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Questions

- 1. Please provide background information on Nur Cemaat, particularly its religious and political profile. Is it opposed to the Turkish constitution?**
- 2. Is there a formal network or any registration of members?**
- 3. Do its members observe particular Islamic forms such as religious practice, headscarves and beards?**
- 4. Do the Turkish authorities place restrictions on it? In particular, what is the recently reelected government's relationship with it?**
- 5. Are there reported incidents of Nur Cemaat being pressured or harshly treated?**
- 6. Are there laws in Turkey to prevent anti-Kemalist speeches, etc., and are they enforced against Islamic groups?**
- 7. Please provide any background on Mehmet Kutlular.**
- 8. Are there reports of Encyclopedia of Recent History (Yakin Tarih Ansiklopedisi), or similar anti-Kemalist publications?**
- 9. Are there reports of government action against people distributing such material?**
- 10. If so, do reports of official action refer to formal charges, imprisonment and seizure of passports and/or informal measures such as detention and warnings?**
- 11. Are there any associated Turkish groups in Australia?**

RESPONSE

1. Please provide background information on Nur Cemaat, particularly its religious and political profile. Is it opposed to the Turkish constitution?

Nur Cemaat – also known as Nurculuk, the Nur Movement, Nurcular, the Movement of Light etc – is a widespread, generally moderate, Islamic movement in Turkey which follows the teachings of Bediüzzaman Said Nursî (1876-1960). The two largest factions in the movement are led by Fethullah Gülen and Mehmet Kutlular, and there are also some smaller groups. Both Gülen and Kutlular have been charged with offences by the Turkish government in the past: Kutlular spent a period in prison, and Gülen went into exile in America before his trial. However, no recent reports were found of members of the Nur movement being imprisoned, and the movement appears to have good relations with the ruling Justice and Development Party (Adalet ve Kalkınma Partisi – AKP), a moderate Islamic party which was re-elected in July 2007 (see Attachment 10).

History

The 1995 edition of *The Oxford Encyclopedia of the Modern Islamic World* contains the following entry on the movement by Şerif Mardin. It is reproduced in full, as the history of relations between the religious movement and Turkish Republic is very relevant to this research request:

NURCULUK. The modern Turkish religious movement known as Nurculuk takes its name from its founder and leader Bediüzzaman Said Nursî (1876-1960). He was born in the village of Nurs in the province of Bitlis in eastern Turkey in a region with a largely Kurdish population. In the 1870s the Ottoman government had only recently established centralized administrative structures in this area, replacing a flexible, decentralized system that relied on the local aristocracy. The fall from power of the local notables gave impetus to the growth of the fideist/fundamentalist Sunni Naqshbandî (Tk., Nakşibendi) order, who took over local functions of conciliation among the tribes as the old system of law and order disintegrated. A branch of the Naqshbandiyah had established local seminaries and had spread from northern Iraq to Anatolia and to the Russian Empire in Kazan, the Caucasus, and Central Asia. It combated the expansion of Russia and the spread of Russian Orthodox Christianity. Said Nursî was educated in a Naqshbandî circle; in Bitlis, however, his outlook was also shaped by the presence of an Ottoman administration modeling itself increasingly on western Europe. He realized that the Turkish modernization movement was establishing new criteria differentiating between the more modern Turks of western Anatolia and the Balkans and his own comparatively backward Kurdish region, and this moved him to take up the defense of his kin. An Islam that brought all Muslims under the umbrella of a common faith but added the advantages of Western technology and knowledge was his solution to this cultural bifurcation, which he considered to be a great danger for all Muslims. This foundation of his thought reappears in his later writings in diverse forms and also underlies his followers' self-assumed task of teaching advances in knowledge.

The Young Turk revolution of 1908 led Said Nursî to hope that his sociopolitical program could be carried out, but the new rulers' ambivalence towards Islam resulted in a series of conflicts in which he was temporarily exiled, although he later collaborated with the Young Turk regime. He eventually fought as an Ottoman patriot on the Caucasian front during World War I, and was taken prisoner by the Russians. **Back in Turkey, he sided with the national resistance movement of Mustafa Kemal (later Atatürk), but he was forced into exile in Bitlis when his program of religious revitalization clashed with the aims of the founder of the Turkish Republic. Accused of complicity in the Kurdish uprising of 1925, he was**

sent to further exile in the province of Isparta. His proselytizing and the group of disciples he was able to influence resulted in yet further exiles to Kastamonu and Denizli. He was also imprisoned several times for contravening the Turkish republic's laws against religious organizations. He died in 1960.

Said Nursî's disciples are known in Turkish as "Nurcu", or men of Nursî (or, alternatively, since *nur* [light] is an important symbol in the Qur'an, "men of the light"). The Turkish authorities have repeatedly accused Said Nursî of having established his own religious order, an action punishable under Turkish law since the dissolution of Sūfî orders in 1925. Both Said Nursî and his followers rejected this classification, indicating that their aims were the wider ones of the revitalization of Islam as a whole. Said Nursî's own writings, collected under the title *Risale-i nur* (Epistle of Light), seem to confirm this claim. The Nurculuk is better seen as a faith movement eventually having institutionalized none of the links between *shaykh* or *pir* (religious mentor) and *murîd* (disciple) that characterize Sūfî orders. The group, which originated as a religious movement in rural areas and provincial towns, has spread to larger cities and has gathered around it persons of increasingly high educational credentials, including university professors. It is extremely active in publishing the writings of Said Nursî as well as brochures explaining the foundation of modern science, and has for many years published a newspaper, *Yeni Asya*. Divisiveness within the group has spawned a number of competing submovements; the rationales of these splinter groups are not easy to ascertain, and the factionalism appears to stem from leadership rivalries... (Mardin, Şerif 1995, 'Nurculuk' in *The Oxford Encyclopedia of the Modern Islamic World Volume 3*, ed. John L. Esposito, Oxford University Press, Oxford, p.255-6 – Attachment 1).

The website of Sözlük Publications <http://www.sozler.com.tr/> – a "non-profitmaking publishing house headquartered in Istanbul, Turkey" which publishes English translations of books by and about Said Nursî – contains further information about Said Nursî and his writings.

This website contains the following information on Said Nursî's major work the *Risale-i Nur*, his other works, and their influence. It emphasises his insistence on non-violence:

As the New Said, Bediuzzaman had immersed himself in the Qur'an, searching for a way to relate its truths to modern man. In Barla in his isolation he began to write treatises explaining and proving these truths, for now the Qur'an itself and its truths were under direct attack. The first of these was on the Resurrection of the Dead, which in a unique style, proves bodily Resurrection rationally, where even the greatest scholars previously had confessed their impotence. He described the method employed in this as consisting of three stages: first God's existence is proved, and His Names and attributes, then the Resurrection of the Dead is 'constructed' on these and proved.

With these writings, Bediuzzaman opened up a new, direct way to reality (haqiqat) and knowledge of God which he described as the highway of the Qur'an and way of the Companions of the Prophet (PBUH) through the 'legacy of Prophethood,' which gains for those who follow it 'true and certain belief.' He did not ascribe the writings to himself, but said they proceeded from the Qur'an itself, were 'rays shining out of from [its] truths.'

Thus, rather than being a Qur'anic commentary which expounds all its verses giving the immediate reasons for their revelation and the apparent meanings of the words and sentences, the *Risale-i Nur* is what is known as a *mânevî tefsir*, or commentary which expounds the meaning of the Qur'anic truths. For there are various sorts of commentaries. The verses mostly expounded in the *Risale-i Nur* are those concerned with the truths of belief, such as the Divine Names and attributes and the Divine activity in the universe, the Divine existence and Unity, resurrection, prophethood, Divine Determining or destiny, and man's duties of

worship. Bediuzzaman explains how the Qur'an addresses all men in every age in accordance with the degree of their understanding and development; it has a face that looks to each age. The Risale-i Nur, then, explains that face of the Qur'an which looks to this age. We shall now look at further aspects of the Risale-i Nur related to this point.

In numerous of its verses, the Holy Qur'an invites man to observe the universe and reflect on the Divine activity within it; following just this method, Bediuzzaman provides proofs and explanations for the truths of belief. He likens the universe to a book, and looking at it in the way shown by the Qur'an, that is, 'reading' it for its meaning, learns of the Divine Names and attributes and other truths of belief. The book's purpose is to describe its Author and Maker; beings become evidences and signs to their Creator. Thus, an important element in the way of the Risale-i Nur is reflection or contemplation (tefekür), 'reading' the Book of the Universe in order to increase in knowledge of God and to obtain 'true and certain belief' in all the truths of belief.

Bediuzzaman demonstrates that the irrefutable truths, such as Divine Unity, arrived at in this way are the only rational and logical explanation of the universe, and making comparisons with Naturalist and Materialist philosophy which have used science's findings about the universe to deny those truths, show the concepts on which they are based, such as causality and Nature, to be irrational and logically absurd.

Indeed, far from contradicting them, in uncovering the order and working of the universe, science broadens and deepens knowledge of the truths of belief. In the Risale-i Nur many descriptions of the Divine activity in the universe are looked at through the eyes of science, and reflect Bediuzzaman's knowledge of it. The Risale-i Nur shows that there is no contradiction or conflict between religion and science.

