

IDENTITY, INFORMAL INSTITUTIONS AND COLLECTIVE ACTION  
IN ISTANBUL'S RUM COMMUNITY IN THE TWENTY-FIRST CENTURY



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in Istanbul's Rum Community in the Twenty-First Century

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## DECLARATION OF ORIGINALITY

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## ABSTRACT

### Identify, Informal Institutions and Collective Action in Istanbul's Rum Community in the Twenty-First Century

This thesis explores the contemporary Istanbul Rum community from a series of new and provocative perspectives. It focuses on Rum identity, institutions, space and collective action through the prism of recent challenges and developments. Drawing on theoretical traditions such as constructivism, communitarianism, new institutionalism and Subaltern Studies, and on an interdisciplinary methodological approach (archival research, participatory observation, in-depth interviews), it examines communal institutions as the basis of Rum political life. It offers a detailed historical analysis of Rum identity, its different trajectories in Turkey, Greece and Syria, and its profound relationship with the urban space of Istanbul, focusing –for the first time in the relevant literature– on secular, rather than linguistic or confessional aspects. Its findings suggest that due to historical pressures and legal grey areas pertaining to its corporate status, the community has developed a set of informal but robust institutions that revolve around philanthropic activity and the *vakıf* system. Combined with Rum education and healthcare, this peculiar type of philanthropic activity constitutes a uniquely Rum institutional architecture that may be seen as the community's social capital par excellence and an alternative, micro-welfare 'state' that defines the community, forms its elites and shapes the political behaviour of its members. Together with suggestions for further research the thesis provides a series of policy recommendations for the community's sustainability and survival in the twenty-first century.

## ÖZET

### 21. Yüzyılda İstanbullu Rum Topluluğunun Kimliđi, Gayriresmî Kurumları ve Müşterek Eylemleri

Bu tez, çağdaş İstanbul Rum toplumunu, yeni ve provokatif bir bakış açısıyla araştırmaktadır. Yakın zamanda yaşanan zorluklar ve gelişmeler doğrultusunda Rum kimliğine, kurumlarına, mekanına ve kolektivist hareketine odaklanmaktadır. Yapısalcılık, toplulukçuluk, yeni kurumsalcılık (new institutionalism) ve mağduriyet çalışmaları (Subaltern Studies) gibi teoriler ve disiplinlerarası metodolojik yaklaşımlar (arşiv çalışmaları, katılımcı gözlem, geniş kapsamlı mülakatlar) kullanarak, müşterek kurumları, Rum siyasal yaşamının temeli olarak incelemektedir. Türkiye, Yunanistan ve Suriye'deki farklı gidişatlara, İstanbul'un kentsel mekanıyla derin ilişkisine, dilbilimsel veya dini yönleri yerine seküler yönlerine odaklanarak – ilk defa konuyla ilgili literatürde – Rum kimliğinin detaylı bir tarihsel incelemesini sunmaktadır. Bu çalışmanın bulguları; İstanbul Rum toplumunun, tüzel durumuyla ilgili tarihsel baskılar ve hukuki belirsizlikler sebebiyle, hayırseverlik faaliyetlerine ve vakıf sistemine odaklı bir takım gayriresmî ancak sağlam kurumlar geliştirdiğini önermektedir. Rum eğitim ve sağlık hizmetleri birleştirilerek, toplumun başlıca sosyal sermaye ve alternatifi olarak görülebilen bu olağanüstü hayırseverlik faaliyeti; ilgili toplumun mikro-refah düzeyini tanımlayan, elitlerini oluşturan ve bireylerinin siyasi davranışını şekillendiren, Rumlara özel bir kurumsal yapısını oluşturmaktadır. Bu tez, gelecekteki çalışmalara sunduđu tavsiyeler yanısıra, Rum toplumunun sürdürülebilirliği ve 21. yüzyılda hayatta kalabilmesi için bir dizi politika önerileri ortaya koymaktadır.

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## ABBREVIATIONS

AKP	Justice and Development Party (Tur. <i>Adalet ve Kalkınma Partisi</i> )
ANAP	Motherland Party (Tur. <i>Anavatan Partisi</i> )
Anthem.	Anthemion Program, Department of Philosophy and History of Science, University of Athens
Arab.	Arabic
CHP	Republican People's Party (Tur. <i>Cumhuriyet Halk Partisi</i> )
CMCs	Computer-Mediated Communications
EU	European Union
GDPF ( <i>VGM</i> )	General Directorate of Pious Foundations (Tur. <i>Vakıflar Genel Müdürlüğü</i> )
Gr.	Greek
Lat.	Latin
LMV	Foundation of Lausanne Treaty Emigrants (Tur. <i>Lozan Mübadilleri Vakfı</i> )
Ott.Tur.	Ottoman Turkish
Patr.Arch.	Patriarchal Archives, Fener, Istanbul
RUMVADER	Association for the Support of Rum Communal Foundations (Tur. <i>Rum Cemaat Vakıfları Destekleme Derneği</i> )
TMMBO	Chamber of Architects (Tur. <i>Türkiye Mühendis ve Mimarlar Oda Birliği</i> )
TRCS	Turkish Red Crescent Society (Tur. <i>Türk Kızılay Cemiyeti</i> )
Tur.	Turkish

# CHAPTER 1

## INTRODUCTION

### 1.1 Time relevance and problematic

It was a decade ago that I began studying the Rums of Istanbul. Turkey was a rather different place back then. With its long-standing, modernist tradition of centrally planned reforms, an economic ‘opening’ announced at the time by the Justice and Development Party (AKP) and the carrot of European accession, the country seemed to be going through an era of profound change. There was intense academic and policy focus on transition *qua* “economic transition”, that being the field were transformations had been more obvious and complete. At the same time however Turkey was entering the twenty-first century with relative optimism over a different kind of change: a change of ideas pertaining to how the Turkish state would deal with a series of traditional ‘others’. Externally this translated into a conciliatory foreign policy with traditional ‘enemies’, such as Greece or Armenia. Internally, it was construed as democratization with respect to the rights of ethnic and religious minorities, including the ones that were lacking formal recognition, such as the Kurds and the Alevi (Kurban, 2004: 341-2).

In retrospect, much of that optimism proved unwarranted and many of the promised reforms pertaining to religious and ethnic minorities were eventually rolled back or never materialized. This was predicted by many of my informants who treated the general euphoria with caution and warned against the limited scope and fleetingness of promised reforms. To paraphrase a seminal aphorism by Stephen Krasner there are makers, takers and breakers of minority policies. The purpose of this study is to photograph the transformation that occurred in the twentieth century and continues

today, not from the perspective of “policy-makers” but of “policy-takers”, that is the individuals and groups who find themselves at the receiving end of minority policies. By focusing on the specific group of the Rums of Istanbul, the study attempts to comprehend and explain the Rum response to the challenges posed by changing state attitudes and policies designed and implemented by the Turkish state. On a more personal note in these past ten years I witnessed the passing of several of my most important informants, with whom, in time, I had developed close personal friendships. These were old community-members of extraordinary wisdom and bravery, willing to share with me their experiences and profound, first-hand knowledge of the Rum community. With their passing, the community was deprived of invaluable intellectual capital and knowledge. The gap they have left behind is irreplaceable but there may be some comfort in the thought that their sentiments and ideas have been partially preserved in this work, and that its timing – in this sense – has been opportune.

As a classic component of inter-state contestation and diplomatic bargaining, minorities have often been understood through the prism of a rigidly national logic that sees national minorities abroad (“Greeks of Istanbul”/“Turks of Western Thrace”), but reserves the term “religious minority” for domestic ones (“Muslim Greeks/Orthodox Turks”) (Christopoulos, 2002: 147-168). Unfortunately, the vast majority of studies of the Orthodox population of Istanbul strictly revolve around historical and backward-looking approaches: pointing at the dramatic demographic decrease of the community, highlighting the factors behind its decay and predicting its extinction in the near future. Broadly speaking, traditional narratives tend to employ historicist and other mono-disciplinary tools and work on the modernist canvas of national political history.

Many of the views expressed during a historic conference on the Rum community of Istanbul, held in 2006,<sup>1</sup> pointed at the bankruptcy of traditional narratives in describing the Rum phenomenon. Far from a ‘Greek community at the brink of extinction’, the Rums emerged from the conference as a complex and dynamic reality, where ethnicity, religious identity and linguistic practice are neither obvious nor uniform (Örs, 2006: 79). Many of the 2,000-4,000 Turkish citizens that were identified as *Rum* in the demographic research conducted for the conference were of a mixed or non-Greek background. The public disclosure of such a demographic finding gave rise to heated reactions and debates from a significant part of the community. Still, many Rums of Greek extraction (see Appendix A), were very clear about their eagerness to integrate to a Turkish society with European aspirations, while preserving their idiosyncratic traditions. The fragile state of minority institutions, such as schools, hospitals and their managing committees, posed an additional challenge in the search for appropriate development strategies. In short, when the Rums were asked to speak for themselves, the abstract glosses of macro-political analysis gave way to the real, every-day challenges posed by the conditions of modern life, in terms of education, career development and economic well being.

Treading on the path opened by the 2006 conference, the current study raises an analytical gaze over the least-studied aspects of the Rums of Istanbul as a we-group and as a community. Its immediate aim is to unravel current Rum politics through four main inquisitive threads: Who are the Rums, in terms of memory and belonging? What are the specific features of intra-community politics that are constitutive of Rumness? Where do

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<sup>1</sup> “Meeting in Istanbul: the Present and the Future”, Istanbul Hilton, 30 June-2 July 2006. For its proceedings see Gavroglou & Tsitselikis (2009), in Greek, and Benlisoy, Aslanoğlu & Rigas (2012), in Turkish.

they position and relate themselves vis-à-vis the urban space of Istanbul? And finally, how do developments in communication technologies affect their political behavior and orientation?

