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The changing nature of the Turkish State Authority for Religious Affairs (ARA) and Turkish Islam in Europe

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Introduction¹

On 16th April 2017, the Turkish ruling party narrowly won the referendum on the introduction of a presidential system with 51.4% of the vote. Only one year and two months later, on 24th June 2018, the incumbent President R. Tayyip Erdoğan was re-elected. The election marked Turkey's official transition from a parliamentary to a presidential system of government. Thus Erdoğan, who had designed the new system and drummed for its introduction, had achieved his goal and became the first holder of the office, which is now endowed with extraordinary powers. Erdoğan has described the new system as a "constitutional order of the Turkish kind², and indeed, the Turkish presidential system differs significantly from the presidential system of the USA or the semi-presidential system of France. The gravest differences are the abolition of the separation of powers, the weakening of parliament, the great influence of the executive on the judiciary, and the absolute power of the President over the bureaucracy. All this together points to the lack of effective control on the personal rule of the President.³ The change in the system of government did not come out of the blue. It came after a prolonged period of dismantling democracy, a failed coup attempt, and a two-year state of emergency. Indeed, the new system, in many respects, perpetuates the rules and practices of the state of emergency.

Since the so-called Gezi protests of 2013, the European Union had deplored Turkey's regression in terms of democracy, protection of human rights, and the rule of law. The European institutions reacted to the introduction of the presidential system by indefinitely freezing Turkey's accession process to the European Union⁴, which led to a drastic deterioration in Turkey-EU relations.

The downturn in EU-Turkey relations and Turkey's regress in democratic standards likewise affected the climate between Turkish immigrants and their host countries. Muslim associations closely related to the Turkish Authority for Religious Affairs (ARA) had developed into the largest organization of migrants of Turkish descent in Germany and other EU-member states. Long-term changes in the demography of the migrant community, the direct subordination of the Authority for Religious Affairs under the executive President of State, and the ARA's politicization heavily undermined previous

¹ This Working Paper is the extended, revised and updated English version of the *Teilgutachten über das Präsidium für Religiöse Angelegenheiten in seiner Eigenschaft als Institution religiöser Orientierung für den DITIB-Landesverband Hessen, e.V.* in seiner Fassung vom September 2017, Website of the Ministry of Education of the federated State of Hesse 22.3.2020.

https://kultusministerium.hessen.de/sites/default/files/media/dr_guenter_seufert_-_gutachten_diyamet_wegen_ditib_hessen_fuer_hkm_2017.pdf.

² "A Turkish style constitutional model: the nation is ready" (Turkish), Website of the daily *Hürriyet* 29.1.2016 <<http://www.hurriyet.com.tr/turk-tipi-anayasa-modeli-millet-hazir-40046600>>.

³ On the new system Günter Seufert, *Ein Präsidialsystem "türkischer Art": Konzentration der Macht auf Kosten politischer Gestaltungskraft*, SWP, Berlin 2018 <<https://www.swp-berlin.org/10.18449/2019S04/>>.

⁴ As regards the response of the EU Günter Seufert, "Turkey's shift to executive presidentialism: How to save EU-Turkish relations", in *Südosteuropa-Mitteilungen*. - München: Südosteuropa-Gesellschaft, 2018, 58/, 3, p. 6-19.

condition of cooperation and collaboration between Turkish Muslim migrant organization and European host states.

At the beginning of the 1980s, the Turkish State Authority for Religious Affairs (Diyanet İşleri Başkanlığı, ARA thereafter), started its efforts to bring Turkish mosques and religious cultural associations in Europe under its control. Within a relatively short period, the ARA's umbrella organizations of mosque associations developed into the largest organizations of Turkish Islam in Germany, Austria, Belgium, and the Netherlands. They orient themselves not only theologically but also politically to the ARA, which gives the Turkish state a significant influence on Turkish mosque communities in European countries. This situation justifies a closer look at the teachings and the political attitude of the Ankara Authority for Religious Affairs.

How does the newly introduced presidential system affect the position of the Authority for Religious Affairs in the Turkish state order? How do recent political developments in Turkey influence the ARA's teaching of Islam? Moreover, what impact can all this have on the religious and political discourse of Turkish Muslim communities in Europe?

The umbrella organizations of the Turkish Authority for Religious Affairs in Europe

The founders of modern Turkey created the Republic as a secularist central state. The secularist-nationalist political elite of the time displayed an ambivalent relationship to religion. On the one hand, the elite regarded Islam as cement for national unity. On the other hand, it saw Islam as an obstacle to necessary political, economic, and social progress. In order to exploit Islam for nation-building and at the same time to control oppositional "backward-looking" activity of religious circles, a State Authority for Religious Affairs was created, named the Presidium for Religious Affairs (DIB - Diyanet İşleri Başkanlığı), in short Diyanet.

The Authority for Religious Affairs took an interest in Turkish citizens residing in Europe only at the beginning of the 1980s. Reason for this was the ambivalence of the Turkish political elite towards the religious and political activities of Turkish Muslims abroad. At the outset of Turkish migration to Europe, neither Turkey nor the European host countries had expected Turkish migrants to stay in Europe, and, thus, the Turkish state reacted late.

In almost all receiving countries, the ARA's umbrella organizations came into existence in the first half of the 1980s. Their establishment was due to the initiative of Ankara and not the migrant mosque communities. In 1980, the Turkish military staged a coup, and in 1982, the Generals passed a new constitution. The new constitution introduced compulsory religious instruction, and for the first time, explicitly expected the Authority for Religious Affairs⁵ to work for national unity⁶. Only after these developments in Turkey, the "Turkish-Islamic Union of the Authority for Religious Affairs" (DITIB) came into being in Germany in 1984. Already in 1982, the "Islamitische Stichting Nederland" (HDV)⁷ came into light in Holland, and the same year the Diyanet de Belgique (BDV) was created.⁸ In Denmark and Switzerland, activists established corresponding structures in 1985. In France officially exist until today only "branches" of DITIB, the umbrella organization of

⁵ Website of the foundation 6.5.2020 <<https://diyanet.nl/kurumsal/kurulus-ve-tarihce/>>.

⁶ Website of the foundation 6.5.2020 <<https://www.diyanet.be/Kurumsal/Hakk%C4%B1m%C4%B1zda>>.

⁷ Website of the foundation 6.5.2020 <<https://diyanet.nl/kurumsal/kurulus-ve-tarihce/>>.

⁸ Website of the foundation 6.5.2020 ><https://www.diyanet.be/Kurumsal/Hakk%C4%B1m%C4%B1zda>>.

the Diyanet in Germany.⁹ In Austria, where Islam already had enjoyed state-recognized institutional structures, the first Diyanet-related organization came into being as early as 1979, and the official umbrella organization called Turkish-Islamic Union [for cultural and social cooperation] in Austria (ATIB) was only founded in 1990/1991.¹⁰

In Germany, DITIB is the largest umbrella organization of mosques with 896 member associations.¹¹ The Turkish-language side of DITIB, says the umbrella organization "enjoys the goodwill" of 70% of all Muslims in Germany.¹² In Austria, ATIB presents itself as the "by far largest Muslim association in the country".¹³ The Islamitische Stichting Nederland has 145 mosque communities as members and describes itself as "one of the largest civil society organizations" in the Netherlands.¹⁴ The Belgian Diyanet Foundation has 73 mosque associations as members, which together represent 38,000 families. It maintains a "research center" and an educational seminar.¹⁵

From "partner in integration" to "tool of a foreign power"

Today a strong wind is blowing in the face of the Diyanet umbrella organizations in Europe. In Germany, there have been several events in recent years that have damaged the reputation of DITIB. In June 2016, two DITIB regional associations disinvited members of the German Bundestag to a ritual breaking of the fast in protest against the resolution of the German Parliament to recognize the Armenian genocide of the Ottoman Empire. After the unsuccessful coup attempt by parts of the Turkish military in July 2016, the German Attorney General accused 19 of Ankara's paid imams of DITIB mosques of espionage. The imams are said to have transmitted private data of members of the congregation of the preacher Fethullah Gülen in Germany to Ankara. In January 2018, the Turkish army occupied the Kurdish-populated Syrian province of Afrin. Some DITIB mosques held prayers for the victory of the Turkish troops, which German authorities perceived as a threat to the peaceful coexistence of Turks and Kurds in Germany. In April of the same year, videos from DITIB mosques appeared showing children in combat uniforms of Turkish soldiers lying down to die, their motionless bodies covered with a Turkish flag. The performance symbolized the readiness of Turkish soldiers to fight against the militias of the Syrian-Kurdish Party of Democratic Union (PYD). German authorities and the German public perceived the event as the instrumentalization of immigrants by their home country and as ideological abuse of children. Moreover, in September 2018, Turkish President Erdogan "opened" the DITIB Central Mosque in Cologne with a speech, even though the official opening had long since taken place. The Lord Mayor of Cologne, Henriette Recker, who had campaigned against radical right-wing forces in the city who opposed the construction of the mosque, was denied the opportunity to make a speech.

The mentioned incidents reflect the rapid deterioration of German-Turkish and European-Turkish relations. For the German side, one of the main reasons why such and similar events occur in DITIB communities is DITIB's institutional and financial dependence on

⁹ Website of DITIB-Lyon 6.5.2020 <<https://www.ditiblyon.fr/fransa-ditibin-subeleri/>>.

¹⁰ Not indicated at the foundation's website, therefore, see <https://de.wikipedia.org/wiki/ATIB_Union> 6.5.2020.

¹¹ Website of DITIB, 5.5.2020 <<http://www.ditib.de/default.php?id=5&lang=en>>.

¹² Website of DITIB, 22.3.2020 <<http://www.ditib.de/default1.php?id=5&sid=8&lang=en>>.

¹³ Wikipedia (German), 22.3.2020 <https://de.wikipedia.org/wiki/ATIB_Union>.

¹⁴ Website of the foundation, 5.5.2020 <<https://diyanet.nl/kurumsal/hakkimizda/>>.

¹⁵ Website of the foundation, 22.3.2020 <<https://www.diyaneet.be/Kurumsal/Hakk%C4%B1m%C4%B1zda>>.

the ARA in Ankara. The statutes of DITIB give Turkish officials and diplomats a decisive influence on its lore and actions.¹⁶

Besides, the ARA finances the imams of the mosque communities, which makes the association materially dependent on Ankara.¹⁷ Thus the umbrella organization, but also individual mosque associations, came under the guise of being instruments of the Turkish state. Accordingly, German authorities and German politicians insist on greater independence of DITIB from the ARA.

This demand is put forward in a discourse on the necessary empowerment of Turkish Muslim migrant communities vis-à-vis their country of origin (or their parents or even grandparents).¹⁸ This rhetoric is remarkable because in the founding years of the Diyanet's umbrella organizations and also in the following two decades it was precisely the proximity of the associations to the Turkish state that qualified the umbrella organizations for a partnership with German authorities in matters of integration and institutionalization of Islam.

For in the 1980s, the Turkish Republic was regarded as a secular State and the representative of a moderate Islam that edged both ultraconservative and politically radical Islamic currents.¹⁹ Mosque associations existing in Germany, on the other hand, were mostly in the hands of currents that were classified by official Turkey as a danger to its secular order. In the 1980s, followers of the early republican theologian Süleyman Hilmi Tunahan, the so-called Süleymanci, run most of the Qur'an courses in Germany. The group organized itself as the Association of Islamic Cultural Centers (VIKZ). It was considered ultra-orthodox and strongly isolated itself from the outside world. A second large organization of Turkish Muslim in German in those days was the Association of the Religious National World View in Europe (Avrupa Milli Görüş Teskilati, AMGT), today's Islamic Community Milli Görüş (IGMG). In the 1980s, the AMGT represented a rather political-activist understanding of Islam and opposed the Turkish government. AMGT supported the pro-Islamic Welfare Party (RP), which the Turkish military forced out of the governing coalition in 1997.

As a Turkish academic put it:²⁰ The foundation of DITIB was "a reaction to the activities of proponents of the Sharia and religious orders, which could only develop abroad due to the limitations [for religious activity] brought about by the secular constitution [of Turkey].

¹⁶ *Wissenschaftlicher Dienst des Bundestages*, (Academic Service of the Bundestag) "Rechtlicher Status der DITIB, WD 10-3000-053/18 Website, 22.3.2020 <<https://www.bundestag.de/resource/blob/566948/359318b04c5199597f024f3dd696ff21/wd-10-053-18-pdf-data.pdf>>.

¹⁷ Ibid.

¹⁸ The CDU Member of Parliament Christoph de Vries speaks of necessary "emancipation". The Integration Minister of North Rhine-Westphalia Joachim Stumpf (FDP) hopes for a "grassroots movement" and the creation of platforms to openly discuss ethical questions independent of party politics, very much like in the Protestant Church Congress". <<https://www.evangelisch.de/inhalte/154697/19-01-2019/politiker-von-cdu-und-gruenen-fordern-mehr-unabhaengigkeit-der-ditib>> 19.1.2019.

¹⁹ Mathias Rohe, *Gutachten zum Religionsunterricht an den öffentlichen Schulen in Hessen in Kooperation mit DITIB-Landesverband Hessen e.V. nach Artikel 7, Abs. 3 GG*, p. 34, Website of the Education Ministry of Hesse, 22.3.2020, <https://www.hessen.de/sites/default/files/media/prof._dr._mathias_rohe_-_islamwissenschaftliches_gutachten_ditib_hessen_fuer_hkm_2017.pdf>.

²⁰ Nermin Abadan Unat; Bitmeyen Göç: Konuk İşçilikten Ulus-Ötesi Yurttaşlığa (Non-ending migration: from guest worker to citizen abroad), quoted after Elif Zehra Kandemir, "DITIB tartışması neden bütün cemaatleri ilgilendiriyor? (Why does the discussion about DITIB affect all mosque communities?)" in Perspektif (IGMG-related magazine), 3.1.2018, <<https://perspektif.eu/2018/01/03/ditib-tartismasi/>>.

The first statutes of the umbrella organization explicitly refer to the "surveillance" of its member communities. As late as 1992, a DITB leaflet described Cologne as the "main center of all extremist movements of a religious nature" because AMGT/IGMG and VIKZ had their headquarters in the city.²¹

Developments in Germany and Turkey have since then turned this original constellation upside down. In Germany, Turkish migration has become permanent. The migrant population has diversified, parts of it have succeeded in upward social mobility, and today the majority of migrants are oriented towards life in Germany. These changes opened the way for DITIB to be considered by German authorities as a partner in education, integration, and security policy. In the federated state of Hesse, the regional DITIB association became an official partner of the Ministry of Education for Islamic religious instruction in public schools. In the federated states of Hamburg, Lower Saxony, North Rhine-Westphalia, and Rhineland-Palatinate, expert opinions from scholars of Islamic Studies/religious studies as well as from jurists classified the regional DITIB associations as "religious communities within the meaning of the German constitution".²² German agencies also supported activities of DITIB within the framework of education and integration programs.²³ Such evaluations gave rise to the idea to arrive at a Muslim organization independent of Ankara and oriented towards Germany. So the strengthening of DITIBs institutional capacities became a necessity.

