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TURKEY: Turkish nationalism, Ergenekon, and denial of religious freedom

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A trial has begun in Turkey of influential people alleged to be part of an ultra-nationalist group, Ergenekon. Otmar Oehring of the German Catholic charity Missio notes, in a commentary for Forum 18, that opposition to religious freedom is widespread. Ergenekon members are alleged to have maintained deathlists of people, including Christians with a missionary background. The Malatya murder trial is revealing plausible links between Ergenekon, the "deep state" and the murders. But local officials – who are almost certainly not in an Ergenekon-type group – are also hostile to religious freedom. The Ergenekon case is part of a power-struggle between the "deep state" and the AKP government, but it is unclear whether the current trials will advance freedom of religion and belief. Given the threats to the day-to-day security and religious freedom of non-nationalist Turks, whether the government effectively addresses the roots of these threats will be crucial.

A court case in Turkey has pointed to the existence of a secretive underground ultra-nationalist organisation Ergenekon, though this might merely be another name for the "deep state". The trial began near Istanbul on 20 October of 86 alleged members – from the police, army, business, politics and the mass media – on charges that they were plotting to overthrow the current Justice and Development Party (AKP) government by 2009.

The "deep state" is the term used in Turkey for nationalist circles in the army, police, National Intelligence Organisation (MIT) secret police and state administration, which regard themselves as the custodians of the secularist legacy of the Republic's founder, Mustafa Kemal Atatürk (see F18News 28 June 2007 http://www.forum18.org/Archive.php?article_id=983). The MIT closely monitors religious minorities, and some MIT officers do indeed believe in protecting religious minorities. But other MIT officers are staunch nationalists and fully part of the "deep state" (see F18News 10 July 2007 http://www.forum18.org/Archive.php?article_id=990).

Opposition to religious freedom is widespread among the "deep state" and wider sections of political life and the general public. This hostility has resulted in deaths and violent attacks, and has not been effectively addressed by the government (see F18News 15 April 2008 http://www.forum18.org/Archive.php?article_id=1115).

The anti-religious minority views of ultra-nationalist circles and the "deep state" were no secret, especially to the religious minorities themselves. But reports in the Turkish media about Ergenekon have, perhaps for the first time, given the wider Turkish public the details of the conspiracies. Many Turkish analysts think that the allegations made so far will turn out to be true.

Members of Ergenekon are alleged to have maintained lists of people – including Christians with a missionary background – targeted for killing. The involvement of Ergenekon has been alleged in the murders of Catholic priest Fr Andrea Santoro in Trabzon in February 2006 and three Protestants – Necati Aydin, Tillman Geske and Ugur Yüksel – in Malatya in April 2007. The MIT secret police is known to have maintained observation of the places where all four of these Christians were killed (see F18News 10 July 2007 http://www.forum18.org/Archive.php?article_id=990).

The trial of those accused of the Malatya murders is revealing that there may be links between Ergenekon, the "deep state" and the murders. As Christian news service Compass Direct reported on 21 October (<http://www.compassdirect.org/en/display.php?page=news&lang=en&length=long&idelement=5658&backpage=summaries&critere=&countryname=&rowcur=>), the lawyer Orhan Kemal Cengiz, who leads the legal team representing the victims' families, states that there is a "very dark, complex, sophisticated web of relations behind the scenes."

Indeed, the Ergenekon people not only seem to be the masterminds of the Santoro and Malatya murders (and of the murder of ethnic Armenian journalist Hrant Dink), they even had a plan to kill the Ecumenical Patriarch – or at least to incite his murder in a way that could not be traced back to them.

Among those arrested in the investigation against Ergenekon was ultranationalist lawyer Kemal Kerincsiz. As well as filing complaints against numerous writers for "insulting Turkishness" under the notorious Article 301 of the Penal Code, he also brought

a high-profile case of "insulting Islam" under the same Article against Hakan Tastan and Turan Topal, Turks who joined a Protestant church.

Even the so-called Turkish Orthodox Church – which has almost no followers and was apparently designed by its founders as an irritant to the Greek Orthodox Ecumenical Patriarchate – is revealed to have been closely linked with such circles. This "church" has been publicly supportive of Kerincsiz's claims that Turkish Christians "insult Turkishness". Ergenekon is said to have used "Turkish Orthodox Church" buildings, and to be closely linked with those who run this "church".

Ergenekon-style nationalists are certain that almost everyone is against the Turks and Turkishness. Particular enemies of Turkey are thought by these circles to be all of Turkey's ethnic minorities, particularly Kurds (some of whom are Alevi Muslims), as well as non-Muslim minorities. These views have long been widespread even outside Ergenekon-type circles (see F18News 29 November 2007 http://www.forum18.org/Archive.php?article_id=1053).

Ergenekon-type circles collected information on groups within these populations – it helped that they had close ties to authorities with access to the personal data registry which records individuals' ethnic and religious affiliation. It is not known if Ergenekon itself – if it existed in the form that is claimed – sent spies into religious minority communities.

