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Turkey

International Religious Freedom Report Released by the Bureau of Democracy, Human Rights, and Labor October 2001



The Constitution provides for freedom of religion, and the Government generally respects this right in practice; however, the Government imposes some restrictions on religious minorities and on religious expression in government offices and state-run institutions, including universities.

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

Government policy and the generally amicable relationship among religions in society contributed to religious freedom; however, extremist groups or individuals target minority communities from time to time. Some Christians and Baha'is faced social and government harassment, including detentions for alleged proselytizing or unauthorized meetings. A Muslim cleric was arrested in June 2001 for insulting the Government, holding an illegal religious meeting, and wearing prohibited religious clothing. A Syriac Christian priest stood trial in December 2000, but was acquitted in April 2001 for statements made in October 2000 "that incited enmity" concerning Armenian genocide claims. An intense debate continues over the government ban on wearing Muslim religious dress in state facilities, including universities. The Government, especially the National Security Council (NSC), continued to press for measures to combat "Islamic fundamentalism" or "reactionism" and sought to punish the prominent leader of an Islamic religious community for alleged anti-state behavior. After 2 years of considering the matter, in June 2001, the Constitutional Court closed the Islamist-led Fazilet (Virtue) party, the country's largest opposition political group, for antiseccular activities and expelled two of its members from Parliament.

The U.S. Government frequently discusses religious freedom issues with the Turkish Government in the context of its overall dialog and policy of promoting human rights.

Section I. Religious Demography

The country has a total land area of 301,394 square miles and its population is approximately 65.6 million. About 99 percent of the population are Muslim, primarily Sunni. The number of persons who actively practice their religion is low in many parts of the country, in part due to a strong adherence to secularism. In addition to the country's Sunni majority, there is a significant Shi'a minority, of which an estimated 12 million are Alevis. Alevis, a heterodox Muslim Shi'a sect, are a distinct persuasion whose rituals include men and women worshipping together through speeches, poetry, and dance. There are several non-Muslim religious minority groups, mostly concentrated in Istanbul and other large cities. While exact membership figures are not available, these include an estimated 50,000 Armenian Orthodox Christians, 25,000 Jews, and from 3,000 to 5,000 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 small, undetermined numbers of Bulgarian, Chaldean, Nestorian, Georgian, and Maronite Christians. The number of Christians in the southeast is low, as the younger generation, especially among Syriacs, has migrated to Istanbul, Europe, or North America.

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

Section II. Status of Religious Freedom

Legal/Policy Framework

The Constitution provides for freedom of religion, and the Government generally respects this right in practice; however, the Government 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 regarding the integrity and existence of the State.

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

to the exclusion of other beliefs, regulates the operation of the country's more than 70,000 mosques, and employs imams, who are civil servants. The Government asserts that the Diyanet treats equally all who request services.

A separate government agency, the Office of Foundations (Vakıflar Genel Müdürlüğü), regulates some activities of non-Muslim religious minorities and their affiliated churches, monasteries, religious schools, and related property. The Vakıflar also regulates Muslim charitable religious foundations, including schools and hospitals. 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 Maronites. Minority foundations, including those of religions recognized under the Lausanne Treaty of 1923 (Greek Orthodox, Armenian Orthodox, and Jewish), 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 Vakıflar 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 political threat to the democratic secular republic. The NSC—a powerful military/civilian body established by the Constitution to advise senior leadership on national security matters—categorizes religious fundamentalism as a threat to public safety and order and introduced an 18-point antifundamentalist program in February 1997. Despite the NSC's activism on this issue, legislative measures have been taken on only 5 of the 18 points. In August 2000, with urging from the NSC, the Prime Minister declared a "decree with force of law" to facilitate dismissal of civil servants suspected of anti-state (including Islamist) activities, one of the remaining February 1997 points. The President refused to sign the decree and returned it to the Prime Minister for parliamentary consideration. Despite urging from the Turkish General Staff to consider this a high priority, Parliament has not taken up the issue.

As a minority within the predominant (Sunni Muslim) faith, Alevis freely practice their religion and build "Cem houses" (Alevi places of gathering). Many Alevis allege discrimination in the State's failure to include any of their doctrines or beliefs in religious instruction classes in public schools, and charge a Sunni bias in the Diyanet, which views the Alevis as a cultural rather than a religious group. No funds are allocated specifically from the Diyanet budget for Alevi activities or religious leadership. However, some Sunni Islamic political activists charge that the secular State favors and is under the influence of the Alevis.

Restrictions on Religious Freedom

There is no law that explicitly prohibits proselytizing or religious conversions; however, many prosecutors and police regard proselytizing and religious activism with suspicion, especially when such activities are deemed to have political overtones. Police sometimes arrest proselytizers for disturbing the peace, "insulting Islam," conducting unauthorized educational courses, 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.

