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Research article

The Ethnic Minority Policy of Turkey

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This article is an overview of the state stance and attitude towards minorities throughout history of the republic of Turkey. It represents the official approach of the republic towards ethnic and religious groups. Though due to actions of the Ottoman Empire, the number of non-Turks in the republic of Turkey already was incomparably small, however their existence could not be ignored. Still Turkey recognizes only three minorities (Greeks, Armenians, and Jews) and for decades adopted the strategy of regarding all minority persons other than Greeks, Armenians, and Jews as Turks. Ethnic variety was considered a threat to territorial integrity of Turkey. Every action was directed to create a unitary nation-state suppressing ethnic identities of non-Turks. In this article state policy towards ethnic groups in the republic of Turkey is examined from the perspective of the Lausanne Treaty provisions and legislative regulations regarding the status and rights of minorities showing to what extent authorities have followed them and rising the controversial points minority representatives face in exercising their rights.

Key words: Turkey, ethnic minorities, minority rights, state policy, nationalism

Introduction

The beginning of the 20th century was a landmark in the history of the Middle East. The treaty of Sevres after WWI awakened hopes of nations living here to have independence and solve territorial disputes. However, many of them were left unrealized raising the question of their future coexistence. With the Kemalist movement and establishment of the republic of Turkey the provisions of Sevres treaty remained on paper. While the republic was founded under the slogans of modernization, secularization, development and other progressive ideas, in short, Mustafa Kemal declared his aim to create a “westernized” state, non-Turkish ethnoreligious groups never felt the advantages of tolerance of a modern and secular state. The treaty of Lausanne was signed in 1923 as the nationalist government of

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Mustafa Kemal didn't recognize the Sevres Treaty. While the Treaty includes articles on minority rights living in Turkey, still Muslim ethnoreligious groups were not given official minority status, thus they were deforced of rights of self-expression. On the other hand, the articles of the treaty have been violated through all the history of the republic. Territorial Integrity and Turkish nationalism inherited from the Ottoman Empire with the minority perception under Lausanne Treaty define the minority policy of the republic of Turkey throughout decades up to nowadays. In this article the most vivid examples of intolerance and violent acts towards minorities are discussed. In the first part the provisions of the Peace Treaty and how the state moves coincide with them are analyzed. The second part regards the impact the EU candidacy process has had on minority policy, in particular, the reforms that were put in place, at the same time, by examining annual reports of European Commission, shows issues pending for decades and the lack of the authorities' commitment to bring any improvement.

Lausanne Treaty Provisions on Minority Rights and their Violations

The term “minority” is an inseparable part of the current politics, still there is no mutually accepted and complete definition of this term. In Europe, a minority could be a linguistic group, a religious group or an ethnic group, and a person can belong to several groups at the same time. The ambiguities in the interchangeable use of terms, such as ‘ethnic minority’, ‘national minority’ and ‘religious minority’, are a barrier to the efficient protection of minority rights [1, p. 168]. In the Republic of Turkey the perception and definition of minorities is tightly connected with the state policy of building homogenous nation-state and denial of existence of various ethnoreligious groups, considering granting them rights and status a threat for country's integration. Officially till nowadays on the basis of Turkey's minority definition and policy is the Treaty of Lausanne signed back in 1923, despite of its many limitations and problematic sides regarding the real situation with minorities.

Saying minority policy in Turkey today, first of all, Kurdish issue is being assumed. And it, certainly, has its valid reasons. However, the minority policy issue in Turkey is far wider and comprehensive. Ethnicity studies are recent phenomena in Turkey as mentions Tasch, and between 25 and 47 ethnic groups are accounted by different researches. The difficulty of understanding accurate number of these groups and their representatives is due to the fact that censuses in Turkey do not record information about ethnicity [2, p. 29] and in general, the state is unwilling to investigate the issue. The fact that the republic of Turkey is the successor of the Ottoman Empire which had been created on the existing state traditions of various nations by occupying territories originally inhabited by other nationalities speaks for the presence of a number of ethnic groups. Though the demographics of the republic was not as diverse as that of the Ottoman Empire, due to the latter's efforts and activity to eliminate non-Turkish constituent, still it was far from being unitary. The current minority perception in Turkey comes from Ottoman times' Millet policies. The problems of Kurds and other

ethnoreligious groups are also due to de facto continuation of millet policy by Lausanne Treaty up to nowadays. On the other hand, the domestic policy is discriminative towards those recognized minorities as well.

