

Tyrkiet (55)

**2000 Annual Report on International Religious Freedom:
Turkey**

Released by the Bureau of Democracy, Human Rights, and Labor
U.S. Department of State, September 5, 2000

188

22/11-00

TURKEY

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Government policy and the mostly amicable relationship among religions in society contribute to the generally free practice of religion; however, extremist groups or individuals target minority communities from time to time. Unknown perpetrators damaged Greek Orthodox community property. Some converts to Christianity face harassment. The Muslim community continued to engage in a heated debate over the question of wearing traditional religious clothing in government facilities, including universities. The Government brought legal action against several prominent Islamist politicians, businesspersons, and writers, for allegedly "inciting hatred" through speech (albeit usually of a political, not a religious, nature). Police detained and arrested some Turkish Christians for allegedly proselytizing or for unauthorized gatherings.

The U.S. Government frequently discusses religious freedom issues with the Government.

Section I. Government Policies on Freedom of Religion**Legal/Policy Framework**

The Constitution provides for freedom of religion, and the Government generally respects this right in practice; however, it imposes some restrictions on religious minorities and on Muslim religious expression in government offices and state-run institutions, including universities. The Constitution establishes Turkey as a secular state and provides for freedom of belief, freedom of worship, and the private dissemination of religious ideas. However, these rights are restricted by constitutional provisions ensuring the integrity and existence of the State, and rejecting "discrimination on the basis of religion."

The Government oversees Muslim religious facilities and education

through its Directorate of Religious Affairs (Diyanet). The Diyanet, which some groups claim reflects the beliefs of the Sunni Islamist mainstream, regulates the operation of the country's more than 70,000 mosques, and employs local and provincial imams, who are civil servants. The Government states that the Diyanet treats equally all that request services.

A separate government agency, the Office of Foundations (Vakiflar Genel Mudurlugu), regulates some activities of religious minorities including those established under the Lausanne Treaty in 1923 (Greek Orthodox, Armenian Orthodox, and Jewish), and their affiliated churches, monasteries, and religious schools. The Vakiflar, which dates back to the Ottoman Empire, must approve the operation of churches, monasteries, synagogues, schools, and charitable religious foundations, such as hospitals and orphanages.

There are 160 minority foundations, including Greek Orthodox (about 70 sites), Armenian Orthodox (about 50), and Jewish (20), as well as Syrian Christians, Chaldeans, Bulgarian Orthodox, Georgians, and Maronis. Minority foundations, including those of religions recognized under the Lausanne Treaty, may not acquire property for any purpose, although they can lose it. If a community does not use its property because of a decline in the size of its congregation over 10 years, the Vakiflar takes over direct administration and ownership. If such minorities can demonstrate a renewed community need, they may apply legally to recover their properties.

During the period covered by this report, the military and judiciary, with support from other members of the country's secular elite, continued to wage a private and public campaign against Islamic fundamentalism, which they view as a threat to the secular republic. The National Security Council (NSC)--a powerful military/civilian body established by the Constitution to advise senior leadership on national security matters--categorizes fundamentalism as a primary threat to public safety and order. At a meeting in March 2000, the NSC discussed a report that claimed that fundamentalist Islamic elements had increased their activities in a number of areas, including infiltrating government ministries. However, the same NSC report noted that legislative measures have been taken on only 5 points of the February 1997 18-point program against fundamentalism.

Many prosecutors regard proselytizing and religious activism on the part of Evangelical Christians, and particularly Islamists, with suspicion, especially when such activities are deemed to have political overtones. There is no law that explicitly prohibits proselytizing or religious conversions; however, police sometimes arrest proselytizers for disturbing the peace or distributing literature that has criminal or separatist elements. Courts usually dismiss such charges. If the proselytizers are foreigners, they may be deported, but generally they are able to reenter the country.

Religious Demography

About 99 percent of the population are Muslim, primarily Sunni. In addition to the country's Sunni majority, there is a significant Shi'a minority, of which an estimated 12 million are Alawis. Alawis, a heterodox Muslim Shi'a sect, are recognized as a distinct legal school within the 12 imam Shi'a tradition. Their rituals include men and women praying together through speeches, poetry, and dance.

There are several non-Muslim religious minority groups; most are concentrated in Istanbul and other large cities. While exact population figures are not available, these include an estimated 50,000 Armenian Orthodox Christians, 25,000 Jews, and roughly 3,000 Greek Orthodox adherents. There are approximately 3,000 Protestants and 10,000 Baha'is. Additionally, there are an estimated 15,000 Syrian Orthodox (Syriac) Christians and a small, undetermined number of Bulgarian, Chaldean, Nestorian, Georgian, and Maronite Christians. The number of Christians in the southeast has declined as the younger generation, especially among Syriacs, leaves the area to live in Istanbul, Europe, or North America.