In addition, all these matters discussed in the Risale-i Nur are set out as reasoned arguments and proved according to logic. All the most important of the truths of belief are proved so clearly that even unbelievers can see their necessity. And so too, inspired by the Qur'an, even the most profound and inaccessible truths are made accessible by means of comparisons, which bring them close to the understanding like telescopes, so that they are readily understandable by ordinary people and those with no previous knowledge of these questions.

Another aspect of the Risale-i Nur related to the face of the Qur'an which looks to this age, is that it explains everything from the point of view of wisdom; that is, as is mentioned again below, it explains the purpose of everything. It considers things from the point of view of the Divine Name of All-Wise.

Also, following this method, in the Risale-i Nur Bediuzzaman solved many mysteries of religion, such as bodily resurrection and Divine Determining and man's will, and the riddle of the constant activity in the universe and the motion of particles, before which man relying on his own intellect and philosophy had been impotent.

While in Barla, Bediuzzaman put the treatise on Resurrection and the pieces that followed it together in the form of a collection and gave it the name of Sözlür (The Words). The Words was followed by Mektûbat (Letters), a collection of thirty-three letters of varying lengths from Bediuzzaman to his students. And this was followed by Lem'alar (The Flashes Collection), and Pualar (The Rays), which was completed in 1949. Together with these are the three collections of Additional Letters, for each of Bediuzzaman's main places of exile, Barla Lahikası, Kastamonu Lahikası, and Emirdağ Lahikası.

The way the Risale-i Nur was written and disseminated was unique, like the work itself. Bediuzzaman would dictate at speed to a scribe, who would write down the piece in question with equal speed; the actual writing was very quick. Bediuzzaman had no books for reference

and the writing of religious works was of course forbidden. They were all written therefore in the mountains and out in the countryside. Handwritten copies were then made, these were secretly copied out in the houses of the Risale-i Nur 'students,' as they were called, and passed from village to village, and then from town to town, till they spread throughout Turkey. Only in 1946 were Risale-i Nur students able to obtain duplicating machines, while it was not till 1956 that various parts were printed on modern presses in the new, Latin, script. The figure given for hand-written copies is 600,000.

It may be seen from the above figure how the Risale-i Nur movement spread within Turkey, despite all efforts to stop it. After 1950, the period of what Bediuzzaman called 'the Third Said,' there was a great increase in the number of students, particularly among the young and those who had been through the secular education system of the Republic. At the same time the number of students outside Turkey increased.

Besides these powerful writings themselves, a major factor in the success of the movement may be attributed to the very method Bediuzzaman had chosen, which may be summarized with two phrases: 'mânevî jihad,' that is, 'jihad of the word' or 'non-physical jihad', and 'positive action.' For Bediuzzaman considered the true enemies in this age of science, reason, and civilization to be materialism and atheism, and their source, materialist philosophy. Thus just as he combatted and 'utterly defeated' these with the reasoned proofs of the Risale-i Nur, so through strengthening the belief of Muslims and raising it to the level of 'true, verified belief,' the Risale-i Nur was the most effective barrier against the corruption of society caused by these enemies. In order to be able to pursue this 'jihad of the word,' Bediuzzaman insisted that his students avoided any use of force and disruptive action. Through 'positive action,' and the maintenance of public order and security, the damage caused by the forces of unbelief could be 'repaired' by the healing truths of the Qur'an. And this is the way they have adhered to ('Brief Look at Bediuzzaman Said Nursî's Life and the Risale-i Nur' (undated), Sözlür Interactive website, <http://www.sozler.com.tr/said/default.htm> – Accessed 17 August 2007 – Attachment 2).

Below are some further websites which may be of interest.

This page from the Sözlür Publications website contains pictures of Said Nursî and his students <http://www.sozler.com.tr/said/photo/default.htm>.

This page of "Nurlinks" contains links to numerous publications and groups following the teaching of Said Nursî <http://wwwuser.gwdg.de/~mriexin/NurLinks.html>.

One of the main Turkish Nur groups has a website at <http://www.saidnursi.de/>. Unfortunately it is completely in Turkish, and appears to have no English material at all. It contains references to one of the current leaders of the movement Mehmet Kutlular [see below] and links to Yeni Asya <http://www.yeniasya.com.tr/2007/08/17/default.htm> and Yeni Asna International <http://www.yeniasya-international.de/>.

Recent reports

A 2007 report from the *Turkish Daily News* on the role of small religious sects in the recent Turkish elections states that the "Nur Movement" is now split into two main groups:

Amid the religious groups, Nur Movement is one of the biggest communities and separated into two main branches.

Mehmet Kutlular represents one of them called the “Nur” movement, which can be rendered as the movement for “Sacred Light.” The movement has links to the AKP [Justice and Development Party] but in the past has mainly supported the Truth Path Party (DYP)”. A big question mark will be the merger of the DYP with the Motherland or “ANAVATAN” party to create the new Democrat Party or DP. The new party’s success in maintaining those links of inherited support will define much of its success on July 22.

The other segment of the Nur Movement is known as “Fetullahçılar,” loyal to Fethullah Gülen, an Islamic prayer leader who lives in the United States. This group is generally known to support the AKP but its support is by no means a foregone conclusion (‘Parties eye religious sects to increase votes’ 2007, *Turkish Daily News*, 28 May, Association Internationale Pour La Défense De La Liberte Religieuse website http://www.libertereligieuse.com/voir_news.php?id=45 – Accessed 14 August 2007 – Attachment 3).

A January 2006 report refers to the two main groups and some minor groups, and to the causes of the fragmentation of the movement in the 1970s after Said Nursî’s death:

Politics has been the basic cause of fragmentation of the Nurcu Islamic groups. After Said Nursi, some of his disciples created their own communities (cemaat) in their own local centers. In addition to those like Mustafa Sungur, who remained supracommunitarian to all groups, Mehmet Kirkmci ‘Hoca’ later emerged in Erzurum as a local leader. Fethullah Gülen (formerly Hocaefendi) who had a medrese background decided to go his own way and started his own community in the city of Izmir.

Today, the most populous and most influential post-Nursi group is under the leadership of Gülen. The group is known as the Gülen Community. Those groups related to the Nur movement can be classified into two streams with respect to their institutional organization. Relatively more nationalist and centralist groups have strong leader orientation and their leaders have classical medrese origin. The examples are Fethullah Gülen (Hoca) and Mehmet Kirkinci (Hoca). These two figures used to preach at mosques and have backgrounds of formal religious education. The other groups such as Yeni Asya and Nesil are defined by reference to the dailies they publish or the publication houses they own. It should be noted that this list is not exhaustive, since not all of them are equally visible in the media. The Gülen community is currently the biggest and the most institutionalized Islamic group in Turkey (Bilici, Mucahit 2006, ‘The Fethullah Gülen Movement and Its Politics of Representation in Turkey’, *Muslim World Vol.96, Issue 1*, 1 January – Attachment 13).

An interview with Mehmet Kutlular, the leader of one of the main branches of the Nur movement – the one which is associated with the *Yeni Asna* – was conducted in February 2001. He had just been sentenced to two years in prison under Article 321 of the Turkish Penal Code which states that “instigating people to enmity on the basis of race, religion, language or religious denomination constitutes an offense”, after he had commented publicly that the recent earthquake in Turkey had been a “divine warning” [see Question 7 for more information on Mehmet Kutlular]. In the interview he discusses a number of issues which indicate the position of his branch of the Nur movement:

- He opposes the “exploitation of religion” by political parties such as Islamic parties, who seek to “monopolize” religion and exclude others. “Politics may not be run according to religious injunctions”.
- He had attended a breaking of the fast meal during Ramadan at the invitation of a former prime minister, together with other religious leaders.

- He defends the concept of a “secular state” where the “state protects all of the beliefs extant in society, stands at an equal distance from all citizens and does not interfere in religion”. He does not believe “that a secular republic contradicts Islam”. However, he feels that Turkey does not do what is required of a secular state, as the state still incorporates religion institutions and can interfere in religion.
- One example of this is that the state attempts to regulate the wearing of headscarves by women. Kutlular considers the wearing of headscarves to be a personal preference, and he comments that a person may still be religious even if they prefer not to wear the scarf.
- He supports the accession of Turkey to the EU, and comments on the “fanatical believers” who oppose it (Hekimoglu, Inci 2001, ‘Mehmet Kutlular-Turkish Republic is not a secular state’, *The Turkish Daily News*, 26 February – Attachment 4).

Fethullah Gülen, who is mentioned in Attachment 3 as the leader of the other main segment of the Nur Movement, has a website at <http://en.fgulen.com/>.

One of the documents from the site outlines Gülen’s views, and discusses the influence of Said Nursî on his “liberal” Islamist movement:

In addition to this history of a Turco-Islamic heritage, another influence on Gülen’s movement was the Nur (Light) movement (also known as the Risale-i Nur movement). The movement was organized around Said Nursi (1877-1961), a prominent religious authority, and his writings, the Risale-i Nur (Letters of Light). It spread throughout Turkey after 1950, despite the state’s efforts, and had special success among the young and those educated in Turkey’s secular education system mainly because Nursi argued that there was no contradiction between religion and science. (2) The Risale-i Nur is well thought of by religious moderates because of its emphasis on the links between Islam and reason, science, and modernity. It also rejects the idea that a clash between the “East” and “West” is either necessary or desirable and advocates the use of reason and in issues related to Islamic belief...