At the same time, Turkey also changed fundamentally. There, "a social class that describes itself as pious and which, according to its statements, aligns politics with religious values" ousted the old secular elite from power. Parallel to this, the Ankara Authority for Religious Affairs gradually changed from an institution for controlling religion to a religious institution. In recent years, the Turkish government moved towards openly authoritarian policies. It introduced a presidential system that legally justified and consolidated personal rule. Thus, the social context in Germany and other host countries of Turkish migration, Turkey's political relations with the host countries and the EU, and the political conditions in Turkey have changed fundamentally. These new conditions have made it necessary to reassess the teaching and policies of the Ankara Authority for Religious Affairs, which continues to be the point of reference for the largest organizations of Turkish Islam in Europe. A brief look at the history of the ARA makes it easier to assess recent developments.

Definition of terms

Secularism can be understood as an "umbrella term for political programs", "which want to see the role of religion in state and society clearly defined and limited, and consider this a prerequisite for the modernization of a country".²⁴

²¹ Günter Seufert, "Die Türkisch-Islamische Union der türkischen Religionsbehörde (DITIB)", in Günter Seufert & Jacques Waardenburg (Eds.) *Turkish Islam and Europe*, Istanbul & Stuttgart 1999, p. 261-264.

²² Rohe [see footnote 19], p. 31.

²³ Ibid, p.34.

²⁴ Markus Drefßler, "Erdoğan und die 'Fromme Generation'", *Aus Politik und Zeitgeschehen* 27.2.2017, p. 24.

In the pre-modern society of the Ottoman Empire, religion did not determine political and social life in a one-sided and doctrinaire way.²⁵ However, religion was the dominant idiom for grasping and discussing the social structure and for carrying out the political debate. This is evident in the concept of religion, used by a member of the Turkish parliament in 1924: "The term religion [meaning Islam] associates command (imaret) and government (hükümet), it includes the economy (iktisadîyat), the social (ictimaiyat), public order (inzibat) and education (tedrisat)".²⁶

Islamism, on the other hand, can be described as a movement that opposes the secularization of imagination and politics and that seeks to make Islam as a whole, namely in the areas of faith, worship, morals, philosophy, politics, and education, once again life-determining.²⁷ Islamism is a reaction to the repression of religion imposed by (often colonial) state rule, and it opposes Western influence, which it holds responsible for the marginalization of religion.²⁸

²⁵ İstar Gözaydın, *Diyanet: Türkiye Cumhuriyeti'nde Dinin Tanzimi* (Diyanet: The regulation of religion in the Republic of Turkey) 2. Edition, Istanbul 2016, p. 13ff.

²⁶ Member of parliament Samih Rifat cited after İsmail Kara, "Eine Behörde im Spannungsfeld von Religion und Staat", in: Günter Seufert & Jaques Waardenburg (Hg.), *Türkischer Islam und Europa*, Istanbul/Stuttgart 1999, p. 222.

²⁷ Following İsmail Kara, *Türkiye' de İslamcılık Düşüncesi* (Die Entwicklung islamistischen Denkens in der Türkei), Band 1, Istanbul 1987, p. XV.

²⁸ In Turkey, for example, the view is widespread that the victorious powers of the First World War had put forward hard secularism as the prerequisite for the recognition of the new state. Cf. Kara 1999 [see footnote 26], pp. 209-240, here p. 213.

Historical outline

Already in the Ottoman Empire, the first steps towards restricting religion had been a response to the challenges that a strengthened Europe posed to the Ottoman state. The superiority of Europe confronted the Empire's leadership with the need to modernize the bureaucracy, the legal and educational system, and the economy and, to this end, to eliminate the formative influence of religion in these areas.

The Authority for Religious Affairs as a product of Turkish secularization: the gradual exclusion of religious discourses and norms from administration and politics

The modernization of the Empire began with the Reform Edict of Gülhane (hadd-i şerif) of 1839, which proclaimed for the first time the fundamental legal equality of all its subjects. The measure came at the expense of the Muslims, who had been politically and culturally privileged, and saw themselves as the ruling nation (*millet-i hakime*), and as the sole owners of the state. As early as 1843 - unthinkable for many majority Muslim countries even today - the death penalty for apostasy from Islam was abolished, and commercial courts were established, before which - contrary to religious law - the testimony of Muslims and non-Muslims was equal. In 1856 a second decree, the so-called Imperial Reform Edict (hadd-i humayun), opened military schools for Christians and Jews, abolished extra taxes for non-Muslims, and allowed non-Muslims to testify before criminal courts.

On 12th March 1917, the Sheikh ul-Islam, the highest religious authority in the Empire, had to yield to the supervision of the religious courts (Shariah courts), including the military judge, a task no overtaken by the Ministry of Justice. This reform put an end to the secular-religious dual structure in the judiciary. The Sheikh ul-Islam also lost control over the religious seminaries (madrassa) and charitable foundations (vakf). Thus, six years before the founding of the Republic, the Islamic religion (din) was deprived of its former monopoly over the judiciary²⁹, education and the administration of foundations and limited to faith and worship, religious affairs in the narrower sense (*diyanet*).³⁰ The move reduced the rank of the Sheikh ul-Islam to minister of state and he lost his position in the Cabinet.³¹

After the end of the First World War, more precisely on 4th May 1920, the National Assembly in Ankara, led by Mustafa Kemal (Atatürk), established a Ministry of Sharia and Foundations (*Şeriye ve Evkaf Vekâleti*) and reintegrated its minister into the Cabinet. If one

²⁹ This formulation is correct only as far as the relations of the Empire's subjects among themselves are concerned and not their relationship to the state.

³⁰ See Esra Yakut, *Seyhülislamlik: Yenileşme döneminde devlet ve din* (The office of the Sheikh ul-Islam, State and Religion), Istanbul 2005, S. 97 f.

³¹ Nurullah Ardiç, *Islam and the Politics of Secularism*, London/New York 2012, p. 170 ff.

considers the radical secularism pursued by Atatürk only a few years later, the step seems to be motivated primarily by the necessity to bring religious consecration to the national war of independence against the European occupation of Anatolia. After all, fear of weakening the religious motivation of the nation and the army had already been the central argument of those who opposed the expulsion of the Sheikh ul-Islam from the ministerial ranks in 1917.³²

After the abolition of the Sultanate in 1922 and the proclamation of the Republic in 1923, the government on 3rd March 1924 took the third major step towards the secularization of Turkey.

On that day the Caliphate was abolished, the education system was made uniformly secular by closing the madrassas, and the Ministry of Shariah and Foundations, which had only been established in 1920, was dissolved. In its place, the Authority for Religious Affairs³³ and the General Directorate for Foundations (Vakıflar Genel Müdürlüğü) are founded.

These reforms triggered severe political and practical changes:

1. The establishment of a Presidium instead of a Ministry means that the religious administration will once again lose its seat in the Cabinet, where no religious figure or institution can take a political stand in the name of Islam.
2. By separating the foundations, their assets, and income from the religious administration, the latter loses its primary financial resources. It becomes dependent on the state budget, and its connections to religious civil society are cut off.
3. By placing all schools and universities under the Ministry of National Education (Millî Eğitim Bakanlığı), the religious administration loses control not only over the religious education of the 'laity', but also over the training of theologians (ulema) and lowly religious servants such as imams, muezzins, and Qur'an teachers.
4. The designation "Presidium for Religious Affairs" (diyanet) and not Presidium for Religion (din) underlines - as already in 1917 (see above) - that the institution's competences are reduced to questions of worship and faith and that it cannot exert any influence on questions of private or even public law.³⁴ The measure opposed all those who wanted to grant religion a formative influence in politics and society or who wanted to exert political influence with reference to religion.

With the abolition of the Caliphate, the parliament and the government elected by it declare themselves the ultimate authority in religious matters, thus continuing the tradition of the personal union of political (Sultanate) and spiritual (Caliphate) rule of the Ottoman Empire.

³² Yakut [see footnote 30], p. 98.

³³ The original Ottoman designation read Umur-u Diyanîye Riyaseti.

³⁴ "Islamic jurisprudence (fıkıh) makes a clear distinction between din and diyanet. The term din includes everything, the jurisprudence of the kadi (kazaî), the issuing of fatwas (iftaî), the enactment of prohibitions (muamelât-ı nas), laws (ahkâm), the cult rules (ibadat) and the truths of faith (itikadât). According to Islamic jurisprudence, all those areas of religious law, fatwas, cult, and truths of faith that are outside the jurisdiction of the religious courts form their own context of interpretation and are summarized under the term diyanet. The literature of Islamic jurisprudence separates into kazaen and diyanet." The Member of Parliament Samih Rifat in defense of the reform, quoted after Kara 1999 [see footnote 26], p. 222.

The (first) Basic Law of the Republic passed on 20th April 1924 (Teşkilât - ı Esasîye Kanunu) defines Islam as the state religion. The founding law of the Diyanet states in § 1: "In the Republic of Turkey, the enactment and implementation of the binding provisions of religious law is the responsibility of the Turkish Grand National Assembly and the government formed by it. For other matters of the revealed religion, namely the truths of faith and worship as well as the administration of religious facilities, a Presidium for Religious Affairs was established that reports to the [Government of the] Republic".³⁵

Under Turkey's historical conditions, the exclusion of Islam from the state administration, i.e. the enabling of secular concepts of order, but also the marginalization of religious forces in politics, could only be achieved by nationalizing religion.³⁶ Without these authoritarian measures against the wishes of the majority of Muslims, there would have been no legal equality of non-Muslims with Muslims in the late Ottoman Empire. Without the authoritarian measures of the state in the early Republic, there would have been no secular state and social order, no formation of a Turkish nation with a robust ethnic understanding, but also no legal equality of women.

From 1923 to 1946, the secularist Republican People's Party (CHP) alone determined politics. It ruled within the framework of a one-party system, was not forced to take account of tendencies in the population, and was able to continue its unyielding secularism.

Milestones were the prohibition of Qur'an courses and the abolition of Islam as the official religion in 1928, the prohibition of the call to prayer in Arabic in 1932, the prohibition of pilgrimage in 1934, the introduction of the right to vote and stand for election for women in 1934, the declaration of Sunday instead of Friday as the weekly day of rest in 1935, the inclusion of the term laicism in the constitution in 1937, the termination of all religious instruction in 1938, and the discontinuation of the training of theologians in 1941.

In order to prevent possible resistance to the reforms, on 13th March 1926, Parliament passed § 163 of the Penal Code. The clause not only prohibited the establishment of political organizations that appeal to religious convictions or feelings but also makes punishable any "exploitation of religion, religious life, and matters sanctified by religion for the mobilization of the people".³⁷ The government also used the special courts introduced in 1925 under the name Revolutionary Courts (İnkılap Mahkemeleri) to try religiously motivated "traitors to the fatherland". In the first year alone, the special courts sentenced around 800 people and handed down 70 death sentences³⁸. However, only a few were carried out.

To further limit the scope of religion, the government in 1931 transferred the supervision of imams and muezzins from the Diyanet to the General Directorate for Foundations.

³⁵ Quoted after the Website of the Parliament, 15.9.2018

<https://www.tbmm.gov.tr/tutanaklar/KANUNLAR_KARARLAR/kanuntbmmc002/kanuntbmmc002/kanuntbmmc00200429.pdf>.

³⁶ Kemal (Atatürk) explains in parliament the following: "Islam ... has been abused for centuries in the political lowlands. For us, there is no doubt that it is important to raise it above these. To save our holy and divine convictions of faith and conscience immediately and finally from politics and all that has to do with it, from this conflict of low desires and interests, is an indispensable necessity for the welfare of our nation, both here and abroad. Only in this way can the true meaning of Islam emerge". TBMM Zabıt Ceridesi (parliamentary protocol), Devre 2: Volume VII, p. 6, quoted after Kara 1999 [as footnote 26], p. 218.

³⁷ Quoted after Ali Fuad Başgil, *Din ve laiklik* (Religion and Laicism) second edition, Istanbul 1985, p. 196.

³⁸ Gözaydın [see footnote 25], p. 23.

During this period, the ARA only plays a symbolic role and draws heavily on the comparatively high reputation of its first two presidents Rıfat Börekçi (1924-1941) and Şerafettin Yalçınkaya (1942-1947). The Diyanet had to defend the transformation of Hagia Sophia into a museum and to enforce the Turkification of the prayer call.

The exclusion of Muslims from public life, however, does not make Islam disappearing. The pious, particularly the Order of the Nakshbandiyya, organize themselves under the surface. In the early years of the Republic, the Muslim currents that were influential in the following decades, such as Süleymancı and the various groups of the Nurcu movement, came into being. With labor migration, all these groups will also flourish in Germany.

The Authority for Religious Affairs as a bone of contention between secular and religious forces

The transition to a multi-party system in 1946 makes the conservative majority of the population a political factor for the first time since the founding of the Republic, and the government must take their needs and demands into account. Now it is essential to meet the widespread demand for more religion in everyday life and, at the same time, to secure the state monopoly on the interpretation of religion. For this reason, but also to counteract communist propaganda by strengthening religious identity - one is in the Cold War - the CHP is taking a radical turn. The party now permits religious education and pilgrimage and opens Imam Schools.

In 1950 the newly founded conservative Democratic Party (DP) won the first free elections. The hard secularism come to an end. At the same time, however, § 163 of the penal code was tightened and made "exploitation of religion for one's economic advantage" punishable.³⁹ In the religious-conservative bloc of the population, a wave of political and cultural activity set in. The secular elite in the judiciary, academia, and the military watched the development with growing suspicion.

Against this background, the political and religious role of the Diyanet took shape for the first time. From the mid-1940s to the mid-1950s, the proportion of the institution's budget at the national budget rose from around 0.01 to around 0.05%.⁴⁰ In 1950, the Diyanet regained control over mosque staff.⁴¹

On 27 May 1960, the military took power for the first time. The reason for this is the repressive action of the DP government against the now oppositional CHP. However, the military argues that it fights against "religious reactionism" (*irtica*).

Under the aegis of the generals, a new Constitution was drafted, which comes into force in 1961. It guaranteed active religious freedom for citizens, prohibited the compulsory disclosure of religious affiliation, and made the declaration of will by parents a prerequisite for attending religious classes in school. On the other hand, the new

³⁹ Başgil [see footnote 37], p. 198-199.