There are no known estimates on the number and religious affiliation of foreign missionaries in the country.

Governmental Restrictions on Religious Freedom

As a minority within the predominant (Sunni Muslim) faith, Alawis freely practice their religion and build "Cem houses" (Alawi places of gathering). Some Alawis allege discrimination in the form of failure to include any of their doctrines or beliefs in religious instruction classes, and charge a Sunni bias in the Diyanet, which they claim tends to view the Alawis as a cultural rather than religious group. However, some Sunni Islamic political activists charge that the secular State favors and is under the influence of the Alawis. No funds are allocated specifically from the Diyanet budget for Alevi activities. In addition, there are no government-salaried Alawi religious leaders, in contrast to Sunni religious leaders.

Tarikats (Sufi religious orders) and other mystical Sunni Islamic, quasi-religious, and social orders have been banned officially since the 1920's, but largely are tolerated. In recent years, the National Security Council has called for stricter enforcement of the ban as part of its campaign against the perceived threat of Islamic fundamentalism. Nevertheless, prominent political and social leaders continue to be associated with Tarikats. There were no significant legal actions undertaken against the Tarikats during the reporting period.

The military regularly dismisses from the service individuals whose official files reflect participation in Islamist fundamentalist activities. The European Court of Human Rights (ECHR) upheld one such dismissal in 1998; other cases are pending.

The Government continued to enforce a more than 50-year-old ban on the wearing of religious head coverings at universities or by civil

servants in public buildings. Some women who wear head coverings, and both men and women who actively have shown support for those who defy the ban, have lost their jobs in the public sector as nurses and teachers; some others were not allowed to register as university students. In December 1999, the country's Council of State (Danistay) overturned a lower court decision that would have permitted a student to attend a university wearing a headscarf. The Danistay based its decision on the rationale that universities are public institutions and, as such, have an obligation to protect the country's basic principles, including secularism. In its decision, the court referred to its understanding of a ruling by the ECHR in favor of Turkey, noting that students had to abide by university dress codes, and that the wearing of a headscarf could be construed as pressure on other students.

In November 1999, the Malatya State Security Court (SSC) decided to remove the threat of the death penalty and charges of attempting to change the constitutional order by force, and instead charged 48 defendants, arrested for staging violent protests against the headscarf ban of May 1999 at Malatya's Inonu University, under the (Turkish law 2911) meetings and demonstrations law and Penal Code article (312/2) of "promoting enmity" along religious lines. It sentenced them to jail terms of 18 months to 5 years. Appeals continue. Twenty-two others were acquitted, 4 cases continue, and 2 were transferred.

Merve Kavakci, elected in April 1999 from the Fazilet (Virtue) Party, unsuccessfully sought to be sworn in to Parliament wearing an Islamist-style head covering. Kavakci's case highlighted the ongoing dispute over the ban on wearing religious-style clothing in official settings. She later was stripped of Turkish citizenship on the grounds that she had violated the law by assuming another country's citizenship without notifying proper authorities. She appealed the verdict and lost. Kavakci also lost her parliamentary privileges soon after her citizenship was revoked, although not her elective office since Parliament has not voted to remove her. The issue of headscarves in Parliament, in terms of legislation that would give a final definition to the parliamentary dress code, remains unresolved.

In May 1999, a case was filed at the Constitutional Court to close the Islamist Fazilet Party for promoting antiseccular activity and for representing the ideologies of the Islamist Refah (Welfare) Party, which was banned in 1998. The indictment also calls for banning Fazilet's leaders from politics for 5 years and stripping its Members of Parliament (M.P.'s) of their seats. The case still is pending before the Constitutional Court.

In March 2000, Islamist former prime minister Necmettin Erbakan was convicted under the Penal Code (Article 312) of "promoting enmity" along religious lines, for a speech he had made in 1994 in which (inter alia) he referred to parliamentarians as "infidels." He was sentenced to 1 year's imprisonment, pending appeal. Human rights groups and some politicians criticized the verdict as undemocratic, but the judiciary and many mainstream politicians defended it. Also in March, the chairman of the Islamic business-oriented association Musiad was sentenced to

one year's imprisonment under the same law, for a 1999 statement where he referred to "believers and non-believers." His sentence was suspended.

Government authorities do not interfere on matters of doctrine pertaining to minority religions, nor do they restrict the publication or use of religious literature among members of the religion.