... Concluding that the democratic form of government is the best choice, Gülen is very critical of the regimes in Iran and Saudi Arabia. He accepts Said Nursi’s argument that the idea of republicanism is very much in accord with the idea of “consultation” discussed in Islamic sources. Moreover, he fears that an authoritarian regime would impose strict control on differing ideas. At the same time, though, Gülen views the state’s role as important in “protecting stability”.

“Gülen’s goals are simultaneously to Islamize the Turkish nationalist ideology and to Turkify Islam. He hopes to re-establish the link between religion and state that existed in the Ottoman era, when leaders were expected to live their private lives based on Islamic regulations. Such an approach, he argues, would strengthen the state, and thus protect society by widening the state’s base of legitimacy and enhancing its ability to mobilize the population. Gülen holds that the Anatolian people’s interpretations and experiences of Islam are different from those of others, especially the Arabs. He writes of an “Anatolian Islam” based on tolerance and excluding harsh restrictions or fanaticism and frequently emphasizes that there should be freedom of worship and thought in Turkey. He proposes two keys to provide peace in society—tolerance and dialogue. “We can build confidence and peace in this country if we treat each other with tolerance.” In his view, “no one should condemn another for being a member of a religion or scold him for being an atheist.”

His ideas about tolerance and dialogue are not restricted to Muslims but also extend to Christians and Jews. Gülen met twice with Patriarch Bartholomeos, head of the Greek

Orthodox Fener Patriarchate in Istanbul, and has also met several times with Christian and Jewish religious leaders to promote inter-religious dialogue. In February 1998, for example, he visited the Pope in Rome and received a visiting chief rabbi from Israel. The meeting between the Pope and Gulen was not received positively by some circles in Turkey. Some argued that this meeting created the impression that Gulen wanted to become the leader of Islam in the world. Others argued that the meeting was a plot to portray him and his community as embracing all sections of society and as enjoying a status higher than the state...

... Gulen favors education that leads to integration into the modern world. According to Mehmet Ozkaragoz, a U.S.-educated devotee, "A basic principle of Islam is seeking knowledge. We recognize the West as the best source of technology at the moment although, of course, we would prefer the Muslim world to be the leader." Moreover, Gulen wishes to merge Islam into the international economic and political systems, and supports Turkey's bid for membership in the European Union.

Here, too, Gulen is influenced by Said Nursi. While Nursi believed that some actions of non-believers harmed humanity's future, he advocated cooperation among believers of all religions as a counter measure. Gulen goes a step further and extends his tolerance toward secularists and non-believers in Turkey. He sees this approach as a way to revive the multiculturalism of the Ottoman Empire, secure Turkey's stability, and prevent conflicts such as those between Sunnis and Alevis.

... Gulen has had considerable success advancing his aim to create a Muslim community that opposes politicized Islam. No one knows the actual size of Gulen's large group of sympathizers (known as Fethullahcilar or "the followers of Fethullah," a name Gulen strongly opposes) but guesses range from between 200,000 supporters and 4 million people influenced by his ideas. (12) It draws much of its support from young urban men, with a special appeal to doctors, academics, and other professionals. It has grown in part by establishing student dormitories, summer camps, high schools, universities, educational and cultural centers, and publications. Although Gulen is its sole leader, a number of his long-time devotees run the community...

... Arguing that Gulen's group fosters the idea of an Islamic umma or a community of Muslims in this region would probably be wrong. The authoritarian leaders of the new republics are highly intolerant of Islamic activities and Gulen's group is very careful not to provoke these rulers. Small groups are organized to hear a follower of Nursi read and interpret his books. Ideas are also spread through personal relationships. As has been observed by Elisabeth Ozdalga: "The main objective [of the education provided in these schools] is to give the students a good education, without prompting any specific ideological orientation. One basic idea of Gulen's followers is that ethical values are not transmitted openly through persuasion and lessons but through providing good examples in daily conduct" (Fethullah Gulen's LifeAras, Bülent and Caha, Ömer 2002, 'Fethullah Gulen And His Liberal Movement', Fethullah Gulen website, 2 April, sourced from *Middle East Review of International Affairs*, Vol. 4, No. 4 (Dec 2000) <http://en.fgulen.com/content/view/1051/23/> – Accessed 17 August 2007 – Attachment 5).

Interestingly, a recent detailed report on militant Islam in Turkey states that the local Turkish Islamist group Hezbollah has used some passages from Said Nursi's writings in their training manuals, while ignoring those aspects of his thinking which do not suit their purposes (Uslu, Emrullah 2007, 'From local Hizbollah to global terror: Militant Islam in Turkey', *Middle East Policy*, Vol.14, Issue 1, 1 April – Attachment 6).

2. Is there a formal network or any registration of members?

Information was not found among the sources consulted on any formal registration requirements for members of the Nur movement. However, reports indicate that both of the main branches mentioned above have widespread networks of followers who are involved in a range of activities including conferences, study sessions, publishing, education and charitable works, and that some of the groups have hierarchical organisational structures.

A 2000 report on the influence of various Nur groups in Turkish-occupied Cyprus states:

This is the most influential reactionary group in the “TRNC”. Their activities are mainly directed at students. They organize reading sessions of books written by Said-I-Nursi at homes, listen to videos, and hold ladies meetings on Wednesdays. They have more than 20 organizations that make up their source of finance. The Ozel Sule Derslane (private tutorial) belongs to the Nurcular. They have seven student hostels with a capacity of around 600. Amongst the Nurcular groups active in the “TRNC” are Fethullah Gulen, Yazicilar, and Yeni Ay (‘Turkish reactionism in the occupied area’ 2000, *Turkish Cypriot Press and Other Media*, Hellenic Resources Network website, 10 January <http://www.hri.org/news/cyprus/tcpr/2000/00-01-17.tcpr.html> – Accessed 20 August 2007 – Attachment 7).

A July 2007 MEMRI article on the Gulen branch of the Nur movement “the most powerful and influential Islamist organization in Turkey” with international outreach:

Regarded as a semi-state within a state, this community has established hundreds of schools, in Turkey and in over 100 countries on five continents.

Fethullah Gulen heads this vast organization, holding absolute authority, although the organization operates seemingly as independent cells. It is based on a hierarchy of activists on different levels – municipalities, business, families, and individuals. Another group of activists, the abi, or “elder brothers,” deals with recruitment, mostly from among poor youth, by providing them with housing and education in the isikevi, or “houses of light.” There, the youths receive intensive Islamist training in line with the teachings of Said-i Nursi and the Nur movement

Education, and professional and vocational training are important components of the Fethullah movement, and its main recruiting efforts are directed at youths in eighth through twelfth grades. Followers mentor young people in the isikevi, educate them in the Fethullah schools, and prepare them for future careers in legal, political, and educational professions, in order to create the future Islamist Turkish state. Fethullah schools abroad are geared towards educating a foreign leadership that will be sympathetic to an Islamist Turkey.

While young people provide the manpower for growth, followers with small businesses provide the finances, donating generously to Fethullah projects. No public accounts of the community’s finances are made available, and most of their resources are not disclosed to the public. Fethullah members occupy positions in all Turkish state institutions, political parties, organizations, universities, and even sports clubs, and are also present in the security forces (except for the upper echelons of the military) and police (Krespin, R. 2007, ‘The Upcoming Elections in Turkey (2): The AKP’s Political Power Base’, *MEMRI: The Middle East Research Institute*, No. 375, 19 July <http://memri.org/bin/articles.cgi?Page=archives&Area=ia&ID=IA37507> – Accessed 20 August 2007 – Attachment 8).

Bilici also comments on the level of organization in the Gülen faction, stating that “Gülen’s followers are much more organized than any other Islamic group in Turkey” with “educational, business and media networks” (p.9) (Bilici, Mucahit 2006, ‘The Fethullah Gülen Movement and Its Politics of Representation in Turkey’, *Muslim World Vol.96, Issue 1*, 1 January – Attachment 13).

Photographs from Nur Movement websites [see the following question] show followers participating in a range of activities, including formal conferences.

3. Do its members observe particular Islamic forms such as religious practice, headscarves and beards?

The material in the previous questions and below indicates that the Nur Movement does not regard itself as a separate “religious order” but rather as a movement within mainstream Islam aimed at revitalising the religion as a whole. It encourages non-violence, and instead emphasizes “jihad of the word” or “non-physical jihad”, and “positive action”, as the way of combating atheism and materialist philosophies. It seeks to incorporate the benefits of modern science and apparently encourages tolerance of other faiths. Both main branches of the movement appear to support the current constitutional set-up of Turkey (see Attachment 4 and Attachment 5), but Gulen has been accused of spreading Islamism by encouraging his followers to occupy positions of importance in the professions; he was once charged with trying to overthrow the secular regime, although he was later acquitted [please see Question 5 for details]. Mehmet Kutlular has also been imprisoned, for encouraging religious differences [please see Questions 5 and 7].

Detailed information on any particular Islamic forms followed by the movement was not found among the sources consulted. The brief references found to women’s dress indicate that the movement is not strict about the wearing of the headscarf, but does defend the right of women to wear it if they choose; it is of note, however, that in the photographs of women which were found on the various websites of the Nur movement, they are all wearing the traditional headscarves and long coats. In the photographs of men on the websites, most are not wearing beards, and in most pictures they are dressed in modern dress.

