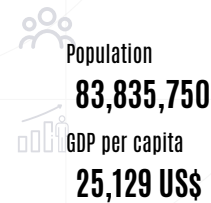
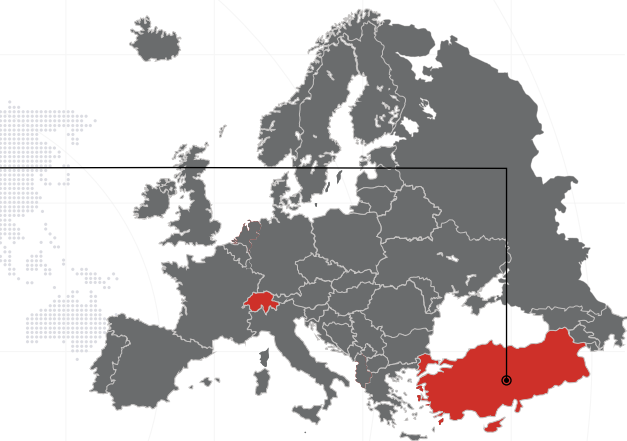
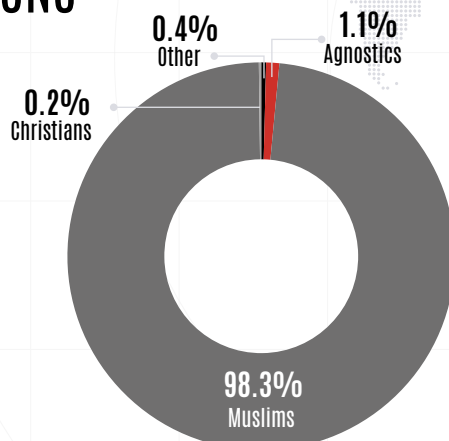




# TURKEY

## RELIGIONS



## LEGAL FRAMEWORK ON FREEDOM OF RELIGION AND ACTUAL APPLICATION

The Turkish constitution defines the country as a secular state (Article 2).<sup>1</sup> It guarantees freedom of conscience, religious belief, conviction, expression and worship. Article 24 prohibits discrimination on religious grounds and the exploitation or abuse of “religious feelings, or things held sacred by religion.”

Religious matters come under the jurisdiction of the Presidency of Religious Affairs (Diyanet),<sup>2</sup> a state agency established in 1924 (Article 136) to replace the Ottoman-era religious authority (Shayk al-Islam) after the abolition of the Caliphate.<sup>3</sup> The agency operates under the President’s Office, promoting the teachings and practices of Sunni Islam. For 2020, the Turkish government allocated TRY 11.5 billion (US \$1.7 billion) in state funds to the Presidency of Religious Affairs agency, which is more money than six other major ministries and most state institutions receive.<sup>4</sup>

The new national identity cards contain no overt reference nor specific section for religious affiliation. Religious groups are not required to register with the authorities but the places of worship of unregistered groups are not rec-

ognised by the state.<sup>5</sup>

Religious instruction is mandatory in state-maintained primary and secondary schools, where only Sunni Islam is taught. Only Christian or Jewish students may apply for an exemption from Sunni teaching upon the request of their parents. The government continues to refuse to exempt Alevi or other faiths from compulsory Sunni Islamic education. The government interprets the 1923 Lausanne Treaty restrictively, which refers to “non-Moslem minorities,”<sup>6</sup> and so has granted special legal minority status to only three recognised groups: Armenian Apostolic Orthodox Christians, Greek Orthodox Christians and Jews. Despite their special status, they, like other minority groups (such as Catholics, Syriacs, Protestants, Alevi, etc.) have no legal identity and cannot as a group buy or own properties or seek legal redress. Currently, these groups can only own property through separate foundations.<sup>7</sup>

The state allows the training of Sunni clerics only while restricting that of other religious groups. The lack of Christian seminaries in Turkey has prevented the Greek Orthodox and Armenian Orthodox Patriarchates from training the next generation of clerics. The Greek Orthodox Theological Seminary on Halki island near Istanbul was closed in 1971.<sup>8</sup> The Turkish government has justified its action

by claiming that the Greek government has failed to guarantee the religious freedom of its Turkish Muslim minority.<sup>9</sup>

Turkey's Jewish community is able to practise its religion freely. Synagogues are under government protection. However, anti-Semitism, especially in print and social media, still remains an issue in Turkey.<sup>10</sup> Nevertheless, Turkey is the only Muslim majority country that actively contributes to the International Holocaust Remembrance Alliance.<sup>11</sup>