The authorities monitor the activities of Eastern Orthodox churches and their affiliated operations. While the Government does not recognize the ecumenical nature of the Greek Orthodox patriarch, it acknowledges him as head of the Turkish Greek Orthodox community and does not interfere with his travels or other ecumenical activities. The Ecumenical Patriarchate in Istanbul has sought for years to reopen the seminary on the island of Halki in the Sea of Marmara. The seminary has been closed since 1971, when the State nationalized all private institutions of higher learning. Under current restrictions, including a citizenship requirement, religious communities remain unable to train new clergy for eventual leadership. Coreligionists from outside the country have been permitted to assume leadership positions.

Religious and moral instruction in public 8-year primary schools is compulsory for Muslims. Upon written verification of their non-Muslim background, minorities "recognized" by the Government to be covered by the 1923 Lausanne Treaty (Greek Orthodox, Armenian Orthodox, and Jewish) are exempted by law from Muslim religious instruction. These students may attend courses with parental consent. Other non-Muslim minorities, such as Catholics, Protestants, and Syriac Christians, are not exempted.

In accordance with a 1997 law, which made 8 years of secular education compulsory, new enrollments in the first 8 years of the Islamic imam-Hatip schools (in existence since 1950) were stopped, although children already in those classes were allowed to finish their grades. The imam-Hatip schools were very popular among conservative and Islamist Turks as an alternative to secular public education. Under the law, students may pursue study at Islamic imam-Hatip high schools upon completion of 8 years in the secular public schools. Children already enrolled in the later portion of those classes are allowed to finish their grades. Only the Diyanet is authorized to provide religious training, although some clandestine private religious classes may exist. Students who complete 5 years of primary school may enroll in Diyanet Koran classes on weekends and during summer vacation.

There are legal restrictions against insulting any religion recognized by the State, interfering with that religion's services, or debasing its property.

Under the law, religious services may take place only in designated places of worship. Non-Muslim religious services, especially for religions that do not have the status of "official minorities," often take place in nondesignated places of worship, such as diplomatic property or apartments. The Roman Catholic Church in Ankara, for example, is

confined to diplomatic property.

Some religious minority groups have lost property. In October 1999, an Armenian church in Kirikhan, Hatay province, was taken over by the Vakiflar, because its congregation had dwindled to only two persons. The case is under administrative appeal. In addition, bureaucratic procedures and considerations relating to historic preservation at times have impeded repairs to religious facilities. Restoration or construction may be carried out in buildings and monuments considered "ancient" only with authorization of the Regional Board on the Protection of Cultural and National Wealth.

The Baha'i community currently is fighting a legal battle against government expropriation of a sacred Baha'i site near Edirne. The site was granted cultural heritage status in 1993 by Edirne's Board of Natural and Cultural Riches, a branch of the Ministry of Culture. However, in January 2000, the Baha'i community was notified by the Ministry of Education that the property had been expropriated for future use by the adjacent primary school. The Ministry has deposited funds in the Baha'i community's bank account for the expropriated property. The court process is continuing, and the local administration court in Edirne recently rescinded its temporary stay of execution, which technically allows the Ministry of Education to implement expropriation. However, the Baha'i appeal of the expropriation process continues.

Although religious affiliation is listed on national identity cards, there is no official discrimination.

Governmental Abuses of Religious Freedom

In several incidents over the period covered by this report, police detained or stopped Christians who were holding services in private apartments, and those considered to be proselytizing by handing out literature. In September 1999, police interrupted a service in an Izmir apartment and held 40 Turkish and foreign Christians overnight, apparently after neighbors called the police to complain about an illegal meeting. In another case in March 2000, two Turkish Christians were detained for a month on the charge of "insulting Islam" by distributing Bibles; they were released in May 2000 at their first hearing when witnesses refused to stand by their signed statements. Their trial continues in only one of four jurisdictions where cases were opened.

On May 24, 2000, in Istanbul, several persons were detained overnight following a police raid on a private apartment where a group was holding Protestant services. Most of the participants were released the next day, but may face charges; two persons were held for several days before being released.

The Istanbul State Security Court ordered the confiscation of the June 28 issue of the reportedly anti-Semitic "Akit" and the June 23-29 edition of its related weekly publication "Cuma" for "inciting religious hatred" for its treatment of the death of a prominent secular military official.

Prominent Islamist political leaders, including former Istanbul mayor Recep Tayyip Erdogan, have been sentenced to jail for threatening the unity of the State and banned from politics. Erdogan's 10-month sentence was upheld in September 1998, and he was jailed from March to July 1999.

There were no reports of persons who were detained or imprisoned solely for their religious beliefs.

There was no change in the status of respect for religious freedom during the period covered by this report.