⁴⁰ Nil Mutluer, "Yapısal, sosyal ve ekonomik-politik yönleri ile Diyanet İşleri Başkanlığı" (The Presidium of Religious Affairs in regard to structural and socio-economic policies), in: Helsinki Yurttaşlık Derneği [Helsinki Citizen's Assembly], *Sosyo-ekonomik bağlamında Diyanet İşleri Başkanlığı* [The Presidium for Religious Affairs in socio-economic contexts], Istanbul, December 2014, pp. 2-72, here p. 19.

⁴¹ İrfan Yücel, "Diyanet İşleri Başkanlığı" *İSAM İslam Ansiklopedisi*, Band 9, 1994, p. 456.

Constitution explicitly prohibited the exploitation of religion for personal benefit. It criminalized any attempt to place the order of the state wholly or partly on religious principles. The new Constitution, for the first time, mentioned the Authority for Religious Affairs and defined it as part of the general administration.⁴² To "satisfy the general public, which was highly emotional in matters of religion", but also "to control religion"⁴³, the government enlarged the Diyanet and the number of its departments doubled.

In 1965, after long and controversial deliberations, the Parliament adopted the "Law on the Establishment and Tasks of the Presidium for Religious Affairs". It declared the ARA not only responsible for "the handling of religious matters like faith and worship", but also for the strengthening of "morality and morals" (ahlak). The law tasked the Diyanet additionally with "the enlightenment of society" in matters of religion and with the teaching of the 'correct' interpretation of Islam.⁴⁴ During the deliberations, Members of Parliament also talked of further measures that ensure "the identification of Muslim citizens with national ideals" and prevent that "differences in faith" are politically exploited.⁴⁵ On 31.7.1970, the ARA's staff became state officials.⁴⁶

Despite this upgrading, the Authority for Religious Affairs could not prevent the population from turning to conservative parties that repeatedly referred to Islamic values. As early as autumn 1965, the Justice Party (AP), newly founded as the successor to the outlawed DP, emerged as the absolute victor in the elections. On the militant fringes of the religious spectrum, the Palestinian-dominated Hizb ut-Tahrir made a name for itself. In January 1970, the National Order Party (MNP) formed. It initiated the Millî Görüş movement that merged Turkish national and Islamic identity. It bore the first witness to the direct party-political involvement of mystical orders and other traditional religious groups.

The heated discussions about the Diyanet's constitutional status and the strive about the wording of the law of June 1965, but also the conflicting expectations CHP- and DP-led governments had of the ARA, led to frequent changes of the Diyanet' presidents in these years. Six presidents served between June 1960 and January 1968.⁴⁷ Nevertheless, the proportion of the ARA's budget in the national budget rose from 0.05 to 0.17 percent from the mid-1950s to the mid-1970s.⁴⁸

On 12 March 1971, the military intervened in the political process for the second time. However, the generals directed their coup not primarily against religious forces, but against leftist groups that dominated universities and trade unions.

The 1970s were marked by intensifying conflicts between the social-democratic/communist left on the one hand and extreme nationalist movements on the

⁴² Art. 154: Article 153 declares the central secularizing reforms of the early Republic as unalterable "revolutionary laws" (Devrim Kanunları). Under no circumstances may they be regarded as a violation of the Constitution. *Constitution of 1961*, Parliament's Website, 15.11.2018 <<https://www.tbmm.gov.tr/anayasa/anayasa61.htm>>.

⁴³ Gözaydın [footnote 25], p. 71.

⁴⁴ Law No 633 of 22.6.1965 Website of the Prime Minister's Office <<http://www.mevzuat.gov.tr/MevzuatMetin/1.5.633.pdf>>.

⁴⁵ Parliamentary protocol of 26.5.1965, Parliament website, https://www.tbmm.gov.tr/tutanak-lar/TUTANAK/MM_/d01/c041/b116/mm_010411160078.pdf. This aspect of their tasks is to become more prominent after the military coup of 1980.

⁴⁶ Gözaydın [footnote 25], p. 177 f.

⁴⁷ Aysun Yaşar, *Die DITB zwischen der Türkei und Deutschland*, Würzburg 2012, p. 36.

⁴⁸ Mutluer [footnote 40], p.19.

other. Within the right-conservative spectrum, differentiation between 1. the center-right, 2. the ethnic Turkish nationalist right, and 3. the religious right took place.⁴⁹ The Islamist right formed itself as the National Salvation Party (MSP), the second party in the Millî Görüş tradition. In the 1973 parliamentary elections, it received almost 12 percent of the vote and participated in three coalition governments between 1974 and 1978. The party exerted the most considerable influence on school policy. During its participation in the government, the number of Imam-schools (İmam Hatip Okulları) rose from 72 to 302. The number of Imam-school pupils rose from just under 50,000 to about 200,300.⁵⁰ The splitting of the hitherto politically dominant center-right caused significant political instability, and eleven cabinets ruled between March 1971 and September 1980.

When the military took power for the third time in twenty years on 12 September 1980, it justified this step by citing a large-scale MSP-demonstration in Konya, Central Anatolia, a few days earlier, which had called for the reintroduction of religious law, among other things. However, the generals had prepared the coup a long time in advance. The take-over came as the military's response to a society in which ideological currents such as socialism/communism, Turkish and Kurdish nationalism as well as Islamism had grown to an unprecedented extent, and the Kemalist consensus was in danger of being lost. To contain politicization of broad circles, the generals, who acted as guardians of secularism, decided to strengthen piety among the people.

The Constitution of 1982, written under the supervision of the military, made religious instruction in state schools obligatory in Article 24, paragraph 4. Article 134 established a central cultural Authority, whose policy amounted to the religious dressing of the person of the Republic's founder Mustafa Kemal Atatürk. Article 136 of the Constitution instructed the Authority for Religious Affairs to follow "the principle of secularism" to act "above all political opinions and beliefs", and to work "towards national solidarity and unity".⁵¹

The military oversaw also the drafting of the Law on Political Parties from 22 April 1983. In its § 89, it prohibited political parties from demanding any change of status and mission of the Diyanet, an additional signifier of the significance the generals ascribed to the Authority for Religious Affairs.⁵² In 1993, the Constitutional Court banned the Party of the Democratic Peace Movement (DBHP) because it had called for the separation of the Diyanet from the general administration.⁵³

However, the Diyanet's official upgrading did not increase its budget. On the contrary, during the period of military rule, the ARA's share of the budget fell from about 1 percent to 0.6 percent.⁵⁴ The military's approach to the training of theologians and Imam-schools draws a similar picture. The government upgraded the non-university High Institutes of Islam to theological faculties. However, the number of students did not significantly

⁴⁹ Cf. Günter Seufert, *Neue pro-islamische Parteien in der Türkei*, Berlin 2002, p. 13-17.

⁵⁰ Website of the newspaper Yeni Şafak 8.5.2015 and Türkiye Ekonomik ve Sosyal Etüdler Vakfı (TESEV), *İmam Hatip Liseleri: Efsaneler ve Gerçekler* (Imam-high schools: rumors and facts), Istanbul 2012

⁵¹ Constitution of 1982, the Website of the Parliament <<https://www.tbmm.gov.tr/anayasa/anayasa82.htm>> 14.11.2019.

⁵² Law on Political Parties, 1983, the Website of the Ministry of Justice, 14.11.2019 <<http://www.uhdigm.adalet.gov.tr/uhamer/Ter%C3%B6rle%20M%C3%BCcadeleye%20%C4%B0li%C5%9Fkin%20Ulusal%20Mevzuat/2820%20say%C4%B1%C4%B1%20Siyasi%20Partiler%20Kanunu.pdf>>.

⁵³ Yusuf Şevki Hakyemez, "Anayasa Mahkemesi'nin Demokratik Barış Hareketi Partisi Kararı üzerine Düşünceler" (Discussion of the ruling of the Constitutional Court banning DBHP), *Amme İdaresi Dergisi* 34/4, December 2001,

<http://www.todaie.edu.tr/resimler/ekler/7d2b2ceed58f930_ek.pdf?dergi=Amme%20Idaresi%20Dergisi>.

⁵⁴ Mutluer [footnote 40], p. 19.

increase.⁵⁵ Although the military government draped itself as a promoter of religious institutions and religion, it was careful not to give too much space to religious forces in society. In the first parliamentary elections after the coup in November 1983, the third party of the Milli Görüş movement and successor to the now-banned MSP, the Welfare Party (RP), was not admitted.

From 1983 to 2002, center-right parties largely determined politics, be it as sole party governments or as dominant partners in government coalitions. They generously promoted the ARA, which they perceived less as a controlling authority of the secular state than as a religious institution. Turgut Özal and Süleyman Demirel, the most prominent center-right politicians of the 1980s and 1990s and successive state presidents, were close to Islamic orders and groups such as the Naqshbandiyya and the Nurculuk.

In the eyes of these politicians, Islam was the decisive binding force of the Turkish nation. Unlike the generals, they did not stop at symbolic policies but supported the religious mission of the ARA.⁵⁶

From 1983 to 1996, the Diyanet's share of the budget rose from 0.6 to 1.42 percent.⁵⁷ Since the Authority tends to use over 95 per cent of its budget for personnel costs⁵⁸, these figures also reflect the growth of the ARA. It recruited its civil servants from the conservative spectrum and gained increasingly recognition among the population. In January 1990, the then President Özal confirmed the Sunni and thus religious character of the Diyanet and its competence to determine Islam in Turkey.⁵⁹

The second half of the 1980s and the 1990s watched the further disintegration of the center-right parties and the steady rise of the pro-Islamic party. While the two large center-right parties together won 68.5 percent of the vote in the 1983 parliamentary elections, this figure was down to 51 percent in 1991 and only 25.7 percent in 1999. The Islamist Welfare Party (RP), on the other hand, grew from 7.2 percent in the 1987 parliamentary elections to 21.5 percent in December 1995, making the RP, which made the current president mayor of Istanbul, the strongest party and the dominant force of a two-party government coalition in 1996. Because of this development, the military pulled the emergency brake in February 1997. It forced the government to resign and initiated a return to hard secularism. The following year, the Constitutional Court banned the RP. The same fate befell its successor, the Virtue Party (FP), in 2001. The military seemed determined and able to keep openly Islamist parties away from power.

Muslim policies beyond traditionalism and Islamism

The ousting of the Welfare Party from the government in 1997, the banning of the party in 1998, and even more so the banning of its moderately acting successor, the Virtue Party, in 2001 led to the split of the Milli Görüş movement. In August 2001, the vast majority of its activists organized themselves into the newly founded Justice and Development Party (AKP) led by Recep Tayyip Erdoğan. In contrast to its predecessors, the AKP presented

⁵⁵ Günter Seufert, "The Faculties of Divinity in the current Tug-of-War", *Formes nouvelles de l'Islam en Turquie*, Paris 1999, pp. 353-370, here p. 370.

⁵⁶ Cf. Günter Seufert, *Politischer Islam in der Türkei*, Istanbul und Stuttgart 1997, pp. 191-202.

⁵⁷ Mutluer [footnote 40], p. 19.

⁵⁸ Yaşar [footnote 47], p. 33.

⁵⁹ Gözaydın [footnote 25], p. 298.

itself as a conservative-democratic (muhafazakar demokrat) party. Its leading cadres publicly renounced the equation of party politics and religion and the idea of an Islamic state.⁶⁰ In its first two terms of government (2002-2011), the AKP pushed through a series of democratic reforms - often against the resistance of the military and the Kemalist bureaucracy - and oriented its foreign policy (until around 2008) towards membership in the European Union.

Admittedly, this change of heart was also because Islamist parties had reached their limits in terms of power politics. Nevertheless, other factors made the change of heart possible. Urbanization and social modernization had created a conservative middle class that no longer seemed to be responsive to Islamist slogans. The intellectual groundwork for the ideological reorientation had been the work of intellectuals who had initially committed themselves to Islamism. In the 1990s, they turned away from their former ideology for two reasons. Firstly, they argued that Islamism - very much like Kemalism - presses the entire population into an ideological concept and brings with it not more freedom but more oppression. On the other hand, the use of religion in the political power struggle makes religion an ideology and thus robs it of its moral, ethical, and cosmological dimensions.⁶¹ However, religion should neither be a political ideology in the struggle against the Kemalist state nor should the state legitimize its rule by religion and establish a monopoly on its interpretation.⁶² The intellectuals demanded a 'civil Islam' that was to articulate itself from within society.

The first AKP government took up this discussion and appointed the liberal religious philosopher Prof. Dr. Mehmet S. Aydın as Minister of State responsible for the Diyanet. The fact that the Diyanet had recruited academically trained theologians from the meanwhile 22 theological faculties and thus had raised the intellectual level of the institution facilitated fruitful cooperation of Aydın with the Diyanet.⁶³

Aydın suggested subordinating the ARA to the State President, who, at that time, was bound to political neutrality by the Constitution. In the medium term, the ARA should enjoy autonomy. According to Aydın, this was indispensable if one wanted to work towards further development of the understanding of Islam in Turkey. In Turkey, he said, the omnipresence of the dispute between secularists and conservatives over religion had so far prevented the development of religion as a meaningful framework for moral and ethical discussions. Aydın referred to Europe, where ethics and morality are affected by religion in a way that promotes and legitimizes the engagement of citizens in issues that cannot be brought closer to a solution without broad social discussion. He mentioned social justice, the fight against corruption, and the peaceful negotiation of moral and ethical border issues.⁶⁴ According to Aydın, Islam is open to the integration of individual

⁶⁰ Seufert 2002 [footnote 49], p. 8.

⁶¹ Cf. Seufert 1997 [footnote 56], p. 445-464.

⁶² Ömer Çelik, today speaker of the AKP back in 1994, Ömer Çelik, "Beraber yaşama sorunu, insanın anlam arayışı ve siyasal otorite" [The question of living together, people's search for meaning and political authority], *Bilgi ve Hikmet*, Nr. 5, pp. 16-32.

⁶³ Thijl Sunier et al, *The Turkish Directorate for Religious Affairs in a changing Environment*, Amsterdam/Utrecht 2011, p. 50 ff.

⁶⁴ Cf. Mehmet. S. Aydın, "Avrupa Birliği, Din ve Diyanet" [The European Union, Religion and the Authority for Religious Affairs], *İslamiyât* 3/200. Cf. For the overall topic, Günter Seufert, Religion: "Nation-Building Instrument of the State or Factor of Civil Society", in Hans-Lukas Kieser (ed.), *Turkey beyond Nationalism*, London/New York 2006, pp. 136-154

rights and freedoms, and Islamic societies have great historical experience with cultural diversity, religious tolerance, and rationality.

