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Legal limbo of Turkey's Syriac Christian properties still unresolved

By Barbara G. Baker

World Watch Monitor (18.07.2017) - <http://bit.ly/2to7Zi5> - Over the past five years, legal ownership of at least 100 ancient Syriac Christian properties in Turkey's southeast has been seized and transferred to the Turkish state treasury, where the title deeds still remain.

The government-confiscated properties include two functioning monasteries, including adjacent lands to the 4th century Mor Gabriel Monastery belonging to Turkey's oldest indigenous culture. Monks at the monastery still speak the Aramaic dialect closest to that spoken by Jesus.

According to the Turkish government, this systematic expropriation of allegedly "lapsed" title deeds for these dozens of historic Syriac churches, monasteries and village cemeteries began in recent years because of reformed land registry laws and the reorganisation of municipalities within the Mardin province.

Reportedly, these new statutes give the state a legal pretext to either force the Syriac community to lease back their own church properties from the government, or, even worse, stand by while the state sells them outright to someone else.

As recently as May, the latest appeal from the Mor Gabriel Monastery Foundation against the cancelled ownership of some of its adjacent lands back in 2008 was denied by a local court.

But for church leaders of the estimated 2,500 Syriac Christians still living in southeast Turkey, the extent of these newly disclosed expropriations only came to light less than a month ago.

In a front-page story on 23 June, the weekly Agos newspaper reported that the state treasury had recently transferred the deeds of many Syriac properties to the Religious Affairs Directorate, which regulates all Muslim religious facilities and practices in Turkey. The official state institution has no jurisdiction over non-Muslim communities.

Shocked leaders of the three Syriac church foundations affected by the newly disclosed seizures conferred with their lawyers and Archbishop Samuel Aktas, Metropolitan of the Syriacs' Turabdin homeland lying between the Tigris and Euphrates rivers in Mardin province.

They immediately filed a court appeal to cancel the deed transfers, working to identify all the properties seized and opening lawsuits to reclaim 20 title deeds. "We will do the same for around 30 more," Mor Gabriel Foundation Chairman Kuryakos Ergun told Agos.

A media furore over the Agos revelations quickly erupted among the Syriac diaspora in Europe. Queries were filed from the European Parliament about the purpose and extent of the seizures, and questioning this clear-cut violation of the 1923 Lausanne Treaty agreements signed by Turkey to protect its religious minorities.

Turkish Rapporteur Renate Sommer from the European People's Party strongly criticised the development, saying, "Maybe the Turkish government does not want to forcibly eject the Syriac minority from the country, but at the same time it wants to completely erase it."

Once the news hit the Turkish media, the Religious Affairs Directorate website promptly denounced the Agos report as "asparagus" (yellow journalism) filled with "lies and slander."

Directorate President Dr Mehmet Gormez dismissed the report as "dark propaganda" being circulated across Europe to defame Turkey and the Religious Affairs Directorate. He later declared that he had never seen the alleged decision, which he labelled "a rejection of Islamic values".

In less than two weeks, the Mardin Governorate had stepped back from its decision to give the Christian properties over to control of the Muslim directorate. Calling together representatives of the three Syriac foundations whose properties had been confiscated, the governorate cancelled the transfer on 3 July; but that left the disputed properties back again under treasury control.

The Mardin Governorate's original court order transferring the Syriac deeds to the Religious Affairs Directorate was dated 12 August 2014. The Syriac church had not been informed of this judicial action taken nearly three years ago.

The 3 July cancellation order specified that a legal amendment was required "for the problem's exact solution". The Syriac community agreed, with the Syriac foundation chairmen sending a formal petition that same day, requesting Ankara to take a second step: transfer the ownership of all the church property deeds currently held by the treasury over to their respective Syriac foundations.

To date, the Syriac community has received no response to their petition from Turkey's central government.

Unless Ankara agrees to return the seized properties to official church ownership and amends the law, the Syriac community is left with only one alternative: file 100 or more separate court cases to gain back their centuries-old properties, a very expensive and lengthy option that would take years to complete.