Improvements in Respect for Religious Freedom

While the incidents involving Christians brought into focus the lack of full understanding and tolerance of all minority religions, there also were positive developments during the period covered by this report. For the first time, the President issued a Christmas message. A private foundation and the Ministries of Culture and Tourism co-hosted an April 2000 seminar on Abraham at his birthplace in Harran. In May 2000, the Diyanet sponsored two ecumenical events: a seminar on religion and politics in the European Union context and a gathering of religious groups in Tarsus. The latter was attended by representatives of Roman, Armenian, and Syrian Catholic communities; Greek, Armenian, Syrian, and Bulgarian Orthodox communities; and Chaldean and Jewish communities.

In April 2000, a papal representative participated in a ceremony in Antakya organized by the Syriac Christians commemorating the 2,000th anniversary of Jesus's birth. In May 2000, a court victory for the country's small Protestant community allowed a Protestant church in Istanbul to establish itself as a "foundation." Normally all "religious" foundations need to have been in existence since the early days of the Republic in order to be deemed as such. On June 16, 2000, in an unprecedented event, Diyanet leader Mehmet Nuri Yilmaz met at the Vatican with the Pope.

In late 1999, the Vakiflar changed some regulations for minority foundations. These foundations now may hire their own lawyers, rather than having to use those from a special government list, to represent them in dealings with the Government. They also do not have to ask the Vakiflar's permission to conduct repairs/renovations (previously they needed this permission for renovations over \$200,000; however, they still must get permission from the Ministry of Culture and local officials.) In addition, the Government, not the minorities themselves, now pays Vakiflar inspections and oversight fees.

Forced Religious Conversion of Minor U.S. Citizens

There were no reports of the forced religious conversion of minor U.S. citizens who had been abducted or illegally removed from the United States, or of the Government's refusal to allow such citizens to be

returned to the United States.

Section II. Societal Attitudes

Jews and most Christian denominations freely practice their religions and report little discrimination in daily life. However, some Turks who have converted to Christianity experience harassment from family and neighbors. Proselytizing remains socially unacceptable. While there are no legal prohibitions against religious conversion, individuals contemplating conversion often face family and community pressures. Some members of religious minorities claim that they have limited career prospects in government or military service as a result of their religious affiliation.

Extremist groups or individuals target minority communities from time to time. In 1999-2000 there were 2 reported attacks on Greek Orthodox properties in Istanbul. No perpetrators were arrested or charged in these attacks; or in a 1998 arson attack on the Orthodox shrine, now a museum, at Saint Therapon where the custodian was killed; or in the December 1997 bombing at the Orthodox Patriarchate. Police protection increased after the 1998 attack, and investigations continue. There were no reported attacks on Jewish and other minority groups' properties. In June 2000, 33 persons were convicted and given the death penalty for "trying to change the constitutional regime," for their role in setting a July 1993 fire in which 37 intellectuals (mainly Alawi Muslims) died.

Many religious minority members, along with many in the secular political majority of Muslims, fear the possibility of rising Islamic extremism and the involvement of even moderate Islam in politics. Two Islamist newspapers regularly publish anti-Semitic material.

In January 2000, police raids uncovered the Turkish Hizbullah network of Islamic terrorists. This group is alleged to have killed scores of moderate Islamic imams, businessmen, and political leaders-including a woman known for her untraditional view of women's role in Islam.

Section III. U.S. Government Policy

Encouraging respect for religious freedom is an integral part of the U.S. Mission's activities. Mission officials, including staff of the U.S. Consulate General in Istanbul and the U.S. Consulate in Adana, enjoy close relations with the Diyanet, the Ecumenical Greek Orthodox Patriarchate, the Armenian Orthodox Patriarchate, Jewish communities in major cities, and other religious groups. Embassy officers also remain in close contact with local nongovernmental organizations (NGO's) that monitor freedom of religion.

In November 1999, during his visit, President Clinton met briefly in Ankara with the head of the Diyanet and the chief Rabbi of Turkey, and visited the Ecumenical Patriarch in Istanbul. President Clinton also visited "Meryem Ana Evi" (Mary's House) at Ephesus, and met there with the Roman Catholic Archbishop of Izmir.

In December 1999, Ambassador-at-Large for Religious Freedom Robert Seiple visited the country. He met with government officials, including the head of the Diyanet; representatives of minority faiths; and human rights NGO's. During his meetings, Ambassador Seiple stressed the importance of respect for the diversity of the country's religions and the need for citizens to be able to practice their faith without undue governmental restrictions.

Embassy and consulate staff members monitor and report on incidents of detention and deportation of foreigners found proselytizing.

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[Europe and the New Independent States Index](#) | [Table of Contents](#) | [International Religious Freedom](#) | [Democracy, Human Rights, and Labor](#) |