In Ali Bardakoğlu, who was appointed President of the ARA in May 2003, Aydın found a congenial comrade-in-arms. Bardakoğlu regards religious dogmatism as a result of a lack of knowledge about religion and as a consequence of a perception of religion that does not distinguish between Islam per se, as it is laid down in the texts, and its historical forms and therefore makes a particular historical manifestation of Islam absolute.⁶⁵ Religious education is the prerequisite for a differentiated understanding of religion. It enables the pious to develop individuality and to critically confront both the sheiks of mystical brotherhoods and the leaders of Islamist parties.⁶⁶ Conversely, democratic conditions are a necessary prerequisite for an open discourse on religion.⁶⁷

Always in harmony with the AKP government's then liberal policy, the new line materialized in a series of concrete initiatives of the ARA. In May 2002 a First Council Meeting on Current Issues of Religion organized by the Diyanet (Güncel Dinî Mes'eleler İstişare Toplantısı) came to groundbreaking decisions regarding the position of women in Islam. The minutes of the meeting (Sonuç Bildirgesi), dated 18 May 2002, relativize the Qur'anic regulations on women's limited ability to give testimony and limited right of inheritance. The theologians based their argument on the ontological and religious equality of men and women in the Qur'an. They concluded that regulations that contradict the essential equality of the sexes cannot correspond to the timeless intention of the Qur'an, but can only be valid in a time-bound way.⁶⁸

With its so-called Hadith Project, the Diyanet continued its efforts in the early 2000s to achieve a moderate understanding of Islam. A total of 85 theologians worked together in the creation of a new Turkish collection of central doctrinal sayings and exemplary actions (hadith) of the Prophet. Although the Diyanet did everything possible to avoid the accusation of "reforming" Islam,⁶⁹ a theologian working on the project could not help but admit that every new collection must also make a selection. The selection to be made by the Diyanet for its hadith collection does not want to renew the religion, he said. Instead, it aims to convey to the faithful a religion that will continue to exist in the 21st century. If - as the traditionalists or Islamists do - the Prophet's sayings and actions were torn out of their historical context and presented as timeless rules⁷⁰, then one clings to outward appearances and loses sight of the Prophet's intention. The Diyanet's hadith collection contributed to a cautious modernization of the understanding of religion and especially

⁶⁵ "However, tradition is nothing more than an accumulation that has come about as a result of the interpretations of our ancestors to the unchangeable sacred truth established by religion at the beginning. ... Yet it is possible that those who shaped the tradition in the past could have been mistaken just like us, or they could have made those interpretations according to their own times and needs." Ali Bardakoğlu, *Religion and Society*, Ankara 2009, p. 67.

⁶⁶ Ali Bardakoğlu, "Türkiye'de birey, toplum ve otorite" (Individual, society and authority in Turkey), manuscript of a lecture given 12.6.2004 in Istanbul-Tarabya.

⁶⁷ Today, Turkey emerges as a country that supports a moderate, tolerant, and inclusive perception of Islam. ... Islam in Turkey is not radical, fundamentalist, or exclusive. One of the reasons ... is the fact that democracy has existed in Turkey for more than eighty years." Bardakoğlu 2009 [footnote 65], p. 33.

⁶⁸ *Diyanet Dergisi* (Journal of the Diyanet) 138, <http://www.diyanedergisi.com/diyamet-dergisi-42/konu-642.html>.

⁶⁹ For an example of an energetic rejection of the suspicion of reform, see Bardakoğlu 2009 [footnote 65], p. 155 f.

⁷⁰ Sunier et al. [footnote 63], p. 85 ff.

strengthened the position of women.⁷¹ The project was attacked accordingly by Turkish circles close to the Muslim Brotherhood.⁷²

In 2004, the Diyanet also began to become involved in inter-religious dialogue, a field that it had until then largely left to the Fethullah Gülen-related Foundation for Journalists and Writers (GYV).⁷³ This step was in line with the policy of the AKP, which at the time liberalized the Law on Foundations, returned numerous previously confiscated properties to non-Muslim communities, and, together with the Spanish government, initiated an "Alliance of Civilizations". During this time, the Diyanet also tempered its otherwise harsh attitude towards Christian missionaries. In those years, Bardakoğlu often spoke out clearly against a ban on Christian mission, emphasized the right of every pious person to spread their faith, and saw the Diyanet's tasks not in banning Christian missionary efforts, but in strengthening the faith of Muslims.⁷⁴

In 2009 and 2010, the AKP government entered into dialogue with the Alevi, a heretic Muslim group (in the eyes of the Turkish state?) which was always ignored and marginalized. Under the direction of Faruk Çelik, Minister of State at the time responsible for the ARA, a series of meetings and conferences took place at which the usually Sunni decision-makers in politics and administration for the first time faced the demands and criticism of Alevi associations, academics, and intellectuals. The responsible Ministry of State published the results in 2010 in a final report.⁷⁵ However, the initiative did not match the high expectations. It ended without any concrete effects, for instance, on the status of the Alevi prayer houses (Cem Evi).⁷⁶ Nor did Bardakoğlu jump over its shadow in this issue. While he clearly emphasizes the right of Alevi to practice their belief freely, he was not ready to integrate Alevi lore into ARA's teaching, and he did not shy away from accusing the Alevi of not knowing their faith.⁷⁷

⁷¹ "Prof. Dr. Mehmet Görmez presents the first results of the "Hadith-Project" (türk). Website *Son Peygamber.info*, 31.7.2011 <<http://www.sonpeygamber.info/prof-dr-mehmet-gormez-konulu-hadis-projesi-nin-ilk-orneklerini-acikladi>>.

⁷² "The scandal surrounding the selection of hadiths by the Diyanet" (Turkish), Website *İhvanlar Net* (without date, assessed 12.11.2029), <<http://www.ihvanlar.net/2013/02/02/diyanetin-hadis-ayiklama-skandali-400-binden-20-bin-hadis/>>.

⁷³ Günter Seufert, "Religiöse Minderheiten in der Türkei", *Aus Politik und Zeitgeschichte* 26/2008, S. 20-26. Regarding inter-religious dialogue see Ali Bardakoğlu, 21. Yüzyıl Türkiye'sinde Din ve Diyanet I (Religion and the ARA in 21 century Turkey, volume I), Ankara 2010, S.347-388.

⁷⁴ Ibid, p. 229 f.

⁷⁵ T.C. Devlet Bakanlığı, *Alevi Çalıştayları: Nihai Rapor* (Alevi Workshops: The Final Report), Ankara 2010.

⁷⁶ Özge Genç, "After the 'Alevi Opening ...'" (Turkish) website of the newspaper *Karar* 4.5.2016, <<http://www.karar.com/gorusler/podem-arastirma-direktoru-ozge-genc-yazdi-alevi-acilimi-ve-sonrasi-110762#>>.

⁷⁷ Bardakoğlu 2010 [footnote 73], pp. 154-175.

The Authority for Religious Affairs between theological autonomy and political instrumentalization

Until the introduction of the presidential system in 2018, the President of the Authority for Religious Affairs was proposed by the Prime Minister, confirmed by the Cabinet and finally appointed by the President of the Republic⁷⁸. A High Council for Religion functioned and still functions as a consultative body. Twelve of the Council's 16 members are selected by a larger commission of theologians, a fact that indicates the relative independence the ARA enjoyed in theological matters. Finally, the Law on the Diyanet of 1965 recognizes the Council as Turkey's "highest decision-making body in religious matters."

To strengthen the religious authority of the Diyanet, religious-conservative and pro-Islamic circles, but also academic theologians, called since the 1970ies for at least partial autonomy of the Diyanet from the government. Here two lines can be distinguished.

The independence of the Diyanet as a step towards the rehabilitation and empowerment of the Islamic religion in society (and politics?)

Prof. Dr. Mehmet Görmez, the predecessor of the current President of the Diyanet, had been sure in 2017 that the ARA rather sooner than later would achieve greater autonomy. As a first step, he expected that the selection of the candidate for the office of the Diyanet's President falls with a council of theologians.⁷⁹ Görmez expected this change in the months and years after the constitutional referendum on the introduction of the presidential system on 16 April 2017. In any case, the Diyanet's President should no longer be appointed like any other civil servant.

There had been reasons for this hope. In previous years, the protocol rank of the Diyanet President had been enhanced, and both President R. Tayyip Erdoğan and former Prime Minister Ahmet Davutoğlu had often and publicly emphasized the religious authority of the ARA's President. For example, the then Prime Minister Ahmet Davutoğlu said in 2015:

⁷⁸ The ARA's President Prof. Dr. Mehmet Görmez, Interview, Ankara, 14.3.2017 and Yaşar [footnote 47], p. 35.

⁷⁹ Ibid.

"The President of the Authority for Religious Affairs in Turkey has long since ceased to be an ordinary civil servant. He has risen to the representative of a theology rich in tradition.⁸⁰ In the same year, President R. Tayyip Erdoğan announced: "Mehmet Görmez is not only the religious leader of Turkey but a respected authority in the entire Islamic world".⁸¹

Görmez, additionally, claimed that the government considered granting the Diyanet independence. A concrete move in this direction would be the merger of the ARA with the Directorate General for Foundations (Vakıflar Genel Müdürlüğü). The latter administers the pious foundations, which had been independent for most periods in the Ottoman Empire before the Republic placed them under the strict control of the state.⁸² The merger of the two institutions would provide Diyanet with funding independent of the public budget. Such a reform would enable it to separate the Diyanet from the state administration and thus from the government. More likely, however, according to Görmez, was the establishment of a Ministry of Religion and Foundations. The new Ministry then integrates the reformed institution. Such a move would have replicated the arrangement of the very last years before the declaration of the Republic when religious services and pious foundations were briefly integrated into a Ministry of Sharia and Foundations (Şeriye ve Evkaf Vekâleti), and its minister had been part of the cabinet.⁸³ Such a regulation would change the given subordination of religion to the government and integrate the religious Authority into the Cabinet. Conservative intellectuals would have welcomed such a move.⁸⁴ A religious institution financially self-sustaining in the manner described above could, according to Görmez, pay its staff from its resources. This reform would open up the possibility of releasing the Qur'an course teachers, prayer leaders, and muftis of the ARA, but also its administrative staff, from civil servant status, thus further strengthening the non-governmental character of the institution.

Görmez's expectations did not realize. Measures in this direction would have given the institution economic independence, reduced its dependence on the government, and would have been a step on the way to a more civil-law institutionalization of religion. On the other hand, however, such measures would have also entailed the upgrading of religious institutions within the state apparatus. They would have contained elements of a return to regulations of earlier periods, when religion was not only economically independent of the state, but its officials were at the same time legitimate political actors. The harmony of these considerations with the positive remembrance of Ottoman conditions, which is today especially widespread in the government camp, cannot be overlooked.

⁸⁰ Website of the newspaper *Hakimiyet* (Konya) 17.5.2015. <<http://www.hakimiyet.com/basbakan-davutoglu-canli-yavinda-922564h.htm>>.

⁸¹ *Süddeutsche Zeitung*, 27.1.2017.

⁸² Website of the institution, 23.11.2018, <<http://www.vgm.gov.tr/index.aspx?Dil=EN>>

⁸³ This Ministry had been founded in May 1920 by the Parliament that was forming in Anatolia and that led the National War of Independence against the European occupation of Istanbul and large parts of Anatolia. See Ali Akyıldız, "Şer'iyye ve Evkaf Vekâleti", *İslâm Ansiklopedisi*, Volume 39, pp. 7-8, Istanbul 2010. The new Republic in 1923, dissolved this Ministry and created the Diyanet and the General Directorate for Foundations.

⁸⁴ Cf. Kara 1999 [footnote. 26], p. 221.

The independence of the Diyanet as a step towards strengthening the civil character of religion and effectively dealing with worrying currents within national and international Islam

In contrast to Mehmet Görmez, his predecessor Prof. Ali Bardakoğlu had lost all hopes for a greater distance between the Diyanet and government policy. Bardakoğlu had resigned in November 2010 in conflict with the government on the headscarf issue. Although Bardakoğlu stood by the traditional position of the Diyanet, which regarded the headscarf as a religious commandment for Muslim women, he emphasized that covering is not a condition for women to be recognized as a Muslim.⁸⁵ He also opposed the involvement of the Authority for Religious Affairs in a campaign by the ruling party to lift the headscarf ban at universities. To deal with the headscarf matter is the task of politics, not of the Diyanet, Bardakoğlu said. He also rejected the expectation that "the Diyanet is giving [religious] expert opinions on order".⁸⁶ In line with this position, Bardakoğlu had advocated the "autonomy" of the Diyanet. However, he had placed the issue in a completely different context than Görmez. In contrast to Görmez, Bardakoğlu had not pointed at the religious character of the ARA. He argued that the Diyanet needs legally secured autonomy from government policy to fulfill its tasks, very much like other independent public institutions. He cited the autonomy of the High Council of Judges and Prosecutors (HSYK) that this Council had gained in 2010 in the context of EU-legislation. Just like the jurists, the theologians should take over the management of their institution themselves and thus shield direct government influence.⁸⁷

According to Bardakoglu, neither state guidance nor state control could develop an antidote to worrying currents within the religious section of society such as ossified traditionalism, militant denominationalism, Salafism, and the commercialization of religion. To deal with these challenges, there is a need for open debates at academically free universities, and informed discourses in a free press and a tolerant and pluralistic society.⁸⁸ In this line of argumentation, the autonomy of the ARA serves less to rehabilitate religion against secularism, but rather to transform the Turkish Republic's established version of secularism and to push for institutional transparency, the promotion of religious pluralism and social tolerance.

As far as the possibility for greater autonomy of the Diyanet is concerned, Bardakoğlu was sceptical, however.⁸⁹ He did not see any sign that the government would refrain from politicizing the ARA in its interest. In the opposition, it is easy for any party to demand the autonomy of the Diyanet [from the respective government, GS]. However, once in power, no party wants to give up the instrument. What is more, almost the entire state apparatus in Turkey is highly politicized, from the judiciary and universities to the central bank. In this climate, to expect the ARA to be free from political influence is out of touch with reality.

⁸⁵ "The headscarf is not a condition for belonging to Islam" (Turkish) News website Yeryüzü Haber, 18.10.2010, <<http://www.yeryuzuhaber.com/basortusu-muslumanligin-onsarti-degildir-haberi-4059.htm>>.

⁸⁶ "The President of the Diyanet has resigned" (Turkish), Website of the newspaper *Vatan* 11.11.2010, <<http://www.gazetevatan.com/bardakoglu-gorevi-birakti-339958-gundem/>>.

⁸⁷ "The Diyanet demands autonomy" (Turkish), Website of the newspaper *Radikal* 23.10.2010 <<http://www.radikal.com.tr/yazarlar/ahmet-insel/diyanet-ozerklik-istiyor-1025109/>>.

⁸⁸ Ali Bardakoğlu, "The religious black market" (Turkish), Website of the newspaper *Karar* 20.2.2017, <<http://www.karar.com/gorusler/prof-dr-ali-bardakoglu-yazdi-kayit-disi-din-pazari-393633>>.

⁸⁹ Interview Ali Bardakoğlu 17.3.2017, Istanbul.