"They can give them back to us, or not; it's up to them!" one Syriac leader who wished to withhold his name told World Watch Monitor. "It's out of our hands. We can't do anything unless they reveal the realities!"

"But always," he sighed, "they are coming to us with a club! You have taken them away from us. Now are you going to give them back? Or do you just want us to leave?"

Over the past few decades, most of the 70,000 Syrians living in south-eastern Turkey fled to escape the deadly fighting between government and Kurdish rebel forces that erupted in 1984. A number of the Syriac village churches and graveyards existing at that time had been registered in the names of private individuals, so their title deeds were never transferred over to local church foundation ownership.

After publicly inviting ethnic Syriacs in 2012 to move back to their lands in south-eastern Turkey, then Prime Minister Recep Tayyip Erdoğan declared in September 2013 that the 30 Syriac properties that had been confiscated from the Mor Gabriel Monastery in 2008 would be given back to church foundation ownership. But so far only 12 have been returned, Ergun told World Watch Monitor, with 18 land parcels still not reclaimed.

"In the 21st century, this not an appropriate decision for Turkey," Turkish Muslim journalist M. Serif Oter wrote in his Gap News Agency column on 9 July, headlined: "Can't we change this law's statute for our Syriac brothers?" He commented on the lucrative tourism potential in the Mardin province to visit so many Syriac and other historic religious sites, and quoted extensively from Quranic passages requiring just treatment of non-Muslims.

"If the needed corrections on this issue are not promptly made," Oter vowed that "as a civilian representative of Mardin society" he was ready to start a campaign to return the Syriac properties to their rightful owners.

Two Christian members of the Turkish Parliament demanded an explanation from the government over the issue – Syriac MP Erol Dora from Mardin and Armenian MP Garo Paylan from Istanbul.

"This is absolutely an illegal practice," Armenian Christian MP Selina Dogan told DHA news agency after meeting with Syriac foundation officials at Mor Gabriel Monastery. "There are two dimensions to this issue – the legal dimension, and the moral dimension.

"This is not just one religious community's cultural heritage; at the same time, it is also Turkey's treasure. So it's not to be turned over to the state treasury; it is to be protected by the Culture Ministry like the apple of our eye," she concluded.

An ethnic community whose ancestral roots came from the Assyrian civilisation, Syriac Christians numbered several hundred thousand under the Ottoman Empire before the mass murders and deportations in which some 1.5 million Syriac and Armenian Christians died during World War I.

Turkey seizes 50 Assyrian churches and monasteries, declares them state property

By Patrick Poole

AINA (29.06.2017) - <http://bit.ly/2s8DyHY> - The Turkish Directorate of Religious Affairs (Diyanet) has seized control of at least 50 Syriac churches, monasteries, and cemeteries in Mardin province, report media sources from Turkey.

The Turkish-Armenian daily Agos [reports](#):

After Mardin became a Metropolitan Municipality, its villages were officially turned into neighbourhoods as per the law and attached to the provincial administration. Following the legislative amendment introduced in late 2012, the Governorate of Mardin established a liquidation committee. The Liquidation Committee started to redistribute in the city, the property of institutions whose legal entity had expired. The transfer and liquidation procedures are still ongoing.

In 2016, the Transfer, Liquidation and Redistribution Committee of Mardin Governorate transferred to primarily the Treasury as well as other relevant public institutions numerous churches, monasteries, cemeteries and other assets of the Syriac community in the districts of Mardin.

The Mor Gabriel Monastery Foundation appealed to the decision yet the liquidation committee rejected their appeal last May. The churches, monasteries and cemeteries whose ownerships were given to the Treasury were then transferred to the Diyanet.

Inquiries of the Mor Gabriel Monastery Foundation revealed that dozens of churches and monasteries had been transferred to the Treasury first and then allocated to the Diyanet. And the cemeteries have been transferred to the Metropolitan Municipality of Mardin. The maintenance of some of the churches and monasteries are currently being provided by the Mor Gabriel Monastery Foundation and they are opened to worship on certain days. Similarly, the cemeteries are still actively used by the Syriac community who visits them and performs burial procedures. The Syriacs have appealed to the Court for the cancellation of the decision.