With the Treaty of Lausanne, the newly established Republic of Turkey showed that despite of exteriorly revolutionary attitude towards preceding system when it came to minority policy it was the loyal successor of the empire. According to the Treaty Greeks, Armenians and Jews were recognized as minorities and endowed with the right to have schools in their language and to maintain religious institutions (although in subsequent years these rights were severely violated). Ethnic groups like Kurds, Lazs, Arabs and some Muslims migrating to Turkey from Balkans, the Soviet Union and some Middle Eastern countries were not given any separate status, thus Lausanne Treaty reinforced the Ottoman definition of minority as non-Muslims. Being a representative of minority group in the republic of Turkey also means being accepted as a second-class member of society here also following the discriminative reality of the Ottoman Empire. This explains the reluctance of some ethnic groups to be defined as minorities. Recognizing existence of different ethnic groups was considered a threat for the integrity of the country, therefore as an obstacle for the stability and development. “I am a Turk, honest and hard-working”, this is how a day used to start at school in the Republic of Turkey up until the beginning of 2010s [3]. The emergence of the republic apparently didn’t open more democratic environment for ethnic minorities of the country. The proof of this is the Constitution itself declaring: “Everyone bound to the Turkish State through the bond of citizenship is a Turk” [4].

As secularism was one of the principles of the Mustafa Kemal’s ideology, Tasch argues that the rise of nationalism in Turkey was due to the created vacuum with the secularization process (after abolishment of the caliphate and the ban on religious brotherhoods) [2, p. 29], in fact nationalistic ideas were in the root of the Kemalist movement. Kemal himself had been an officer in the Ottoman Empire. After the deployment of British troops in Constantinople, though main leaders of Young Turks fled they continued to control the situation and prepare counterattack through their representatives acting from underground. Kemal was involved in this secret net, later he became leader of the movement seeking to keep the borders of the empire that eventually deprived natives of the right of self-determination and sovereignty ignoring Treaty of Sevres and suppressing the voice of historical justice with the power of weapons and violence [5, p. 25].

The 3rd section of 1s part of Lausanne Treaty regards to protection of minorities.

Article 38 says, “*The Turkish Government undertakes to assure full and complete protection of life and liberty to all inhabitants of Turkey without distinction of birth, nationality, language, race or religion... Non-Moslem minorities will enjoy full freedom of movement and of emigration, subject to the measures applied, on the whole or on part of the territory, to all Turkish nationals, and which may be taken by the Turkish Government for national defence, or for the maintenance of public order*” [6].

However, on the one hand, the free movement of minorities was inhibited, creating difficulties for their economic activity, especially for those busy in trade, on the other hand, exiles and forced displacements became quite common in Turkey's everyday life violating basic human rights on both sides.

According to Article 39 *“Turkish nationals belonging to non-Moslem minorities will enjoy the same civil and political rights as Moslems.*

All the inhabitants of Turkey, without distinction of religion, shall be equal before the law.

Differences of religion, creed or confession shall not prejudice any Turkish national in matters relating to the enjoyment of civil or political rights, as, for instance, admission to public employments, functions and honours, or the exercise of professions and industries” [6].

On the contrary, till 1935 no minority representative could have been represented in the parliament or government. The entrance of minorities to the Republican People's Party was banned [5, p. 79], therefore there was no real chance to participate in political life of the country. While the claim that those who consider themselves Turk can enter RPP was giving room authorities to hide its discrimination and intolerance under the name of unified nation, this manipulative description actually meant giving up your own language, religion, in fact ethnicity, speaking only Turkish and confessing Islam. Slight change was made in 1935 officially giving opportunity ethnic minority members to run as a candidate only through list of “independents”. It was supposed that those included in the list should be “republican, nationalist and sincere” [7, p. 337] continuing to limit minority rights and human rights, in general. The fact that one candidate from the independents was orthodox Turk shows the role of the religious factor in “secular” Turkey even more than 10 years after declaring principles of state ideology with secularism among them.