The first thread ('who?' – Chapter 2) entails questions of identity. How have Rums defined themselves in terms of their common history, collective memories, common aspirations and fears, vis-à-vis their non-Rum fellow-citizens and the Turkish and Greek states? How have state-sponsored policies of assimilation affected their sense of belonging? What conflicting versions of Rumness (Gr. *Rōmiosynē*) have been put forth at the turn of the new millennium within the community and what is the role of markers such as language, religion, indigenoussness and kinship?

The second thread ('how?' – Chapter 3), explores the effects these perceptions of "Rumness" have on Rum collective organization and self-administration. In what ways does 'performing Rumness' condition the ability to adjust to new institutional settings, to envisage a future in Turkey for themselves and to act politically? This thread provides the missing link between identity and political action, through an examination of Rum institutions, construed as the rules of Rum self-organization and sociability. Moving beyond the over-studied religious and ecclesiastical institutions, what are the main norms, values, codes, routines and practices that hold sway over the community? Can they be historically explained? Are they "cultural" or strategic, formal or informal? Above all do they work? Or if they have done so far will they continue to do so in the future?

The third thread ('where?' – Chapter 4) examines issues pertaining to what Homi Bhabha (1994) has described as "the location of culture" and the way Rums have positioned themselves to, related to and claimed the urban space that they inhabit. As a

group in constant demographic shrinkage and geographical retreat, could it be that the community has been subjected to a form of urban colonialism? That it has formed part of the city's cultural subaltern? If yes, how have ensuing processes of hybridity and cultural production contributed to the community's survival and visibility?

The delineation of Rum politics along the lines of identity, political institutions and social space may be deceptively neat. Surely, for the full picture, one has to project each of these variables onto the three-dimensional space of contemporary politics: the international, national and intra-community levels of reference. This is of critical importance for studying a minority group that has historically been entangled in the bureaucratic workings and counter-claims of two different states that have more than often antagonized each other. Already from schooling age, Rums are being claimed by two conflicting nationalisms, which inevitably lead minority individuals to adopt the defense or survival mechanism of "switching", with respect to content but also level of reference.<sup>2</sup> The potential audience of anyone willing to articulate a Rum political discourse ranges from bishops to police officers, from foreign journalists to lawyers and Turkish, Greek or EU officials. Since the responses of these actors are politically important, semantic and referential switching has become a habitual trait among the Rums. It then becomes clear that any politically meaningful discussion of a Rum issue, be it the over-loaded symbol of the closed Halki Seminary, the educational curriculum of Minority schools or the mere re-organization of a Rum charitable foundation, is carried out in a way that defies the traditional divide of International Relations Theory between domestic and international politics and therefore requires an analytical approach that can also accommodate an international level of analysis. Consequently

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<sup>2</sup> For the relevance of referential frame switching in the case of the Alevis see Elwert (1995).



while the emphasis of this study lies firmly on the intra-communal and domestic level it also examines an important ‘new’ development on the international level, that of communication technologies and the way it has affected the Rum community (Chapter 4).

Informality (see 1.3 below) has emerged as a major theme in this study, an omnipresent variable that has historically affected almost every aspect of community life. While for the greatest part earlier literature on the Rums seems to acknowledge its existence (Akgönül, 2007: 374; Oran, 2006: 67; Kamouzis, 2012: 45; Anastassiadou & Dumont, 2007: 114; Kurban, 2004: 350) I feel that scholars have underestimated its centrality in Rum history and micro-politics. Instead the tendency is to explain it away as an ad hoc survival mechanism developed by a community targeted by an inimical or even openly hostile state in the Republican Period (Mahçupyan, 2004: 9). In this light, Rum informality was seen as a semi-clandestine remedy for Republican Turkey’s insistence on negating legal personality to the Rum community and the Patriarchate (Kurban & Tsitselikis, 2010: 9) and on confiscating or directly controlling its communal property (Oran, 2006). In this sense, the community historically preferred informal institutions in as much as their very informality made them more resilient to hijacking by the state. Such readings of Rum informality are only part of the truth. In addition, they seem to imply an overemphasis of rupture between the Ottoman and Republican periods and a somewhat nostalgic view of the former as a time when Rums ‘were better off’ (see Chapter 2).

However, a more sober look at the *longue durée* (Braudel, 1982: 75) would bear evidence that Ottoman administrators already treated the corporate status of the Rum community as a grey area. No legal corporate status was granted to the Rums as an

Empire-wide community (Tur. *cemaat*; Gr. *koinotēs*), while even that of local communities (also Tur. *cemaat*; Gr. *koinotēs*, henceforth “parishes” or “communes”) was at times contested by the Ottoman state (Ozil, 2013: 65-66). This was ultimately linked to the traditional uneasiness of Islamic law with recognizing legal personality to anything but real persons.<sup>3</sup> This lack of legal personality extended to the Patriarchate, whose legal status was restricted to the real person of the Patriarch as an Ottoman public servant appointed by an imperial patent (Ott.Tur. *berat*; see Chapter 2). Of course, this picture was neither static nor uniform across time. Late Ottoman legislators attempted to tackle the problem through the Tanzimat edicts and the General Regulations of 1863 (see Appendix C1). Similarly, the Lausanne Treaty (see Appendix C2) legally binds Turkey to recognize Rum communes as *sui generis* foundations and the Rum community as a whole (Kurban & Tsitselikis, 2010: 7), while the Law of Foundations of 1935 and the Declarations of 1936 (Tur. *1936 Beyannamesi*) constitute attempts – albeit with the worse of intentions – to address this issue. And while Turkey insists on not recognizing the legal personality of the Ecumenical Patriarchate to this day – thus subjecting each Patriarch’s election to direct state control – the fact that the title deeds of the Princes Islands Orphanage (Tur. *Büyükkada Yetimhanesi*; Gr. *Orfanotrofeio tēs Prinkēpou*) returned to the Patriarchal ownership in May 2012 indicated the title-owner as *Rum Patrikliği* (Tur. “Greek Orthodox Patriarchate”) may be seen as a legal precedent and a step towards recognition. Consequently, these mixed messages and legal grey areas have been the product of both Ottoman preoccupations with Islamic law and Republican nationalist policies, partly aimed at “making these communities live in a

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<sup>3</sup> For a detailed discussion covering some notable exceptions, including charitable foundations, see Ozil (2013: 65-81).

state of continuous dependency on the state” (Mahçupyan, 2004: 9). In this light, I argue that informality as a norm and a practice has formed part and parcel of Rum collective memory and community workings since early Ottoman times and continues to inform Rum mentalities today.

## 1.2 Three influential monographs on the Rums

Amidst the growing literature on the Rums of Istanbul there are four exceptional studies I have greatly benefited from, with which I was in constant dialogue throughout my research. The immense ground they have covered, the approach that each followed and the conclusions they have drawn served as reference texts and constant guidelines on approaching my topic. In this section I shall briefly present them explaining my indebtedness as well as my major points of departure from them in terms of interest-area, focus and methodology.

Alexis Alexandris’, *The Greek Minority of Istanbul and Greek-Turkish Relations 1918–1974* (1983) has rightly acquired definitive status, as a chronological diplomatic study of the effects of Greek-Turkish relations on the Rum minority and vice-versa. A native Rum, Greek diplomat and first-rate historian, Alexandris has recorded and analyzed all major development in the history of the minority in the long twentieth century, by drawing on enormous amount of British, Greek and Turkish primary sources and the British Foreign Ministry in particular. The work also contains a plethora of statistical information, as well as detailed tables pertaining to demographics, legal frameworks, parishes and foundations. His chronological narrative documents in great detail the pressures inflicted by the Turkish state on the Orthodox Patriarchate and the Rum community throughout this period and links them with the recurrent fall-outs and

short-lived rapprochements in Greek-Turkish relations. Alexandris' main thesis is that the minority was subjected to systematic persecutions recurring almost on the dot, every ten years: the pressure to renounce self-administration in violation to the Lausanne Treaty and the suffocating control over the Patriarchate (1920s), law 2007/1932 barring foreign nationals from 30 professions; the forced Draft of 20 age groups of non-Muslims into forced labor (Tur. *amele taburları*, 1941); the Property Tax (1942-1944); the September Events (1955); the Extraditions of Greek citizens (1964); the closing of the Halki Seminary (1971). For Alexandris, this reflected a systematic plan of prosecution aimed at 'delivering' Turkey from undesired, non-Muslim elements. In short, Alexandris views the eventual extinction of the minority as the inevitable outcome of Turkification policies implemented by the Turkish State. As such, his work constitutes the most sophisticated, comprehensive and analytically rigorous exposition of the official Greek position of the issue. His focus remains fixed on a descriptive, factual account of Turkish minority policies and their legal and political ramifications on the Rum minority.