"We started to file lawsuits and in the meantime our enquiries continued" said Kuryakos Ergün, the Chairman of Mor Gabriel Monastery Foundation. Ergün said they would appeal to the court for the cancellation of nearly 30 title deed registries

Included in the seizure is the 1600-year-old Mor Gabriel Monastery:

Foundation of Mor Gabriel Monastery, filed a court case at the Civil Court of First Instance in Mardin against the registration of title deed records in the name of Treasury.

In the petition filed to the court it has been noted that the properties subject to the court case had been, since ancient times, under the possession and ownership of the Foundation and the significance of Mor Gabriel Monastery has been underlined; "Its history dates back to the 4th century AD. The Monastery is one of the oldest monasteries in the world which is still active and is one of the most ancient religious centers of Syriacs and the entire world with its history of more than 1600 years.

Midyat Syriac Deyrulmur Mor Gabriel Monastery Foundation had been established on the basis of the imperial order of Sultan Abdülmecid Han during the Ottoman Empire in "1267 Islamic calendar (1851/1852 Gregorian calendar) and its status was redefined, became a legal entity, on the basis of the Foundations Law of 13.06.1935 with no 2762.

The Foundation had been recognised as "a religious community foundation" on the basis of a Regulation issued in 2002 by the Directorate General of Foundation and was included in the List of Religious Community Foundations drafted same year. Foundations that I'm not included in this list are in not recognised as religious community foundations."

Turkey says detains 1,000 'secret imams' in police purge

By Ece Toksabay

Reuters (26.04.2017) - <http://reut.rs/2oLZlmo> - Turkish authorities said they had arrested more than a thousand "secret Imams" who had infiltrated police forces on behalf of a U.S.-based cleric accused by President Tayyip Erdogan of trying to topple him last July.

The nationwide sweep was one of the largest operations in months against suspected supporters of the cleric, Fethullah Gulen, a former ally of Erdogan. Gulen denies any part in the coup led by military officers.

Interior Minister Suleyman Soylu said the overnight crackdown targeted a Gulen network "that infiltrated our police force, called 'secret imams'.

"One thousand and nine secret imams have been detained so far in 72 provinces, and the operation is ongoing," he told reporters in Ankara.

Another 9,103 personnel from Turkey's police force were suspended on Wednesday, police headquarters in Ankara said in a statement on its web site, citing alleged links with Gulen's network.

In the aftermath of the failed July coup, authorities arrested 40,000 people and sacked or suspended 120,000 from a wide range of professions including soldiers, police, teachers and public servants, over alleged links with terrorist groups.

New presidential powers

The latest detentions came 10 days after voters narrowly backed plans to expand Erdogan's already wide powers in a referendum which opposition parties and European election observers said was marred by irregularities.

The referendum bitterly divided Turkey. Erdogan's critics fear a further drift into authoritarianism, with a leader they see as bent on eroding modern Turkey's democracy and secular foundations.

Erdogan argues that strengthening the presidency will avert instability associated with coalition governments, at a time when Turkey faces problems including security threats from Islamist and Kurdish militants.

"In Turkey, there was an attempted coup with a goal of toppling the government and destroying the state," he told Reuters in an interview late on Tuesday.

"We are trying to cleanse members of FETO inside the armed forces, inside the judiciary and inside the police," he said, using an acronym for the label, Gulenist Terrorist Organisation, which the government has given to Gulen's supporters.

The president compared the struggle against Gulen with the state's battle against Islamic State and Kurdish PKK militants, who are designated terrorist organisations by Turkey, the European Union and the United States.

"We are going to keep up the fight in terms of democracy, fundamental rights and liberties, but at the same time we are going to keep up the fight against PKK, FETO and other terrorist organizations such as Daesh (Islamic State)," he said. "We will continue down this path in a very committed fashion."

Mass detentions immediately after the attempted coup were supported by many Turks, who agreed with Erdogan when he blamed Gulen for orchestrating the putsch which killed 240 people, mostly civilians. But criticism mounted as the arrests widened.

Many relatives of those detained or sacked since July say they have nothing to do with the armed attempt to overthrow the government, and are victims of a purge designed to solidify Erdogan's control.