Waves of refugees have come to Turkey, especially as a result of the Syrian civil war: close to 4.1 million refugees and asylum-seekers (3.7 million Syrians and nearly 400,000 of other nationalities).<sup>12</sup> Turkish legislation provides people in need of international protection with a broad range of rights when they register with the authorities.<sup>13</sup> However, the existing legal framework has some shortcomings, largely due to the scale of the refugee problem. Since 2014, thousands of Arabic-speaking Catholics (mainly Chaldeans and Syrians) and Orthodox Christians have entered the country. Distributed in more than 80 Turkish cities, these refugees must remain where they registered in order to receive government financial aid.<sup>14</sup> They are permitted to work, but only where they are registered. The exact number of non-Muslim refugees in cities is unknown. Christian refugees struggle to maintain their faith as most churches are in Istanbul and in a few of the larger cities. The few Arabic-speaking Christian ministers are obliged to travel from city to city, renting (sometimes at very high prices) locations to celebrate multiple baptisms, confirmations and weddings, often on the same day.<sup>15</sup>

## INCIDENTS AND DEVELOPMENTS

Incidents have been reported against a background of growing religious tensions.

On the new national ID cards introduced in 2017, religious affiliation appears in the electronic chip but not on the document itself. This is considered as a very positive step as it will reduce the risk of discrimination.<sup>16</sup> However, those who wish the complete removal of religion from their records must request it. For those students seeking to be exempted from the required Islamic religious culture and moral knowledge courses, this creates a problem as non-Muslim students have to prove their religion in order to opt out.

In 2018, hate speech against Churches and their mem-

bers increased in the media especially during the Pastor Andrew Brunson case.<sup>17</sup> This was a cause for great concern among Christian communities as a similar trend was observed leading up to the Malatya Zirve Publishing House Massacre in 2007.<sup>18</sup> Examples of this were the critical publication in national and local newspapers and the broadcast on TV channels of pictures of churches and individuals, the publication of false claims by false witnesses, and the failure by the media to allow those affected the opportunity to rebut, which is a constitutional right.<sup>19</sup>

After Pastor Brunson's release in October 2018, hate speech against Christians decreased, but not for long. Around Christmas time and after New Year, anti-Christian campaigns resumed with billboards, posters, leaflets distributed on the streets, news reports and television shows, sowing fear among Christians during the celebrations.<sup>20</sup>

After Sunni Muslims, Alevi, the term for a large number of heterodox Muslim Shi'a communities, is the second largest religious group in Turkey with about 20 to 25 million members.<sup>21</sup> Despite a Supreme Court of Appeals decision officially recognising the Alevi houses of worship (cemevis) as legitimate places of worship<sup>22</sup> they are not recognised as a distinct religion resulting in a continued source of tension. The Alevi practice of Islam is fundamentally different from that of the Sunni and although officially a denomination of Shia Islam, here too their interpretation varies with Shia communities in other countries.

It is their variance in practice with Sunni Islam, however, which results in the latter shunning them, describing them as a cult or a sect, or a brotherhood, and refusing to grant them official status.<sup>23</sup>

The Alevi do not adhere to the ritual of praying five times a day and are not required to make the pilgrimage to Makkah. Men and women pray side by side in houses of prayer (cemevi), and their ritual includes a sacred dance (semah). Their attitude is more open towards women, who, for example, are not obliged to wear a headscarf. What is more, their spiritual leaders can be both men (dede) and women (ana). Cemevis do not receive any subsidy from the state, whilst mosques do. Unlike Sunni imams (who lead the Islamic prayer), Alevi religious leaders are not recognised as civil servants.<sup>24</sup>

Most Protestant communities do not have churches and consequently have to establish associations or become the representatives of existing associations or foundations. This is the only way for them to rent or buy stores,

office space or warehouses for religious services. However, municipal authorities usually refuse to change zoning regulations to meet the needs of these communities.<sup>25</sup> Therefore, the places used for Protestant worship are not recognised by municipalities and come with none of the benefits granted to places of worship (like exemption from electricity and water bills).<sup>26</sup>

For decades the Catholic Church has been asking for legal recognition, the restitution of properties registered both with the Treasury and the Directorate General of Foundations (religious endowments) after the establishment of the Turkish Republic, and the registration of these properties under the name of the proprietary congregations. Furthermore, the demand to register properties currently in use, dating back to the time of the Ottoman Empire, is still pending.<sup>27</sup>

Several Christian churches have been the target of a number of incidents in 2018 and 2019.<sup>28</sup> In June 2018, signs pointing to a Protestant church in the city of Mardin were torn down; an official with the Erbakan Foundation had described the presence of the signs near a mosque as an insult. In January 2019, the same church was targeted by a sound bomb during Sunday services; the perpetrators were caught but later released. A month later, threatening graffiti appeared on a wall of the Surp Hresdagabet Armenian Church in Balat, a district in Istanbul district. In March 2019, a Molotov cocktail was thrown at a synagogue in Izmir. A suspect was arrested, claiming he wanted to protest against Israel.