The well-documented factual details of Turkish anti-minority policies (Aktar, 2000; Oran, 2003; Oran, 2004; Çağaptay, 2004; Güven, 2005; Vryonis, 2005; Alexandris, 1992) are beyond the scope of this study, which focuses instead on how they have affected the micro-level of intra-community workings. Similarly, Alexandris' study of diplomatic history, with its focus on the international level of analysis and on policies inflicted on the Rums, runs the risk of overemphasizing the group's role as a receiver of policies, a "pawn of diplomatic bargaining" and a passive victim of repression devoid of any agency. This study, accordingly, hopes to reverse this emphasis through a reading from below of Rum institutions and collective behavior in an effort to examine Rums as

active agents of discourses and collective action. Similarly, given that Rum ecclesiastical institutions have received significant scholarly attention by Alexandris and others and are generally seen as the Rum social capital par excellence, I have preferred to focus on Rum institutions that are secular or only secondarily related to a religious identity. Furthermore, this study resorted to original historical research and analysis only when it appeared to inform current Rum readings of the past and to condition their takes on their futures. Even then my engagement with the past has concerned the period or aspects not covered by Alexandris' otherwise invaluable account.

Unlike Alexandris' study, Ayşe Ozil's, *Orthodox Christian Communities in Late Ottoman Anatolia* (2013) shares a lot of theoretical and methodological common ground with my own study, even though it concerns a much earlier historical period. By focusing on Orthodox communes in the understudied region of Hüdavengidar in Northwestern Anatolia, Ozil attempts to 'place' community-membership within a wider set of frames ("Local administration", "Local Finances and Taxation", "Legal Corporate Status", "Law and Justice", "Nationality"). The work employs a meticulous study of Greek, Ottoman and European archives in order to elucidate the complex reality of being a Greek Orthodox in the Late Ottoman Empire. Furthermore, it shares with the present study the crucial methodological assumption that institutions and the physical space deeply affect identity and communal life (Ozil, 2013: 5). But most importantly Ozil (2013) problematizes and successfully challenges conventional knowledge of key concepts that have long been taken for granted in Turkish and Greek historiography such as "*millet*", "community" and the very ethnonym "*Rum/Rōmios*":

This study then tries to understand what the community was about, by exploring the notion in practice... [I]t takes a relational approach and treats the Christian presence under the Ottomans as a variable set of contexts and situations. By

focusing on the people themselves, this examination looks at the ways in which Orthodox Christians operated through communal channels as well as the ways in which they contested these channels. Building on the new critical examinations on non-Muslim life, therefore, this work aims to take the issue one step further and ask when, why and how it made a difference that someone was of the Orthodox Christian faith in the Ottoman Empire. (p. 15)

Méropi Anastassiadou and Paul Dumont's (2007) study of the Istanbul Rum community, written in Greek, is the third monograph that deserves mention here. This is an all-round treatment of the current state of Rum community, focusing on the period after the 1990s and covering most aspects of community life such as demography, economic activity, social life, education, secular and religious elites, cultural heritage, space and memory and inter-communal relations. Based on a series of in-depth interviews with community members on topics that are both backward- and forward looking the book provides a superb introduction and springboard for further social research on the Rums of Istanbul. While sharing a lot in terms of methodology, in many ways the current thesis focuses on the very topics that Anastassiadou and Paul Dumont's study does not capture in depth, such as the controversial issue of the Antiochian subgroup (Chapter 2), or the interconnection between philanthropic activity and belonging to the community (Chapter 3). Furthermore building on the general and comprehensive approach of their, and other similar ethnographies (Örs, 2006; Benlisoy, Aslanoğlu & Rigas, 2012) I have purposefully opted for the method of specialized case studies, in a manner that I felt would further enrich our understanding of the community under study.

### 1.3 Theoretical framework

Since Hegel, classical liberal theory has viewed civil society a separate realm between the state and the market. Could it be that the institutional architecture of the Rum community constitutes yet another subdivision or estate, situated in between the state and civil society, whose membership determined along confessional lines and yet functions as a kind of mini-welfare ‘state’ for its members? If yes, then the theoretical framework designed for this study aspires to unify identity, institutions and collective action in an inseparable, explanatory whole. It rests on a synthetic understanding of political theory, that is, one that draws on an array of disciplines and theoretical traditions (communitarianism, identity theory, institutionalism, subaltern studies) in search of rigorous analytical tools and Weberian ‘ideal types’.

### 1.3.1 Hannah Arendt’s communitarianism

The Rums are typically conceived in Turkey as a *cemaat*, a term that goes back to the Young Turks period and refers to a more or less fixed, and occasionally secretive confessional community (for its legal use see Appendix C3 and C4). The term is a complex one and not without its problems. First, a significant ambiguity lies in the fact that, like its Greek equivalent (*koinotēta*), it may denote the confessional community as a whole – e.g. the Rums of Turkey – or a local community organized around a specific parish, sometimes called a “commune” (see Fig. 1). As noted above, Turkey has persistently refused to formally recognize a nation-wide Rum community (in the first sense) and instead all legal dealings are carried out with local communities (in the second sense). Second, the term carries with it the specific connotations of a religious group in a manner that semantically overshadows its ethnic or political vectors.

An important research hypothesis of this study is that there is more to Rumness than the Greek Orthodox confession, or the mere ethnic markers of religion and language. I therefore intend to approach the Rums as a “political community” (cf. Tur. *topluluk*) as conceptualized by Hannah Arendt. In line with the Classical Republican tradition, Arendt construes the political community as a common space rather than a place; as the space of appearance, “where I appear to others as others appear to me, where men exist not merely like other living or inanimate things, but to make their appearance explicitly” (Arendt, 1958: 198). Its essence is, according to Aristotle, the space where “the sharing of words and deeds” (Gr. *koinōnein logōn kai pragmatōn*) takes place (Arendt, 1958: 197; 1973: 256-261). It is a relatively small, face-to-face community consisting of members characterized by horizontal ties, which they shape themselves or even abandon at will. It is the space where humans become who they are through their words and speech. What makes the articulation of common meaning in this “web of human relationships” possible is precisely the fact that the human condition is characterized by plurality. Without human distinctness, subjectivity, this construction of common meaning through deliberation would be meaningless (Arendt, 1958: 178). Political action within the community is further theorized by Arendt as a combination as an individual beginning (Gr. *archein* / Lat. *agere*) and a collective accomplishment” (Gr. *prattein* / Lat. *gerere*) (Arendt, 1958: 177, 185). This results in an abstract yet sophisticated theory of community politics that artfully reconnects “who we are” with “how” and “where we do it”.



### 1.3.2 Nationalism and Ethnicity Studies

The dialectics of identity announced in Hegel's *Lordship and Bondage*, is often seen as the birthplace of what may be called constructivist identity studies (Taylor, 1994: 270). Since the 1970s identity has been recognized as the product of self-ascription, interconnectedness and the on-going negotiations of boundaries between groups of people. F. Barth's (1969) hugely influential study of ethnicity, with its fruitful focus on the elasticity of boundaries offers an important analytical device for the purpose at hand, that of diacritica or boundary-markers. It is these socially constructed national diacritica (such as language, religion, history) that are regularly the objects of negotiation (Barth, 1969: 9). The discrediting of perennialism or primordialism culminated in the 1990s when a series of scholars demonstrated the historical contingency and dynamic character of ethnic identity (Anderson, 1991; Hobsbawm & Ranger, 1992).<sup>4</sup> The proliferating studies on identity-construction increasingly employ analyses of the dialectical relationship between the categories 'self' and the 'other' whereby group identity is formulated and sustained in juxtaposition to imagined or perceived non-members (Taylor, 1994: 273; Laclau, 1995).

A standard criticism directed towards identity scholarship is that it lacks analytical vigor. Brubaker and Cooper (2000) argue that identity must be abandoned as an analytical category, since far from being fruitful it often conceals more than it reveals. Second it has been pointed out that the current penchant for the so called "politics of recognition" (Taylor, 1994) may lead to the simplification and reification of identities, in manners that may lead to separatism, intolerance and neo-conservatism

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<sup>4</sup> For applications in the Greek-Turkish context see Anagnostopoulou (2004), Birtok & Dragonas [ed] (2005), Özkırmılı & Sofos (2008), Millas (2009), Onar (2009) and Kadioğlu (1995). Specifically for the Rum case see Örs (2006), and Babül (2003).

(Frazer, 2000: 108; Young, 1986:2). These criticisms are not completely unjust. Studies of the self-other nexus have been fairly successful in deconstructing national and ethnic myths and grand narratives, while sketching the contours of identity, the sentiments of belonging and particularities or formerly unrecognized groups, such as ethnic minorities. But at its present theoretical condition, it appears incapable of making the necessary next step. It is my conviction that identity theory needs to fill those monochrome contours with the colors of the institutions, which hold sway over an ethnic group. The theoretical framework needed is one that is flexible enough to acknowledge negotiation and contestation, even within groups; but also anchored on observable and politically significant durables: rules, norms, values, procedures, routines and practices. In short one that maintains the delicate balance between the “being” and “becoming” elements of identity.

### 1.3.3 The New institutionalism

The body of literature known as the ‘New Institutionalism’<sup>5</sup> offers a promising candidate for filling the contours vaguely sketched by identity theory. Institutions have been defined in this context as “the rules of the game” of human interaction. They are therefore distinguished from organizations, which are seen as agents or “players of the game”.<sup>6</sup> Some rules are laws and contracts enforced by the state (formal institutions). At the same time implicit rules (informal institutions), such as norms, conventions, values

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<sup>5</sup> ‘New’ vis-à-vis the ‘old’ institutionalism found in the writing of T. Veblen, German Historicists like G. Schmoller or even Max Weber and Alexis de Tocqueville.

<sup>6</sup> See North (1990:3-10) and Ostrom (1982:193). Of course organizations can often propagate, alter or undermine institutions.

and culture<sup>7</sup> are passed from one generation to another through imitation, oral tradition and teaching and are sanctioned through various forms of social exclusion. Broadly speaking,<sup>8</sup> institutionalism rests on two fundamental principles: a) rules matter and b) changes in the rules affect the way the game is played (North, 1990; Ostrom 1999; Putnam, 1993).