Turkey Allows Women in Military to Wear Hijabs, in Cultural Shift

By Patrick Kingsley

The New York Times (22.02.2017) — <http://nyti.ms/2msikF0> — Women in the Turkish armed forces have been given the right to wear Islamic head scarves in a move that represents a significant cultural shift within an institution seen historically as the guardian of Turkey's secular identity.

The military was one of the last Turkish institutions to forbid the wearing of the hijab.

Just 10 years ago, the military's commanders briefly implied that they would intervene if a presidential candidate, whose wife wore a veil, became head of state. The candidate, Abdullah Gul, ultimately reached the presidency without obstruction. A decade before that, however, military intervention forced the resignation of an Islamist prime minister.

The decision, made on Wednesday and announced by the Defense Ministry, highlights the transformation in the years since of both the military and society, where the head scarf has long been emblematic of the struggle between the country's secular and religious factions.

Since 2002, the government of Recep Tayyip Erdogan has gradually opened the public sphere to veiled women — allowing the veil on university campuses in 2011 and in the civil service in 2013. The first veiled judge appeared in court in 2015, while veiled women were permitted to serve in the police force last August.

The military's stance softened somewhat in 2015, when an army court ruled that veiled relatives of soldiers could enter military grounds.

The army's cultural shift was also reflected in last July's failed coup attempt. The government claims that the putsch was organized by an Islamist faction within the military, an institution previously assumed to be staffed mainly by Kemalists — followers of Mustafa Kemal Ataturk, the founder of the secular Turkish state.

Women serve only as officers or noncommissioned officers in Turkey. As of 2013, the last year of official data, there were 1,345 female commissioned officers and 370 female noncommissioned officers out of 723,741 military personnel in Turkey.

The decision to allow female soldiers to wear head scarves threatens to deepen concerns that Mr. Erdogan seeks to sever the country from its secular moorings.

Mr. Erdogan's party has criticized claims that its members are Islamists, believers in a political system based on Islamic legislation. Nevertheless, Mr. Erdogan has increased the number of religious schools and speaks of creating a more pious generation of Turks.

After the July coup attempt, Mr. Erdogan also caused alarm in secular circles when he appointed as his military adviser a former one-star general who was fired from the army a few months before the 1997 military intervention because of concerns about his religiosity.

Mr. Erdogan's toughest critics fear he secretly hopes to create a second Iran, where a teenager was expelled from the national chess team on Monday for refusing to wear a head scarf during a tournament in Spain.

Erdogan Karakus, a retired three-star general and head of the Turkish Retired Officers Association, claimed that Wednesday's decision was an unnecessary intervention in military affairs and argued that the head scarf was too loaded a symbol for use within the military.

"We don't want to involve politicians in our air force, army, navy," Mr. Karakus said in a telephone call. "If somebody wants to wear beach clothes in the office in the United States, do you accept it?"

But many welcomed the decision. While some criticize Mr. Erdogan for disregarding democratic norms, citing a continuing purge of thousands of people accused of being dissidents, others praise him for bringing dignity to Turkey's pious majority, which for decades was excluded from public life by the country's secular elite.

What happened on Wednesday was the latest part of that emancipatory process, said Ravza Kavakci, a lawmaker from Mr. Erdogan's party.

"I think it is a very important step in the path of democratization," she said.

Ms. Kavakci's older sister, Merve, was once one of those particularly affected by discrimination against veiled women. Professor Merve Kavakci is herself a former lawmaker who was screamed at, and later expelled from Parliament, when she arrived at the building wearing a head scarf in 1999.

In a separate interview, the elder Ms. Kavakci said that Wednesday's decision simply made Turkey more tolerant of religion, rather than less secular. She said it would make Turkey more like the United States, where she felt freer to display her religious identity when she lived there.

"It's not that Turkey is not secular any more. It's that Turkey is no longer secular fundamentalist," said the elder Ms. Kavakci, now a political scientist and head of postcolonial studies at Uskudar University. "In the past, Turkey has, with its secular-fundamentalist ideology, embraced a very intolerant secularism where religion was subjugated and controlled by the state authority. And now we're trying to change that."