However, all religious minorities – especially Christians – have long had unknown people visiting their services. Sometimes these visitors say they are there from the MIT secret police to "protect" them, though more often they refuse to explain who they are (see F18News 26 July 2006 http://www.forum18.org/Archive.php?article_id=817).

Religious minorities doubt whether the police or MIT secret police would really attend their places of worship to protect them: they are more likely to believe they are there to listen, watch and take notes. Even this year in 2008, believers leaving services are asked who they are and why they have attended. The authorities want to know whether those attending Christian churches are foreigners, local "foreigners" or possible converts. Ergenekon could have played a part in such enquiries.

Many religious leaders have long been under surveillance by the MIT secret police. "Walls have ears," is the constant refrain in religious minority headquarters. Particularly close tabs were kept on Armenian Patriarch Mesrob Mutafyan, who had two "bodyguards" from the secret police with him constantly.

Again it remains unclear if this surveillance is to protect them or to keep tabs on all their activity. That a grenade could have been thrown into Patriarch Bartholomew's office from a small street outside the Ecumenical Patriarchate in Istanbul's Fener district – which is under full and very visible police surveillance – shows that any "protection" is at best ineffectual. Those charged with protecting religious leaders have not managed to stop threats against them.

Religious minority leaders live with threats constantly, whether through the media or directly. Patriarch Mesrob would receive about 300 emailed threats each day – whether from one individual or many is unknown. Unknown people watch religious minority buildings, making sure they are seen and noticed by the religious minorities.

Perhaps the biggest impact so far of this constant atmosphere of threats is on the Armenian Apostolic Patriarchate, Turkey's biggest Christian denomination. Mesrob Mutafyan, who was elected Patriarch in 1998 against the express wishes of the Turkish authorities, has been forced to retreat into health-related seclusion. Many believe the severe health problems he is suffering – which have affected him both physically and mentally – are akin to post-traumatic stress disorder. They believe these have been brought on by years of pressure from the media, the public and from the Armenian diaspora, some of which has dubbed him a traitor. As well as opposing his original election, the Turkish authorities also made trouble for him over the restoration of the Patriarchate several years ago.

Should Patriarch Mesrob not recover and be in a position to take up his functions again, this could threaten the future of the Armenian Church in Turkey. The Turkish authorities are likely to insist – as they have done up to now – that the head of the Armenian (as well as the Greek Orthodox) Patriarchate must be a Turkish citizen resident in Turkey. The Armenian Church may struggle to find a candidate with the diplomatic and linguistic skills and the international experience for such a crucial role in such a delicate and exposed position. This problem is of importance not just for the Church but for the Armenian community as a whole.

However, it is clear that Ergenekon and the "deep state" are not the only obstacle for freedom of religion or belief. Local officials – who are almost certainly not in an Ergenekon-type organisation – continue to obstruct the work of non-Muslim communities. This can clearly be seen when it comes to property disputes.

Roman Catholics, for example, face several difficult property battles, most notably in the southern coastal city of Mersin, where they have a large compound which they have used since Ottoman times. The only document the Catholics have confirming their ownership is a firman (decree) issued by the Ottoman sultan, which the local authorities do not consider is valid. Successive court cases brought by the local authorities in the 1980s finally reached Turkey's Supreme Court in Ankara in the 1990s, which ruled in favour of the Catholics.

Such ownership problems are faced by all the minorities, despite their widely differing legal status. As is the case with all non-Muslim minority groups, Catholics do not legally exist. Furthermore, as their properties are not organised as "community foundations", their properties have no legal personality on their own. And as the Catholics do not legally exist, the government at times argues that they therefore also cannot have property. This shows that despite government claims, these property problems have not been resolved by the latest Foundations Law (see F18News 13 March 2008 http://www.forum18.org/Archive.php?article_id=1100).

In the case of the Catholics of Mersin, the local authorities re-started the dispute through the courts, in a case that is now pending at the High Court. Catholics fear a negative ruling, which would force them to take their case to the European Court of Human Rights (ECtHR) in Strasbourg. This would be extremely expensive and time-consuming, even though this may turn out to be the only effective way for religious minorities to secure freedom of religion or belief (see F18News 18 January 2007 http://www.forum18.org/Archive.php?article_id=901).

The authorities in Mersin argue that the Ottoman firman only allows Catholic people to construct a specific building (a church) and did not grant them ownership of the land on which it was built. Similar court cases were brought in the past over the Assumptionist Church in Kadiköy, Istanbul (ECtHR Application No. 26308/95).

The Mersin authorities' desire to confiscate Catholic property would leave the community with nowhere to worship, though it remains unclear how far the authorities would go. They could take away legal ownership, while allowing the Catholics to continue to use the church. In the past, authorities elsewhere have used such methods to confiscate religious property "legally".