While institutionalism has made its way into the academic mainstream, several aspects of the theory remain largely unexplored. New Institutional Economists, for example, acknowledge the significance of the interaction between formal and informal institutions but tend to avoid analytical engagement with the latter. The underlying assumption seems to be that informal practices are either too complex to take into account, or simply equated with corruption and inefficiency, calling for appropriate restrictive measures (Kureger, 1974). As a consequence, informal structures are hugely underrepresented in most institutionalist writings. The theory therefore fails to illuminate four issues of immense analytical importance. The first concerns the relation between formal and informal institutions. This is usually addressed very tentatively, by means of the so-called ‘interaction thesis’ which is more or less tantamount to simply stating that ‘informal and formal institutions have some impact on each other’ and of course begs the question of how does this happen and what comes first.<sup>9</sup> In a country with high levels of tax-evasion, for example, would stricter legislation change a widely-spread

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<sup>7</sup> cf. Ernest Gellner’s (1988:14) definition of culture as ‘a distinct way of doing things that characterizes a certain community’.

<sup>8</sup> For the different theoretical trajectories within institutionalism see Scott & Meyer, (1994:55) and Williamson (2000).

<sup>9</sup> For an exposition of the interaction thesis see S. Pejovich (1999) For a promising typology of informal institutions see Helmke & Levitsky (2006) who distinguish four types of informal institutions according to their function: complementary institutions fill gaps in formal rules or improve their efficacy; accommodative informal institutions blunt the effects of dysfunctional formal institutions; competing informal institutions directly subvert the formal rules while substitutive informal institutions, replace ineffective formal rules.

mentality that ‘tax-evasion is normal’ or will informal rules finally prevail rendering the law a mere formality? A second issue arises from the fact that informal institutions are not formed in isolation from other implicit rules but complement, reinforce or even counter one-another. In other words they produce “institutional architectures” (Pelling, High & Nemes, 2005). Again, little has been achieved in describing and comparing these architectures across time and place. A third weakness lies in the scope of institutional analysis which tends to focus on the macro level of states vis-à-vis markets and bureaucracies, leaving us with a superficial and schematic understanding of the behavior of individuals and of groups-within-groups (Rizzello & Turvani, 2002).<sup>10</sup> Forth, institutionalism tends to present an equally weak grasp of issues of power negotiation as defining factors for the shaping of informal rules (North 1990:16).

#### 1.3.4 A tripartite understanding of community

An old Irish joke has two people sitting at a Belfast bar. When one of them asks the question “are you Catholic or Protestant?” the other responds, “I am an atheist”, only to receive the retort “a Catholic atheist or a Protestant atheist?” As the joke suggests there seems to be more to community-membership than self-ascription or mere adherence to attributes or markers, such as language or religion. And yet if community is to be salvaged as an analytical category it needs to be supplied with a more rigorous content of observable everyday phenomena. To that end, the theoretical model put forth for this study of minority politics draws on communitarianism, constructivism and institutionalism and is founded on the hypothesis that one’s sense of community rests on

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<sup>10</sup> A significant concern of the present study is to illuminate the role of ‘minorities’ within the Rum minority such as the Arabic-speaking Rums who have gradually migrated to Istanbul from the province of Hatay since the 1970s.

shifting configurations of the inter-related notions of identity, institutions and ‘native’ space. Resisting any kind of naturalism, the model draws on the works of Renan, Arendt, Barth and Anderson in understanding identity as self-ascription to a particular group, demarcated by the shifting boundary-markers of language, religion, descent and indigenusness, and conditioned by a perceived, common past and future. This is the so-called ‘becoming’ element of identity. But identity also involves processes of being, hard facts pertaining to the internal workings of the group, which materialize in its institutions, i.e. crystallized rules, norms, *modi operandi*, daily practices and common meanings that hold a powerful sway over a group and provide content to the concept of identity itself. In our study of the Rums, it was philanthropic activity that emerged as the (informal) institution of utmost significance for belonging to the community, together with the institutional architecture that surrounds it, i.e. the nexus of communal self-administration, education and healthcare. Collective (in)action, in turn, is to a large extent determined by the condition of a community’s institutions. Political synergy and collective action constitute the ultimate stake, since they alone allow members of minority communities to claim their legal rights, such as communal property and to enjoy free education and unhindered religious practice.

#### 1.4 Methodology

One of the first things that struck me upon ‘entering the field’ was the intense and peculiar historicity of the Rum community: intense, in the sense that history and memory was omnipresent in my informants’ accounts of themselves and their community; and peculiar, in as much as it was not strictly chronological but tautochronic and it definitely did not coincide with the official readings of history in either Turkey or

Greece. My first impression was that for the Rums, unlike most Turks and Greeks (Özkırmılı & Sofos, 2008: 123), the passage from Ottoman to the Republican periods was felt as much less of a rupture and the Late Ottoman less of a distant reservoir of stories, personalities and ideas that remain pertinent to their own condition. To put it simply, Rums talk a lot more about Sultan Abdulhamid II, Rum banker and philanthropist George Zarifi (1810 – 1884) and Patriarch Athenagoras (1886 – 1972), than they do about Byzas (the legendary founder of Byzantium) or the Byzantine Emperors. Naturally, in most instances this Rum reading of the past was replete with inventions and reappropriations of history customized to the immediate needs of the conversation or the communal political agenda – arguably a feature of any kind of storytelling.

This realization had a profound impact on the methodology of this study (see Table 1), which – while preoccupied with the present condition of the community – was compelled to incorporate a good share of original historical research that would allow me to follow and analyze my informants’ statements. The foundations for this task had been laid during my attendance of the invaluable course on non-Muslim communities in the Ottoman Empire offered by the late professor and dearest friend Vangelis Kechriotis (1969 – 2015) at the History Department of Boğaziçi University. I therefore began by carefully reviewing the substantial secondary historiographical literature on the Rums.<sup>11</sup> However, there were still aspects of recent Rum history, such as philanthropy or popular customs that featured centrally in my informant’s discourse but had not been deemed

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<sup>11</sup> See indicatively Braude & Lewis (1982), Alexandris (1992), Clogg (1996), Deringil (1998), Gondicas & Issawi (1999), Konortas (1999), Balta (2003), Exertzoglou (2004), Anagnostopoulou (2004), Green (2005), Kechriotis (2005), Stamatopoulos (2006), Anastassiadou & Dumont (2007), Özkırmılı & Sofos (2008), Ozil (2013).

worthy of study had received tentative treatment by the literature. This prompted me to undertake original archival research at the following archives: a) minutes, correspondence and documents of Rum communes of Istanbul contained in the Anthemion Program (henceforth “Anthem.”) of the Department of Philosophy and History of Science, University of Athens and covering the period late eighteenth – late twentieth century; b) the Patriarchal Archives (henceforth “Patr. Arch.”) and c) Rum newspapers of the period of interest, such as *Apoyevmatini*, *Iho*, and *Embros*, held at the Patriarchal Library in Istanbul and Turkish dailies kept at the Press Archives of Istanbul University. In terms of time scheduling this archival work was conducted in two phases sandwiched between the two phases of my main, political-anthropological research outlined below, allowing each of the two to complement and refine the other.

Due to the minute demographic size and historical traumas of the group under study the methodological tools developed by the discipline of political anthropology appeared most suitable for the task at hand. Of these, participatory observation proved pivotal especially at the beginning of the research. While still ‘fresh off the boat’ and less burdened by personal preconceptions about the group I entered the field in September 2007. I spent most of the ensuing academic year attending communal events, functions, starting with services, cultural and social events organized by the community, and recording my thoughts in a log, meticulously maintained twice a week (henceforth “Field Notes”, followed by date). The receptions (Gr. *kerasma*; Tur. *ikram*) offered after service by each parish proved critical at this stage. It was here that community members could relax, socialize, exchange news, gossip and converse about their daily concerns. The situation was strikingly different whenever the service was administered by a bishop, who proceeded to attend a more formally structured reception (Field Notes,

07/10/2007, 07/12/2007, 16/04/2008). This setting also proved invaluable in providing me with and helping me to expand my group of informants. In time, this allowed me to be welcomed by community members to private events (weddings, parties, religious feast days) and communal meetings held by administration boards and associations.

The next stage in the research constituted the main source of findings presented here. Given the institutional and demographic fragmentation that currently characterizes the community, this was a truly painstaking process. Drawing on the phenomenological approach to ethnographic fieldwork (Geertz 1973), this part of the research consisted of a total of 32 loosely structured, in-depth interviews conducted in two phases (see Table 1, below and Appendix A) in Greek or Turkish with community members from Istanbul in the period September 2009 – June 2013. An additional 8 interviews had been conducted in Turkish and English in Antakya and Aleppo and followed the same methodology over the course of a four-week period in December 2007. In determining the format of these interviews, I adopted the following process:

- a) I determined my list of potential informants and specified the information I believe they could provide judging from their degree of involvement in community affairs. In doing so I tried to achieve an equal representation of genders (44% female, 56% male), though the same diversity could not be achieved in terms of age groups for obvious demographic reasons.
- b) I formulated the questions around which the interview would be structured.
- c) I designed the necessary interview tools (guide, protocol and consent form).
- d) I divided the interviews into two phases. 22 Interviews in Phase 1 were of a general nature, drawing on oral-history techniques and focusing on the personal and family stories of their informants (7/10 questions) and their attitudes and thoughts on the



community (3/10 questions). The duration of these interviews was on average 1 hour and 10 minutes. 10 Interviews in Phase 2 were in effect follow-up interviews of informants selected from Phase 1. These were particularly active or outspoken community members whose personal career was intertwined with a specialized aspect of community life, such as education, administration, philanthropy or media. Questions here were tailored to their specialized field of activity (5/10 questions) and its interrelation with community workings (5/10). The duration average of Phase 2 interviews was 2 hours and 24 minutes.