In 2020, incidents resulting from political decisions increased tensions with non-Muslim communities. On 11 July 2020, after the Council of State reversed a 1934 decision by then President Mustafa Kemal Atatürk to transform the ancient Byzantine Basilica of Hagia Sophia (Holy Wisdom), later the Aya Sofya mosque, into a museum, President Recep Erdoğan announced that the building would become a mosque again and that the first prayers would be conducted in it on 24 July,<sup>29</sup> causing a global uproar.<sup>30</sup> Hagia Sophia was the Seat of the Patriarchate of Constantinople from 537 to 1453, except for an interlude of 57 years (1204 to 1261) when it was the Catholic cathedral of the Latin Empire of Constantinople. In 1453, Sultan Mehmed II conquered the city and converted the church into the Aya Sofya mosque.

A second similar political decision was taken concerning the Byzantine Church of the Holy Saviour in Chora (Kariye in Turkish). The mediaeval church was converted into a

mosque in the early 16th century and designated a museum by Turkey's government in 1945. In late 2019, following Turkey's Council of State ruling that the decision designating the Kariye a museum was unlawful because a mosque "cannot be used except for its essential function",<sup>31</sup> President Erdoğan reversed the 1945 decision by decree on 22 August 2020.<sup>32</sup>

After fighting broke out between Armenian and Azeri forces in late September 2020, anti-Armenian and anti-Christian demonstrators protested in Turkish cities, and hate messages saturated Turkish social media.<sup>33</sup> In the first days of the conflict, cars with Azeri flags filled the street across from the Armenian Patriarchate of Turkey<sup>34</sup> in Istanbul, including Istanbul's Balat district<sup>35</sup> where the Ecumenical Greek Orthodox Patriarchate is located, sending a threatening message to local Armenians and Greeks and obliging security officers to be positioned in front of all the Armenian churches in Istanbul.<sup>36</sup>

## PROSPECTS FOR FREEDOM OF RELIGION

There are ominous signs for religious freedom in Turkey. For atheists, agnostics, Alevi, non-Sunni Muslims, Bahais, and Yezidis<sup>37</sup> - those not recognized under the government's interpretation of the 1923 Lausanne Treaty, which includes only Armenian Apostolic Orthodox Christians, Jews, and Greek Orthodox Christians<sup>38</sup> - there is no sign of relief from their victimisation and limiting of rights.

For those included in the Lausanne Treaty, there is a worrying trend of intolerance and hate speech towards these religious minorities in news media, for example against Jews, "portrayed as a 'hidden power' in 'conspiracy theories' and presented as 'a threat against Turkey'".<sup>39</sup>

For Christians, attacks against places of worship; the inability of the Catholic and Protestant Churches to achieve full legal recognition; the lack of, and impossibility to build, seminaries for the Armenian, Catholic and Greek Orthodox Churches to train clerics; and the insulting of Christian culture on state media especially at Christmas and on New Year's Eve,<sup>40</sup> culminate to engender an environment of fear and insecurity.

A significant issue for all non-Sunni Muslims lies in the state education system in which the only religious instruction offered is that of Sunni Islam.<sup>41</sup> Application for exemption from this compulsory schooling is only possible if students reveal their religion on the identity card electronic

chips to show that they are Christian or Jewish.

A new level of interreligious tension was reached in the summer of 2020 with the conversion of Hagia Sophia and the church in Chora from museums into mosques<sup>42</sup> and the recent escalation of violence between Azerbaijan and Armenia in September 2020<sup>43</sup> provoking anti-Armenian and anti-Christian rhetoric.

Notwithstanding the challenges, there were nevertheless two positive developments. First, the authorities made progress in returning confiscated properties to non-Muslim foundations.<sup>44</sup> Secondly, they authorised the construction in Istanbul of the first-ever Syriac Church in modern times.<sup>45</sup> The ground-breaking ceremony was attended by President Recep Erdoğan.<sup>46</sup>

At the time of writing, the President of Turkey has entered into a verbal conflict with his French counterpart following a newly announced policy in France to counter “Islamist separatism”.<sup>47</sup> President Erdogan stated: “A lynching campaign similar to that against the Jews of Europe before World War II is being waged against Muslims”, accusing France of islamophobia and calling for a commercial boycott of French products in Turkey.<sup>48</sup>

The prospects for the right to freedom of religion in Turkey are strongly negative.

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