Despite all these, Bardakoğlu underlined the moderating and rationalizing influence of the ARA. The Diyanet had retained its "institutional reflex," he said in 2017. The ARA would not allow that problematic cadres organize in its ranks and that the governing party is using it for its purpose. In this sense, the ARA is still a shield against the spread of religious fanaticism and jihadism, both in Turkey and Germany. In no mosque of the Diyanet were Christians and Jews denigrated as infidels, women portrayed as creatures of lower value, or Muslims called to Jihad.

The intensified role of the Diyanet in the context of Turkish foreign policy

The development went in the exact opposite direction, namely towards direct links between the authority and the ruling part. In September 2014, the then newly elected Prime Minister and former Foreign Minister Ahmet Davutoğlu took direct control of the Diyanet, which until then had been supervised by a Minister of State.⁹⁰ Also, Davutoğlu's successor Binali Yıldırım, who took office in May 2016, placed the Diyanet directly under the Prime Minister's Office.⁹¹

One reason for Davutoğlu's decision was undoubtedly his intention to make the authority more useful for Turkish foreign policy. Under the AKP government, the Diyanet had entered a new stage of its development, stated Davutoğlu in May 2015. It has ceased to work as an instrument for control or religion.⁹² Today, as Turkey focuses on "reviving [Muslim] civilization"⁹³ and takes many initiatives to this end, the Diyanet plays a vital role in spreading "Istanbul's elaborate Islam."⁹⁴ Just as the AKP government has paved the way for Turkey's parastatal airline, Turkish Airlines (THY) and the Turkish Agency for Cooperation and Development Aid (TİKA) - in other words, has used these institutions for its foreign policy - so it did with the Diyanet.⁹⁵

He himself, Davutoğlu continued, instructs Diyanet members abroad to concentrate on five central areas of responsibility: "1. religious needs of our citizens abroad [Western Europe, Australia, and the USA], 2. religious needs of the Turkic-speaking countries and regions "that are particularly close to our hearts", such as Central Asia and the Balkans; 3. sectarian clashes in the heart of Muslim life in Damascus, Baghdad, Jerusalem and Mecca; 4. regions that we are opening up anew, such as Africa and Latin America; and 5. inter-religious dialogue."⁹⁶

The enhanced role for the Diyanet in Turkey's foreign policy ruled out any further discussion on steps towards greater autonomy of the ARA. Because the Diyanet has been

⁹⁰ "The Diyanet was placed under the Prime Minister's authority" (Turkish) *Hürriyet* 1.9.2014 <<http://www.hurriyet.com.tr/diyanet-basbakana-baglandi-27120302>>.

⁹¹ "The division of responsibilities in the 65th government" (Turkish), Website of the newspaper *BirGün* 24.5.2016 <<http://www.birgun.net/haber-detay/65-hukumet-in-gorev-dagilimi-belli-oldu-113488.html>>.

⁹² Ahmet Davutoğlu, "This is not only an attack on the President of the ARA" (Turkish), Website of the newspaper *Yeni Çağrı* 7.5.2015, <<http://www.yenicagri.com/davutoglu-bu-diyanet-isleri-baskanina-yapilan-bir-saldiri-degil-dedi.html>>.

⁹³ *Hürriyet* 1.9.2014.

⁹⁴ *Hakimiyet* [footnote 80].

⁹⁵ *Yeni Çağrı* [footnote 92].

⁹⁶ *Ibid.*

"entrusted with such a comprehensive mission demanding its abolition or restructuring Diyanet amounts on attacking the voice of reason that is coming from Turkey", said Davutoglu.⁹⁷

⁹⁷ Ibid.

The Diyanet's attitude to subject areas

The comments of Diyanet on Fethullah Gülen

In the days from 17 to 25 December 2013, investigations into corruption shook Turkish politics. The investigations were directed against four cabinet ministers of Erdoğan's government and threatened to spread to the Prime Minister himself and his son. Behind the investigations were police leaders, public prosecutors, and judges of the Gülen movement, with which the ruling party has been in dispute since 2012. However, the AKP had cooperated with the movement for a decade. Cadres of the movement had been able to organize in the police, judiciary, and military.

In all these years, the ARA had not expressed any opinion about the Gülen movement. However, the movement had been highly controversial in Turkey since the 1980s. Moreover, as one reason for the Gülenist's success in society, commentators pointed to the low intellectual profile of the Diyanet.⁹⁸

Only in March 2014, three months after the escalation of the dispute between the ruling party and the movement did the Diyanet published a statement. However, the Diyanet avoided mentioning the movement's name. To criticize the movement, the Diyanet used terms like "spiritualistic (spiritualist), Gnostic (gnostic) and Messianic (mesiyanik)." These terms do not mean anything to the man in the street (a lay person?). However, the Diyanet condemned the movement politically. It accused the Gülenists of "threatening social peace, damaging our universal moral principles, and weakening the religion and piety of the young generation".⁹⁹ In January 2016, the monthly magazine of the Diyanet (Diyanet Dergisi) dealt with "Movements of strife and division among Muslims".¹⁰⁰ There, the Gülen movement is described under the abbreviation FETÖ (Fethullah Terror Organization) as an "esoteric and radical disintegration movement."

It took a further six months, and the unsuccessful coup attempt of 15 July 2016, before the first version of a comprehensive report by the Diyanet on the Gülen-movement came out in September of the same year.¹⁰¹ The report refers directly to Fethullah Gülen's books and statements. It accuses Gülen to have claimed to stand above the Prophet Muhammad, and

⁹⁸ Sedat Ergin, "The discussion about Fethullah Gülen and the Diyanet" (türk), *Hürriyet* 29.6.1999, <<http://www.hurriyet.com.tr/sedat-ergin-fethullah-gulen-tartismasi-ve-diyanet-39088482>>.

⁹⁹ "Press release on current events" (Turkish), the website of the *Diyanet* am 25.3.2014, <<http://www.diyanet.gov.tr/tr/icerik/gundeme-iliskin-basin-aciklamasi/12807>>.

¹⁰⁰ See the website

<http://www2.diyanet.gov.tr/DiniYay%C4%B1nlarGenelMudurlugu/DergiDokumanlar/Aylik/2017/aylik_ocak_2017.pdf> (Accessed 5.11.2019).

¹⁰¹ "The Diyanet lists Gülen's sins" (Turkish), the website of the state broadcaster *TGRT* 22.9.2016, <<http://www.tgrthaber.com.tr/gundem/diyanet-gulenin-gunah-galerisini-cikariyor-143564>>.

to have communicated directly with God. Gülen, so (noted?) the report, asserts that God had initiated him about future events, and sanctified his fellows more than other Muslims. All that is incompatible with orthodox Islam and should since long come into the focus of an Authority for Religious Affairs that always claimed to convey the correct version of the Islamic religion. The complete report was published only on 1.1.2017 under the title: "FETÖ presented in his own words: A movement that exploits religion" (Kendi dilinden FETÖ: Bir din istismarı hareketi).¹⁰² From this point of time, the Diyanet tried to spread the word more widely and also uses videos and audio files.¹⁰³ For the report, Gülen not only errs theologically, his teaching also undermines state and society. The Diyanet equaled the Gülenist with the state-decomposing movements at the time of the Seljuks and accused the Gülenists of merging Islam and Christianity. In the report, Diyanet used the apologetic rhetoric of the AKP, which rejected any responsibility for the Gülenists' penetration of the bureaucracy in the 14 years before the coup attempt governed by the AKP. Like the AKP-government, Diyanet put all the blame on previous secular rulers of Turkey. "While FETÖ did all this in the 1980s and 1990s, the most harmless activities of Muslims were branded as religious reactionary activism"¹⁰⁴.

The Diyanet's Statement on the Ideology of the Islamic State

A conspicuous temporal coincidence with government policy is also observable in Diyanet's assessment of the Islamic State (IS). At the end of August 2015, Turkey participated for the first time in the fight against IS. At the same time, the Diyanet published its criticism of the organization's war theology.¹⁰⁵

The document first distinguished between a legitimate theological interest in the first generations of believers (*ilmi selefilik*) and political Salafism (*selefizm*), which makes Islamist activism absolute as the only possibility for a justified Islamic life. The report then pointed out the theo-ideological similarities of the IS with other Salafist and Jihadist groups.¹⁰⁶ They all take individual verses of the Qur'an and individual Hadiths out of context, make their literal understanding as to legal provisions absolute, assert an unbridgeable contradiction between the Revelation and rationality, and present their interpretation as the only valid one. Such an approach does not do justice to the Revelation. It also does not correspond to the understanding of the vast majority of Muslims. The Muslim mainstream is guided by religious scholars who arrive at the right insight through recognized methods to interpret the sources, and by using their intellect,

¹⁰² Website of the state press agency

<<https://www.aa.com.tr/uploads/TempUserFiles/haber/2017/07/KENDI-DILINDEN-FETO-20170725son.pdf>> (Accessed 5.11.2020).

¹⁰³ Cf. website of the Diyanet: <<https://www.diyamet.gov.tr/tr-TR/Kurumsal/Detay/10258/diyamet-feto-ebasinin-sapkin-soylemlerinin-incelestigi-raporu-acikladi>> (Accessed 25.3.2020).

¹⁰⁴ Diyanet's FETÖ report (Turkish) <<https://www.diyamet.tv/diyamet-feto-raporu>>, (Accessed 25.3.2020).

¹⁰⁵ Mustafa Akyol, "Turkey takes on the Islamic State ... in 40-page report", *Al Monitor* 2.9.2015, <<http://www.al-monitor.com/pulse/originals/2015/09/turkey-offers-its-own-religious-case-against-islamic-state.html>>.

¹⁰⁶ *DAİŞ'in temel felsefesi ve dini Referansları Raporu* [Report on the fundamental philosophical and religious orientations of the Islamic State], the website of the Diyanet, [2015] <<http://webdosya.diyamet.gov.tr/anasayfa/UserFiles/Document/TextDocs/b7ca135a-c08f-4ee5-892b-4c181663630a.pdf>>, pp. 8 und 7.

which was given to humankind by God.¹⁰⁷ The Salafists, on the other hand, falsify fundamental concepts of the Islamic religion.

Opposing the Salafi understanding of Islam, the report emphasized central values and dogmas of Islam, such as the inviolability of the human being (*ismet*) and his rights, which Islam grants to all people. Salafists grant human rights only to Muslims and consider non-Muslims to be the significant others of Muslims. However, it is not the non-Muslim who is irreconcilable with Muslims, but only the oppressor (*zalim*).¹⁰⁸

Salafists also use the concept of the caliphate (*hilafet*) in a distorted form. For the Salafists, the caliphate is the only legitimate political rule according to Islam, which could also be established by force and against the will of other Muslims. But the Qur'an understands the caliphate as the political order created through processes of consultation, agreement, and consent of all Muslims.¹⁰⁹

The branding as heretic (*tekfir*) is a further point of contention. Salafists deny the Shiites affiliation to Islam and are not afraid to act in the same way against Sunnis who do not submit to the IS. The Prophet had not expelled anyone from the congregation who had accepted the faith, had not questioned fundamental dogmas, and had made himself known as a Muslim through prayer.¹¹⁰ As a result, it is unacceptable that Muslims should be declared heretics and killed.¹¹¹

The concept of jihad comes as another central issue in the relationship between Muslims, on the one hand, and Jews and Christians, the so-called followers of the book, on the other. The Diyanet first establishes the rule that there is no jihad of Muslims against Muslims in the Qur'an and then states: "It is a fact that the Holy Qur'an contains some harsh words and warnings concerning non-Muslims. Nevertheless, these passages must be evaluated in the overall context of the Qur'an and the process of revelation. These verses concern persons and groups who, during the Prophet's lifetime, were openly hostile towards Muslims and declared war on them. Beyond such situations, it is the general attitude of Islam and its Prophet to instruct Muslims to confront members of other religions based on mutual tolerance and forbearance."¹¹²

The report was a clear statement against the Salafi concept of Islam. It was even more valuable because it took a clear stand against the branding of the Shia as heretic, which can be found, for example, in Turkish circles close to the Muslim Brotherhood.¹¹³ In connection with the issues of heresy and the relationship of Muslims to non-Muslims, it was also of central importance that the Diyanet rejected the death penalty for renunciation of Islam in 2008, also from a religious law perspective.¹¹⁴ In contrast, the

¹⁰⁷ Ibid, p. 10.

¹⁰⁸ Ibid. p. 19-20.

¹⁰⁹ Ibid, p. 20.

¹¹⁰ Ibid, p. 21-23.

¹¹¹ Ibid, p. 32.

¹¹² Ibid, p. 24.

¹¹³ Vgl. "What is the Shia?" (Turkish) the website *Ihvanlar* (Muslim Brotherhood), without date, <<http://www.ihvanlar.net/2013/05/03/sia-nedir-rafizi-ismailiyye-caferiyye-imamiyye/>> (Accessed 15.12.2018). Cf. for an article that imputes the Shiite's fundamental enmity towards the Sunnis, Bercan Tutar, "We must not wait another century" (Turkish) government affiliate newspaper *Yeni Şafak* Online, 14.8.2015, <<http://www.yenisafak.com/yazarlar/bercantutar/bir-yuzy%C4%B1%C4%B1-daha-kaybedemeyiz-2018663>>.

¹¹⁴ "Fatwa of the Diyanet on the change of religion" (Turkish) Daily *Vatan* 11.4.2008, <<http://www.gazetevatan.com/diyanet-ten-din-degistirme-fetvasi-172441-gundem/>>.

influential theologian Hayrettin Karaman, who is close to the government, leaves the door wide open for the justification of the death penalty for renouncing Islam.¹¹⁵

The attitude of the Diyanet towards the Alevis

The Anatolian Alevis are a heterodox religious community persecuted by Orthodoxy and the state in the Ottoman Empire. They came into the public eye only in the last phase of Turkey's urbanization. The 1980s saw a flood of publications on Alevism, the establishment of many Alevi associations, and the birth of a movement that demands recognition and equal status for Alevi prayer houses, the so-called parish halls (Cem Evi). In Istanbul alone, there are more than 50 such places of worship. There is no official registration of Alevis as a separate group. The results of respected survey institutes show that about 15 percent of the population can be assumed to be Alevis.¹¹⁶

Alevi associations since long fight for the exemption of their children from compulsory religious instruction, the legal equivalence of their places of worship with mosques and churches, the elimination of financial privileges of the Sunni majority (in fact a dispute about the future and the structure of the Diyanet), and the granting of pastoral care in prisons. Religious education in schools falls under the responsibility of the General Directorate for Religion in the National Ministry of Education (MEB), which has so far refused to fully implement rulings of the European Court of Human Rights on exemptions or curriculum changes. Alevis are recognized as a separate religious community only in Germany, where they gained the status of a religious community under Article 7.3 of the Constitution in 2004 and where Alevi religious instruction in public schools is provided in some Länder since 2008.