As already noted, in a 2001 interview Mehmet Kutlular stated that the wearing of headscarves was a personal preference. He did not state that the headscarf must be worn, but did believe that the state had no right to prevent women wearing it if they wanted to (Hekimoglu, Inci 2001, ‘Mehmet Kutlular-Turkish Republic is not a secular state’, *The Turkish Daily News*, 26 February – Attachment 4).

The document on the website of Fethullah Gülen contains some discussion of women:

On the question of women’s rights, Gulen has progressive views. He believes that the veiling of women is a detail in Islam, and that “no one should suppress the progress of women through the clothes they wear.” Gulen also states that, “no one should be subject to criticism for his or her clothing or thoughts.” Furthermore, he says, “Women can become administrators,” contradicting the views of most Islamic intellectuals. Despite these views, modern professional women in Turkey still find his ideas far from [pala]table. (Bülent and Caha, Ömer 2002, ‘Fethullah Gulen And His Liberal Movement’, Fethullah Gulen website, 2 April, sourced from *Middle East Review of International Affairs, Vol. 4, No. 4 (Dec 2000)* <http://en.fgulen.com/content/view/1051/23/> – Accessed 17 August 2007 – Attachment 5).

These links to pictures from one of the “Nur movement” websites show groups of men and women. Most of the men are not wearing beards, but the women are wearing headscarves:

- A conference in Indonesia <http://www.bediuzzaman.net/haber.php?ktg=Akademi>
- A picture of Mary Weld, an Englishwoman who converted to Islam <http://www.bediuzzaman.net/haber.php?ktg=Röportaj&nosu=312&id=metin>
- Groups of men, and groups of men with women wearing headscarves <http://www.bediuzzaman.net/haber.php?ktg=Mektup&nosu=346&id=metin>.

The main Turkish Nur website <http://www.saidnursi.de/> also has a number of group photographs which provide some indication of dress codes in the movement:

- This group of male speakers at a 2007 conference shows that none of them have beards http://www.saidnursi.de/fotograflar/4images/details.php?image_id=2203.
- This picture of groups of men and women entering the conference hall shows that the women are wearing headscarves and traditional long coats, but not veils http://www.saidnursi.de/fotograflar/4images/details.php?image_id=2201.
- This picture of the audience at a 2005 conference shows that the women are sitting at the back of the hall, and are wearing headscarves http://www.saidnursi.de/fotograflar/4images/details.php?image_id=1325.

A publisher’s summary of a recent book about Said Nursî stated that he was “an advocate of a form of Islam strongly committed to non-violence and constructive engagement with the West and Christianity” (‘Summary’ (undated), *Globalization, Ethics and Islam: The Case of Bediuzzaman Said Nursi*, Sozler Interactive website, <http://www.sozler.com.tr/Books.htm> – Accessed 20 August 2007 – Attachment 9).

An article from the Sozler website states that:

...in order to be able to pursue this ‘jihad of the word,’ Bediuzzaman insisted that his students avoided any use of force and disruptive action. Through ‘positive action,’ and the maintenance of public order and security, the damage caused by the forces of unbelief could be ‘repaired’ by the healing truths of the Qur’an. And this is the way they have adhered to (‘Brief Look at Bediuzzaman Said Nursî’s Life and the Risale-i Nur’ (undated), Sözler Interactive website, <http://www.sozler.com.tr/said/default.htm> – Accessed 17 August 2007 – Attachment 2).

A 2006 article by Bilici contains some interesting comments on the political leanings of the Nur Movement. He states that during the 1970s, the movement “moved towards the right of the Turkish political spectrum” and that “the popular ideology that garnered a large following from the Turkish masses was ‘milliyetci-mukaddesatcilik’ (nationalist-moralism or conservative nationalism) and this influenced the character of the movement’ (p.6). Nowadays, says Bilici, the Gülen branch of the movement positions itself ‘at the heart of conservatism, which is a middle way between nationalism and Islam’ (p.7) (Bilici, Mucahit 2006, ‘The Fethullah Gülen Movement and Its Politics of Representation in Turkey’, *Muslim World Vol.96, Issue 1*, 1 January – Attachment 13).

4. Do the Turkish authorities place restrictions on it? In particular, what is the recently reelected government's relationship with it?

Background information on Turkish politics

A new report on Turkey by the International Crisis Group (ICG) provides useful background material on the past and current state of Turkish politics, and its "secular" and "Islamist" elements; and the reforms Turkey has undertaken towards its expected accession to the EU. The report was written after the electoral victory in July 2007 of the Justice and Development Party (AKP), generally regarded an Islamist, but moderate and reformist, party. It states:

Atatürk and his Kemalist heirs have long fought against traditionalist Islamists to forge their secular Muslim tradition, which, for instance, promotes scientific rationalism and tolerates public consumption of alcohol. They face a new rival in the more observant current represented by the AKP, founded in 2001, whose pragmatism expresses itself more in tolerance of religious and ethnic diversity. Kemalists, pointing to the radical Islamist past of some of its leaders, accuse it of having a secret Islamising agenda. AKP leaders insist they have changed and are in no way standard-bearers for Islamic law, an idea that has rarely had more than 20 per cent support in Turkey.

While the AKP sympathises with Middle East Muslims, it shows no sign of wanting to merge with them. The headscarves of women in this newly urbanized group coexist with bright, tight, fashionable clothes unthinkable in Saudi Arabia. One study found that throughout Turkey, observant Muslim opinions were being liberalized by rising wealth, stability, education and urbanization – all benefits that can also be linked to the EU convergence process. The number of women wearing the headscarf decreased in the seven years to 2006, and support for Islamic law fell to 9 per cent from 21 per cent. As a senior Turkish republican official said, "Turkish Islam is different".

In the wider Islamic world, Turkey is a modernizing pioneer, introducing women into the religious hierarchy and mosques and even allowing them as whirling *mevlevi* dervishes...

...Turkey's success with the EU is what made its modernization of Islam a staple subject for commentators in the Middle East. Many want to find a new way after nationalist and Islamist ideologies have failed to provide progress, peace or prosperity. They see an example in how former islamists moved from simplistic slogans like "Islam is the solution", still heard in the Arab world, compromised with modernity and formed a successful, democratic party of government. Commentators admire the coexistence of observant and secularist schools of thought. The observant manners of AKP leaders reassure those brought up with the prejudice that Turkey was a militarist, atheist Western stooge. Turkey's success legitimized the idea of pro-Europe policies for Muslims and even a critical engagement with Israel. New parties in Egypt and Morocco explicitly followed the AKP's democratic but observant model. In 2006, the Arab world – once the keenest critic of any Turkish enterprise in the Middle East – joined Europe and others in welcoming the AKP decision to send a major contingent of peacekeepers to the UN force in Lebanon.

The AKP has not repeated the mistake of its forerunner, the Refah Party, which in the 1990s tried to substitute Middle Eastern and Islamic countries for Turkey's partners in Europe and the US. Under the AKP, however, Turkey has forged new ties with Iran, Syria and the Arab world, departing from a traditional policy of siding with the West or standing as an important diplomatic actor... (International Crisis Group 2007, *Turkey and Europe: The Way Ahead*, Europe Report No. 184, 17 August, pp.15-16

http://www.crisisgroup.org/library/documents/europe/184_turkey_and_europe_the_way_ah_ead.pdf – Accessed 20 August 2007 – Attachment 10).

News reports from August 2007 indicate that the Turkish Prime Minister Recep Tayyip Erdogan of the AKP has nominated Abdullah Gul, also of the AKP, as the next president of Turkey. Gul, who in the past had belonged to a “pro-Islamic” party, had previously been nominated for president in April 2007 by the ruling AKP, but the opposition CHP had boycotted the vote and the courts later annulled the results on a technicality. The AKP then went to the polls, won a decisive victory with 46.5% of the vote, and nominated Gul again. Gul is a controversial figure because his wife “has been quite militant about her right to wear the headscarf” and will become the only First Lady of Turkey in history to wear one. The headscarf “is banned in all state institutions, seen by some as a subversive symbol of political Islam” (Rainsford, Sarah 2007, ‘Turkish power balance shifts Gul’s way’, *BBC News*, 19 August <http://news.bbc.co.uk/2/hi/europe/6951909.stm> – Accessed 20 August 2007 – Attachment 11).

Relationship between the AKP and the Nur Movement

As has already been noted, a 2007 report from the *Turkish Daily News* on the role of small religious sects in the lead up to the recent Turkish elections states that the branch of the Nur Movement which is led by Mehmet Kutlular “has links to the AKP...but in the past has mainly supported the Truth Path Party (DYP)”. The Gülen branch of the Nur Movement is “generally known to support the AKP but its support is by no means a foregone conclusion” (‘Parties eye religious sects to increase votes’ 2007, *Turkish Daily News*, 28 May, Association Internationale Pour La Défense De La Liberte Religieuse website http://www.libertereligieuse.com/voir_news.php?id=45 – Accessed 14 August 2007 – Attachment 3).

An August 2007 report on the nomination of Abdullah Gul (of the AKP) for the presidency mentions that he is friendly with Fethullah Gülen, and that Gülen was one of the people he consulted when deciding whether to stand for president (Couvas, Jacques N. 2007, ‘Turkey: Controversial presidential candidate joins race’, *Global Information Network*, 16 August – Attachment 12).

A 2006 report mentions that “many members” of the AKP are “believed to be close to the Gülen brotherhood” (‘Gülen acquitted of trying to overthrow secular government’ 2006, *Agence France Presse*, 6 May – Attachment 18).