In a statement released later in the day, she added: "From the day I was ousted from the Parliament it's a dream come true. This is a clear victory for women empowerment."

Others were more circumspect. Professor Jenny White, an expert on the changing role of Islam and secularism within Turkey, argued that the democratization process was just one of several possible explanations for Wednesday's intervention.

"It could just be completing the process, having everyone everywhere able to wear head scarves, or it could be a way of humiliating the remaining Kemalist officer corps by breaking that last taboo," said Ms. White, the author of "Muslim Nationalism and the New Turks," a book about identity in contemporary Turkey.

"I would characterize this," Ms. White added, "as the ultimate humiliation of the Kemalist military."

Turkey rejects initial appeal to release jailed US pastor

By Barbara G. Baker

World Watch Monitor (04.01.2017) - <http://bit.ly/2iVJz8T> - A Turkish court denied an initial appeal last week for the release of Rev. Andrew Brunson, an American Protestant pastor kept under arrest for the past three months over alleged links to a terrorist organisation.

In the wake of the 29 Dec. refusal to release Brunson, his lawyer confirmed to World Watch Monitor that while appeals and the government's official investigation into the allegations against the pastor are continuing, no formal case has yet been opened against him.

Initially detained under deportation orders in the port city of Izmir on 7 Oct., Brunson was held in detention facilities without formal charges until 9 Dec., when he was brought to court for the first time for questioning. He was then ordered to be imprisoned, accused in writing of "membership in an armed terrorist organisation".

The judge revealed for the first time during the courtroom session that the pastor's charges were based on accusations by a "secret informer", who remains unidentified. No legal documents have been released to Brunson's lawyer that specify the details or evidence upon which the charges are based.

But during the hearing, the judge specifically mentioned allegations that the pastor had links with the Fethullah Gülen movement, accused by Ankara of instigating a failed military coup against the Turkish government last July.

Over the past six months, thousands of judges, prosecutors, military personnel, journalists, educators and other civilians have been arrested in a wide-ranging crackdown to identify and prosecute the coup plotters and their sympathisers.

The Justice Ministry announced on 2 Jan. that, to date, 41,326 "terrorism suspects" had been arrested in the legal probe against the Gülen movement; Rev. Brunson is apparently one of them.

Limited prison access

Although Brunson's lawyer had been blocked from any access to him during his two months of detention, he has since been permitted to meet him in prison three times.

But due to Ankara's current emergency law decrees imposed since the attempted coup, their sessions are not private. "Those visits are recorded and any notes taken by his attorney are copied," reports the American Center for Law and Justice (ACLJ) group advocating and circulating petitions on behalf of Brunson's family.

Rev. Brunson was allowed one family visit on 28 Dec., when he confirmed that he has been permitted to have only one English book, the New Testament.

"Whereas the Turkish prisoners are allowed family visits once a week," religious freedom charity Middle East Concern reported, "Andrew's family must apply to the Ministry of Justice for each individual visit."

Although US Embassy officials were blocked several times in previous attempts to visit Brunson while he was under detention, they were permitted to meet him in prison on 30 Dec.

A Turkish parliamentarian recently told one Turkish Protestant leader that at least 100 foreign citizens from Orthodox, Catholic and Protestant denominations have been deported, refused residence visa renewal or denied re-entry into Turkey without explanation in the past four years.

In addition to Brunson, currently at least three other Protestant expatriates active in Christian ministries in Turkey for a decade or more are fighting legal battles to either remain in the country or regain from abroad their abruptly cancelled residence visas.

An unidentified "senior Turkish official" told a Wall Street Journal columnist writing about the Brunson case from London yesterday (3 Jan.) that "the idea that Mr. Brunson's arrest was related to his religious affiliation is ludicrous," asserting that Christians in Turkey "freely exercise their religion".

But nevertheless, this is the first time in more than a decade that Turkish authorities, acting on orders from Ankara's Interior Ministry, have without explanation ordered the lengthy detention and then jailing of a foreign Protestant citizen involved in legally recognised church-related Christian ministry in the country.