In seamless agreement with the attitude of the National Ministry of Education¹¹⁷, the Diyanet defines Alevism not as a religion, but as a "social structure" that has gradually emerged since the 10th century, and which disposes of elements of "earlier belief systems" (before Islamization) and Shiaism, but also mystical practices¹¹⁸, but which according to the opinion of Alevi religious authorities (dede) is part of Islam.

The overwhelming majority of Alevi actors also agree with the assessment of Alevism as part of Islam, but practically insist on the status of a separate legal school/denomination. This claim makes it possible to retain their cult and houses of prayer and to demand equal rights and equal treatment.¹¹⁹ However, the Diyanet's approach prevents precisely this.

¹¹⁵ "Is turning away from Islam punishable by death?" (Turkish), the website *Musema İslam Arşivi*, 17.2.2009, <<http://www.mumsema.org/fetva-soru-ve-cevaplari/83200-irtidadin-din-degistirmenin-cezasi-olum-mudur-bu-uygulama-din-ve-viddan-ozgurlug.html>>.

¹¹⁶ Ali Çarkoğu/Binnaz Toprak, *Değişen Türkiye' de Din ve Siyaset* [Religion and politics in a changing Turkey], Istanbul 2006, S. 38.

¹¹⁷ Cf. Günter Seufert, "Alevism as a Subject of religious Instruction in Turkey and Germany", in: Haldun Güllalp/Günter Seufert (Ed.), *Religion, Identity and Politics*, London/New York 2013, S. 147-163.

¹¹⁸ Such a fatwa of the Diyanet, quoted after Ali Duran Topuz, "An opening to the Alevis?" (Turkish) news website Duvar, 6.9.2016, <<http://www.gazeteduvar.com.tr/yazarlar/2016/09/06/alevilere-acilim-mi-olmus-hemen-geri-alinir/>>. [The Diyanet's link to the original was not accessible] and [Diyanet], "Can Sunni women marry Alevi men? (Turkish), website Fatwas of the Diyanet, n.y. (access 20.11.2019), <<http://www.fetvalar.com/sorularla-cevabi-3000.html>>.

¹¹⁹ "Alevi authorities sketch their 'red lines'" (Turkish), *Cumhuriyet* 14.1.2016, <http://www.cumhuriyet.com.tr/haber/turkiye/463829/Alevi_onderleri_kirmizi_cizgilerini_acikladi.html>

Diyamet President Mehmet Görmez declared on 1 January 2016 that there are two red lines for the ARA in this matter: the recognition of Alevism as a religion separated from Islam, and the recognition of Alevi places of worship as an "alternative to the mosque" and as places of worship of a different faith.¹²⁰ In this issue, the Diyanet still falls behind the ruling party, which had announced in its government program that it would grant legal status to Alevi houses of prayer.

Admittedly, the Diyanet's assessments on the historical development of Alevism are correct in terms of academic studies. However, the Diyanet turns historical developments into the basis for a theological verdict. Politically, the Diyanet's red lines undergird the dogma that Turkey's population forms a homogeneous Muslim nation. The Diyanet's attitude, thus, justifies the denial of legal equality and the Alevi's assimilation into the Sunni mainstream.

This all becomes clear in a fatwa on the appropriateness of marriage of Sunni women with Alevi men. In two answers¹²¹ the Diyanet argued that not the school of law/denomination is decisive in this question, but whether the bridegroom is a Muslim in the sense that he recognized the faith principles of Islam and acted accordingly. Whoever does not talk and act in such a way cannot be considered Muslim and should not be a partner in a marriage. With this answer, the Diyanet, on the one hand, indicates that it considers Alevis as potential non-Muslims. On the other hand, it opens the door for Alevis to be recognized as Muslims if they assimilate to Sunni Islamic practice.

As far as the pastoral care in prisons is concerned, the Diyanet announced¹²² the dispatch of state-near Alevi men of the cloth (dede), but has not yet implemented it.¹²³ The reason given for this is a particular danger that could emanate from Alevi prisoners. As members of an excluded minority, who as a rule belong to the political left, Alevis are in principle, considered a security risk by the state.¹²⁴ Additionally, the Diyanet does not employ Alevis.¹²⁵

The Diyanet's attitude towards non-Muslim minorities in Turkey and toward missionary activities

From 2003 to 2011, the AKP government had returned a total of over 1,000 properties to non-Muslim minority communities, expropriated in the 1930s.¹²⁶ The total value of the restitution amounted to approximately US\$1 billion. Together with inflated reports about Christian mission in Turkey and attacks on Christian clergy, the issue kept the country in suspense for years.

¹²⁰ "The red line for Görmez" (Turkish) news website *Diken* 2.1.2016, <<http://www.diken.com.tr/bu-da-gormezin-kirmizi-cizgisi-cemevleri-baska-bir-inancin-mabedi-degildir/>>.

¹²¹ Cf. "Fatvas of the Diyanet", and "Scandalous answer of the Diyanet to scandalous question" *Cumhuriyet* 4.1.2016.

¹²² The website *Dini Bülten* 1.6.2016, <<http://www.dinibulten.com/imamlar/680-din-gorevlisi-cezaevinde/1291>>.

¹²³ The website of the daily *Cumhuriyet* 15.11.2018, <<http://www.cumhuriyet.com.tr/haber/eren-erdemin-talebinin-reddedilmesinin-arkasinda-diyamet-cikti-1141290>>.

¹²⁴ Topuz [footnote 119].

¹²⁵ *Cumhuriyet* 15.11.2018 [footnot 123].

¹²⁶ Report of the United States Commission on International Religious Freedom (USCIRF) of 2016, Turkey chapter p. 3 (Turkish), the website of *USCIRF*; <https://www.uscifr.gov/sites/default/files/Turkey%202016_Turkish.pdf> (access 15.12.2018).

Compared to this, the situation has eased noticeably. Since 2004, the Diyanet Foundation has not published new books about the 'harmful influence of Christian mission'.¹²⁷ Concerning Christian mission, in recent years, the President of the Diyanet has only uttered apologetic statements. He made a strict distinction between an ultimately malicious mission of Christian churches among Muslims and an always disinterested deployment of Diyanet personnel in Muslim countries, which serves exclusively to spread the right understanding of Islam.¹²⁸ Islamist actors, such as the Milli Görüş-near IHH, on the other hand, keep the fear of Christian mission alive.¹²⁹

Concerning non-Muslim communities, the Diyanet, by and large, remains within limits set by government policy. Thus it ignores the Turkish Protestant communities, consisting mostly of Muslim converts. Although the state largely tolerates their activities, it does not grant any rights. The officially recognized indigenous communities, however, are regular partners for the Diyanet in inter-religious dialogue. The Diyanet even supports the opening of the Greek Orthodox seminary on the Istanbul island of Halki, closed by the military in 1971. As a prerequisite for this, the Turkish government is demanding more rights of self-government for Turkish-speaking Muslims in Western Thrace. Mehmet Görmez did not want to join this demand. Freedom of religion does not rest on reciprocity.¹³⁰ Görmez took a similar position on the issue of the education of the Armenian clergy. It is not right that Greek and Armenian Christians have to go to Greece or the Republic of Armenia to study their religion.¹³¹

The predominantly positive image of the Diyanet among the non-Muslim minorities received a blow with the enactment of the so-called Metroplition law at the end of 2012. When the south-eastern city of Mardin, rose to the rank of metropolitan, the Syriac Orthodox Church complained of cold expropriation of churches, monasteries, and cemeteries in the course of the restructuring of the administration. The properties were first assigned to the Treasury and then to the Diyanet. It took massive international protests before the religiously used real estate came back into the possession of the church.¹³²

The Diyanet's position on gender equality

Since the predecessor of the current President of the Diyanet, Prof. Dr. Ali Bardakoğlu, had been recalled as a result of a dispute with the government over the headscarf, a more

¹²⁷ The website of the Diyanet Foudation, *Diyanet Vakfi*,

<<http://www.diyantevakfiyavin.com.tr/index.php?Option=DetayliBilgi&No=243>>, (access 18.12.2018).

¹²⁸ "The President of the Diyanet makes clear that in Islam, there is no mission but only preaching" (Turkish), the website *İnanç* (Believe), 18.5.2012, <<http://www.on5yirmi5.com/haber/inanc/islam/91074/islamda-teblig-vardir-misyonerlik-yoktur.html>>.

¹²⁹ "Conference on the historical development of missionary activities" (Turkish), Website *Haberler* 12.12.2016, <http://www.haberler.com/tarihi-surec-icinde-misyonerlik-ve-faaliyetleri-9054790-haberi/>.

¹³⁰ Görmez cited by Mutluer [footnote 40], p. 42.

¹³¹ Görmez cited by Mutluer, *ibid.*

¹³² The website Turkish-Armenian weekly *Agos* 23.5.2018,

<<http://www.agos.com.tr/tr/yazi/20682/suryaniler-tapularini-aldi>> In other cases, with no involvement of the Diyanet, such disputes continue, for example, on the island of Bozcaada (Tenedos), *Agos* 30.5.2018, <<http://www.agos.com.tr/tr/yazi/20713/bozcaada-rum-vakfina-iade-karari-verilen-tapular-verilmiyor>>.

conservative policy of his successor Prof. Dr. Mehmet Görmez on the issue of women was expected.

Right in the first weeks of Görmez's term of office, the theologian Ayşe Sucu, who had expressed herself entirely in the spirit of the former President, was dismissed. Sucu had declared that the Qur'an does not prescribe the form of covering. Women could, therefore, express their piety in the form they consider to be right. Sucu also refused to make the reputation and morality (*namus ve iffet*) of women dependent on external appearances. The headscarf is neither a prerequisite for being recognized as a Muslim, nor is it justified to deny female students wearing the scarf access to university.¹³³

Sucu had had a steep career. She was the first woman in the Diyanet with the rank of an academic educator (*eğitim uzmanı*). She was instrumental in developing the religious programs of the state television TRT, set up the women's department of the Diyanet Foundation (*Diyanet Vakfı*), and headed it for several years.¹³⁴ Sucu, today works as a columnist for a secular daily newspaper and as an author. She has noticed a severe change in the attitude of the ARA towards women's issues.¹³⁵ As chairwoman of the women's department of the Diyanet Foundation, she had worked in particular with the then Minister of State for Women and Families Nimet Çubukçu (2004-2009). At that time, the Foundation focused on expectations of the European Union, and women had been regarded first and foremost as individuals.¹³⁶ After that, the Diyanet Foundation looked at women again primarily as the center of the family. This shift had become apparent in the change of name of the Women's Department of the Diyanet Foundation. If this department had previously been called the Center for Women's Activities (*Kadın Faaliyetler Merkezi*), it was then called the Center for Women's, Youth, and Family Affairs (KAGEM). More and more, the Diyanet's attitude has come closer to that of staunchly conservative circles in Turkey.¹³⁷

Overall, the picture is contradictory. On the one hand, there is an effort to strengthen women's rights and reduce domestic violence by referring to the sources of Islam. The number of women in the Diyanet itself, but also in the Diyanet Foundation, continuously increased during Görmez's term of office, who appointed more women to qualified positions, which repeatedly provoked criticism from conservative circles.¹³⁸ Görmez himself opposed publications by conservative circles, which, for example, justified intra-family violence by men against women and were sometimes distributed by AKP city administrations.¹³⁹ Such positions are neither compatible with the Islam of the Prophet

¹³³ Cf. "The religious foundation is angry with the director of its women's department" (Turkish), *Vatan* 21.2.2018, <<http://www.gazetevatan.com/diyanet--kadin-mudurune-kizdi-163203-gundem/>>.

¹³⁴ In protest against the dismissal of Sucu, 28 female Foundation officials resigned from their posts. Cf. the biography website *Biyografya*, n.d., <<http://www.biyografya.com/biyografi/19027>>. The Religious Foundation was established in 1975 and is, in many practical matters, the executive arm of the ARA. Through the Foundation, which also runs commercial enterprises, the ARA receives considerable additional income over and above its official budget, without any transparency provided. See Mutluer [footnote 40], p. 4.

¹³⁵ Interview Ayşe Sucu 14.3. 2017, Ankara.

¹³⁶ Confirmed by Mutluer [footnote 40], p. 47.

¹³⁷ *Ibid.*

¹³⁸ "The Diyanet continues its opening to women" (Turkish) the semi-official news website *Dini Haber* (religious news) 14.7.2016, <<http://www.dinihaberler.com/personel-haber/diyanette-kadin-acilimi-devam-ediyor-h95971.html>>.

¹³⁹ "... .. How to beat a woman?" (Turkish), the website of the newspaper *BirGün* 21.6.2015, <<http://www.birgun.net/haber-detay/fetvacı-nurettin-yıldız-dan-ders-kadın-nasıl-dovulur-83222.html>>, and "Scandal Book by the City Administration ..." (Turkish) news website t24 15.12.2016,

nor with the Ottoman tradition, said Görmez. They are a result of misguided traditions that are wrongly considered part of religion. Islam does not allow the corporal punishment of women and children, nor the marriage of minors.¹⁴⁰ Like his predecessor, Görmez saw the correct version of Islam as the appropriate means to break patterns of behavior anchored in tradition.¹⁴¹ In order not to leave the population to the influence of "obscure religious communities", but to familiarize them "directly with the Qur'an and the teachings of the Prophet", the ARA began in 2015 to open the already mentioned Centers for Women, Youth and Families (KAGEM).¹⁴² Initiatives in this direction continue under the current President of Diyanet, Prof. Dr. Ali Erbas. In March 2018, Erbas appointed a woman for the first time to one of the positions of Deputy President of the ARA. Dr. Huriye Martı is responsible for religious publications and women's issues in the Diyanet and says that in June 2019, about 100,000 of Diyanet's 140,000 employees were made aware of the rights of women according to Islam in seminars. Sexism, according to Martı, is as dangerous as racism.¹⁴³

On the other hand, neither the increasingly conservative rhetoric of the government nor the continued recruitment of new employees from the emphatically conservative part of the society remains without effect on the gender discourse of the ARA. The press still reports on - from a gender equality perspective - scandalous religious statements by Diyanet staff. Moreover, a report on the answers given to women at risk in the "Counselling Center for Family and Religious Issues", which has been set up at provincial and district levels in all 407 mufti offices, shows how strongly traditional role conceptions still determine the actions of the ARA's employees. The questioning of traditional structures via a rather modern theological approach is a step in the right direction. However, there is also the danger of a growing dominance of religious discourses in an increasing number of social issues.¹⁴⁴

<<http://t24.com.tr/haber/belediyeden-yeni-evlilere-skandal-egitim-kitabi-sevisirken-konusursan-cocugun-kekeme-olur.377153>>.

¹⁴⁰ "The President of the Diyanet: "The ideas of the woman put forward by the Marriage Counselor have nothing to do with Islam" (Turkish), *t24* 20.12.2016, <<http://t24.com.tr/haber/belediyeden-yeni-evlilere-skandal-egitim-kitabi-sevisirken-konusursan-cocugun-kekeme-olur.377153>>.