Other reports do not specifically mention the relationship between the AKP and the Nur movement, but do indicate that both are attempting to find a middle way between extreme Islamism and the secularism of Kemalism.

A 2006 article by Bilici has already been quoted as stating that the Gülen wing of the Nur movement tends to position itself mid-way between nationalism and Islamism. Bilici also comments that “the Gülen movement constructs its identity at then point of intersection between state discourse of Turkish national identity and Islamic discourse of Turkish national identity” (p.8) (Bilici, Mucahit 2006, ‘The Fethullah Gülen Movement and Its Politics of Representation in Turkey’, *Muslim World Vol.96, Issue 1*, 1 January – Attachment 13).

A July 2007 article by Dreher discusses the view that the “mild Islamists” of the AKP “are better for Turkey’s development and stability than the secularist establishment”. Dreher quotes a Turkish journalist’s opinion that the AKP has now stepped back from past actions

which led to accusations of Islamism, such as banning adultery. The AKP leadership are being influenced by “contemporary Islamic thought” that regards Islam as compatible with liberal democracy. Islamic teachers such as Fethullah Gülen and Said Nursi are popular (Dreher, Rod 2007, ‘For Turkey a clash of civilizations’, *The Dallas Morning News*, 15 July – Attachment 14).

A 2007 interview with Fethullah Gülen is of interest. He does not mention the AKP, but does speak in favour of democracy and discusses recent Turkish politics (‘Fethullah Gulen’s Views on Turkey’s Various Issues’ 2007, Islam website <http://islam.sincx.com/fethullah-gulen/interviews-claims-and-answers/fethullah-gulens-views-on-turkeys-various-i-2.html> – Accessed 17 August 2007 – Attachment 15).

5. Are there reported incidents of Nur Cemaat being pressured or harshly treated?

Little detailed information was found on the general treatment of members of the Nur community by past Turkish governments, but there have been cases of those who have made speeches and written articles – including the leaders of the two largest Nur branches, Mehmet Kutlular and Fethullah Gülen – being charged under various sections of the criminal code and sometimes imprisoned.

The 2002 US Department of State report on religious freedom in Turkey states:

Mehmet Kutlular, leader of the Nur Cemaati religious community, was convicted and imprisoned from May 2001 until February 2002 for “inciting religious hatred” in a 1999 newspaper article. In February 2002, the Ankara State Security Court ruled that, following new legislative reforms to the Constitution and free speech laws, Kutlular should be released early from his 2-year sentence. In 1999 Kutlular had published an article in his newspaper alleging that an earthquake, which killed more than 17,000 persons was “divine retribution” for laws banning headscarves in state buildings and universities. On March 5, 2002, a senior columnist for the Islamist newspaper *Yeni Safak*, Fehmi Kuru, was acquitted of charges of “inciting religious enmity” for a 1999 television broadcast in support of Kutlular (US Department of State 2002, *International Religious Freedom Report 2002: Turkey*, 7 October – Attachment 16).

The US Department of State report on human rights in Turkey for the same year contains further details on this case:

In April Mehmet Kutlular, owner of “Yeni Asya” newspaper, was acquitted on charges of provoking hatred and enmity for his remarks claiming that a 1999 earthquake in Turkey was God’s punishment against the secular state. Kutlular had been convicted of the charges and jailed in May 2001 but was released in February and given a retrial due to amendments to Article 312. However, the acquittal was reversed on appeal in June, and in November the Istanbul SSC affirmed Kutlular’s original conviction and 23-month sentence. Three “Yeni Asya” journalists – Saban Dogen, Sami Cebeci, and Abdil Yildirim – were also granted a retrial on charges relating to coverage of the earthquake. In September the Istanbul SSC affirmed their original conviction and 20-month sentence (US Department of State 2003, *Country Reports on Human Rights Practices 2002: Turkey*, 31 March – Attachment 17).

Fethullah Gülen was reportedly charged in 2000 with plotting to overthrow Turkey’s secular system. The prosecution had sought up to 10 years in jail for Gülen for “establishing and running an illegal organization to undermine the state’s secular order and replace it with a state based on religious rules”. Gülen went into exile in the USA before the indictment and

was tried in absentia. In 2006 an Ankara court acquitted Gülen, leaving the way open for his to return. The prime minister of the time, Bulent Ecevit, even though he is a “devoted secularist” has “praised Gülen’s schools and openly said he regretted his prosecution” (‘Gülen acquitted of trying to overthrow secular government’ 2006, *Agence France Presse*, 6 May – Attachment 18; ‘Turkish religious leader cleared of subversion charges’ 2006, *Turkish Daily News*, 6 May – Attachment 19).

A 2006 article by Bilici states that after the military intervention “the Gülen movement suffered institutionally because of the restrictions brought to their educational institutions and limitations on their freedom” (p.11) (Bilici, Mucahit 2006, ‘The Fethullah Gülen Movement and Its Politics of Representation in Turkey’, *Muslim World Vol.96, Issue 1*, 1 January – Attachment 13).

On the question of torture, sources such as the attached recent *Amnesty International* report indicate that in general there has been “past widespread use of torture during detention and criminal investigations”, including during the 1990s, and that there is still “institutionalized impunity” for the perpetrators (Amnesty International 2007, *Turkey: The entrenched culture of impunity must end*, EUR 4400807, 5 July – Attachment 20).

6. Are there laws in Turkey to prevent anti-Kemalist speeches, etc., and are they enforced against Islamic groups?

Kemalism

The recent ICG report written after the July 2007 victory of the AKP provides background material on “Kemalism” which is useful in understanding the ideology:

Kemalism has been the guiding ideology of Turkey since 1923, taking its name from republican founder Mustafa Kemal Atatürk. The symbol of Kemalism is six arrows, representing republicanism, populism, secularism, revolutionism, nationalism and statism. Broadly, these translate as a clean break from the Ottoman Empire, an end to Islamic precepts in any core definition of the state and law, pride in nationhood rather than sultanate and a centrally guided bureaucracy and economy.

The definition and quantification of Kemalists are more difficult, since the great majority of Turks have been educated with these Kemalist tenets and view themselves as supporters of Atatürk. Nevertheless, in July 2007, only one fifth of voters chose the Republican People’s Party (CHP) which claims the Kemalist banner and was founded by Atatürk himself. The newspaper *Cumhuriyet* (The Republic) reflects the most orthodox Kemalist viewpoint but has only a small circulation. Kemalist ideas are also defended by NGOs led by former military officers, like the Atatürk Thought Association. Top jobs in the judiciary have traditionally been the preserve of Kemalists. The most powerful, prestigious and disciplined Kemalists, however, are the officer corps of the Turkish Armed Forces. Taken together, this elite is referred to in Turkey as the Kemalist establishment.

For Kemalists, the main ideological battlefield today is secularism, opposition to any party or group that explicitly bases its policies on religion. Appeals to Islamic sentiment have been a common theme of the right-wing parties that opposed Kemalist republicans after the advent of multi-party politics in Turkey in 1950. In the 1970s, a party emerged that based its appeal entirely on Islamism, partly financed and inspired by groups that developed out of the confusing guest worker experience in Europe in the 1960s and 1970s. The Kemalist generals of the 1980-1983 military coup sought to counter this party, rural

superstition and pro-Soviet Marxist thinking by boosting teaching of a pro-state version of the Hanafi school of Sunni Islam into which most Turks are born. Religious-minded parents were then able to send more children to *imam hatip* schools, supposedly set up for preachers.

The new approach helped institutionalize Islam for a more observant segment of society. On the one hand, this was a disappointing outcome for the secularist planners; on the other, better education did help modernize Islamist politics. The AKP, whose cadres include many graduates from religious schools and children of newly urbanized rural migrants, split from the Islamist traditionalists in 2001.

Kemalists, however, do not believe AKP leader Erdoğan's repeated statements that the party is now simply a conservative, democratic party and that he has abandoned the Islamism of his youth. They also resent that the AKP wants to dilute their ideology's role as the guiding doctrine of the state. They doubt the sincerity of EU promises of full membership and see the EU embrace of the AKP as a rebuff forcing the country back into the arms of the Islamic world.

Kemalists have found it hard to shrug off the heritage of the one-party state era from 1923 to 1950, when the Kemalist establishment that led to the derailing of the first presidential elections in April and May were a reminder of past coups and other direct interruptions of politics in the name of Kemalism... (International Crisis Group 2007, *Turkey and Europe: The Way Ahead*, Europe Report No. 184, 17 August, p.21 http://www.crisisgroup.org/library/documents/europe/184_turkey_and_europe_the_way_ah_ead.pdf – Accessed 20 August 2007 – Attachment 10).

Laws that limit free speech

The 2006 US Department of State report on human rights in Turkey contains a detailed section on the laws that limit free speech in the country, with several examples of recent prosecutions:

a. Freedom of Speech and Press

The law provides for freedom of speech and of the press; however, the government continued to limit these freedoms in occasional cases. The government intimidated journalists into practicing self censorship.

The government, particularly the police and judiciary, limited freedom of expression through the use of constitutional restrictions and numerous laws, **including articles of the Penal Code prohibiting insults to the government, the state, "Turkish identity," Atatürk, or the institutions and symbols of the republic.** Other laws, such as the Antiterror Law and laws governing the press and elections, also restrict speech.