The vast majority of Phase 1 interviewees opted for limited anonymity (first name and surname initial), while Phase 2 interviewees opted for disclosure. All interviews were digitally recorded at the written discretion of each informant. Although initially everyone was happy to comply, more than half of my Phase 2 interviewees requested to examine the excerpts to be published prior to publication. Furthermore, it was not uncommon for interviewees to ask me to switch the recorder off so that they may discuss something ‘off the record’. In accordance to international ethical research standards I have not publicized such information. All interviews were finally transcribed, reviewed and thematically arranged so as to facilitate their discussion.<sup>12</sup>

### 1.5 Organization of chapters

In line with the theoretical framework outlined above, Chapter 2 examines the ways in which the *longue durée* of Rum history has conditioned contemporary Rum identity and political behavior. Starting from a detailed genealogy of the appellation “Rum” in Byzantine, Ottoman and modernist vocabularies of power, the chapter points at the

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<sup>12</sup> In Chapter 6 this methodology has been adapted to meet the needs of digital ethnography.

Table 1. Research Design and Implementation Time Frame

STAGE	DETAILS	OBJECTIVES	OUTPUT	DATES
Review of Secondary Literature	Readings on non-Muslims in the Ottoman Empire and Turkish Republic.	Gain a firm grasp of the historical context	Literature Review	09/2007 – 12/2008
Participatory observation	Attending Rum communal events, religious ceremonies, social and cultural functions.	Entering the field, establishing contact with potential informants	Field Notes	09/2007 – 08/2008
Archival Research Phase 1	Anthemion, Patriarchal Archives, Rum Press (Ottoman Period)	Acquiring material to be used at interviews; identifying Rum responses to major historical developments.	Primary Sources	09/2008 – 01/2009
In-depth interviews Phase 1	22+8 loosely structured, in-depth interviews (Oral History)	Rum personal stories, Perceptions and attitudes on the community workings	Interview Transcripts	09/2009 – 04/2010 (12/2007 Antakya, Aleppo and Damascus)
Archival Research Phase 2	Anthemion, Patriarchal Archives, Rum Press (Republican Period)	Acquiring material to be used at interviews; identifying Rum responses to major historical developments	Primary Sources	04/2010 – 08/2011
In-depth interviews Phase 2	10 loosely structured, in-depth interviews (Specialized)	Obtaining specialized information on particular aspects of community life	Interview Transcripts	09/2011 – 12/2012

meaningful ambiguities inherent in this term, which historically bore an array of often contrasting confessional, ethnic or geographical connotations. The chapter then proceeds to offer a comparative look at the recent history of Rum communities in Turkey and Syria, *qua* “accidental diasporas”, in order to explain the formation of Rum identities and political behavior under the shadow of nationalist political programs in each country. While both Kemalist and Ba‘thist minority regimes may be construed as “neo-millet” sets of arrangement, it is argued that, unlike its Syrian counterpart, Turkish Nationalism has a priori and systematically excluded the Rums of Turkey from the Turkish imagined community. This, in turn has had a profound effect on Rum identity and political behavior, as community members sought an alternative sense of belonging, rooted in forms of political organization peculiar to their own community. The last part of this chapter explores the current, sensitive dynamics between the community and its Arabic-speaking sub-group of Antiochian Orthodox.

Chapter 3 focuses on the Istanbul Rum community’s internal institutions and the alternative structures of self-administration that it set up and maintained despite, or with the tolerance of, a historically inimical state. At the center of this institutional architecture lies philanthropy, construed both as altruism vis-à-vis ‘others’, i.e. non-members of the community and – most crucially – as a mutual-benefit, political program that binds community members together in both hierarchical and horizontal bonds. The chapter therefore examines Rum philanthropy as a form of political organization that is intimately connected with Rum education and welfare and as such crystalizes community membership *per se*.

Chapter 4 focuses on the politics of space. It offers an analysis of the recent history of two Istanbul neighborhoods that formerly hosted sizable Rum populations,

Pera (Beyoğlu) and Tatavla (Kurtuluş). As both these neighborhoods currently undergo a process of ideologically charged gentrification, the chapter proceeds to problematize issues of authenticity and ‘ownership’ by focusing on Rum perceptions of these urban areas as former Rum heartlands. While retaining their central, symbolic role as spaces where Rumness can be ‘exhibited’ or performed, the radical transformation of these neighborhoods raises issues of subalternization and cultural colonization, observable in recent efforts for Rum cultural revival, such as the Baklahorani carnival.

Chapter 5 extends the scope of analysis on the international level by examining a new kind of informal diplomacy made feasible by the massive expansion of communication technologies. It analyses the profound effects that computer-mediated communications may have on the national imagination, by opening new paths of political interaction. By focusing on several online, Greek-Turkish communities the chapter examines the effects this development may have in Greek-Turkish relations and the Rum community’s potential for collective action.

Chapter 6 offers a summary of the conclusions and findings of each chapter, together with a series of policy recommendations, for the Rum community’s survival and sustainable development. The chapter concludes with suggested research topics left uncovered by the present study and the relevant literature as a whole.

## CHAPTER 2

### THE 'ROMAN ORTHODOX' DIASPORA OF BORDERS OVER PEOPLE

#### 2.1 An 'accidental' diaspora

The idea of dispersion has been central in conceptualizing diasporas since its inception as a distinct discipline in the 1990s. Early focus on etymology and the 'classical' diasporas of Jewish, Armenian and Greek exilic communities led to a strict understanding of this dispersion as displacement from an imagined homeland (Safran, 1991: 83-4). As Diaspora Studies extended beyond the limited scope of displaced communities to include various kinds of transnational categories, two important suggestions appear to have gained resonance.

First, reference to a homeland or – in Safran's words – an "original center" (Safran, 1991: 83-4), is not a prerequisite for the conceptualization of a group as a diaspora; in this light, diasporas may be viewed as "the result from the migration of borders over people and not simply from that of people over borders", leading to the creation of what Brubaker has dubbed "accidental diasporas" (Brubaker 2005: 3; 2000: 1-19).

Second, it has been increasingly suggested that moving beyond an essentialist understanding of diasporas as categories of being may grant us access to a more profound understanding of diaspora as a "category of practice". When studied as "an idiom, a stance, a claim" (Brubaker 2005: 12) or a resource, diasporas may tell us a different story, that of loyalties, expectations and sentiments of inclusion/exclusion into political programs as they are experienced by minority communities in the Middle East.

This chapter comparatively discusses the reception of state secularization policies by three minority communities that bear the same ethnonym: the Greek-speaking *Rōmioi* of Istanbul, the Arabic-speaking *Rūm* of Syria and the Arabic-speaking *Rum* of Antakya (Antioch). Since the 1970s, following their migration from their native Antakya to Istanbul, members of this last group have found themselves in a position of mediation between the first two groups. As “accidental diasporas”, the Rum of Istanbul, Antakya and Syria may trace their history back to a common Hellenistic, Byzantine and Ottoman past, while maintaining an emphasis on their indigenouslyness and organic bonds to their respective homelands.

The first part of this chapter sets forth a brief, historical overview of the appellation Rum and its diverging connotations in Ottoman and post-Ottoman vocabularies of power as an imperial, confessional, ethno-religious and national category. I then move to a comparative assessment of minority policies that have affected the Rum in Turkey and Syria in the context of the modernizing, secularist projects of Kemalism and Ba‘thism, respectively. I argue that while in Syria Rums have been much more included in the political process than has been the case for their co-religionists in Turkey, minority regimes in both countries can be viewed as different trajectories of the *millet* principle of societal organization, this time under a secularist outlook. The third part of the chapter focuses on the Antiochian Rum community of Istanbul. It is argued that the group is currently undergoing a distinct process of diasporization, as a minority within a minority. Four possible outcomes of this process are explored: Arabization, Turkification, Hellenization, and creolization. The final section presents findings from field-research carried out in Istanbul from September 2007 to June 2011.

## 2.2 ‘Rum’, ‘Greek’ and ‘Arab Orthodox’

Comparative studies on Syrian and Turkish minorities are remarkably rare (Watenpaugh, 1996: 363-89; Altuğ, [forthcoming]; Masters, 2001). Leaving aside the practical impediments caused by Syria’s oppressive regime, the scarcity of reliable statistics and the specialized linguistic training required posit significant obstacles to potential researchers. On top of that, systematic research on minorities in Turkey has been a relatively recent development, while studies of the Rum have been constrained by the methodological nationalism of Greek, Turkish and Syrian historiographies, respectively. This chapter suggests that a comparative look at the Eastern Orthodox Christians of Istanbul, Syria and Antakya in a shared, post-Ottoman context may offer ways out of this impasse. Discussion starts from the hypothesis that both in Istanbul and Syria Rum Orthodox communities constitute, in one way or another, the institutional descendants of the Ottoman *millet-i Rûm*.<sup>13</sup> In terms of historiography, however, both the terms ‘Rum’ and ‘millet’ seem to carry additional complexities of their own.