Participation in Tarikats (religious orders and communities) and other mystical Sunni Islamic, quasi-religious, and social orders has been banned officially since the 1920's but is largely tolerated. The NSC 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 or other Islamic communities. In August 2000, Islamic leader Fetullah Gulen was indicted for "attempting to change the characteristics of the Republic" by allegedly trying to establish a theocratic Islamic state. The prosecutor also alleged that Gulen attempted to "infiltrate" the military. The Government is seeking a maximum 10-year sentence based on Turkey's Anti-Terror Law. At the time of the indictment, the Chief of the Turkish General Staff said publicly that Gulen "plans to undermine the State" and has supporters in the civil service. Gulen, who is in the United States, is still being tried in absentia.

In June 2001, Sufi Muslim preacher Aydoğan Fuat was arrested on charges of causing religious enmity, conducting illegal religious activities that threaten the secular State, and wearing banned religious clothing.

The military regularly dismisses from the service individuals whose official files reflect participation in Islamist fundamentalist activities.

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. Dozens of women who wear head coverings, and both men and women who actively show 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.

Small, peaceful protests against this policy occurred at various points during the period covered by this report. In July 2000, Deputy Prime Minister Bahçeli confirmed a circular issued by the State Planning Organization barring any civil servants or family members wearing a headscarf from entering the organization's rest and recreation facilities. The courts have ruled that universities are public institutions and, as such, have an obligation to protect the country's basic principles such as secularism. The Turkish Higher Education Council (YÖK) ruled in March 2001 that Fatih University could not register new students for the upcoming academic year, and might be subject to further sanctions, because the university allegedly has close ties to Fetullah Gulen and had violated the dress code by allowing students to wear headscarves. However, a higher administrative court reversed the YÖK decision in May 2001.

In May 1999, the State filed a motion to close the Islamist Fazilet (Virtue) Party for promoting antiseccular activity and for representing the ideologies of the former Islamist Refah (Welfare) Party, which was banned in 1998. The indictment also called for banning Fazilet's leaders from politics for 5 years and stripping its over 100 Members of Parliament of their seats. In February 2001, the Constitutional Court's chief prosecutor updated the indictment, arguing that videotapes from Fazilet's May 2000 convention prove that it is a continuation of Refah, but seeking to strip only two parliamentarians of their seats. He noted that pictures of Refah leader and former Prime Minister Necmettin Erbakan were displayed prominently during the party convention. In June 2001, the Constitutional Court ruled to close Fazilet and expel two party members from Parliament. The Court found Fazilet guilty of being a center of activities "contrary to the principle of the secular Republic." The European Court of Human Rights continues to consider the appeal of the 1998 closure of Refah.

In December 2000, under a new "suspension of punishment law," Erbakan's March 2000 sentence of 1-year's imprisonment was suspended before he entered prison. Erbakan had been convicted of violating the Penal Code (Article 312) by "promoting enmity" along religious lines, for a speech he had made in 1994, in which (among other things) he referred to parliamentarians as "infidels."

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. 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. Since 1971 the Ecumenical Patriarchate in Istanbul has sought 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 Turkey have been permitted to assume leadership positions.

After a 1997 law made 8 years of secular education compulsory, the Government stopped new enrollments in Islamic imam-Hatip schools (in existence since 1950), although children already in those classes were allowed to finish their grades. The state-managed imam-Hatip schools were very popular among conservative and Islamist Turks as an alternative to more secular public education. Currently, students may pursue study at Islamic imam-Hatip high schools upon completion of 8 years in the secular public schools. Imam-Hatip schools are classified as vocational, and therefore the graduates face some barriers to university admission such as an automatic reduction in their entrance exam grades. Only the Diyanet is authorized to provide religious training, usually through the public schools, 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.

State-sponsored Islamic religious and moral instruction in public 8-year primary schools is compulsory. Upon written verification of their non-Muslim background, minorities "recognized" by the Government under 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. Syriac Christians submitted a report in August 2000 to the President and Prime Minister requesting the right to use their own language for education and broadcasting.

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. Under municipal codes, only the State can designate a place of worship, and if a religion has no legal standing in the country it may not be eligible for a designated site. Non-Muslim religious services, especially for religions that do not have the status of "official minorities," often take place in diplomatic property or apartments. The Roman Catholic Church in Ankara, for example, is confined to diplomatic property, while Protestants throughout the country operate "storefront" or home churches.

A small Protestant community in Istanbul, which won a legal victory in May 2000 when a court allowed it to establish its own "foundation," is now seeking further legal permission to own property and pay a minister. Normally all "religious" foundations had to have been in existence since the early days of the Republic in order to be deemed as such. Other Turkish Protestant groups have begun the lengthy process of applying for permission to form foundations.