Individuals could not criticize the state or government publicly without fear of reprisal, and the government continued to restrict expression by individuals sympathetic to some religious, political, and Kurdish nationalist or cultural viewpoints. Active debates on human rights and government policies continued, particularly on issues relating to the country's EU membership process, the role of the military, **Islam, political Islam,** the question of Turks of Kurdish origin as "minorities", and the history of the Turkish-Armenian conflict after World War I; however, persons who wrote or spoke out on such topics, particularly the Armenian issue, risked prosecution. The Turkish Publishers Association (TPA) reported that serious restrictions on freedom of expression continued despite legal reforms related to the country's EU candidacy.

According to the government, there were no journalists held on speech violations during the year; however, the government reported that at year's end there were 26 arrestees or convicts who claimed to be journalists. The government reported that some could not demonstrate they were journalists and some were in prison for crimes not related to their work as journalists. Democratic Society Party (DTP) Mayor of Batman Huseyin Kalkan faced up to 7 1/2 years under the Antiterror Law for his remarks in the Los Angeles Times on May 30. In the story, Kalkan stated, "Unless the status quo changes, Kurds will further approach northern Iraq and want to split up and merge with them." He added, "The PKK wants to lay down arms but it is [tried to be] portrayed as a bandit. Eighty percent of the population in my town think like those in the mountains. Abdullah Ocalan is a public leader." Upon reading the interview, two Turkish citizens filed an e-mail crime complaint with the Izmir Police. The Izmir prosecutor forwarded the case to Diyarbakir for prosecution. The case was pending at year's end. On February 22, a court acquitted Aynur Saydam of insulting Prime Minister Erdogan. Erdogan filed a lawsuit in October 2005 against Saydam for insulting him by holding up a banner during an appearance at Bahcesehir University. The banner featured a statement criticizing Erdogan's support for a conference on the fate of the Armenians in the final days of the Ottoman Empire.

Trial proceedings in the case against six juveniles charged with attempting to burn the national flag during celebrations of Nevruz (the Kurdish New Year) in March 2005 continued at year's end.

In December 2005 an Ankara court began the trial of 12 officials of the pro-Kurdish party Hak-Par for speaking Kurdish at a party convention and distributing Kurdish-language invitations to the convention. During the trial the prosecutor asked the judge to assist in opening a case to close down Hak-Par. The judge did not rule on that request by year's end. The appeal of the December 2005 conviction of DEHAP official Ahmet Dagtekin for illegal speech for using Kurdish language and symbolism during a 2004 campaign event was ongoing at year's end.

Proceedings continued in the appeal of Genc Party leader Cem Uzan's 2004 conviction for insulting Prime Minister Erdogan in a speech.

In October 2005 a Sanliurfa court sentenced local DEHAP official Resit Yardimci to a six-month prison term and fined him \$1,214 (1,640 lira) for greeting the audience in Kurdish during a 2003 party convention. The court of appeals rejected the lower court's reasoning and remanded the case. The case continued in the lower court at year's end.

The country has an active print media independent of state control. There are hundreds of private newspapers that span the political spectrum.

The government owned and operated the Turkish Radio and Television Corporation (TRT). According to the High Board of Radio and Television (RTUK), there were 229 local, 15 regional, and 16 national officially registered television stations and 1,062 local, 108 regional, and 30 national radio stations. Other television and radio stations broadcast without an official license. The wide availability of satellite dishes and cable television allowed access to foreign broadcasts, including several Kurdish-language private channels. Most media were owned by large, private holding companies that had a wide range of outside business interests; the concentration of media ownership influenced the content of reporting and limited the scope of debate. Observers noted that media conglomerates increasingly used media as a tool to build pressure against government policies.

Prosecutors harassed writers, journalists, and political figures by bringing dozens of cases to court each year under various laws that restrict media freedom; however, judges dismissed many of these charges. Authorities, in a few instances, closed newspapers temporarily, issued fines, or confiscated newspapers for violating speech codes. Despite government restrictions,

the media criticized government leaders and policies daily and in many cases adopted an adversarial role with respect to the government.

Authorities continued to prosecute publishers and editors of newspapers for their discussion of sensitive subjects.

In October 2005 an Istanbul court convicted Hrant Dink, publisher of the Armenian community newspaper *Agos*, of denigrating Turkish identity in an article on Turkish-Armenian relations. The court sentenced Dink to a six-month prison term but suspended the sentence. The court ruled for conviction although a panel of three legal experts the court appointed to review the article unanimously determined that it did not violate the law. On appeal, both the conviction and suspended sentence were upheld. In December 2005 an Istanbul prosecutor opened a separate case against Dink and three other *Agos* employees on the grounds that their criticism of the October 2005 court decision constituted an attempt to “influence the judiciary.” The case continued at year’s end. In September an Istanbul prosecutor charged Dink again, following a statement he made to the Reuters news agency, in which he reportedly said that the killing of Armenians during the Ottoman Empire constituted genocide. The case was ongoing at year’s end.

In December 2005 an Istanbul prosecutor charged five newspaper columnists with insulting the judiciary and trying to influence the judicial process for their coverage of the court battle over the legality of holding an Istanbul conference on the 1915 massacre of Armenians in the Ottoman Empire. In April an Istanbul court dismissed charges against four of the journalists on the procedural ground that the relevant statute of limitations had passed since their respective articles were originally published. The trial of the fifth columnist, Murat Belge, was ongoing at year’s end.

The December 2005 convictions of writer Zulkuf Kisanak for “denigrating the Republic of Turkey” and journalist Aziz Ozer on similar charges were under appeal at year’s end. The government maintained significant restrictions on the use of Kurdish and other minority languages in radio and television broadcasts. RTUK regulations limited minority-language news broadcasts to 45 minutes per day; however, RTUK ended time restrictions for minority-language cultural shows or films. Previously such broadcasting was limited to 45 minutes per day and four hours per week for television broadcasting, and 60 minutes per day and five hours per week for radio. RTUK maintained that its regulations require non Turkish radio programs be followed by the same program in Turkish and that non-Turkish television programs have Turkish subtitles. Start-up Kurdish broadcasters reported that these were onerous financial obligations that prevented their entry into the market. The state-owned TRT broadcasting company provided limited national programming in Kurdish and three other minority languages.

On April 19, the radio officials of Radyo Imaj were acquitted of making unauthorized broadcasts; the station resumed broadcasting in late November. Radyo Imaj officials claimed the station was closed for playing Kurdish music.

Trial proceedings continued at year’s end in Istanbul in the 2004 case against journalist Mehmet Ali Birand and three attorneys for imprisoned PKK leader Abdullah Ocalan in connection with a CNN Turk broadcast, during which Birand interviewed the attorneys. The TPA reported a decrease in recent years in the number of court decisions banning books; however, books, writers, and publishers were still prosecuted on grounds of defamation, denigration, obscenity, separatism, subversion, fundamentalism, and blasphemy. Printing houses are required to submit books and periodicals to prosecutors at the time the materials are published. According to the TPA, prosecutors investigated and in several cases pressed charges against printing houses for late submission of materials deemed problematic. As a result, the TPA reported, publishers often avoided works with controversial content.

According to the TPA's June report, from 2000 to 2005, authorities opened court cases against 47 authors and 49 books and compilations involving 22 publishers. According to the Ministry of Interior, 290 books were banned and confiscated between 2000 and 2006. The TPA reported that the government lifted the ban on 49 and kept it on 241.

On June 26, an Istanbul prosecutor charged Fatih Tas, the owner of Aram Publishing House, and two translators in connection with Aram's publishing a translation of the Noam Chomsky and Edward S. Herman book, *Manufacturing Consent: The Political Economy of Mass Media*, for "insulting Turkishness" and "inciting enmity and animosity among people." The trial began on October 17 and was ongoing at year's end.

The separate trial against Tas and two translators in 2005 for publishing a Turkish translation of the book, *Spoils of War: The Human Cost of America's Arms Trade*, which prosecutors alleged insulted the Turkish identity and Atatürk was ongoing at year's end.

In July an Istanbul prosecutor indicted novelist Elif Shafak for insulting Turkish identity in her novel *The Father and the Bastard*. In her novel, characters discuss the Armenian "genocide." At the September 21 trial, the court dismissed the case for lack of evidence. In its October 4 written verdict, the court concluded that comments by a character in a fictitious book were a form of free expression not subject to prosecution.

In September 2005 an Istanbul prosecutor charged novelist Orhan Pamuk with "insulting Turkish identity" in statements he made during a 2004 interview with a foreign publication. Pamuk was quoted as saying that one million Armenians and 30,000 Kurds had been killed in the country. After a domestic periodical published a translation of the interview, prosecutors charged Pamuk for violating New Turkish Penal Code Article 301, which went into effect in June 2005, three months prior to Pamuk's statements. The court determined that it had to apply the law in effect when the act was committed, not Article 301. The old law required that the minister of justice approve prosecution of the case. On January 22, the justice ministry refused to issue an approval, saying that it had no authority to open a case against Pamuk under the new Penal Code. The following day, the trial court ruled that it could not continue the case, and charges were dropped.