Another example is in Adana. The town's Jesuit-run Catholic church has long faced harassment from local people attending a nearby wedding hall, which was built close to it in defiance of regulations. The mayor's office has said that the wedding hall should be closed but has taken no action to enforce this.

Ancient cemeteries where Christians are buried – such as in Samsun – or Christian sections of bigger cemeteries – as in Ankara – are also not being protected from vandalism, despite requests from the Christian Churches. In the Black Sea port of Trabzon – where Fr Santoro was murdered – the Christian cemetery is threatened with confiscation. Muslim cemeteries face no such problems.

By contrast, spokespersons for the Greek Orthodox Patriarchate have pointed to two positive developments. They welcomed the January 2008 statement in parliament by the Prime Minister Recep Tayyip Erdogan that the issue of whether its Patriarch, Bartholomew, is "Ecumenical" or not is an "internal" matter for the Patriarchate and that the state should not interfere. Previously the authorities have responded ferociously to any claims that Bartholomew's religious role extends beyond Istanbul's tiny surviving Greek Orthodox community.

Greek Orthodox spokespersons also welcome the July 2008 ruling by the ECtHR in Strasbourg over the Buyukada orphanage, particularly the finding that not only does the property belong to the Orthodox Patriarchate but that the Patriarchate is an existing legal person (Application no. 14340/05 <http://cmiskp.echr.coe.int/tkp197/view.asp?action=html&documentId=837594&portal=hbkm&source=externalbydocnumber&table=F69A27FD8FB86142BF01C1166DEA398649>). The Turkish state should now recognise the Patriarchate as a legal person, something it has repeatedly refused to do for any religious community. But will it?

Erdogan's statement about the title "Ecumenical" is likely to have little immediate impact on the general public, which continues to regard the Patriarchate with suspicion or hostility. The ECtHR ruling should have an impact on other religious communities which have so far struggled to assert their right to a legal existence. But will it?

Meanwhile a new party, the Law and Equality Party (Hak ve Esitlik Partisi), was created on 4 September to promote a nationalist agenda. The party, founded by a former general prominent in the war against the PKK Kurdish rebels, is also aimed at getting rid of Christians and ending Christian proselytism. The first sentence of the call to found the party – published as a full-page advertisement in many newspapers – attacks what it calls the "colonisation" of Turkey by missionaries, presumably Christian. "Turkish nation – we know that you are fed up that your democracy is treated like a child, that foreign representatives and missionaries run around on our soil and boss you around," it reads.

Although the party seems to be well-organised in Turkey's provinces, it remains unclear how serious it is and how many votes it might be able to gather in an election. Nevertheless, the party reflects more widely-held chauvinist views, which see no place in Turkey for non-Muslim minorities (see F18News 29 November 2007 http://www.forum18.org/Archive.php?article_id=1053).

Public opinion in Turkey is becoming more hostile to freedom of religion or belief, and increasingly favours extreme nationalism of the Ergenekon kind. The government's actions are favourable to these kinds of views – even if not to the Ergenekon group itself – and it does not seem to want to act effectively to protect non-nationalist Turkish citizens. The ruling Justice and Development Party (AKP) is not itself an extreme nationalist party, but it could do much more to make it unambiguously clear that religious and ethnic minorities are Turkish citizens with equal rights.

The AKP itself is under threat from Ergenekon-style views; indeed, those associated with the "deep state" recently tried to have the AKP banned. A fight is underway between the Army and the old Kemalist "deep state" on one side and the AKP on the other. But it is not at all clear that the AKP is necessarily in this fight to advance democratic values, including freedom of religion and belief.

It also remains unclear whether the AKP will prevail. Visits by members of the General Staff to Ergenekon prisoners ahead of the trial have been interpreted as a warning to the AKP not to go too far.

The court case against alleged key leaders and members of Ergenekon is merely the latest step in the power-struggle between the "deep state" (of which Ergenekon appears to have been a part) and the AKP. That the judiciary – quite obviously pushed by the government – has initiated the court case can be seen as proof that the AKP government is fighting back against those groups in society and state that are striving to drive the AKP from power.

Whether the Ergenekon court case will prove to be a step towards real democracy in Turkey – leading to improvements in the area of freedom of religion and belief – is quite another question. It is not only the court cases on Ergenekon and the Malatya murders which will decide this. Given the undeniable threats to the day-to-day security and religious freedom of Turks who are not nationalists, whether the AKP government effectively addresses the roots of these threats will be crucial in deciding this question.

(END)

For an analysis of what Ergenekon related criminal trials have - and have not - revealed about attacks on religious minorities, see F18News 22 April 2010 http://www.forum18.org/Archive.php?article_id=1434).

- Dr Otmar Oehring <http://www.otmaroehring.de/>, head of the human rights office of Missio, a Catholic charity based in Germany, contributed this comment to Forum 18. Commentaries are personal views and do not necessarily represent the views of F18News or Forum 18.

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