The oldest occurrence in Islamic literature of the term ‘Rum’ appears to be the *Surat al-Rum* (30:1), the Quranic prophesy of the defeat of the polytheist Sassanids at the hands of the Byzantines and the call of the Faithful to rejoice at the forthcoming victory of the Byzantines as people of the Book (Arab. *ahl al-kitab*) (El Cheikh, 1998: 356-64; Roggema, 2001: 57-74). *Rum* here corresponds to the Latin *Romanus* or the Greek *Rōmaios*, literally “Roman”, the standard self-appellation of the Orthodox Christian subjects of the Byzantine Empire (Haldon, 2016: 4-16; Stouraitis 2017: 70-94).

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<sup>13</sup> All my interviewees in Istanbul seemed aware of the fact that their family origins could be traced to the Ottoman periphery, especially from places such as Epirus, Macedonia, Cappadocia and the island of Chios. Yet all of them emphasised a claim to cultural and institutional continuity with the Ottoman and Byzantine past of the city.

In the centuries that followed, the *Sūrat al-Rūm*, the Constitution of Medina and the Pact of Umar would function as theological precedents for any kind of accommodationist, institutional arrangements drafted by Muslim overlords in order to define the status of Christians as *dhimmi*s (Arab. “protected”).<sup>14</sup> As for the term ‘Rum’ it assumed different meanings in the Balkans and the Middle East. With the shrinking of the Byzantine Empire into a predominately Greek-speaking geographical area – especially during Ottoman expansion – the term ‘*Rōmios/Rum*’ came to denote the Greek-speaking Christians of the Balkans, as distinct from their Slav-, Albanian- or Romanian-speaking co-religionists. In Anatolia the situation was slightly different as the vast majority of the Orthodox Christians of the hinterland had started adopting Turkish as a mother tongue from the fifteenth century, without abandoning the term ‘Rum’ as a form of self-ascription (Clogg, 1999: 115-42). In Antioch and the Levant the term retained its meaning as a synonym for “Melkite” (Syr. *malkaya*, Arab. *malakiyyun*), a term still used for Catholics of the Eastern Rite (Arab. *Rum Kathulik*), originally meaning “of the king”, that is, the Roman Emperor of Constantinople (Griffith, 2001: 9-56; Menze, 2008). Throughout the Ottoman period both “Melkite” and “Rum” denoted the historical and organic relation of the Arab Orthodox with Constantinople, as opposed to the ‘ethnic’ non-Chalcedonian Churches of the Armenians, Syriacs and Copts, which had long adopted their individual liturgical languages. In order to understand how this semantic of loyalty was replaced by the ‘neutral’, descriptive, confessional meaning “of

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<sup>14</sup> For the so-called Pact of Umar (Arab. *‘ahd’Umar*) attributed to the Caliph Umar or Umar II (seventh – eighth century), see Lewis (1974: 217-23). The Constitution of Medina was intended to regulate the relations between the faithful and the Jewish tribes of that city. It was attributed to the prophet Muhammad (Bertram Serjeant, 1964: 3-16).



the Greek” or “Eastern Rite” one has to look into the history of the so-called *millet* system.

Few terms have been repeated and abused in the historiographies of the Balkans and the Middle East as much as *millet*. Often described as “the classical Ottoman system of government”, the term has lately featured in the work of a leading advocate of multicultural citizenship, followed by its definition as “a federation of theocracies” (Kymlicka, 1995: 15). Most references to the millet system fall between two essentialist narratives. On the one hand, there is a nostalgic narrative of tolerance starting with the Ottoman conquest of Constantinople in 1453 by Mehmed II and the formal recognition and famous privileges that the conqueror allegedly bestowed upon the heads of the three main, non-Muslim communities of his vast empire: the Greek Orthodox, the Armenians and the Jews.<sup>15</sup> According to this interpretation, the Greek Orthodox and Armenian Patriarchs and the Jewish *Hahambaşı* acted as *milletbaşı*, that is, formal, administrative heads of their respective communities, who in turn enjoyed significant autonomy in issues of tax collection, as well as family and inheritance law. The resulting social arrangement, typically compared to a mosaic, was one of tolerance and generally peaceful coexistence. The nationalist narrative, on the other hand, emphasizes continuity, and the roles of the millets as largely homogenous, proto-national moulds, or *ethnies* in captivity, out of which future, full-fledged nations were bound to ensue.<sup>16</sup> Both narratives share some ground in assuming the uninterrupted existence of the millets, rather than trying to account for their creation and eventual institutionalization.

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<sup>15</sup> For Mehmed II’s treatment of the Rum shortly after the conquest see İnalcık (1969/70: 229-49).

<sup>16</sup> Sophisticated expressions of the nationalist narrative on the millets tend to draw heavily on Anthony Smith’s understanding of *ethnies* as proto-nations in his *Ethnic Origins of Nations* (1986). For an articulate, recent analysis of the millet system along nostalgic lines, see Barkey (2008); also Adıyeko (2014).

Regarding the *millet-i Rum*, both the nostalgic and nationalist narratives have come under intense scholarly scrutiny since the 1980s. Through pioneering work, Benjamin Braude and Paraskevas Konortas have argued separately that much of the literature on millet privileges involved a great deal of tampering with the past and the generous “invention of tradition” (Braude, 1982: 69-88; Konortas, 1999: 169-80; Deringil, 1993: 3-29). This was based on the discourse employed by nineteenth century Orthodox elites, in an effort to negotiate a firm institutionalization of the millet system in the context of the Tanzimat Reforms, the sweeping 1839–76 period of reorganization, driven by an eagerness to modernize the Ottoman Empire (Deringil, 1993: 3-29; Ortaylı, 2008; Davsion, 1963). In fact, during the classical Ottoman period, far from an overarching, institutional architecture that could constitute a ‘system’, privileges were granted periodically in the form of a *berat*, a title of privileges awarded on behalf of the Ottoman state to the person of the Patriarch rather than to the community as a legal entity (Stamatopoulos, 2006: 253-73). Similar evidence from the Syrian context suggests that as late as the 1730s a “fully articulated millet system was not yet in place” (Masters, 2001:64).

In the eighteenth century, a gradual shift in Ottoman nomenclature from Patriarch of the *taiife kâfirlerin* (Ott.Tur. “community of non-believers”) to “Patriarch of the Rum”, coincided with the concentration of jurisdiction over all Eastern Orthodox Christians in Ottoman territories, regardless of language or ethnicity, in the hands of the Patriarch of Constantinople. In time, this was followed by the abolition of the Serbian and Bulgarian Archdioceses in Peć and Ohrid in 1766 and 1767, respectively, and the gradual demotion of the powers of the Patriarchates of Antioch, Jerusalem and Alexandria. Thus, the Patriarch of Constantinople became the undisputed administrative

head of all Rum Orthodox in the empire (Greek, Albanian, Vlach, Serb, Bulgarian, Turk and Arab), assisted by a multi-ethnic, Greek-educated, bureaucratic elite known as the Phanariots.<sup>17</sup> This was “Byzantium after Byzantium”,<sup>18</sup> with Greek enjoying a hegemonic position as a liturgical, administrative and commercial lingua franca, this time fostered by the Ottoman administration as a rallying point against the threat of Russian expansionism (Petrescu, 2015: 75). It should be noted, however, that Rumness was neither an ethnic nor proto-nationalist identity. It was an imperial, or rather sub-imperial, identity, often employed by Orthodox elites as a source of legitimacy, political ascendancy and socio-economic mobility. (Kitromilides, 1989: 152; Sigalas, 2001: 3-9; Anagnostopoulou, 2004). To complicate things further, the Ottoman elite occasionally employed the term “Rum”, as a form of self-ascription, a practice reflected in Kurdish and Syrian Arabic, where depending on the context Rum could mean “Byzantine”, “Anatolian”, “Ottoman”, “Turkish” or “Eastern Orthodox” (Kafadar, 2007: 7-25; Ergul, 2012: 629-45). The millet set of arrangements appeared to be collapsing in the nineteenth century under the shadow of that complex international political game known as ‘the Eastern Question’. The new economic conditions fostered by the Capitulations, contributed to the rise of the “conquering Balkan Orthodox Merchant” (Stoianovich, 1960: 1), as the prototype of a sturdy and vociferous middle class. This coincided with a belated engagement of the Ottoman Empire with Enlightenment and modernity, primarily through Western missionary teaching. These complex dynamics would eventually introduce Balkan particularisms into the everyday of the late Ottoman

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<sup>17</sup> A similar pattern affected the Armenian Patriarchate of Istanbul, which increasingly gained importance vis-à-vis the Catholicos of Echmiadzin and administratively absorbed other oriental Orthodox Churches in the Ottoman lands, such as the Syriac Orthodox and the Chaldean Churches.

<sup>18</sup> I borrow the phrase from the title of Nicolae Iorga’s classic *Byzances après Byzances* (1935), an account of the profound mark left by the Phanariots on Romanian culture and nation-building.

political agenda. The ensuing chain reaction of nationalist movements, from the Serbian Revolution of 1804 to the Arab Revolt of 1916, would lead to the empire's final collapse (Kitromilides, 1989: 152).