¹⁴¹ Bilal Esen, "Kadına karşı Şiddetin Önlenmesinde Dinin Rolü [The role of religion in the prevention of violence against women], *Diyanet Aylık Dergi* (monthly of the Diyanet), Januar y2011, <<http://www.diyanedergisi.com/diyamet-dergisi-145/konu-1004.html>>.

¹⁴² "Diyanet opens women and youth centers" (Turkish), the website of the newspaper *Sabah* 4.1.2015 <<https://www.sabah.com.tr/gundem/2015/01/04/diyamet-kadin-ve-genclik-merkezleri-aciyor>>.

¹⁴³ Interview with Huriye Martı in the daily *Sözcü*, 2.6.2019, <<https://www.sozcu.com.tr/2019/gundem/diyamet-in-ilk-kadin-baskan-yardimcisi-cinsiyetcilik-toplum-icin-zehirli-bir-ok-gibi-5021663/>>.

¹⁴⁴ Cf. the impressions at the women's event of the Mufti office in Konya on the occasion of International Women's Day. Website of the institution n.y., <<http://konya.diyamet.gov.tr/Sayfalar/contentdetail.aspx?ContentId=494&MenuCategory=Kurumsal>> (access 15.12.2018).

The recognition of the Diyanet as a religious authority by the population

Until the middle of the 2010 years, the Authority for Religious Affairs enjoyed a relatively high reputation among the population, not despite, but precisely because of its bureaucratic and controlling character. The majority of Turks did not see any contradiction in the fact that the authority is supposed to control and partly restrict religious expressions and, at the same time, to guide religious life.

In the 1990s, about three-quarters of those interviewed valued the Diyanet's Islam as a safeguard against radical and political interpretations of religion. A similar number saw no contradiction between the principle of secularism enshrined in the constitution and the existence of the Diyanet and the role it plays in guiding the religious life of Muslims.¹⁴⁵

That was not a snapshot. A survey in 2002 found 82 percent in favor of the continued existence of the ARA.¹⁴⁶ A survey conducted in mid-2010 by a widely recognized and independent opinion research institute together with leading Turkish academics in this field¹⁴⁷ showed that this attitude among the population continued. According to the study, the mere existence of the Diyanet received the highest level of popular support. 77 percent of the interviewees saw the Diyanet primarily as "an institution that directs matters of faith, cult, and morals according to the principles of the Islamic religion" and only a minority of 23 percent saw it primarily as "an institution that the state has established to control and direct religious life".¹⁴⁸ 72 percent could not see any contradiction between the existence of the Diyanet and the principle of laicism.¹⁴⁹ 77 percent did not believe that the existence of the authority restricts religious freedom.

Approval and disapproval of the existence of the authority differed less according to age and education than to the degree of religiosity, denomination, and political orientation.

¹⁴⁵ Kemaleddin Taş, *Türk halkının gözüyle Diyanet* [The Authority for Religious Affairs in the eyes of the Turkish people], Istanbul 1995.

¹⁴⁶ Ali Çarkoğlu/Binnaz Toprak, *Türkiye' de din, toplum ve siyaset* [Religion, society and politics in Turkey], Istanbul 2002, S. 66.

¹⁴⁷ Konda, "Investigation into the Authority for Religious Affairs: Perception, satisfaction, expectations] in Helsinki Yurttaşlık Derneği [Helsinki Citizen's Assembly], Sosyo-ekonomik bağlamında Diyanet İşleri Başkanlığı [The Authority for Religious Affairs in Socio-Economic Context], Istanbul, December 2014, S. 75-143.

¹⁴⁸ Ibid, p. 79 f.

¹⁴⁹ Ibid, p. 82 f.

Pious people agreed more strongly with the existence of the ARA than lax believers, Hanafites more strongly than Shafis, Sunnis much more strongly than Alevis, and voters of the ruling party (AKP) and the extreme right party of the nationalist movement (MHP) more strongly than voters of the secular Republican People's Party (CHP) and voters of pro-Kurdish parties (BDP/HDP).¹⁵⁰

The particular services of the Diyanet enjoyed less approval, and only a minority made regular use of religious services. In Europe, surveys on the role of the church show very similar findings.

66 percent of respondents were generally satisfied with the activities of the Diyanet¹⁵¹. 72 percent trusted its judgments and instructions on religious and moral issues (fatwa).¹⁵² 66 percent stated that they or their children have attended the Qur'an courses of the institution.

Only 28 percent prayed regularly in mosques, 37 percent prayed rarely or not at all, and the rest pray only occasionally.¹⁵³

Only about one-third of the interviewees were interested in additional services of the ARA, such as religious instruction and the pilgrimage.¹⁵⁴

When asked whether the ARA should "only provide services to Sunni Muslims", or "also to Alevi Muslims", or "in addition to Muslims, also to members of other religions", only 13 percent were in favor of the current practice of limiting services to Sunni Muslims. 34 percent were in favor of extending services to "Alevi Muslims", and 53 percent wanted as well the integration of the services for members of other religions.¹⁵⁵

Thus, in the eyes of the citizens of the Republic of Turkey

- the state is the only legitimate actor for organizing religious life,
- does the bureaucratization of religion prevent radicalization and ensures social unity
- is religious freedom not primarily envisioned as the self-organization of believers, but as the believers' equal treatment by the state, i.e., as the integration of all groups into the care of state bureaucracy.

In this sense, it is precisely its state-authoritative character that makes the Diyanet a legitimate religious authority for the population.

¹⁵⁰ Ibid, p. 84.

¹⁵¹ Ibid, p. 85 f.

¹⁵² Ibid, p. 888 f.

¹⁵³ Ibid, p. 95.

¹⁵⁴ Ibid, p. 100 f.

¹⁵⁵ Ibid, p. 107.

The status and tasks of the Authority for Religious Affairs under the presidential system

A new political climate

In recent years, the Turkish President and his party have departed from their previous policies, which sought to overcome the authoritarian traits of Kemalism by taking steps towards democratization and promoting cultural diversity. This policy included liberal reforms in the context of the now-stalled accession process to the European Union, greater legal security for the small non-Muslim communities, dialogue initiatives with the more populous group of Muslim heterodox Alevis, cultural rights for the Kurdish minority, and ceasefire and peace talks with the Kurdistan Workers' Party (PKK). Initiatives for the official decriminalization of non-state religious Muslim associations (religious orders and congregations) had also been part of this policy, as had been discussions on greater institutional independence for the ARA.

None of this is left today.¹⁵⁶ Today, once again, the concept of a homogeneous people and the ethnic overlapping of nation and state informs the government's policy. Once again, the state is to shape the identity of the population. However, in contrast to the early Republic, Erdogan's "new Turkey" does not define itself through a break with the Ottoman past, but as the continuation of the Ottoman Empire. The Turkish nation is no longer called upon to orient itself towards Europe and to regard religion as a matter of the individual. It is to develop a uniform Muslim identity.

These changes also effect the place that religion occupies in Turkey's international relations.

President Erdogan calls on the nation to take its forefathers as a model. The Ottomans had defended the holy places of Islam for centuries and had gone into battle with the cry 'Allah Allah'. They had taken on the problems of other Muslim peoples. In order to protect Muslim minorities in other countries from disbelief, they have opened Madrasas from

¹⁵⁶ As an example of the criticism towards the AKP's policy of today, see the Islamist intellectual Ahmet Tasgetiren, "The societal basis of the state" (Turkish), Karar 26.2.2019 <<https://www.karar.com/yazarlar/ahmet-tasgetiren/devletin-toplumsal-zemini-9381>>.

Macedonia to Beijing and even in Africa. "These values of our ancestors are still sacred to us today", says Erdogan, and continues: "We know only too well that it is these values that make up our essence and have kept the Turkish nation steadfast for centuries."¹⁵⁷

Like this speech, many of Erdogan's speeches revolve around four topics: 1 Conservative Muslims form the core of the nation and are therefore the only legitimate social force. 2 Turkey is not only juridical but by its very nature the legacy of the Ottoman Empire, which rested on religion. 3 Like the Empire, Turkey is the hope of the Islamic world and all the oppressed on the globe. 4 At the same time, internal divisions and external attacks originating without exception from Western powers threaten the mere existence of nation and state. In this frame, the call to faith and the strengthening of religion is also a call for religious-cultural unity. Under the leadership of the party and the President, the nation has to be ready to fight the unavoidable political and military struggle.

The transformation of the political system and the redefinition of the role of the Authority for Religious Affairs

President Recep T. Erdogan has been drumming since 2015 for the introduction of a presidential system of the "Turkish kind"¹⁵⁸. However, it is not until 15 July 2016, when parts of the Turkish military attempt to overthrow the government through a coup d'état, that a political dynamic unfolded that enabled Erdogan to achieve his goal. The government accused cadres of Fethullah Gülen's movement in the military of having planned and led the coup attempt. Five days after the attempted coup d'état, a state of emergency was declared, which remained in force for two years until 19 July 2018. The constitutional referendum to introduce the presidential system took place on 16 April 2017 under the conditions of the state of emergency, considerably obstructing the rally of the opposition. In this referendum, Erdogan's AKP and his ally, the extreme right-wing National Movement Party, narrowly won 51.4 percent of the vote. However, the actual transition from the parliamentary to the presidential system happened only on 24 June 2018, after elections for President and Parliament.

Only ten days after the referendum, on 25 April 2017, President Erdoğan announced out of the blue that the President of the Authority for Religious Affairs, Mehmet Görmez, wishes to take on a new task. On 19 May, Mehmet Emin Özafşar, one of the two deputies of the Diyanet President, was unexpectedly removed from office without giving any reasons. Özafşar is considered a hadith specialist and, together with Görmez and his predecessor Bardakoğlu, had been instrumental in the creation of the ARA's new hadith collection. Together with his superior Mehmet Görmez, Özafşar is said to have resisted the direct involvement of the ARA in government policy.¹⁵⁹

¹⁵⁷ "President Erdogan: This army of 140,000 must change the outlook of our country (Turkish), TRT State Television website 4.10.2018 <<https://www.trthaber.com/haber/gundem/cumhurbaskani-erdogan-su-140-bin-kisilik-ordu-ulkemizin-cehresini-degistirmelidir-387751.html>>.

¹⁵⁸ "A Turkish style constitutional model: the nation is ready" (Turkish), the website of the daily *Hürriyet* 29.1.2016 <<http://www.hurriyet.com.tr/turk-tipi-anayasa-modeli-millet-hazir-40046600>>.

¹⁵⁹ Ahmet Takan, "How the Diyanet has been disciplined" (Turkish), website of the right-wing newspaper *Yenicağ* 29.8.2017, <<http://www.yenicaggazetesi.com.tr/diyanete-racon-nasil-kesilmisti-44034yy.htm>>.

One week later, the President of the ARA, Mehmet Görmez, was accused of sympathy for Fethullah Gülen with obviously fake 'evidence'.¹⁶⁰ A media house close to the government was leading a campaign against Görmez in the next few days. At the end of July, Görmez resigned from office without the public knowing beyond doubt whether he had been formally dismissed or forced to resign. Extremely conservative religious circles praised Görmez's dismissal enthusiastically. Görmez had "doubted the validity of the Hadiths" and had been the ARA's "most dangerous President" to date for Islam.¹⁶¹

Görmez's term of office was originally set for 2020. There is reason to assume that his resistance to the direct political instrumentalization of the ARA caused the early end of his term.¹⁶² Additionally, his skepticism about the growing influence of extremely conservative religious groups in the Diyanet's bureaucracy may have played a role.

On 18 September, the new President of the ARA, Prof. Ali Erbas, took office. In his first speech in his new function, Erbas drew a line from Fethullah Gülen and his followers to "secularism." He said that the Authority for Religious Affairs must redouble its efforts to repair the damage that the "Fethullah Gülen terrorist organization" had caused in the brains and hearts of young people. However, it is also essential to take care of the heritage of all martyrs, especially those who gave their lives in resistance to the failed coup attempt of 15 July 2016. For only the blood of the martyrs turns the ground on which one stands into a fatherland. To restore the unity of the Islamic Ummah makes up an additional challenge for Turkey, so Erbas. The eternally valid message of God and his prophet has to be conveyed to humanity that today finds itself helpless and disoriented in the clutches of secularism.¹⁶³

The current ideological discourse of the AKP government could not be summarized more concisely in a few words. To fight a religious group - the Gülen movement - which had organized itself successfully in the state apparatus, not more transparency and strict observance of the criteria qualification, suitability, and performance in public service are needed, but the strengthening of religious and national sentiment. In his statement, the new President of the Diyanet word-to-word uses phrases coined by the President of State. Erbas's speech openly questions the principle of laicism¹⁶⁴, still enshrined in the constitution. The term did not appear in his speech.

The Diyanet is also no longer called upon observing another of its tasks designated in the constitution, namely non-partisanship. On 4 October 2018 during the "Week of Mosques and Religious Officials," Erdogan gave a speech to representatives of the Diyanet at the presidential palace in Ankara. He enjoined the Diyanet to work in the direction of the AKP's ideology namely to modify the character of state and nation. He said: "This army of

¹⁶⁰ News website *t24* 26.5.2017 <<http://t24.com.tr/haber/gormez-fetoye-mektup-gondermedi-peki-ortaligi-kim-nasil-karistirdi,405956>>.

¹⁶¹ So the Nakshbandiyya sheik Ahmet Mahmut Ünlü, news website *Diken* 12.8.2017, <<http://www.diken.com.tr/cubbeli-el-yukseltili-gormezin-imani-sorunlu/>>.

¹⁶² So Hakan Albayrak, "Farewell to Hodscha Mehmet Görmez" (Turkish), *Karar*-Online 29.7.2017, <<http://www.karar.com/yazarlar/hakan-albayrak/mehmet-gormez-hoca-giderken-4559>>.

¹⁶³ Quoted after Tayfun Atay, "One says secularism and means laicism" (Turkish), *Cumhuriyet* Online 20.9.2017, <http://www.cumhuriyet.com.tr/koseyazisi/827391/Sekulerizm_sana_soyluyor_ laiklik_sen_anla_.html#>.

¹⁶⁴ Cf. Atay, *ibid*, as well as statements made by the CHP members of parliament Eren Erdem and Tür Yıldız Biçer, by former Minister of Justice Hikmet Sami Türk and by former President of the Constitutional Court Yekta Güngör Özden.

