

RETHINKING THE STATE OF MINORITIES IN GREEK - TURKISH RELATIONS IN LIGHT OF EUROPEAN INTEGRATION

This article discusses the impact of European integration on minority policies in Greece and Turkey. The history of minorities and the evolution of state policies in Greece and Turkey are examined. The paper argues that minority policies have rested upon the logic of marginalization, intimidation and reciprocity in both countries. However, European integration has provided policymakers in Athens and Ankara with a framework to legitimize their reform policies. Thus, significant improvements in minority policies have taken place in the last two decades, even though shortcomings remain.

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Greek-Turkish relations were problematic and at times extremely antagonistic throughout the 20th century, excluding a brief period of rapprochement in the 1930s. The relationship between the two states has been influenced by empirical events, but has also been shaped by historiography, i.e. different experiences have led to different accounts and interpretations of history. Accordingly, substantially varied, and, until recently, largely negative perceptions of the “other” have come about. Indeed, one can argue that both empirical and historiographically-shaped perceptions have led to the securitization of overall relations between Greece and Turkey.

Until recently, bilateral relations –on issues ranging from Cyprus to the Aegean– had consistently been dominated by a mentality of zero-sum calculus and defined by turmoil, threats of war and mutual mistrust. Not surprisingly, this had produced nothing but securitized foreign policies and a protracted relationship of conflicts. Within this framework, minority issues had also been held hostage by securitized foreign policies. The status of minorities in both countries had been hinged upon the general course of Greek-Turkish relations, cruising between times of harassment and serious violations during periods of strife, and times of non-interference and relative improvement during short-lived periods of rapprochement.

Yet, it was not until European integration started impacting Greek and Turkish policies, not only regarding their respective minorities but also *vis-à-vis* each other, that both countries were compelled to substantially revise their long-standing positions. European integration has provided a context that is favorable to reform in the area of minority rights for Greece and Turkey. While in no way has this process of reform been completed, significant progress has been achieved, and the basis for change that was formed by the European framework gives hope for a thorough solution in the future.

Brief History

The antagonism that has strained Greek-Turkish relations has its roots in the depths of history. The problematic historical background of relations between the two peoples, which we mainly owe to fabricated national narratives, has had a deep impact on bilateral relations, including minority policies. Minority issues are the oldest source of conflict in state-to-state affairs between the two countries, having their roots in the 1923 Treaty of Lausanne, which sealed the end of Greco-Turkish War.

As the last units of the Greek army were leaving Anatolia in 1923, heralding the end of *Megali Idea*,¹ statesmen of the two countries embarked on the arduous work of establishing homogenous nation-states. To that end, the “issue” of minorities was dealt with, as one historian puts, by “the brutal but effective method of exchange of populations.”² Under the auspices of the Treaty of Lausanne, more than a million ethnic Greeks of Anatolia were compelled to settle in Greece, while around 400,000 ethnic Turks headed the opposite direction. Excluded from the Treaty were the ethnic Greeks of Istanbul, Gökçeada (Imbros) and Bozcaada (Tenedos), as well as the ethnic Turks of Western Thrace.

The Treaty of Lausanne is the legal arrangement that regulated the rights of Muslim and non-Muslim minorities in Greece and Turkey since 1923. It recognized the Muslims in Western Thrace, and Greeks, Jews and Armenians in Turkey as the official minority groups, and provided the legal frame-

work that protects their religious, economic, social and cultural rights, bringing minorities on par with the rest of the population. Nevertheless, during the following decades, Turkey and Greece have both consistently violated these rights not only marginalizing their minorities but also bringing them to near extinction by coercing them to emigrate, as in the case of Greeks in Istanbul.³

In 1955, the parliament in Athens introduced the Greek Code of Nationality. Article 19 of the Code stipulated that “a person of non-Greek ethnic origin leaving Greece without the intention of returning may be declared as having lost Greek nationality.”⁴ Until its repeal in 1998, Article 19 “had served as the legal basis for the removal of Greek citizenship from approximately 60,000 citizens, the vast majority of whom were the members of the Western Thrace minority.”⁵ It was explicitly discriminatory, as it had not applied to citizens of Greek descent. In the meantime, the Greek state has refused to recognize any minority other than Muslims of West-

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¹ Megali Idea was the irredentist ideal that had dominated Greece’s foreign policy from the 1860s until 1922, which had aimed to establish a Greek state encompassing all ethnic Greeks (including parts of modern-day western Turkey).