Not only political, but civil service sphere also was closed for ethnic minorities. According to the law of Civil servants, only Turk-Muslims had the right to be involved in civil service or those who “will become Turks”. Again, we face with this ambiguous expression. At this sense the republican Turkey even excelled Ottoman Empire. In case during Ottoman period along with outrageous repressions and violence of minorities, still there is evidence of professional activity of non-Muslim lawyers, civic servants, and little number involved in military sphere, in the republic of Turkey, claiming to be the bannerman of modernization and development, those people lost their jobs [5, pp. 81–82].

Decades later report by EU in 2003 still records the difficulties that members of minority communities face in acceding to senior administrative and military positions [8].

Article 40 of Lausanne Peace Treaty *claims minorities shall have an equal right to establish, manage and control at their own expense, any charitable, religious and social institutions, any schools and other establishments for instruction and education, with the right to use their own language and to exercise their own religion freely therein [6].*

Striking evidence of violation of the Article 40 provides EU report in 2003:

“There have been complaints that state-issued school history books are responsible for inducing feelings of hostility towards minority groups. Moreover, in April 2003, the Ministry of Education issued a circular requiring schools to organise conferences and essay competitions on controversial historical events related to the Armenians, Greek Pontus and Assyrians. Greek schools faced restrictions in recruiting teachers and having teaching materials approved, which adversely affected the teaching of the language. Those religious minorities not usually associated with the Treaty of Lausanne (those other than Jews, Armenians and Greeks) are still not permitted to establish schools. This is a particular concern for the Syriac community. Parents belonging to different religious minorities have encountered difficulties in enrolling their children in religious minority schools. Children can only attend such schools if their father is registered as belonging to that religious minority” [8, p. 39].

When it comes to free use of language, the campaign called “Citizen, speak Turkish!” started from 1930s targeting minorities shows how the free right to speak in any minority language in public places was restricted. The Turkification of place-names or explanation of their etymology with the fake Turkish origin was another violation of minority rights stated in Lausanne Treaty.

Considered useless to serve in military during first years of the republic, minority members were not conscripted, later they were serving with pretty different conditions from Muslims. In spite of it, in 1941–1942 ruling Republican People’s Party implemented Twenty Classes conscription. It covered only non-Muslim male population of Turkey between the age of 18–48, 26–45, 18–60 according to different sources. The conscription can’t be considered yet the real one as actually the labor groups were created from these men and no military uniform or weapons were given. According to rescues, the elderly and mentally ill people were also included in battalions working under harsh conditions, so many of them never returned home. These raises the doubt regarding the actual reason behind this initiative. Allegedly, minorities were seen as an unreliable element in the context of WWII and with high probability in case of entering the war Turkey was poised to neutralize mobilized people [9, p. 65]. Taking into account the target of the conscription, the serving conditions and the overall global situation, this was one of the discriminatory actions by authorities and in fact it was ethnic cleansing. This page of the history still remains not very well researched because of the secrecy it was carried out under and lack of the information.

Another striking example of the state level discriminatory attitude followed in 1942 called Wealth tax Law. By this law taxpayers were classified as 1. Muslims, 2. Non-Muslims, 3. Converts, 4. Foreigners. This already gives proper ground to see discrimination towards citizens. In comparison with Muslims, non-Muslims were required to pay from forty to fifty times bigger taxes. The decisions about the size of a tax were being assessed by special committees arbitrarily with the taxpayer having no right to interpose an appeal [5, p. 121]. Violating the 39th article that declares *all the inhabitants of Turkey, without distinction of religion, shall be equal before*, the law continued to be in force up to 1944. This policy has been described as an economic genocide of ethnic minorities by Turkish researcher Ridvan Akar.

[10, p. 15] The tax led to the liquidation of non-Muslim-owned firms, which were older and more productive, reduced the formation of new businesses with non-Muslim owners, and replaced them with frailer Muslim-owned startups. The tax helped “nationalize” the Turkish economy, but had negative implications for productivity and growth [11, p. 2]. This kind of actions in the mid-20th century in a country considering itself on its path of development is sad example of discrepancy between words and deeds, discrimination and manipulation.