Some religious minority groups have lost property in the past, or continue to fight against expropriations. An Armenian community that had dwindled to only two persons in Kirikhan, Hatay province, may lose its church to the Vakıflar. In February 2001, the community won the first stage of its appeal of the 1999 decision to expropriate the church, but the legal proceedings continue. In addition, bureaucratic procedures and considerations relating to historic preservation at times have impeded repairs to religious facilities, although the Syriac Christians were able to complete needed repairs on some buildings in Mardin. 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.

In February 2001, the Baha'i community lost a legal appeal against government expropriation of a sacred site

near Edime, and brought the case to the High Administrative Court. The Ministry of Culture had granted cultural heritage status to the site in 1993, but 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 but the Baha'i are continuing to fight the expropriation.

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

Governmental Abuses of Religious Freedom

In May 2001, an Islamic leader began serving a 2-year sentence for "inciting religious hatred." Mehmet Kutlular, leader of the Nur Cemaati religious community, had published a statement in October 1999 alleging that the August 1999 earthquake (that killed over 17,000 people) was "divine retribution" for laws banning headscarves in state buildings and universities. He exhausted his final appeal in early 2001 and will serve a minimum of 9 months and 23 days.

Police occasionally bar Christians from holding services in private apartments and from proselytizing by handing out literature. These activities also occasionally lead to police detention and trials. The trial of Turkish Christian Kemal Timur opened in January 2001 on charges of insulting Islam. Timur, who was arrested and detained for one day in May 2000, alleges that he was beaten on the soles of his feet while in detention. His trial is continuing. A Christian congregation in Gaziantep has encountered difficulty in obtaining permission to hold services. One member of the group was briefly detained for allegedly bribing people to convert to Christianity. Two Turkish Christians who had been detained near Izmir in March 2000 on a charge of "insulting Islam" by distributing Bibles were acquitted in May 2000. Several Christians in Istanbul continue to stand trial on the charge of "illegal assembly" for holding church and bible study meetings in an apartment. The group of seven (one American, five Turks and one Australian) was detained overnight in May 2000.

The Baha'i community has also faced problems with the police, including the January 2001 arrest of two men (one American) for allegedly proselytizing in Sivas. The men were released immediately, pending an investigation. Also in January, a local imam in Sivas criticized proselytizing by members of the Baha'i faith. In his public rebuke, he read a Koranic verse alluding to those "whose killing is necessary." Baha'i officials have met with local authorities to inform them of the nature of their activities and to request an end to harassment.

A Syriac priest in Diyarbakir was briefly detained in December 2000, put on trial, but acquitted in April 2001 of charges that he "incited ethnic hatred" by stating in October 2000 that allegations of "Armenian genocide" during World War I were justified.

Except for the above cases, there were no reports of persons who were detained or imprisoned solely for their religious beliefs.

Forced Religious Conversion

There were no reports of forced religious conversion, including 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.

Improvements in Respect for Religious Freedom

In December 2000, the President issued a Christmas goodwill message (for the second time in the country's history) and, for the first time, a Hanukkah message. Also in December 2000, National authorities and the municipality of Istanbul re-named a street in Istanbul (where the former Apostolic Delegation stands) after Pope John XXIII, in honor of his life and work as "a friend of the Turks."

In June 2001, hundreds of visiting Armenian Americans, led by the Turkish Armenian Patriarch and a visiting American Prelate, celebrated a mass in Kayseri, central Turkey, in honor of 1,700 years of Armenian Christianity. Turkish government officials and representatives of the U.S. Embassy attended the ceremony. The group then traveled extensively throughout the country, visiting sites of personal and religious significance.

Section III. Societal Attitudes

Jews and most Christian denominations freely practice their religions and report little discrimination in daily life. However, many Turks who have converted to Christianity experience some form of harassment or pressure from family and neighbors. Some members of religious minorities claim that they have limited career prospects in government or military service. Proselytizing is socially unacceptable.

Extremist groups or individuals target minority communities from time to time. In April 2001, the Jewish community in Istanbul received a phone threat against a 500-year-old synagogue. Police provided additional security upon request. 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. Several Islamist newspapers regularly publish anti-Semitic material.

Section IV. U.S. Government Policy

The U.S. Mission discusses religious freedom issues with the Government in the context of its overall dialog and policy of promoting human rights. 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. The U.S. Embassy has urged the Government of Turkey to re-open the Halki Seminary. The Ambassador and other embassy officers also remain in close contact with local nongovernmental organizations that monitor freedom of religion and with minority religious group representatives.

Embassy and Consulate staff members are in close contact with representatives of religious minorities in the country and consult frequently on the status of religious freedom. They also monitor and report on incidents of detention of foreigners found proselytizing, and have attended the trials of Americans and others facing charges relating to free expression and the free practice of religion.

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