² Bernard Lewis, *The Emergence of Modern Turkey* (New York: Oxford University Press, 2002), p. 255.

³ The latest annual report of the United States Commission on International Religious Freedom gives the number of Orthodox Greek Christians in Turkey as 1,700.

⁴ “Destroying Ethnic Identity: The Turks of Greece,” *Human Rights Watch*, <http://www.hrw.org/>, 1990.

⁵ Ioannis N. Grigoriadis, “On the Europeanization of Minority Rights Protection: Comparing the Cases of Greece and Turkey,” *Mediterranean Politics*, Vol. 13, No. 1 (March 2008), p. 26.

ern Thrace, basing its argument on the Treaty of Lausanne, which recognized no other minority groups in Greece. Violations have continued in the form of denial of self-identification, economic and educational marginalization, appointment of muf-tis by the state, limitations on political representation, restrictions on freedom of movement and closure of minority associations, all in contradiction with the obligations of Lausanne. In a report published in 1990, Human Rights Watch indicated that abuses of human rights revealed “a pattern of denying the Turkish minority the rights granted to other Greek citizens.”⁶

In a similar fashion, Turkey repressed its minorities, resulting in a gradual but consistent decline in the population of Greek Orthodox in Turkey. Policies practiced

by the Turkish state explicitly targeted the members of the minorities. In 1942, the Turkish government levied the so-called “capital tax” [Varlık Vergisi] in order to create resources while World War II continued. The tax was disproportionately directed to non-Muslim minorities (especially Greeks and Jews, whose wealth exceeded that of the majority of the Turkish population), who had to endure heavy financial hardships resulting from it. Greek Orthodox community which constituted 0.55 percent of the population at the time was obliged to pay 20 percent of the revenues yielding from the capital tax.⁷

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On 6-7 September 1955, anti-minority policies turned into physical violence with a pogrom which targeted non-Muslim properties in Istanbul. In conjunction with the mass deportations of Greek citizenship holders a decade later, this caused significant decrease in the number of Istanbul Greeks. In due course, violations amounted to confiscations of assets owned by minority foundations, closure of the Heybeliada (Halki) Orthodox Seminary in 1971 and refusal to accept the status of the Ecumenical Patriarchate. A 1992 Human Rights Watch report described the Greek community in Turkey as “dwindling, elderly and frightened.”⁸

⁶ Human Rights Watch, “Destroying Ethnic Identity: The Turks of Greece,” *Human Rights Watch*, <http://www.hrw.org/>, 1990.

⁷ Baskın Oran (ed.), *Türk Dış Politikası: Kurtuluş Savaşından Bugüne Olgular, Belgeler, Yorumlar* (İstanbul: İletişim Yayınları, 2001), p.579.

⁸ Human Rights Watch, “Denying Human Rights and Ethnic Identity: The Greeks of Turkey,” *Human Rights Watch*, <http://www.hrw.org/>, 1992.

Greece and Turkey have traditionally abstained from signing and ratifying treaties regarding minority rights in Europe as well. Both the Framework Convention on National Minorities (1995) and the European Convention on Nationality of the Council of Europe (1997) were signed but not ratified by Greece, while neither was signed nor ratified by Turkey. Additionally, the two countries have not signed the European Charter for Regional or Minority Languages up to present.

Foreigners or Citizens?

“Domestic foreigners”, “foreign subject Turkish citizen” or “foreign legal persons” are a few examples of how the ethnic Greek citizens and foundations are referred to in various judicial rulings and official reports in Turkey.⁹ Likewise, it is prohibited by law to use the word “Turk” in association names or on official papers in Greece, since the minority is officially recognized as “Hellenic Muslims.” Traditionally, both communities have been perceived as representatives of foreign states, whose very existence is a tool for irredentist foreign policies. This has been particularly evident in the case of Greece due to the geographical proximity of the minority to the Greek-Turkish border.¹⁰ Historically, the Turks of Western Thrace were seen as reminiscent of the era of Ottoman yoke (*Tourkokratia*), while the existence of Greeks in Istanbul was perceived as pretext for foreign intervention in Turkey’s domestic affairs in the name of minority protection – a fear emanating from similar experiences during the last decades of the Ottoman Empire.