The Tanzimat version of Ottomanism was a significant intermission, momentarily instilling some degree of loyalty to Ottoman subjects, regardless of faith and language. Critically, however, the Reforms appeared to be suffering from a self-defeating dualism: on the one hand, they insisted on equality before the law but, on the other, founded this equality on the formal institutionalization of clearly defined *millet*s along increasingly ethno-religious lines (Davison, 1963: 56). Failing to prevent Bulgarian separatism and Balkan expansion, the Reforms were soon followed by Abdülhamid's Pan-Islamic centralization and the Pan-Turkism of the Young Turks.<sup>19</sup> The influx of destitute refugees from the lost territories and the ensuing mass atrocities against Ottoman Christians further alienated non-Muslim populations and accelerated the process of separatism in the western and eastern provinces alike. The Istanbul Patriarchate still desperately tried to cling to the mantle of ecumenicity in a last effort to uphold its privileged political position. But already in the 1910s ecumenicity meant little more than indoctrination into the 'historical rights of Hellenism', whereby *Rum* and *Hellēn* (Greek) were used interchangeably, to denote a maximalist understanding of the Greek nation (Anagnostopoulou, 2004: 39-42). The fact that in most Western languages

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<sup>19</sup> For a comprehensive assessment of the Hamidian period see Deringil (1998); for the uneasy reception of Pan-Turkism by the Greek Orthodox that had endorsed the ideology of Ottomanism see Kechriotis (2005: 52-4; 2011: 124-42).

the term *Rum* translated as “Greek” contributed to the hijacking of Rumness by Greek irredentism.<sup>20</sup>

In a different corner of the empire, things were not all that different. The same factors that led to the ascendancy of a dynamic Greek-speaking middle class in Constantinople had created an economic and intellectual avant-garde of Christians in Syria. This nouveau riche class profited from their role as middleman minorities, attended the missionary schools, studied in Europe, enjoyed the protection of foreign consulates and came to constitute a rising, comprador capitalist class (Zenner, 1987: 401; Masters, 2001: 71-80; Exertzoglou, 1999: 89-114; Davison, 1982: 319-27).<sup>21</sup> Despite the occasional massacres, there was an impressive demographic boost (Fargues, 1998: 42). After Muhammad Ali’s occupation of Syria, they regained their economic privileges and actively participated in the *Nahda*, the Arab literary awakening centered in 19th-c. Beirut. What is more, in the period 1872–99, they managed, with significant Russian support, to elect an Arab Patriarch in Antioch (Antonius, 1938:47-54. 92-6; Hopwood, 1969: 160).

Students of Balkan nationalisms are familiar with the significance that autocephalous churches carry for processes of national awakening (Djordjevic & Fischer-Galati, 1981: 151-9). In this light, Bruce Masters aptly places the creation of the Rum Catholic or Melkite Church in the context of what he calls ‘the millet wars’ of the eighteenth century, which followed intensive missionary activity in Aleppo and the Lebanese port cities (Masters, 2001: 90). Athanasios Dabbas, the clandestine Rum

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<sup>20</sup> Even Evliya Çelebi, visiting Lebanon in the seventeenth century, was surprised to discover that the local Rum spoke Arabic rather than Rumca (Greek); see (Zillioğlu, 1984, vol. 9). 1984).

<sup>21</sup> On the formative role of Western missionaries in Syrian proto-nationalism see Zachs (2001: 145–73).

Catholic Metropolitan of Aleppo, was the first to introduce an Arabic printing press in 1706, only to be forcefully moved to Lebanon in 1720 under pressure from the Orthodox Rum of the city (idem: 112). While negotiating their way to full recognition as a millet (in 1848) the Melkites were the first Middle Eastern Church to emphasize localism and Arabic as a liturgical language. And yet, in their correspondence with the Porte, they went to great lengths in order to establish themselves as the “‘authentic’ Rum in Syria” (idem: 108).

In resisting Greek hegemony the Syrian Rum were not only following the Bulgarian and Romanian examples (Stamatopoulos, 2015: 11) but also making the most of the administrative mixed councils and general thrust toward secularism, implicit in the Tanzimat Reforms. This transition was not automatic or obvious to the participants. While undermining the ecumenical claims of Constantinople, or propagating liberalism and constitutionalism, Syrian Rum were not negating their Rum (confessional) or Ottoman (imperial) identity nor were they necessarily espousing a full- edged, Arab nationalist breach with tradition. Arab subjectivity at the turn of the century seemed to work at different, overlapping layers of loyalties. As late as 1913 “Abd al-Hamid al-Zahrawi, a leading Arab nationalist from Syria, would proclaim: ‘We have a general solidarity bond (*jami’a*) of Ottomanism, a particular solidarity bond of Arabism, and yet a more particular solidarity bond of Syrianism’” (Haddad, 1994: 217).

Interestingly enough, these same ‘bonds’ were largely pertinent for Syrian Christians: “In a movement away from defining community solely by religious faith, the non-Muslim elites in the Arab provinces increasingly chose the option of a secular political identity, whether Ottomanism or Arabism, as the empire stumbled into the twentieth century” (Masters, 2001: 9). While there is evidence of Christian support for

Muhammad Ali's occupation of Syria, the Christians of Aleppo readily welcomed the Tanzimat Reforms, being among the first to adopt the wearing of the fez as a visible mark of Ottoman citizenship. Apart from 'feeling' Ottoman increasingly from the 18<sup>c</sup>. onwards, Christian elites came to perceive themselves confessionally as 'Christians', culturally as 'Arab' and nationally as 'Syrians'. By 1918 "the Rum Orthodox of Syria could be counted, more than any other Christian community, firmly in the ranks of the nationalists" (idem: 136, 173, 192).

### 2.3 Minority policies pertaining to the Rum in Turkey and Syria

The disproportionately high contribution of Arab Christians to Arab secularist and nationalist political movements, ranging from Ba'athism to communism and National Socialism,<sup>22</sup> has been well documented. The seminal narrative on the subject, penned by George Antonius in 1938, *The Arab Awakening*, has presented a genealogy of Arab nationalism that emphasized the role of Christians as pioneers of its development.<sup>23</sup> Still, what concerns us here is not whether or not "Arab Nationalism was the creation of Lebanese Christian Arabs spreading European doctrines" (Haddad, 1994: 201), but rather that such a statement is credible, possible even, within the value system and ideological framework of the different variants of Arab nationalist thought. In other words, the mere presence of Rums, such as Jurji Zaydan, Constantine Zurayq and Michel Aflaq, in the literary and political pantheon of Arab nationalism poses powerful contrasts with the various forms of Turkish nationalism, which have consistently

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<sup>22</sup> Antun Saadeh (1904 – 1949), founder of the Syrian Social Nationalist Party (*Arab. Al-Hizb al-Suri al-Qawmi al-Ijtima'i*), was a Rum from the Lebanese town of Dhour El Choueir.

<sup>23</sup> Antonius's emphasis on the role of Christian Arabs has long been revised by historians of Arab nationalism. For a succinct review of that body of literature see Kayali (1997: 7–13).

excluded non-Muslims. Similarly, the argument that Arab Christians' privileged, mediating role with the West, their urban profile and minority status within the Caliphate prompted them to abandon Ottomanism for the sake of a secular, horizontal political order heralded by nationalism, does not concern us here as a historical 'fact' but rather as a discursive resource available to the Syrian Rum to this day.

Before assessing the space for negotiation allotted to Rum communities in Ba'athist Syria and Republican Turkey, one has to justify the comparison between Ba'athism and Kemalism.<sup>24</sup> Although neither should be viewed as monolithic movements, a common ground may be delineated through themes and practices adopted by both ideologies, in response to their institutional and ideological predecessors. In other words, while professing to be revolutionary, both movements have in fact been in constant dialogue with the failures of the Tanzimat, Hamidian and Young Turk regimes (Kramer, 1996: 174). Both movements professed to be ousting corrupt, inefficient and entrenched elites (the Young Turks in Turkey, the National Bloc in Syria) and emphasized secularism as a breach from outdated, conservative and hierarchical bonds of loyalty. In line with the Young Turk tradition, both ideologies have historically relied on the party and the military as potential vehicles of modernization and real equality, which would contribute to a "revolution despite, and for the people",<sup>25</sup> announcing a pattern of military coups in both Syrian and Turkish politics throughout the greater part of the twentieth century.<sup>26</sup> Ba'athism, just as Kemalism did before it, reserved a privileged position in its ideological core for a maximalist understanding of nationalism,

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<sup>24</sup> Parallels between the two have been drawn before by Owen (1997: 245-51).

<sup>25</sup> Although not officially espoused by the Republican People's Party, this Jacobin motto has been levelled against contemporary Kemalism by the Turkish left as a criticism of its heavy-handed, ideological paternalism. For an analysis see Başkaya (2012: 188).

<sup>26</sup> On minority involvement in the Syrian Army, see (Zisser, 2001: 5; 1998: 86).



sharing theoretical assumptions with other pan-nationalisms of the late nineteenth century: Russian Pan-Slavism, Hamidian Pan-Islamism and the Pan-Turanism of the Young Turks (Deringil, 1998: 44-67). Resistance to colonialism, or the threat of it, constituted a guiding principle for Ba‘thist ideology, while the short-lived occupation of Anatolia by British, French and Greek forces and the ensuing war of liberation (Tur. *Kurtuluş Savaşı*) has been the formative, traumatic experience of the Kemalist version of Turkish nationalism. In Ba‘thist terms statism took the form of *markaziyya shadida* (Arab. “strong centralism”) (Kramer, 1996:190), while in Turkey *devletçilik* (Tur. “statism”) has been one of the six fundamental principles of contemporary Kemalism (Parla, 1992). Similarities also extend to the methods of establishing control over state and society, such as the relative reliance on heterodox communities as a power-base (Alevi in Turkey and Alawi, Druze and Ismailis in Syria),<sup>27</sup> one party rule, the personality cult of the leader (Migdal, 1997: 258; Meeker 1997: 157-91; Payaslian, 2007: 114), and the employment of sport clubs and youth clubs, schools and newspapers in the service of nationalist indoctrination.<sup>28</sup> In fact Keith Watenpaugh has suggested that much of this overlap of ideology and method may be traced back to the formative years of Arabism. As an example, Watenpaugh reminds us that Zaki al Arsuzi, a leading figure of Arab nationalism, and an Alawi from Antakya, was directly engaged against Kemalist propaganda in the late 1930s during the Alexandretta affair and may well have been influenced by the ideological apparatus deployed by Turkish nationalists in their struggle for Hatay (Watenpaugh, 1996: 376-9).