140,000 [Diyanet officials] is expected to change the outlook of this country".¹⁶⁵ According to Erdogan, the ARA is already working abroad to strengthen Islam, a mission that Turkey had taken over from the Ottomans. From Arakan to Somalia, from Palestine to Indonesia, from Haiti to Pakistan, Diyanet officials are guiding Muslims to the right path of Islam.¹⁶⁶

Today, one can hardly notice any sign of a distance between the ruling party and the Diyanet. On 2 June 2019, hundreds of thousands of people in Istanbul performed the night prayer (*teravih namazı*) typical for the month of fasting, during which the Qur'an is recited. The ARA organized the event, and its President Ali Erbas, together with the President of State, led the prayer. Immediately following the prayer, Erdogan gave a speech to the faithful in which he asked them to cast their vote, not to the opposition but his party in the upcoming rerun of the local elections in Istanbul.¹⁶⁷ During the prayer, Erdogan recited parts of the Qur'an and thus presented himself not only as the charismatic head of state but as the spiritual leader of the nation.¹⁶⁸

Raising the protocol status of the Authority for Religious Affairs, increasing its resources and expanding its fields of activity

With the introduction of the presidential system, Erdogan took direct control of the Diyanet. The budget and personnel of the ARA had already experienced significant growth during the AKP's reign. Since the AKP took government in 2002, Diyanet staff and its share in the state budget have roughly doubled, namely to 140,000 employees and a share of 1.2 percent of the overall budget.¹⁶⁹ From 2018 to 2019 alone, the budget of the Authority for Religious Affairs increased nominally by 34.3 percent. As a result of the economic and financial crisis, expenditures on several ministries that are of central importance for the country's security and economic development, as well as on government authorities with separate budgets, were reduced or stagnated.¹⁷⁰ The Diyanet also experienced an upgrade in terms of protocol. As early as 2012, its President advanced from the 53rd to the tenth place in the state protocol.¹⁷¹

Regarding the general promotion of Islamic orientations and attitudes, the Authority for Religious Affairs is the most critical state instrument after the Ministry of Education (Ministry of National Education MEB). The ARA is expanding the range of Qur'an courses, which can now be attended even before the start of compulsory education. The Diyanet has also entered into cooperation agreements with the Ministries of Education, Family,

¹⁶⁵ TRT 4.10.2018 [footnote 157].

¹⁶⁶ Ibid.

¹⁶⁷ Sabah daily, newspaper close to the government, 2.6.2019

<<https://www.sabah.com.tr/galeri/yasam/venikapida-cumhurbaskani-erdoganin-katilimiyla-enderun-teravihi>>.

¹⁶⁸ Video of Erdogan's Qur'an recitation on Youtube, published originally by the state broadcaster TRT on 1.6.2019 <<https://www.youtube.com/watch?v=dmMr16ninuw>>.

¹⁶⁹ Salim Çevik, "Erdogan's comprehensive religious policy: management of the religious realm in Turkey", SWP-Comment 12/2019, S. 2 <<https://www.swp-berlin.org/en/publication/erdogans-comprehensive-religious-policy/>> p. 4.

¹⁷⁰ Overall, the national budget grew by 16% in nominal terms from 2018 to 2019. All figures quoted from: "The Diyanet's budget is five times higher than that of the secret service" (Turkish), Kemalist daily *Sözcü* 13.10.2018 <<https://www.sozcu.com.tr/2018/ekonomi/diyanetin-butcesi-istihbarati-5e-katladi-2678028/>>.

¹⁷¹ Çevik [footnote 169], p. 3.

Youth, and Health. The agreements enable the ARA to merge social guidance, educational counseling, and psychological instruction with the teaching of religious content.¹⁷²

The increased budget of the ARA led to significant growth of religious 'input.' According to the official "Service Programme 2018" of the Diyanet¹⁷³, the number of pupils in regular schools attending courses of the Authority for Religious Affairs increased from 4,138,000 to 12,688,000 between 2016 and 2018.¹⁷⁴ The Diyanet also reached new target groups¹⁷⁵ and diversified the communication channels to them. In recent years, the Diyanet has particularly intensified its efforts to reach Turkish citizens and Muslims abroad and to grow into a religious authority in the international arena. For example, the number of participants in the ARA's Qur'an courses abroad rose from 150,000 to 460,000 between 2016 and 2018. Instead of only 72 foreign delegations visiting the ARA in 2016, this number was 240 in 2018.¹⁷⁶ The ARA has also expanded its foreign-language websites, and from 2016 to 2018, it quadrupled the number of users of its digital information service.¹⁷⁷ Within the country itself, the Authority for Religious Affairs is working to ensure that more sermons deal with "social problems"¹⁷⁸ to contribute to their solution. Given the instrumentalization of the Diyanet by the ruling party, however, it is questionable whether how Diyanet places social issues in a religious context will contribute to more "national unity and solidarity".

Even in today's pro-Islamic political climate, the Diyanet continues to control non-state religious actors. However, it no longer aims at limiting and suppressing religious life as such. The struggle between the AKP and the movement of the preacher Fethullah Gülen has triggered the purge of Gülen's supporters in large numbers and created many vacancies in the bureaucracy. Other non-state religious organizations are now pushing into this vacuum.¹⁷⁹ To assess these and other non-state religious groups is the responsibility of the Diyanet. In March 2019, a report of the High Council for Religious Affairs (DIYK) came to public attention. The report is entitled "Religious-social associations, traditional religious-cultural organizations and newer religious movements" (Turkish) and was classified as "secret".¹⁸⁰ The report lists all the relevant branches of non-state Islam and evaluates them ostensibly based on 'theological' criteria. However, the criteria¹⁸¹ applied in the evaluation of the various movements are not of systematic nature. The ARA works with criteria that are only vaguely defined and often contract each other like "overemphasis on reason", "overemphasis on the Qur'an", "overemphasis on Hadith", "reference to faulty assumptions", "reference to dubious assumptions",

¹⁷² Ibid.

¹⁷³ T.C. Basbakanlık Diyanet İşleri Başkanlığı, *2018 Yılı Performans Programı* [n.y.] [http://www.sp.gov.tr/upload/xSPRapor/files/oQ3hw+2018 Performans Programi.pdf](http://www.sp.gov.tr/upload/xSPRapor/files/oQ3hw+2018%20Performans%20Programi.pdf) (access 2.9.2019).

¹⁷⁴ Ibid, p. 75.

¹⁷⁵ As mentioned above, via the religious underpinning of counseling services.

¹⁷⁶ Performans Programı [footnote 173], pp. 77 and 51.

¹⁷⁷ Ibid, p. 49.

¹⁷⁸ Ibid. p. 78.

¹⁷⁹ In particular, the Menzil and İsmailaga branches of the Nakshbandiyya Brotherhood and the 'Society for the Dissemination of Religious Knowledge (IYC) attracted public attention. "New distribution struggles between AHP and MHP..." (Turkish), *Kemalist daily Cumhuriyet* 1.5.2017 <http://www.cumhuriyet.com.tr/haber/siyaset/731221/AKP_ile_MHP_arasinda_yeni_pazarlik..._Hedef_yine_330.html> .

¹⁸⁰ *Religious and social associations, traditional religious and cultural organizations, and newer religious movements* (Turkish). A PDF document of the 226-page report has been available on the website of the information platform Medyascope since May 2019. <<https://medyascope.tv/2019/05/31/turkiyedeki-dini-sosyal-tesekkuller-geleneksel-dini-kulturel-olusumlar-ve-yeni-dini-akimlar-baslikli-raporun-tam-metni/>>.

¹⁸¹ Ibid, pp. 23-28.

"overemphasis on so-called hidden contents", "overemphasis on schools of law", and "cult of personality"? The question, where does the "overemphasis" begin, and where does it end, points only at questionable aspect. So the investigation of non-state Muslim actors is likely to focus more than on theology on closeness to the government.¹⁸²

Such a merger of the Authority for Religious Affairs with the ruling party must inevitably reduce the acceptance of the ARA in society. At the end of August 2019, praying men left a mosque in Ankara under protest. The mosque was the scene of jostling, an unprecedented event.¹⁸³ Source of the unrest was the ARA's central sermon for 30 August, the anniversary of the decisive victory of Turkish troops over the Greek army in Turkey's national war of independence after the First World War. For the first time in the history of the Republic, the sermon did not mention Mustafa Kemal Atatürk, the then commander of the Turkish army and later founder of the Republic. Instead of mentioning Atatürk, the sermon referred to victories of the Ottomans, thus seamlessly adopting the rhetoric of the ruling party. With such moves, the ARA risks losing its most robust characteristic, namely that it reflects the religious mainstream. The results of a recent survey point to the danger that the Diyanet is losing this image.¹⁸⁴ In the representative survey, only 43.6 percent of the interviewees are confident that the principle of laicism is not in endangered today. 30.1 percent see a threat in this direction, and 26 percent remain undecided. It is of particular interest that even 13.2 percent of the AKP electorate and 24.6 percent of the MHP voters (which is allied with the AKP) see secularism endangered and that 20.9 percent of the AKP voters and 31.6 percent of the MHP voters are uncertain.

¹⁸² See Tayfun Atay, "A Declaration of Religious Orthodoxy: The Diyanet Report" (Turkish), liberal news website t24, 27.5.2019, <https://t24.com.tr/vazarlar/tayfun-atay/bir-dini-ortodoksi-deklarasyonu-diyamet-raporu.22659>.

¹⁸³ Video recordings on t24, 31.8.2019 <<https://t24.com.tr/video/30-agustos-hutbesinde-ataturk-un-adina-yer-verilmemesi-tepki-cekti,21996>>.

¹⁸⁴ Sosyal Demokrasi Vakfi (SODEV), "Survey on Secularism" (Turkish) 3.4.2020, <<http://sodev.org.tr/sodev-laiklik-algisi-arastirmasi-raporu-aciklandi/>>

Conclusions

Since its establishment in 1924, the Authority for Religious Affairs has changed its character several times, which has contributed to its often contradictory appearance. In the one-party state from 1924 to 1946, the Diyanet's primary function was to control the pious and to push back religion. From 1950 to 2002 it was a bone of contention between the conservatives/religious majority and the Kemalists/secularist elite. Both camps wanted to use the Diyanet for their policies, and both were afraid that the ARA might become too influential an instrument in the hand of the respective opponent. It was the balance of power between conservatives and secularists that ensured the Diyanet a particular room for maneuver and a certain degree of autonomy in these years. From 2002 to 2013, the Diyanet's leadership appeared determined to support the AKP government in its policies towards EU accession and liberalization of the political system.

However, since 2014, and more so since the transition to presidentialism, the Diyanet seems to identify with the ruling party. The AKP has marginalized the secularist elite, especially in the military, the judiciary, and the universities. It is turning away from Europe politically and culturally, even positioning itself against Europe. The ensuing changes in outlook and function of the ARA make the cooperation of European states with Diyanet-related Turkish migrant organizations problematic. After all, these organizations orient themselves not only theologically - and again and again, also politically - towards the Diyanet. They also financially and personally depend on it.

Compared to this, other dimensions of the Diyanet, which at first sight seem strange, take a back seat. So comes the intense national colouring of the religion not as a peculiarity of Turkey, but rather an almost global norm. Examples are a specifically German Protestantism, Russian and Greek Orthodoxy, US-American Protestantism, and national churches like those of Armenia and Georgia.

Also, the fact that the state does administer religion is not a peculiarity of Turkey, but rather common in Sunni countries. Examples are Iraq, Syria, Tunisia, and Egypt, which have similar institutions as the Turkish Authority for Religious Affairs. Also, in the Christian world, the close attachment of churches to state structures is not uncommon. Concerning religious freedom, the problem is not the dependence of religious communities on the state or their integration into the state administration, but rather how the actors in the religious field are related to each other. Be it the relationship of religious communities to the state, be it the relationship of citizens (believers or non-believers) to the state or be it the relationship of believers to their religious community. In the EU member states, all these relations are regulated by law, granting clearly defined rights to the individual believer and the religious community likewise. In Turkey and other Muslim majority states, however, the state often does not grant clear defined rights to the individual believer and the communities (especially Islamic ones). The relationship of the single believer to the state religious administration is marked by hierarchy, as is the relationship between the religious community and the state. Thus, citizens and religious communities have to fight for both positive and negative religious freedom. Such designs of the religious realm turn all the more problematic, the more the state religious body develops into an instrument of identity policies, as it is the case in Turkey today.

As far as the future cooperation of state authorities in Germany with DITIB is concerned, both the continuation of the cooperation and its termination will pose considerable problems. For, on the one hand, there is little hope that the Turkish government will loosen its grip on the ARA, and Ankara will not refrain from using Diyanet for its foreign policy goals. On the other hand, not only authorities in Germany but also Diyanet has invested in the integration of Turkish Islam in Germany over the past decades. For example, the ARA, since long, agreed to teach Islam in German. It has established the first chair of Islamic theology in Germany in Frankfurt and is still financing it. Turkish Departments of Theology have opened degree courses for students from abroad, at the beginning primarily for students from Europe. Diyanet permitted DITIB to organize itself in Germany at the level of federated states to become a contact for the authorities of the individual German states. Moreover, the decline of the state-critical line of Turkish Islamism, the strengthening of traditional organizations, and the worldwide activism of Salafi currents make the search for alternative Turkish cooperation partners difficult. Authorities in Europe dealing with Turkey-related Muslims communities should, therefore, a) in principle remain open to cooperation with DITIB and other Diyanet-related institutions, b) at the same time, however, accept competing currents of Turkish Islam as partners and prevent the formation of monopolies, c) contribute to greater organizational and financial independence for the Islamic associations, and d) oppose the continuation of direct chains of command between Ankara and Turkish Islamic associations.

Abbreviations

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AMGT	Avrupa Milli Görüs Teskilati = Europe Organization of the (religious) National View
AP	Adalet Partisi = Justice Party (1961-1981)
ATIB	Avusturya Türk Islam Birliđi = Turkish Islamic Union Austria, official translation: Islamic Union [for cultural and social cooperation] in Austria
BDV	Belçika Diyanet Vakfı = Belgian Foundation of the Religious Authority, official translation: Diyanet de Belgique
CHP	Cumhuriyet Halk Partisi = Republican People's Party
DIB	Diyanet Isleri Baskanligi = Authority for Religious Affairs
DITIB	Diyanet Isleri'nin Türk Islam Birliđi = Turkish-Islamic Union of the Authority for Religious Affairs
DP	Demokrat Parti = Democratic Party (1946-1960)
HDV	Hollanda Diyanet Vakfı = Dutch Foundation of the Authority for Religious Affairs, official translation: Islamitische Stichting Nederlands
IGMG	Islamic Community Milli Görüs = Islamic Community of the (religious) National View
MEB	Milli Eđitim Bakanligi = National Ministry of Education
MNP	Millî Nizam Partisi = National Order Party (1970-1971)
MSP	Millî Selamet Partisi = National Salvation Party (1972-1981)
PYD	Partiya Yekîtiya Demokrat = Party of the Democratic Union (Syria)
RP	Refah Partisi = Welfare Party (1983-1998)
VIKZ	Association of Islamic Cultural Centers

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