An Istanbul prosecutor initiated two cases in May 2005 against Ragıp Zarakolu, owner of Belge Publishing, for publishing translations of two books dealing with Turkish-Armenian relations. The indictment, brought pursuant to Penal Code Article 301, alleged that the publications were insulting to the state. Trials in both cases continued at year's end. Authorities occasionally censored media with pro-Kurdish or leftist content, particularly in the southeast, by confiscating materials or temporarily closing down the media source at issue. **The TPA reported that the most serious problem during the year was a large increase in complaints filed by ideologically motivated attorneys, and then accepted by the courts, on grounds such as insulting Turkishness or the memory of Atatürk. During the year prosecutors initiated court proceeding against 77 journalists, 22 publishing houses, 41 writers, five translators, and 43 books. Twelve of these cases ended in acquittals, nine in convictions, four in "nonsuit," and 18 were pending at year's end.** Prosecutors charged 65 persons during the year under Penal Code Article 301, which criminalizes insulting "Turkishness."

According to TPA, the governments, courts, and private litigants were together responsible for "abusing the civil law system" during the year through an increase in defamation cases. Courts sentenced defendants to pay financial compensation for defamation in cases filed by politicians, including Prime Minister Erdoğan, journalists, and private businessmen. Prime Minister Erdoğan, through his attorneys, filed 59 cases on the grounds of defamation, of which 28 were pending at year's end. Among the 31 cases decided, 21 rulings were in favor and 10 against Erdoğan.

On May 3, an Ankara court convicted Ismail Yildiz, president of the Political, Economic, Social Research and Strategy Center, and ordered him to pay \$6,179 (8,860 lira) for insulting Prime Minister Erdogan, Finance Minister Unalitan, and Transportation Minister Yildirim. Yildiz published two articles critical of these officials on the Internet. Yildiz's appeal was pending at year's end.

Erdogan sued political cartoonist Mehmet Cagcag for his cartoon in the July 7 edition of *Leman* magazine that depicted Erdogan as a tick and had the subtitle "Tick Has Been Making Turkey Suffer." The case continued at year's end.

The government arrested and deported Michael Dickinson, a British cartoonist and lecturer, after he depicted Prime Minister Erdogan as a foreign president's dog in a political cartoon. Turkish courts ruled on a number of cases that Prime Minister Erdogan filed in 2005. In May 2005 an Ankara court convicted Musa Kart of the daily *Cumhuriyet* for a cartoon portraying Erdogan as a cat. The court ordered Kart to pay \$3,800 (5,132 lira). On April 19, the court of appeals unanimously overturned the lower court decision. In October an Istanbul court fined Mehmet Fethi Dorduncu \$6,300 (9,000 lira) for insulting Erdogan and for insulting the government, because he put a note in a museum welcome book that called Erdogan and the government "servants, nonbelievers, thieves, and treacherous." On December 8, an appellate court overturned a lower court decision that convicted *Yenicag* newspaper for allegedly insulting Erdogan by calling him "a bully" in a May 2005 article.

The satirical magazine *Penguen* responded to the lawsuits by publishing a front page with a series of drawings by different cartoonists depicting Erdogan as various animals. In March 2005 Erdogan filed a lawsuit against *Penguen* seeking \$28,000 (38,178 lira) in compensation; the court ruled in favor of the magazine. On April 3, the press reported that Erdogan appealed; the court of appeals has not acted on the case by year's end.

During the summer the parliament placed further restrictions on the media by adopting amendments to the Antiterror Law. Under the amendments, editors at media organizations that disclose the identities of public personnel fighting terrorism may be fined, and a judge may order the closure for up to one month of a publication that "makes propaganda for terrorist organizations." President Sezer challenged these amendments in the Constitutional Court, arguing that such restrictions violate the constitution. At year's end the challenged laws were stayed while the court case proceeded.

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The recent ICG report comments that prosecutions have started to rise again recently:

Human rights groups in Turkey and abroad have noted that improvements in human rights and the behaviour of the security forces have stalled since 2005. According to Amnesty International, despite a genuine earlier reduction in systematic torture in police stations, "victims of human rights violations perpetrated by the police and gendarmerie in Turkey

continue to face an entrenched culture of impunity”. Debate continues about whether Turkish or EU foot-dragging is responsible, but the two go hand in hand. According to Human Rights Watch, “Faltering support for Turkey’s accession among some EU states has arguably undermined the reformists in Turkey. This may have strengthened the hand of those opposing reforms....Keeping Turkey’s EU candidacy on track is a critical spur for human rights reforms in the country”.176

Prosecutions of non-violent criticism of state policies on secularism, Kurds, the armed forces and state-sanctioned interpretations of history are again on the rise. Monitoring by the BIANET news service shows prosecutions of journalists, publishers and activists are up to 293 in 2006 from 157 a year before. A June 2007 law restored to the police some of the stop-and-search powers they lost during the EU reform process. Most alarming, however, were apparently nationalist-inspired murders of Christians (International Crisis Group 2007, *Turkey and Europe: The Way Ahead*, Europe Report No. 184, 17 August, p.24-5 http://www.crisisgroup.org/library/documents/europe/184_turkey_and_europe_the_way_ah_ead.pdf – Accessed 20 August 2007 – Attachment 10).

See also Questions 9 and 10 for further information on freedom of the press.

7. Please provide any background on Mehmet Kutlular.

As material in previous questions indicates, Mehmet Kutlular is the leader of one of the largest branches of the Nur movement, which is associated with the *Yeni Asna* newspaper. The website of *Yeni Asna* is unfortunately in Turkish, but it is clear that Mehmet Kutlular’s name appears on the masthead of the paper <http://www.yeniasya.com.tr/ss/kunye.htm> and there are recent photographs of him on the site at <http://www.yeniasya.com.tr/2007/05/11/haber/butun.htm> and <http://www.yeniasya.com.tr/2006/09/21/haber/default.htm>.

In 1999 after a devastating earthquake in Turkey, Mehmet Kutlular is reported to have commented during a speech at Ankara’s Kocatepe Mosque that the epicenter of the quake, Golcuk, had been a scene of an anti-fundamentalist push by some sections of the armed forces which had resulted in restrictions on the wearing of headscarves among other things. He thus interpreted the earthquake as a “divine warning” against this extreme secularism. The State Security Court (DGM) brought a charge against Kutlular under Article 312 of the Turkish Penal Code for “inciting people to hatred based on the differences of class, ethnicity, religion, sect or region” and sought a sentence of two to ten years (‘DGM prosecutor brings a charge against Kutlular’ 1999, *The Turkish Daily News*, 29 October – Attachment 22).

Mehmet Kutlular reportedly served two years in prison for the offence (US Department of State 2002, *International Religious Freedom Report 2002: Turkey*, 7 October – Attachment16; US Department of State 2003, *Country Reports on Human Rights Practices 2002: Turkey*, 31 March – Attachment17).

8. Are there reports of Encyclopedia of Recent History (Yakin Tarih Ansiklopedisi), or similar anti-Kemalist publications?

Little information was found on the *Encyclopedia of Recent History* or *Yakin Tarih Ansiklopedisi*, as most of the references found were on Turkish language websites. Please see Questions 9 and 10 for information on freedom of the press in general.

An entry on the website of the Turkish Ministry of Culture and Tourism refers to the work of the journalist Burhan Bozgeyâk. It states that he worked as a journalist and writer at Yeni Asya Press among others. He was also “one of the members of the editorial committee of Yakın Tarih Ansiklopedisi (Encyclopedia of Recent History) prepared by the newspaper Akit” (‘BOZGEYÄ°K, Burhan’ 2005, Republic of Turkey Ministry of Culture and Tourism website,

<http://goturkey.turizm.gov.tr/BelgeGoster.aspx?17A16AE30572D313FFB2CB2AD591CE266169B43EA8C08474> – Accessed 21 August 2007 – Attachment 23).

Other references to the *Encyclopedia* found were from Turkish websites, and have not been saved. The links are given below.

This site includes pictures of the *Encyclopedia*.

http://urun.gittigidiyor.com/YAKIN-TARİH-ANSIKLOPEDISI_W0QQidZZ5416048

This site appears to be an electronic catalogue for a Turkish library.

http://www.kitab.az/cgi-bin/catlib2/plugin/bibl/biblsearch.cgi?lang=az&topic=000002&query=&edition_lang=&bibl=&title=&author=&publishertown=&year=&offset=4975&limit=25&searchmode=

At the bottom of this Turkish web page there is a list of references which includes the *Encyclopedia* at 17. Interestingly, the fourteenth reference mentions Bediüzzaman Said Nursi.

http://www.tevhidhaber.com/news_detail.php?id=1454

This website appears to contain information on the Armenian genocide. It cites the *Yakin Tarih Ansiklopedisi* and also mentions *Yeni Asya*.

<http://armenianhouse.org/akcam/genocide/book2.html>

**9. Are there reports of government action against people distributing such material?
10. If so, do reports of official action refer to formal charges, imprisonment and seizure of passports and/or informal measures such as detention and warnings?**

Numerous sources indicate that there continue to be restrictions on the freedom of the press in Turkey, and that this affects publishing houses and the distribution of books.