While minority property, worship places, buildings were declared to be under the state defence, actually state institutions were encouraging the nationalist groups attacking these objects. Criticizing RPP policy towards minorities, didn't stop Democratic party to continue and even raise that policy to a new level. On September 6–7, 1955 in a sign of Cyprus sentiments and with provocative bombing of Ataturk's home in Thessaloniki organized by Turkish intelligence, armed attacks began on minorities and their properties, targeting Greeks, at first place. During 1960s another state-level wave of violence against Greeks was realized. Violating agreement signed in 1930 regarding Muslims living in Greece and Greek citizens living in Turkey. Many Greeks were banned to engage in professional activity, to move freely, lost their jobs, some were required to leave Turkey. [5, pp. 167–168] In 2019 an exhibition entitled ‘20 Dollars, 20 Kilos’ opened on the 50th anniversary of the forced deportation of around 45 000 Greeks from Turkey [12].

After all above-mentioned actions the communities of officially recognized minorities by Lausanne Treaty became rather weak and small in number. Many of them saw migration as the only way to have normal life. For instance, in case the number of Armenians in Turkey was 250-300.000 in the beginning of 1920s, by 2009 this number had decreased to 55-60.000 [9, p. 64]. Along with that taking into account the activation of Kurdish factor in Turkey from 1970s, rise of Kurdish nationalism, and Kurdish issue's further aggravation through decades, currently minority policy of Turkey is accepted as state policy towards first of all Kurds both in international political and academic cycles and also inside Turkey. Despite officially not recognizing Kurds as a minority, ignoring existence of this ethnic group is already a hard task for Turkey's administration. The denial approach of such nation has long history starting from Ottoman Empire and continuing in the republic of Turkey. Kurds were claimed to be “Mountain Turks” by authorities, going that far to explain the name “Kurd” coming from the sound of snow when those mountainous Turks living in snowy mountains were walking on it. The so-called Sun Theory taught that all languages derived from one original primeval Turkic language in central Asia. Isolated in the mountain fastnesses of eastern Anatolia, the Kurds had simply forgotten their mother tongue [13, p. 162]. First actions against Kurds were implemented back in 1920s and 1930s when Kurdish rebellions were pressed and also strikes affected peaceful population. Although many Kurdish tribes either supported the Turkish government or were at least neutral in these rebellions, the Turkish authorities decided to eliminate anything that might suggest a separate Kurdish nation. A broad battery of social and constitutional devices was employed to achieve this

goal. Everything that recalled a separate Kurdish identity was to be abolished: language, clothing, names, etc. [13, p. 162].

Changes in Minority Policy in the Context of the EU Membership Candidacy Process

The state policy towards minorities underwent some changes to meet the EU standards. In case of Kurds from the late 20th century implemented actions are affected by two main aspects: the Kurdish movement (in particular, PKK actions) and the EU membership process.

The coup d'état in 1980 was preceded by bloody events primarily between right- and left-wing organizations causing incremental number of deaths that were volatilizing situation in the country. This chaos was triggered and realized to close out the unwanted subjects and left-wing members including Kurds were at first place. New repressions against Kurdish identity unprecedented from Atatürk's times were imposed, provoking bloody fighting between PKK militants and the Turkish armed forces.

Current ruling party JDP came to power with the emphasis on a (Sunni) Muslim supra-identity [2, p. 33], however with EU membership candidacy process, during 2000's it showed some initiative to alter this policy though mainly outwardly.

The Helsinki European Council meeting in December 1999 concluded that: "Turkey is a candidate State destined to join the Union on the basis of the same criteria as applied to the other candidate States. Building on the existing European Strategy, Turkey, like other candidate States, will benefit from a pre-accession strategy to stimulate and support its reforms" [8, p. 4].

The human rights situation in Turkey is still under the monitoring procedures opened in 1996 by the Council of Europe. The current fundamental law of Turkey was ratified in 1982 with latest amendment in 2017. Article 2 of the 1982 Constitution describes the characteristics of the Republic as '*...a democratic, secular and social state governed by the rule of law*' [4].

According to the EU's report on of 1998 "*Turkey has ratified the most important conventions for the protection of human rights, with the exception of the International Covenant for Civil and Political Rights. Turkey ratified the UN Convention against Torture and the European Convention for the Prevention of Torture and other Inhuman or Degrading Treatment or Punishment.*" Still report concluded that "*persistent cases of torture, disappearances and extra-judicial executions are regularly recorded despite repeated official statements of the government's commitment to ending such practices*". The 1998 EU's observation stated that "*The actual upholding of civil and political rights enshrined in the Turkish constitution and law remains problematic.*" The report raised the question of the freedom of expression, stating that it was not fully assured and was subject to numerous restrictions, also claiming that the disregard for civil and political rights is connected in one way or another with the way in which the government and the army react to the problems in the south-east of the country [14, pp. 14–15].