Such views, not surprisingly, have produced an understanding of minorities as “Trojan horses” which are seen as hindrances to national unity. Since they were not seen as equal citizens, they have become convenient levers to be used *vis-à-vis* each other in Greek-Turkish bilateral relations, either for “punishing” the other side by repressing minorities or simply for internationally shaming the other for its violations of minority rights. This mentality of reciprocity revealed that the perception of minority protection was not a “constitutional stipulation or legal obligation emanating from international human rights treaties, but...a concession to the other side or a tactical move, in order to avoid international shaming.”¹¹

Minority Rights in Europe

The European Convention on Human Rights, signed by all countries of the Council of Europe, has served as the basic human rights document in Europe since 1950.

⁹ Othon Anastasakis, Kalypso Nicolaidis and Kerem Öktem (eds.), *In the Long Shadow of Europe: Greeks and Turks in the Era of Post-nationalism* (Leiden: Martin Nijhoff Publishers, 2009), p. 215.

¹⁰ Alexis Heraclides, *Yunanistan ve “Doğudan Gelen Tehlike” Türkiye* (Istanbul: İletişim Yayınları, 2001), p. 294.

¹¹ *Ibid.*, p. 182.

The provisions of the Convention apply to members of minority groups throughout Europe as well. Yet, lack of emphasis on minority rights was the case until the early 1990s.

As the European Community (EC), mainly based on economic cooperation, evolved into the more political “European Union”, minority rights became a priority. Promulgation of the Copenhagen Criteria in 1993 designated “respect for and protection of minorities” as a condition for membership. Nevertheless, handling of minority affairs continued to lack coherence throughout Europe. A 2005 motion for a European Parliament Resolution indicated that “there is still no Community definition of who can be considered a member of a minority” and pointed out that “minority issues in the Union have not been high enough on the agenda of the Union.”¹² In fact, this gap between conditionality and EU law created obstacles against compliance for some members during their accession process.¹³

Other institutions, namely the European Court of Human Rights, also played a role in the two countries’ –particularly Turkey’s– Europeanization of minority rights protection. Together with pressure from the Council of Europe as well as bodies within the EU, European integration provided paths for transformation of minority policies through distinct mechanisms.

Integration Factor

European integration compels, enables, and connects policymakers and people, and ultimately, aims to replace conflict-producing identities with a common European identity.¹⁴ Within this framework, European integration played a key role in improving the standards of minority rights in Greece and Turkey. However, it should be underscored that “the asymmetry between current and past EU membership criteria led Greece and Turkey to diverse experiences of Europeanization in the field of minority rights.”¹⁵

For example, in 1981, Greece’s accession to the EC became true without any significant improvement in minority issues due to lack of coherence in minority policies at the European level. Yet, in the following decades, European integration

¹² Hakan Taşdemir and Murat Saraçlı, “Avrupa Birliği ve Türkiye Perspektifinden Azınlık Hakları Sorunu,” *Uluslararası Hukuk ve Politika*, Vol. 2, No. 8 (2007), p. 30.

¹³ Gwendolyn Sasse, “EU Conditionality and Minority Rights: Translating the Copenhagen Criterion into Policy,” *Robert Schuman Center for Advanced Studies*, http://www.eui.eu/RSCAS/WP-Texts/05_16.pdf, 2005, p. 5. Sasse examines the cases of Hungary, Slovakia and Romania.

¹⁴ Thomas Diez, Mathias Albert and Stephan Stetter (eds.), *The European Union and Border Conflicts: The Power of Integration and Association* (New York: Cambridge University Press, 2008), p. 24-28.

¹⁵ Ioannis N. Grigoriadis, “On the Europeanization of Minority Rights Protection: Comparing the Cases of Greece and Turkey,” *Mediterranean Politics*, Vol. 13, No. 1 (March 2008), p. 26.

started impacting state policies regarding minorities. Signals of change came in 1991 during a visit to Western Thrace by the then-Prime Minister Konstantinos Mitsotakis, whose New Democracy government (1990-1993) made “strengthening ties with Europe” a top item in its foreign policy agenda.¹⁶ A new minority policy based on “equality before laws and administrative authorities” was officially declared.¹⁷ At the first stage, restrictions on freedom of movement were removed, and economic development of the region was promoted.