Questions 6 quotes extracts from the 2006 US Department of State report on the freedom of the press and the laws used to restrict journalists. The report states of book and magazine publishers:

The TPA [Turkish Publishers Association] reported a decrease in recent years in the number of court decisions banning books; however, **books, writers, and publishers were still prosecuted on grounds of defamation, denigration, obscenity, separatism, subversion, fundamentalism, and blasphemy. Printing houses are required to submit books and periodicals to prosecutors at the time the materials are published. According to the TPA, prosecutors investigated and in several cases pressed charges against printing houses for late submission of materials deemed problematic. As a result, the TPA reported, publishers often avoided works with controversial content. According to the TPA’s June report, from 2000 to 2005, authorities opened court cases against 47 authors and 49 books and compilations involving 22 publishers. According to the Ministry of Interior, 290 books were banned and confiscated between 2000 and 2006. The TPA reported that the government lifted the ban on 49 and kept it on 241.**

On June 26, an Istanbul prosecutor charged Fatih Tas, the owner of Aram Publishing House, and two translators in connection with Aram's publishing a translation of the Noam Chomsky and Edward S. Herman book, *Manufacturing Consent: The Political Economy of Mass Media*, for **“insulting Turkishness” and “inciting enmity and animosity among people.”** The trial began on October 17 and was ongoing at year's end.

The separate trial against Tas and two translators in 2005 for publishing a Turkish translation of the book, *Spoils of War: The Human Cost of America's Arms Trade*, which prosecutors alleged insulted the Turkish identity and Atatürk was ongoing at year's end. In July an Istanbul prosecutor indicted novelist Elif Shafak for insulting Turkish identity in her novel *The Father and the Bastard*. In her novel, characters discuss the Armenian “genocide.” At the September 21 trial, the court dismissed the case for lack of evidence. In its October 4 written verdict, the court concluded that comments by a character in a fictitious book were a form of free expression not subject to prosecution.

...An Istanbul prosecutor initiated two cases in May 2005 against Ragıp Zarakolu, owner of Belge Publishing, for publishing translations of two books dealing with Turkish-Armenian relations. The indictment, brought pursuant to Penal Code Article 301, alleged that the publications were insulting to the state. Trials in both cases continued at year's end. Authorities occasionally censored media with pro-Kurdish or leftist content, particularly in the southeast, by confiscating materials or temporarily closing down the media source at issue. **The TPA reported that the most serious problem during the year was a large increase in complaints filed by ideologically motivated attorneys, and then accepted by the courts, on grounds such as insulting Turkishness or the memory of Atatürk. During the year prosecutors initiated court proceeding against 77 journalists, 22 publishing houses, 41 writers, five translators, and 43 books. Twelve of these cases ended in acquittals, nine in convictions, four in “nonsuit,” and 18 were pending at year's end.** Prosecutors charged 65 persons during the year under Penal Code Article 301, which criminalizes insulting “Turkishness.”

According to TPA, the governments, courts, and private litigants were together responsible for “abusing the civil law system” during the year through an increase in defamation cases. Courts sentenced defendants to pay financial compensation for defamation in cases filed by politicians, including Prime Minister Erdoğan, journalists, and private businessmen. Prime Minister Erdoğan, through his attorneys, filed 59 cases on the grounds of defamation, of which 28 were pending at year's end. Among the 31 cases decided, 21 rulings were in favor and 10 against Erdoğan.

On May 3, an Ankara court convicted İsmail Yıldız, president of the Political, Economic, Social Research and Strategy Center, and ordered him to pay \$6,179 (8,860 lira) for insulting Prime Minister Erdoğan, Finance Minister Unalitan, and Transportation Minister Yıldırım. Yıldız published two articles critical of these officials on the Internet. Yıldız's appeal was pending at year's end.

Erdoğan sued political cartoonist Mehmet Cagcag for his cartoon in the July 7 edition of *Leman* magazine that depicted Erdoğan as a tick and had the subtitle “Tick Has Been Making Turkey Suffer.” The case continued at year's end.

The government arrested and deported Michael Dickinson, a British cartoonist and lecturer, after he depicted Prime Minister Erdoğan as a foreign president's dog in a political cartoon. Turkish courts ruled on a number of cases that Prime Minister Erdoğan filed in 2005. In May 2005 an Ankara court convicted Musa Kart of the daily *Cumhuriyet* for a cartoon portraying Erdoğan as a cat. The court ordered Kart to pay \$3,800 (5,132 lira). On April 19, the court of appeals unanimously overturned the lower court decision. In October an Istanbul court fined

Mehmet Fethi Dorduncu \$6,300 (9,000 lira) for insulting Erdogan and for insulting the government, because he put a note in a museum welcome book that called Erdogan and the government “servants, nonbelievers, thieves, and treacherous.” On December 8, an appellate court overturned a lower court decision that convicted Yenicag newspaper for allegedly insulting Erdogan by calling him “a bully” in a May 2005 article.

The satirical magazine Penguen responded to the lawsuits by publishing a front page with a series of drawings by different cartoonists depicting Erdogan as various animals. In March 2005 Erdogan filed a lawsuit against Penguen seeking \$28,000 (38,178 lira) in compensation; the court ruled in favor of the magazine. On April 3, the press reported that Erdogan appealed; the court of appeals has not acted on the case by year’s end.

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The recent ICG report comments “that Monitoring by the BIANET news service shows prosecutions of journalists, publishers and activists are up to 293 in 2006 from 157 a year before” (International Crisis Group 2007, *Turkey and Europe: The Way Ahead*, Europe Report No. 184, 17 August, p.24-5

http://www.crisisgroup.org/library/documents/europe/184_turkey_and_europe_the_way_ahead.pdf – Accessed 20 August 2007 – Attachment 10).

The 2006 report on Turkey by the Committee to Protect Journalists (CPJ) states:

A wave of criminal prosecutions against the press reignited doubts about Turkey’s commitment to Western-style democracy and a free press just one year after the nation began formal talks for European Union membership. Journalists and writers found themselves the repeated targets of criminal lawsuits initiated under vaguely worded, restrictive statutes that remained on the books despite recent legislative reforms. Those who tackled controversial topics such as the country’s ethnic Kurds, criticism of the military and the courts, the mass killing of Armenians under the Ottoman Empire, or criticism of the country’s founder, Mustafa Kemal Atatürk, were the primary victims.

Over the last decade, Turkey made noticeable progress in improving its press freedom record. Among the world’s leading jailers of journalists in the 1990s, Turkey has nearly ended the

practice of putting reporters behind bars; at year's end, there was one reporter in prison for his work. Much of the improvement was the result of comprehensive legal reforms undertaken by the government in recent years. In an attempt to bring its laws in line with European legislation, Turkish authorities have amended or abolished restrictive statutes that had once been used to jail journalists by the dozens.

However, repressive laws remain on the books, and in 2006 they were frequently invoked to haul outspoken writers before the courts. Turkish nationalists opposed to EU membership were a driving force behind many of the prosecutions, which they hoped would derail accession. In doing so, they frequently sought out sympathetic public prosecutors across the country to launch criminal suits against journalists, writers, and academics ('Turkey' 2006, *Attacks on the Press in 2006*, Committee to Protect Journalists website <http://www.cpj.org/attacks06/mideast06/tur06.html> – Accessed 16 August 2007 – Attachment 24).

A 2006 CPJ report discusses the trial of five journalists under Article 288 of the penal code, which deals with “attempting to influence the outcome of judicial proceedings through their writing”; and Article 301, “insulting Turkishness”. They had written articles criticising the banning of a conference on the Armenian genocide (Mahoney, Robert 2006, ‘Nationalism and the Press’, Committee to Protect Journalists website, 16 March http://www.cpj.org/Briefings/2006/turkey_3-06/turkey_3-06.html – Accessed 16 August 2007 – Attachment 25).

A 2007 CPJ report discusses Hrant Dink, the editor of the only Armenian newspaper in Turkey who received a suspended six month prison term for writing about the Armenian genocide (Mahoney, Robert 2007, ‘In Turkey’, Committee to Protect Journalists website, Spring http://www.cpj.org/regions_07/mideast_07/dink2.pdf – Accessed 21 August 2007 – Attachment 26).

Another CPG report states that Hrant Dink was murdered in January 2007. He had received “numerous death threats from nationalist Turks who viewed his iconoclastic journalism...as an act of treachery”. He had reportedly passed a recent threat to the district prosecutor but no actions had been taken. In the last 15 years, “18 other Turkish journalists have been killed for their work, many of them murdered” (‘Turkish-Armenian editor murdered in Istanbul’ 2007, Committee to Protect Journalists website, 19 January <http://www.cpj.org/news/2007/mideast/turkey19jan07na.html> – Accessed 21 August 2007 – Attachment 27).

11. Are there any associated Turkish groups in Australia?

No detailed information was found on associated groups in Australia. It appears that there are some groups in Australia which study the teachings of Bediüzzaman Said Nursî, but it is not clear how many are involved in the movement.

An undated document from the Nursi Studies website is purportedly written by Falak Ha from Sydney. It states that “in all major cities in Australia, there are Risale-i Nur medreses and schools”. However, this information cannot be considered reliable since the same author states that “we have nearly half a million Muslims in Australia” (Ha, Falak (undated), ‘Globalisation, the Qur’anic Ethics and the Media’, Nursi Studies website, <http://www.nursistudies.com/englishh/teblig.php?tno=398> – Accessed 23 August 2007 – Attachment 28).

The same website contains old advertisements for symposiums held at Melbourne University in 2000 and 2001. The first was called “Islamic Studies According to Bediuzzaman Said Nursi” and the second “An Introduction to Said Nursi’s Thought” (‘Australia Symposium 1 / 2000’ (undated), Nursi Studies website

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