

New Modalities for Democratic Autonomy for Minorities
That Do Not Entail Dismembering States:
The Case of the Republic of Turkey
Ankara, 15-18 May 2015

The Antinomies of Minority Protection in the Turkish Republic

an historical overview of 561 years

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Minority: A Pejorative Term

- In Turkish language «minority» is a very pejorative term: It means «non-Muslim», and therefore it means:
 - second class citizen,
 - foreigner,
 - dangerous element (Fifth Column) to be cleansed.
- ▣ This is why the Kurds and the Alevis, who:
 - are minorities *par excellence* according to international standards (fewer, different, citizen, non-dominant, conscious),
 - and demand minority rights (positive group rights),
- ▣ flatly refuse to be called minority: «We are the constituent and essential element of the State; not minority!»
- Because: The 1923 Lausanne Treaty Section III, Arts. 37-44, setting the statute of minorities in the Turkish Republic, is the
 - zombified,
 - and degenerateversion of the now very anachronistic *Millet System* of the Ottoman Empire.

THE *MILLET* SYSTEM

(1454-1839, and on)

The Dominant
Millet
(Muslims)

The Dominated
Millet(s)
(Non-Muslims)

Millet System in Ottoman Empire (O.E.)

- The backbone of the O.E. (*Millet* = religious community). Minority concept is unknown to this system.
- System is composed of two cast-like (unequal and watertight) compartments:
 - **The Dominant Millet : Muslims** (except in practice Alevis [«heretic»] and Gypsies [«half a millet», 72.5])
 - **The Dominated Millet(s) : Non-Muslims** (listed according to their denominations: For instance 1 Jewish *millet*, but 3 Armenian *millets*; airtight among themselves)
- At a time when Catholics and Protestants exterminated each other in Europe:
 - O.E.'s non-Muslims were fully protected and autonomous in internal matters (religious, financial, administrative, educational, legal...).
 - But were definitely inferior to Muslims as witnesses the term «*Zimmi*»: On the debit balance / protection of the Muslims. (Weapons, horses, clothing, witness, marriage...)
 - (Remark: M.S. was not that lenient with «**non non-Muslims**»: In Europe, Catholic State exterminated Protestants; in the O.E. Sunni Empire exterminated Alevis).
- The «end» of the M.S. – Imperial edicts of 1839 and 1856: «All subjects are equal».
 - On paper only. The «operating system» of the Muslim Brain always remained the **Dominant Millet Ideology** (computers: Windows). Then and today.
 - Why? Because, in the Balkans and the Middle East, the cornerstone of identity is **religion**; not ethnicity nor language. And its not even religion; its **denomination**. (3 Slavic peoples...)
 - Thus, from 1839 on, **Hanefi Sunni Muslim (HA-SU-MU)** continued to be the WASP of the Empire.
- At the sunset of the Empire a very important change: The concept/term of **minority** emerged as the Young Turks, the would-be founders of the Turkish nation-state in 1923, introduced a «trial version» of Europe:
 - «Turk» (**T**) was eventually added to the definition of WASP: **HA-SU-MU-T**. This will finally become **LA-HA-SU-MU-T** when **laicist** (not: laic) ideology of Kemalism will start in the 30s,
 - And this caused the Dominated *Millets* to be automatically called «*ekalliyet*» (tranl. of *minorité*).

A Quick Guide to Key Concepts

- An «**Empire**» is founded on respect for diversities (provided that: loyalty to emperor, taxes to empire),
- A «**National state**» (dated: 1789) is founded on the concept of Sovereignty of the Nation (not of God, nor of the King),
- A «**Nation-state**» (dated: The Age of Imperialism, 1870s →) is founded on the values of the dominant ethno-religious group of the nation. Thus, definition:

**A type of State that wants to build a Single-Identity Nation
by eliminating infra-identities
through assimilation and/or ethno-religious cleansing.**

- In Turkey this elimination worked through:
 - **Assimilation** of «assimilables» into Turkishness: Non-Turk Muslims,
 - **Ethno-religious cleansing** of «non-assimilables»: Non-Muslims.

Transition from Empire to Nation-State – The Non-Muslims

- The dark side of the *Millet System* resurrected in the Republic:
 - Inequality continued (non-Muslim government officials nonexistent),
 - Autonomy withered away,
 - Protection of Arts. 37 to 44 of Lausanne remained on paper,
 - Non-Muslims were considered not only second class citizens but:
 - Parasites of the national economy,
 - foreign agents (Big Powers had always used them), and
 - traitors.
- In harmony with the definition of the Nation-state, non-Muslims were subjected to **ethno-religious cleansing** mainly through:
 - **Forced migration** (1923 Compulsory Exchange of Populations; 1934 forced migration of Jews of Thrace; 1964 Expulsion of the Istanbul Greeks; cleansing of Rums in Imroz and Bozcaada islands)
 - **Economic coercion** (1942 Wealth Tax; use of the «1936 Declaration» to seize non-Muslim foundations' real estate)
 - **Armed assaults and murders** (1986, 1992, 2003 synagogue bombings; 2007 Hrant Dink murder; 2006, 2007, 2010 clergymen murders; and especially the **Pogrom** of 6-7 September 1955 in Istanbul and Izmir).
 - In particular, **ethno-religious discrimination** through violations of Lausanne stipulations, with very active support from the High Judiciary.