A second wave of change came with the succession of Andreas Papandreou by Konstantinos Simitis as the Prime Minister in 1996. Under Simitis, the PASOK government made joining the Economic and Monetary Union a priority in foreign policy, and formulated a vision of facilitating stability through Europeanization in the Balkans. Thus, policymakers in Athens realized the need for Europeanization of Greece’s minority policies. To that end, after a heated debate in the country, the discriminatory Article 19 of the Greek Code of Nationality was abolished in 1998. In 1999, under the “Kapodistrias Plan” a territorial reform took place, which restructured local governments by giving them more roles in development. In conjunction with the Kapodistrias Plan “democratizing politics at the prefecture by transforming it into an elected institution has expanded opportunities for the minority... and enhanced its political status.”¹⁸ This also contributed to an effective distribution of EU structural funds in Western Thrace. Moreover, in 2002, the “Education for the Muslim Minority Children” program was initiated, with a view to improve education in Western Thrace by developing new textbooks and other pedagogical techniques.

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The changes in Greece’s minority policies were energized by politicians who had a vision of a more “European Greece”. Nevertheless, the role of integration in reforming policies of the Greek state was of key significance. The integration process compelled (*compulsory impact*) Greek policymakers to reform their minority

¹⁶ Grigoriadis (2008), p. 28.

¹⁷ Alexis Heraclides, *Yunanistan ve “Doğudan Gelen Tehlike” Türkiye* (İstanbul: İletişim Yayınları, 2001), p. 305.

¹⁸ Dia Anagnostou and Anna Triandafyllidou, “Regions, minorities and European integration: A case study on Muslims in Western Thrace, Greece,” *ELIAMEP*, <http://www.eliamep.gr/en/>, 2006.

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policies through criticism and pressure at different levels of European institutions, and by verdicts of the European Court of Human Rights (ECHR).¹⁹ It enabled (*enabling impact*) alternative policymakers to legitimize their arguments within the integration framework. The Simitis government's argument for reforming minority rights was that it emphasized "Greece's soft power as a force of democratization and Europeanization in the Balkans."²⁰ Therefore resolution of minority issues was an essential for the completion of Greece's full integration to Europe.

Integration's role in reforming minority rights was more profound in the case of Turkey. After the 1999 Helsinki Summit, declaration of Turkey's status as a candidate country destined to join the EU initiated a series of reform in many areas. Regarding minority rights, Turkey's record came under harsh criticism, especially because the issue now constituted a condition for EU membership. As a result, reforms in various areas of human rights, freedom of expression and freedom of religion upgraded the status of not only the Greek Orthodox but other minorities in Turkey as well.

In order to comply with *acquis communautaire* and other EU norms some of which are explicit in the Copenhagen Criteria, a broad constitutional reform process took place in 2001. A total of 27 articles regarding human rights as well as articles regarding freedom of speech and freedom of press were amended. This removed all barriers for the use and broadcast of languages other than Turkish. Other reforms targeted discriminatory laws regarding citizenship, education and associations.²¹ During 2002 and 2003, "the right of non-Muslim foundations to own immovable properties and to dispose of them freely was recognized," together with "the right of non-Muslim communities to build places of worship subject to the approval of the competent administrative authorities"²² Additionally, between 2002 and 2003, seven "Harmonization Packages" were implemented in order to bring Turkish legislation closer to EU standards. Another constitutional reform process, which amended ten articles, came in 2004. The most important piece of this reform process was the recognition of the precedence of international conventions over domestic laws in case of conflict between the two parties. This "allowed for a more effective application of international conventions on human rights by Turkish courts."²³

¹⁹ For instance, in the case of Şerif vs. Greece – regarding election of muftis– in 1999, Greece was convicted of violating religious freedom.

²⁰ Ioannis N. Grigoriadis, "On the Europeanization of Minority Rights Protection: Comparing the Cases of Greece and Turkey," *Mediterranean Politics*, Vol. 13, No. 1 (March 2008), p. 30.

