

# Minorities and Diasporas in Turkey

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edited by

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## 2. Minorities and diasporas in the Ottoman Empire and Turkey – an introduction

*Baskın Oran*

The concept of “minority” did not exist in the Ottoman Empire. Instead, there was a “*millet* system” established one year after the conquest of Constantinople (1453) and which was somewhat modified after 1839 *Tanzimat* reforms. This system continued theoretically until the demise of the Empire in 1922, although it had practically ended in 1913 when the Muslim Turkist Committee of Union and Progress (İttihat ve Terakki Cemiyeti) declared its dictatorship<sup>1</sup>.

This system which had been adopted from the 6th Century Muslim Arab world, split the nation between the *millet-i hakime* (community that makes the decisions) the Muslims and *millet-i mahkume* (communities for which decisions are made), the non-Muslims.

As in all real empires where no ethnic group was preeminent, the non-Muslims were free to practice their religion and regulate their internal arrangements. They had their own civil courts in instances where Muslims were not involved, they were able to levy their internal taxes, establish their community rules. The only condition was to display loyalty to the Empire and pay taxes which were higher than what the Muslims paid.

On the other hand, the non-Muslims were definitely second-class subjects. They were considered under the custody of the Muslims to whom they should owe allegiance as witnessed by their name, *zimmi* which comes from *zimmet* (debit) and means “under custodianship”.

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<sup>1</sup> All information contained in this article is from Oran 2021.

Well until 1839 non-Muslims did not have the right to ride a horse, carry arms, testify in courts against Muslims, wear green, etc..

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This *millet-i hakime* mentality, which is still prevalent today, was also cloned to the Republican Turkey through Section III, "Protection of Minorities" of the 1923 Lausanne Peace Treaty that codified the principles of the League of Nations after WWI.

In such a way that the Ankara delegation to the Lausanne Conference refused to accept the criteria of the League ("minorities of race, religion, or language"), and only accepted "Turkish nationals belonging to non-Moslem minorities" to enjoy the guarantee of the League. This term meant, as well, the refusal of the criterium "religion" contrary to what many believe but we'll come to that in a moment.

Also contrary to what many in Turkey believe, the non-Muslims were not the only category to enjoy rights under Section III. But before I come to this, I'll summarize these rights by assigning them, for practical purposes, into groups (from A to D) in an order starting with those that have the most rights and ending with those that have the least:

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Group A includes "Turkish nationals belonging to non-Muslim minorities". They can enjoy the freedoms of movement and migration, as these apply to all Turkish citizens (Art. 38/3).

They have the same civil and political rights as Muslims (Art. 39/1) and the right to establish, run, and oversee all kinds of charitable, religious, and social organizations (e.g., foundations, schools) at their own expense, as well as the right to use their own languages and to carry out their religious ceremonies at these institutions (Art. 40).

In order to provide education in their mother tongue in provinces or districts where they live in significant numbers, the non-Muslims have the right to receive an equitable share from the budgets of the national or municipal government agencies (Art. 41/1 and 2). Also included are the right to have their family law or personal status matters (marriage especially) settled in accordance with their customs and traditions (Art. 42/1). In addition to these rights, this group should enjoy the rights recognized for the other three groups.

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Group B includes “Turkish nationals of non-Turkish speech”. They have the right to orally use their own language in the courts (Art. 39/5). This group’s rights, naturally, include those of Groups C and D.

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Group C includes “All Turkish citizens”. Their differences in religion, belief, or sect are not to lead to any discrimination (Art. 39/3). They have the right to use whatever language they wish in both private and in commercial interactions (Art. 39/4). This group’s rights, naturally, include those of Group D.

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Group D includes “All inhabitants of Turkey”. They are to enjoy the right to life and freedom from discrimination on the basis of nationality, language, race, or religion (Art. 38/1). They have the right to practice their faith, religion, or sect free from interference (38/2). Equality before the law and freedom from religious discrimination are also among their rights (Art. 39/2). (It should be noted that the term “inhabitants” includes foreigners as well). By the requirements of Art. 37, none of these rights can be divested by any law or official act. This Section III, then, covers both minority rights and human rights.

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To make a long story short, all these rights were violated by Turkey starting from the signing of Lausanne, and many of them continue in our day. To mention only a few:

1) Group A:

Freedom of movement of the non-Muslims was violated between 1925 and 1932 when they were asked to obtain permission to travel out of Istanbul province. In mid-60s the same obligation was required from the Rums (Greek Orthodox) of Imbroz (Gökçeada) and Tenedos (Bozcaada) for travel to Istanbul (Art. 38/3). Education in Greek in these two islands was banned from 1927 to 2015, except for the period 1951-1964. Syriac schools were closed in 1928 (Art. 40) and only in 2014 a single kindergarten was reopened (Art. 14).

Even though Rum, Armenian, and Jewish peoples’ names were not mentioned in Section III by using the term “Turkish nationals of non-Turkish speech”, recognition of non-Muslim communities outside these groups, like Syriacs, Ezidis, Romans, Arab Greek Orthodox, Protestants, and Catholics has been refused till the present.

The 1942 Wealth Tax Law was used as the main instrument of the ongoing capital transfer from the non-Muslims to the Muslims. A procedure called the “1939 Declaration” confiscated the real estate holdings of non-Muslim foundations (Art. 42/3). Elections of non-Muslim community administrations is banned to this day (Art. 40).