Transition from Empire to Nation-State – The Muslims

- In harmony with the definition of Nation-state they were subjected to assimilation (and violence if necessary):
 - Muslim refugees from the Balkans and Caucasus assimilated voluntarily (allochthonous).
 - The Alevis (autochthonous) were subjected to:
 - Assimilation through Sunnification,
 - Pogroms: 1978 Maraş, 1980 Çorum, 1993 Sivas, 1995 Gazi Mahallesi.
 - The Kurds (autochthonous) were subjected to:
 - Assimilation through :
 - Turkification,
 - Refusal to abide by Lausanne Art. 39, paras. 5, and 4 especially,
 - Prevention from political participation: Closure of 13 political parties by the Constitutional Court, 1971-2009.
 - State terror when resisted assimilation: 1937-38 Dersim mass killings, and then deportation,
 - The Kurds («**Prospective Turks**») were lowered in rank when it became evident that assimilation was no more possible: «**So-called Citizens!**» (March 2005 General Staff declaration).
 - Because: Success of assimilation depends on the «Chronological Priority» between National Economic Market (1980s) and the Minority Consciousness (1960s).
- **LA-HA-SU-MU-T**, the Republican WASP alienated many groups:
 - **LA**: Large Muslim masses
 - **HA**: 75 per cent of the Kurds (Shafiis)
 - **SU**: Alevis
 - **MU**: Non-Muslims
 - **T**: Kurds, and non-Muslims.

Most Frequently Heard Fallacies About Lausanne, Arts. 37-45

- **«Minorities» depicted in Lausanne are: «Rums, Armenians, Jews». WRONG**

Their names are mentioned nowhere in Section III. «Non-Muslims» only.

- **«Rights in Lausanne are conferred on non-Muslims only» WRONG**

- Rights are conferred on 4 categories:

- 1) All inhabitants of Turkey (Arts. 38/1 and 2, 39/2),
- 2) All Turkish nationals (Art. 39/3 and 4)
- 3) Turkish nationals speaking a language other than Turkish (a different mother tongue) (Art. 39/5),
- 4) Non-Muslim Turkish nationals (Arts. 38/3, 39/1, 40, 41, 42, 43, 44) (conferred the most extensive rights, international guarantee).

Therefore, in spite of its title («Protection of Minorities»), Lausanne Section III is a human rights document as well. (U.N. Charter 1/3; specific & generic terms)

- In practice, only the «Big Three» among non-Muslim categories (named nowhere in the Treaty) enjoy minority rights; others do not (Syriacs to start with; and Buddhists!),
 - Even the rights of the Big Three are mostly denied,
 - The rights of the Turkish nationals other than the «non-Muslims» have never been implemented (Art. 39/4).
- **«Non-Muslims have relinquished their rights when 1926 Civil Law was enacted» WRONG**
 - This contention refers to Art. 42/1 only (religious marriage), and only to the Syriacs,
 - Even concerning Art. 42/1 only, the group/group leaders can not relinquish a right that belongs to «individuals belonging to minorities»,
 - Art. 37: Stipulations of Arts. 38-44 can in no way be changed.
 - **«In the definition of minority, criteria of «race, language, religion» have been reduced to religion criterion only» WRONG**
 - Besides race and language, religion has also been eliminated to circumvent international guaranty for the Alevis.
 - **«Art. 45 is a reciprocity article» WRONG**
 - Reciprocity is invalid in the case of «treaties of a humanitarian character» (1969 Vienna Convention Art. 60/5). Article 45 can only be considered to be on «parallel obligations».

Some Conclusions

- Turkey is not abiding by its obligations under Lausanne, Section III.
- From the non-Muslim angle at least, this can not be due to fear or paranoia because non-Muslims now form approx. 1 per thousand of the population.
- Clearly, this is the **marriage** of the **Nation-state Ideology** with the **Dominant Millet Ideology**. A very convenient togetherness.
- Lausanne Treaty was signed at the time of the L. of N. Minority protection came a long way since. But Turkey is very reluctant to sign new major human & minority rights instruments (ex. Framework Convention, CoE), or sign them without too many reservation clauses.
- This is due to Turkey's fear of the Kurdish question instigated by its own **Nation-state Ideology**. But deep down there is more to it: This is a Monist State of Mind.
- «**Türk**», comparable to «English», is the supra-identity in Turkey (Turkish Constitution Art. 66/1).
- Such an ethno-religious concept is **discriminatory** and **divisive** (one can not be a Turk without being a Muslim. But if Muslim, he/she can be considered a Turk).
- To be **democratic** and **unifying**, a state of mind opting for a **territorial** supra-identity comparable to «British» is needed: «**Türkiyeli**» (from Turkey, of Turkey).
- Many Turks abhor «Türkiyeli» simply because they don't want, by becoming equal citizens, to relinquish their sacrosanct position, a remnant of «**Marriage** of Two Ideologies» mentioned above.
- As a reaction to Kemalist authoritarianism fuelled by “Turco-Islamic Synthesis”, Turkey now experiences Erdoğan authoritarianism fuelled by “Islam-Turkish Synthesis”. Both are the **zombified** and **degenerate** versions of the anachronistic *Millet System*.
- Islamists are definitely tainted with Nation-state harshness but compared to Kemalists they are more lenient with minorities because times are different now, and also because they are closer to the original *Millet System*: «**Non-Muslims** (close to extinction) **are to be kept under Muslim tutelage, the Kurds are to be assimilated using Islam**». The first is of course totally anachronistic, and the second, a pitiful wishful thinking.
- Having experienced both Kemalism and Islamism, Turkey is now much closer to realise that peace at home and prestige abroad are definitely somewhere else: **Pluralism of the 21st Century**.