²¹ Baskın Oran, *Türkiye'de Azınlıklar: Kavramlar, Lozan, İç Mevzuat, İçtihat, Uygulama* (Istanbul: Tesev Yayınları, 2004), p. 94 – 96.

²² Ioannis N. Grigoriadis, "On the Europeanization of Minority Rights Protection: Comparing the Cases of Greece and Turkey," *Mediterranean Politics*, Vol. 13, No. 1 (March 2008), p. 36. It should be noted that legal issues regarding non-Muslim foundations remain.

Since 2009, majority of ECHR applications have concerned property rights together with right to a fair trial.

²³ Grigoriadis (2008), p. 36.

The ambitious reforms that Turkey went through in the early 2000s were energized by the urge to fulfill obligations emanating from EU membership conditionality. The desire for integration to the EU, which requires the fulfillment of Copenhagen criteria, together with convictions of the ECHR,²⁴ compelled (*compulsory impact*) Turkish policymakers to undertake substantial reforms in return for an attractive membership carrot. Accordingly, “knowing that to achieve the major strategic target of EU membership it had to fully respect human and minority rights, Turkey embarked on a redefinition of its national interest and identity.”²⁵ Thus, policymakers were able (*enabling impact*) to formulate alternative policies, including minority policies, in reference to integration framework, thereby silencing opposition and realizing successive reforms.

Prospects

Despite significant improvements in the last two decades, many issues remain to be tackled in the area of minority rights in Greece and Turkey. In Greece, the resolution of the *mufti* issue is of significant importance. As one observer highlights, “this would constitute a major step towards the completion of Greece’s convergence with European human rights standards and would support the consolidation of Greece’s strategic vision as a regional model, leader and promoter of Europeanization in Southeastern Europe.”²⁶ Further social, educational and economic reforms need to be undertaken to integrate the minority in Western Thrace into Greek society. Also, Athens remains to be the only European capital without a mosque. The opening of a mosque in Athens will constitute a strong gesture in Greece’s quest to be a model for the region.

A long path of reforms awaits Turkey in the near future. The latest progress report of the European Council praises reform efforts while pointing out to a range of shortcomings regarding human rights and protection of minorities.²⁷ Regarding the Greek Orthodox minority, the legal status of the Ecumenical Patriarchate and the reopening of Heybeliada (Halki) Orthodox Seminary are of symbolic importance. Despite positive statements from government officials, these two issues are yet to be addressed. Turkish policymakers need to realize that there is no coherence in minority policies at the European level, and accordingly should not expect to be dictated. In this respect, further reforms regarding minority rights will enhance Turkey’s international image as “the bridge” connecting the West and the East.

²⁴ For instance, in the case *Fener Rum Erkek Lisesi Vakfı vs. Turkey* in 2007, ECHR ruled that the Greek foundation be compensated for pecuniary damage of property.

²⁵ Grigoriadis (2008), p. 35.

²⁶ Othon Anastasakis, Kalypso Nicolaidis and Kerem Öktem (eds.), *In the Long Shadow of Europe: Greeks and Turks in the Era of Postnationalism* (Leiden: Martin Nijhoff Publishers, 2009), p. 190.

²⁷ This report can be accessed at http://ec.europa.eu/enlargement/pdf/key_documents/2010/package/tr_rapport_2010_en.pdf.

Meanwhile, stalling accession negotiations pose a major threat not only to reforms regarding minorities but also other long-standing issues in Turkey. Lately, a German Marshall Fund survey showed that only 38 percent of Turks supported EU membership in 2010, as opposed to 73 percent in 2004.²⁸ Fading enthusiasm for EU membership may seriously hinder reform efforts and consolidation of democracy in Turkey. Some commentators, nowadays, describe Turkey as the “China of Europe.” That analogy, it is hoped, refers merely to current economic realities in Europe and Turkey, rather than a perpetual record of serious human rights violations.

Lastly, the overall course of Greek-Turkish bilateral relations may have ramifications for minority policies as well. Since 1999, European integration has led to significant improvements in Greek-Turkish relations. Within the context of the EU, further positive developments –such as settlement of the Aegean conflict– may have spillover effects, resulting in the resolution of minority issues.

²⁸ This study can be accessed at <http://www.gmfus.org/trends/2010/>