In its 1998 Regular Report on Turkey, the Commission concluded: “*On the political side, the evaluation highlights certain anomalies in the functioning of the public authorities, persistent human rights violations and major shortcomings in the treatment of minorities.*”

The important shift in 2003 was lift of the ban on the use of Kurdish and other languages, opening several Kurdish language schools, broadcasting in Kurdish on a restricted scale. In 2019 as a result of the state of emergency Kurdish-language media outlets and cultural rights institutions continued to be closed. “*The pressures on Kurdish media and those reporting Kurdish issues continued through court cases, detentions and arrests of journalists. many events and demonstrations relating to the Kurdish issue or organised by the opposition groups were prohibited on security grounds.*” In 2019 public state schools had optional courses in Kurdish, and university programs have those in Kurdish, Arabic, Syriac and Zaza. Still there are restrictions on Kurdish language and literature, reports about the dismissal of Kurdish academics and lecturers, partly facing terrorism-related investigations, the closure of Kurdish language NGOs and institutions, pressure on Kurdish media, and bans on Kurdish books [12, p. 40].

Monitoring the reports by European Commission it can be concluded that notwithstanding the fact that Kurdish issue has become a central human right issue, Turkey’s authorities continue to use different occasions, in particular, anti-terror fight to limit the rights of Kurds. At the same time other minorities also continue facing problems because of the state policy.

“*As far as permission for construction of places of worship is concerned, the Law on Public Works has been amended as part of the sixth reform package, followed by the issue of a circular in September 2003, replacing the word “mosque” with the phrase “places of worship”, meaning that churches and synagogues will now be covered. The Protestant community in particular has experienced difficulties in finding places in which to worship. The Protestant church in Diyarbakır still has no legal status, although in practice it has been open for worship since April 2003*” [8, p. 35]. In 2019 many requests by different Christian communities to open places of worship and curricula for clergy are still pending [12, p. 31].

“*The ban remains on the training of clergy for religious minorities. Given the decreasing number of priests within their churches some religious minority communities feel threatened by this ban. In spite of repeated requests, the Halki seminary remains closed, although in August 2003 the authorities undertook to re-consider this matter. Limited resources prevent the vast majority of minority religious communities from training their clergy abroad, and nationality criteria restrict the ability of non-Turkish clergy to work, for example, for the Syriac and Chaldean Churches, or to become the Ecumenical Patriarch.*” Representative of clergy, especially those of Roman Catholic community, have difficulties to get visa or resident permits. Another controversial issue has been the title of Ecumenical Patriarch. The usage of the title has caused resistance in official levels. In June 2003, this title written in the invitation became reason to ban the attendance of public officials a lecture of Orthodox Patriarch Bartholomaios [8, p. 35]. Due to Turkey’s

interpretation of the Lausanne Treaty, Catholic churches have no legal personality and no minority foundation status. As a result, a large number of properties that belonged to the Latin Catholic Church have been confiscated by the state. Problems for Greek nationals in inheriting and registering property were reported, in particular following the Turkish authorities' application of the amended Land Registry Law (which limits the acquisition of property by, among others, Greek nationals), including their interpretation of the provisions on reciprocity [15, p. 60].

Report of 2003 stresses the first precedent of the OSCE High Commissioner on National Minorities to visit Turkey, yet the visit didn't bring further development with it. Ratification of the UN Covenant on Civil and Political Rights was done with a reservation. *“As a result, the scope of the right of ethnic, religious or linguistic minorities to enjoy their own culture, to profess and practice their own religion, or to use their own language, has been limited. Minorities face issues in electoral systems as well. In the election of November 2002, for example, the Democratic People's Party (DEHAP) did not reach the 10% threshold, despite receiving over 45% of the votes in five of Turkey's 81 provinces”* [8, p. 38].

