ *Taraf*, 13 June 2016, p. 7.

²⁷ *Cumhuriyet*, 15 June 2016, p. 6.

²⁸ Cengiz Aktar, *ibid*.

²⁹ Cengiz Aktar, *Memory revisited in Turkey*, in American Institute for Contemporary German Studies, German-American issues, n. 18, p. 23-29.

³⁰ *Habertürk*, 14 February 2015, p. 16.

³¹ *Agos*, 20 May 2016, p. 7.

³² *Milliyet*, 11 May 2016, p. 23.

³³ *Vatan*, 5 October 2015, p. 6.

³⁴ *Milliyet*, 29 May 2016, p. 4.

³⁵ S. de Courtois, *Le Figaro*, 4 May 2015.

³⁶ *Cumhuriyet*, 31 May 2016, p. 18.

³⁷ *La Croix*, 24 May 2016.