Religious marriage ceremonies of the non-Muslims were banned for a long time starting from 1926 (Art. 42/1).

To our day there is not a single non-Muslim civil servant in Turkey (Art. 39/1).

2) Group B:

The Kurds’ oral use of their language in courts is banned to our day (Art. 39/5).

3) Group C:

The Alevis’ practise of their religious ceremonies (*cemevleri*) and traditions (*semah*, etc.) was obstructed in various forms to the present. Sunni mosques were forcefully built in their villages where Sunni imams were nominated amid the protests (Art. 39/2 and 3).

Official campaigns of “Citizen, Speak Turkish” prevented especially the non-Muslims and the Kurds, and also the Arabs from using their mother tongues during the 1930s and again in the 1960s (Art. 39/4), and this prohibition mainly continues to our day for the Kurds in arts and media<sup>2</sup>. Learning of Laz and Circassian languages etc. was banned until the 2000s.

4) Group D:

The rights of non-citizens living in Turkey and of Christian missionaries (Protestant pastor Andrew Brunson in particular)<sup>3</sup> were violated (Arts. 38/1 and 2 and Art. 39/2).

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Concerning these open violations of the Lausanne Treaty, the following important points should be noted:

1) The title of Section III is “Protection of Minorities” but this Section is a human rights text since it protects even the rights of foreigners (“inhabitants”). This title stems from the fact that the term “minority rights” have been in international use since the 16<sup>th</sup> Century while the term “human rights” have been introduced there only in 1945 through

<sup>2</sup> For the interdiction of theater plays in Kurdish in Istanbul in 2021 see MlsaTurkey 2021.

<sup>3</sup> See Wikipedia n.d..

the United Nations Constitution. Therefore, the use of this title to refuse the rights bestowed upon people outside the “Turkish nationals belonging to non-Muslim minorities” is simply unacceptable.

2) The most important reality behind the violations of rights of peoples who differ from the Hanafi, Sunni, Muslim, Turk majority is the following: Turkey is a “nation-state” from its very beginning.

Do not confuse the “nation-state” with “national state”. The latter attributes sovereignty not to God or King but to a concept called “nation”, while the former attributes it to the dominant ethno-religious group within the nation and refuses to recognize any other identity (sub-identities).

This dominant group in Turkey is the “Hanafi, Sunni, Muslim, Turk” identity. Hanafi as opposed to Shafii, Sunni as opposed to Alevi, Muslim as opposed to non-Muslim, Turk as opposed to all ethnic non-Turks.

3) Turkey, as a very typical nation-state, implemented two main policies to oppress peoples having different characteristics than the dominant ethno-religious group: a) assimilate those it can assimilate; b) to apply ethno-religious cleansing to those it cannot assimilate.

At this point it'll be helpful to remember that in the Middle East and the Balkans, the essential element of identity is not language or ethnicity, but religion as a residue of the Millet System. And sect is also very important, that is why the Ankara delegation to the Lausanne Conference refused the religion criterium also and only accepted “Turkish nationals belonging to non-Muslim minorities”. That was because the Alevis (with the exception of those from Dersim and of Arab origin) even though they were ethnic Turks, were religiously very different from the Sunni vast majority of Turks. The founding fathers who were well aware of this situation wanted to prevent the Alevis from having international rights under the League's guarantee (Nur 1967, 1044)<sup>4</sup>.

4) As the residue of the *millet* system, the non-Muslims entered the category of “non-assimilable” and were subjected to ethno-religious cleansing. When Lausanne Treaty was signed and the compulsory

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<sup>4</sup> In the next page Dr. Rıza Nur discloses his “solution”, which is inherently the philosophy of the founding fathers of the Turkish nation-state as well, in the following words: “The lesson to draw from this: the most crucial, the most righteous, the most vital move is to stick to the principle of eliminating in our country any person belonging to another race, language, religion (...) [Those who are not Turkish] and likewise the Kurds ought to be isolated from their language and ethnicity using an incessant plan of assimilation.” (Nur 1967, 1045).



exchange of Turkish and Greek populations was completed the Rum population by itself was 110.000 strong, while in 2021 they are down at 2.000 and the number of all non-Muslims in Turkey is below 100.000, their ratio to the population of Turkey now being less than one per thousand.

5) The category “assimilable” has two factors that support each other: a) to be of the same religion and denomination as the majority; b) to be allochthonous and not autochthonous.

The autochthons are people whose ancestors were born on the same soil. Taking strength from this, they tend to jealously protect their identity (George 1984, 10-16).

On the other hand, the allochthons (= diaspora in Turkey) are very apt to assimilation because they have taken refuge in Turkey to save their lives from the Christians of their original country, and also because they are of the same religion (Islam) as the majority in Turkey. Their ethnically different identity is ready to dissolve into their religious identity.

For example, when in June 2004 the Government decided to broadcast in languages other than Turkish, the Bosnians, who originate from the Balkans (long time Ottoman territory), protested, citing a reason that openly reveals the Muslim allochthonous/diaspora mentality: “We are not Bosnians in Turkey, but Turks. We are first class citizens” (Akşam 2004).

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I guess this general outline will help to grasp better the main issues regarding minorities and diasporas in Turkey discussed by the authors of the following chapters.

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