No progress in the situation of non-Sunni minorities were made, says the report of 2004, underlining the fact that Alevis, for example, are not recognized officially. While they struggle to open places of worships, Syriacs don't have right to open schools. The history books for the 2003–2004 school year still portray minorities as untrustworthy, traitorous and harmful to the state. However, the authorities have started to review discriminatory language in schoolbooks. In March 2004, a regulation was issued in which it is stated that school textbooks should not discriminate on the basis of race, religion, gender, language, ethnicity, philosophical belief, or religion [16, p. 49].

In 2014 EU committee still considered necessary for Turkey to set up a body to promote equality and combat racism, xenophobia, anti-Semitism and intolerance. Turkey continued to recognize only, so called, Lausanne Treaty minorities, with no legal framework improvement and no specific rights based on ethnic origin to preserve their identity. The conclusion of the 2014 report stresses the necessity *to prevent and punish hate speech and crimes targeting minorities*. [15, p. 16] Yet in 2019 the same problem of hate speech and threats directed against minorities remain a serious problem. This includes hate speech in the media targeting national, ethnic and religious groups. There has also been increased anti-Semitic rhetoric in the media and by public officials due to the conflict in Palestine. The discriminatory references in the textbooks and acts on vandalism on worship places belonging to minority groups continued to be inseparable part in the country's life. No new regulation on the election procedures for non-Muslim foundations has been published since 2013. In the absence of a regulation, these foundations are unable to hold elections for their board members. The Armenian Patriarchal election procedures were halted by the Istanbul Governorate. The issue of property rights of non-Muslim minorities and the need for a revision of legislation covering all issues regarding property rights is pending. As the Venice Commission underlined in 2010, Turkey should

continue the reform process and introduce legislation which makes it possible for all non-Muslim religious communities as such to acquire legal personality. Summing up, there is still much room to achieve full respect for minorities and protection of their fundamental rights [12, p. 39].

In spite of the fact, that Turkey made big efforts especially in the beginning of the 21st century to enter the European Union, the annual reports show cracks and issues in minority policy proving unwillingness of authorities to make a real change. The rights of persons belonging to minorities need better protection.

Conclusion

The history of the republic of Turkey provides with a lot of evidence on state's approaches towards non-Turkish ethnoreligious groups inside the country. The official omissions in minority policy begin with not granting minority status to ethnic groups in the country except for three of them, continue with obvious and hidden acts of intolerance and violence organized or encouraged at the state level towards both recognized and not recognized minorities. No decade in the history of the republic of Turkey is free of criminal acts against minorities. Though Treaty of Lausanne de jure lays in the roots of state's minority policy from the very beginning of the republican history till our days, violations of its articles are far more obvious than practice of building a state and a society based on acquired agreements. The current number of the populations of officially recognized minorities is a direct consequence of the authorities' policy during 20th century. Though in 21st century Turkey has made some reforms that are mainly West driven, the change in minority lives has been little, bringing no real progress on the path of making them equal citizens of the republic able to exercise full rights. From its roots republican page of Turkey along with declared equality when it comes to speaking, in reality has been full of intolerance towards minorities. In a sign of continual repressions, precedented and unprecedented violent moves during various authorities, the speeches and words of high officials about inclusiveness, tolerance, and efforts to improve situation of minorities inspire little confidence.

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Научная статья

Политика Турции в отношении этнических меньшинств

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В статье рассматривается официальная позиция и отношение государства к этническим меньшинствам на протяжении истории Турецкой республики. Хотя в Турецкой республике численность нетурецких народов существенно сократилась по сравнению с периодом существования Османской империи, однако их существование нельзя было игнорировать. Тем не менее, Турция признавала наличие только трех меньшинств (греков, армян и евреев) и на протяжении своей истории придерживалась стратегии, согласно которой представители других меньшинств считались турками. Этническое разнообразие рассматривалось как угроза территориальной целостности Турции. Все действия были направлены на создание единого национального государства, подавлявшего этническую самобытность нетурецких народов. В статье государственная полити-

ка в отношении этнических меньшинств в Турецкой республике рассматривается с точки зрения положений Лозаннского мирного договора 1923 г. и законодательных норм, касающихся статуса и прав меньшинств. В статье показано, в какой степени власти следуют указанным положениям и нормам, а также описаны проблемы, с которыми сталкиваются представители этнических меньшинств при осуществлении своих прав.

Ключевые слова: Турция, этнические меньшинства, права меньшинств, государственная политика, национализм

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