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<sup>27</sup> On the Alevi minority as a historical powerbase of the People’s Party see Zürcher (2007: 178), and Olsson et al. (1998:73-9). On the high levels of political representation of religious minorities in Ba‘thist Syria see van Dam (1978: 201–10).

<sup>28</sup> In the Turkish case, a major tool of dissemination of nationalist ideals has been the People’s Houses (Tur. *Halk Evleri*), which spread with incredible speed after 1932 throughout the Republic of Turkey; see Karpas, (1963: 55–67).

Despite this long list of similarities, minority policy frameworks in Turkey and Syria have been impressively disparate. While Arab nationalism (Arab. *al-qawmiyya al-‘arabiyya*) has capitalized on linguistic homogeneity, Turkish nationalism (Tur. *milliyetçilik*) has been of a decisively different flavor. Like all nationalist projects it involved a great deal of ‘reinvention’, demographic engineering and homogenizing policies in order to produce what Arjun Appadurai has called the “national ethnos” (Appadurai, 2006:4). As an example of late nationalism (Gellner, 1983: 74-5; Hroch, 2015: 26), Turkish nationalism had to work with the ethnological materials it had at its disposal. Following the forced population exchange on a confessional basis with Greece, Turkey in the 1920s was a country with an overwhelming Muslim majority but remained heterogeneous in terms of language and ethnicity. Historically, this had a mitigating effect on Turkish secularism (Tur. *laiklik*), as Islam was from the start an important building block of Turkish identity despite the abrogation of the Caliphate in 1924 and the heavy-handed oppression of conservative religious circles suspected of Ottomanism (Zürcher, 2007:167). This ambiguity extends to contemporary Turkish politics (Oran, 1988; Yıldız, 2001; Üstel 2004; Parla; 1992; Çağaptay, 2006). In Bruce Masters’ words, “Turkey’s ruling elite stubbornly clings to Atatürk’s secular vision, but does not find that at odds with the fact that the liberator is given the honorific title of *Gazi* (warrior of the faith)” (Masters, 2001: 198). At the same time the quest for linguistic homogenization led to the effective criminalization of minority languages, starting with the “Citizen Speak Turkish!” Campaign (Tur. *Vatandaş Türkçe Konuş!*), which was launched on January 14, 1928 by the Law Faculty Students’ Association of Istanbul University (Aslan, 2007: 250; Alexandris, 1992: 271). Subsequently, the teaching of foreign languages remained under the tight grip of the Turkish state as late as 2009,

when a degree of liberalization was introduced by government decision no 2009/15085, based on law 2923/1983, Article 2, “on the teaching of foreign languages and learning of the different languages and dialects of foreign citizens”. As a result, “non-Muslims were categorically excluded from the circle of full citizenship rights, as they were deemed unfit for full integration into the Turkish Polity” (Öktem, 2011: 26). Political exclusion of non-Muslims was furthered during the 1980s military coup and the emergence of the ideology of Turkish-Islamic Synthesis (Tur. *Türk-İslam sentezi*). Despite their indigenusness and formal citizenship, Christians in the Turkish Republic have been consistently treated as unwelcome guests, as *yerli yabancılar* (Tur. “resident aliens”), an unconstitutional term recurring in many Turkish court decisions throughout the twentieth century (Alexandris, 1992: 316; Anastassiadou & Dumont, 2007: 15; Çağaptay, 2004: pp.86–110; Kadioğlu, 2003: 91–111; Kurban, 2006: pp. 341–71; Oran, 2004). Istanbul Rums, in particular, have been caught in a vicious circle of negative reciprocity vis-à-vis the Turkish minority of Greek Western Thrace (Akgönül, 2008; Kurban & Tsitselikis, 2010: 8-12 and Yağcıoğlu, 2010: 37-44). Historically, both minorities have fallen victims to the periodic impasses of Greek–Turkish relations, serving as bargaining chips and points of pressure at the hands of foreign policymakers in both countries.<sup>29</sup> Turkey’s geographical proximity with Greece and, especially, the Cyprus Issue, have had deleterious effects on the Rum community. In the very recent past, Turkish nationalists and mainstream media have portrayed the Rum as a “fifth-column” and the Patriarchate as a “Vatican inside Turkey”.<sup>30</sup>

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<sup>29</sup> On the systematic abuse of the principle of reciprocity by Greece and Turkey with respect to their minorities see Akgönül (2008), Kurban & Tsitselikis (2010: 8-12) and Yağcıoğlu (2010: 37-44).

<sup>30</sup> The Turkish nationalist obsession with the Istanbul Patriarchate as an alleged centre of international conspiracy is vividly described by journalist Mehmet A. Birand in his article entitled “*Türkiye’nin,*

Imagining a Syrian nation required a reverse type of emphasis. Looking back at Antonius's narrative, constructing the new national demos as a linguistically and culturally homogenous population partly relied on the admission of local Orthodox Christians into the history of the Arab people. As founding members of the Syrian state and, in contrast to Lebanon, a numerical minority everywhere in the country, Arab Christians posed no separatist threat to Syria (McCallum, 2012: 11). The difference with the Rum of Istanbul and the Ecumenical Patriarchate was stark, since in Kemalist minds the latter was the symbolic reminder of the so-called 'Sèvres Syndrome', the 1920s scenario of Turkish partition and the closest Anatolia ever came to colonial rule. As a result, non-Muslims were barred from the civil service throughout the twentieth century with a small intermission during the government of the Democratic Party in the 1950s, which coincided with the election of Rum MPs in the parliament of the Turkish Republic. Once again there is a telling contrast with Syria, where, with the one exception of the post of president (Article 3 of the Syrian Constitution), Christians may occupy any position in the civil service, including membership to the Ba'ath and ministerial offices. Rum participation in Syrian political life is therefore relatively high (McCallum, 2012: 11).

With respect to education and the Church, Kemalist and Ba'athist policies have applied contrasting policy frameworks, even though both of them can be construed as neo-millet sets of arrangements. In the Turkish case, schools and churches have been subjected to a series of restrictions through an interchanging application of the, otherwise contrasting, secularist and millet principles. Viewed both as "minority" (Tur.

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*Patrikhane yaklaşımı bir devrimdir . . .* (Turkey's approach to the Patriarchate amounts to a revolution . . .), *Milliyet*, 9 December 2010; see also, Anastassiadou & Dumont (2007: 214-22).

*azınlık*) and “private foreign schools” (Tur. *özel*), Rum schools are only allowed to accept pupils of “Greek extraction” (Tur. *Rum asıllı*) (law 625/1965, article 25). Through this ethnic rendering of the term “Rum”, Turkish administrators have disallowed the admission of Albanian or Serbian Orthodox students. At the same time, a neo-millet legal reading of the term ‘Rum’ as Turkish citizen of the Eastern Orthodox confession has barred Greek Catholics or Greeks without Turkish citizenship from attending minority schools, bringing down the number of students to a historical low. As of 2012 there was a total of 220 students at all levels of Rum minority schools. Furthermore, 2013 was the first time in its 128-year-long history that the Zoğrafyon Rum High School had no intakes for its middle school and consequently no graduates for 2021.<sup>31</sup> In addition, the academic curriculum is strictly monitored by the Ministry of Education, limiting the weekly hours of Greek language classes to an absolute minimum (four to seven hours). Currently, the most obvious form of pressure on the Patriarchate has been the persistent refusal of the Turkish state to grant it legal personality.

Once again, the contrast with Syria is telling. Christian Churches have been formally recognized as integral parts of Syrian society, with official Christian holidays, mass-processions in open spaces and broadcasts on state television. In a different neo-millet fashion, confessional groups (Arab. *tawa'if*) have been incorporated into the state and become a mechanism of control and indoctrination into official state ideology. Christian youth clubs are also sponsored by the state as long as they refrain from activities that may be construed as political and/or subversive. Christian schools in Syria have traditionally enjoyed more freedom than in Turkey, accepting even Muslim

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<sup>31</sup> I am grateful to the ex-headmaster of the Zoğrafyon High School, Dimitris Frangopoulos, and the Coordinator of Minority Education at the Istanbul Greek consulate, Stavros Yoltzoglou, who provided me with this information.

students, although in ever-smaller numbers, as the quality of education has deteriorated rapidly due to the rigidity of state curriculum (Geros, 2007: 35-6). In stark contrast to the cozy relationship between Syrian Rum elites and the Asad regime, the major Kemalist force in Turkish politics, the Republican People's Party (Tur. *Cumhuriyet Halk Partisi* – CHP), has alienated all minorities but for the Alevis through its exclusivist discourse and policies throughout the twentieth century (interv. with Mihail Vasiliadis, Istanbul, 17/11/2011). Tragic events, such as the 1942 Property Tax (Tur. *Varlık Vergisi*), which fell heavily on minorities and drove many Rum to labor camps, the September 1955 pogrom (Gr. *Septemvriana*), which destroyed the livelihoods of thousands of Christians and the 1965 extraditions of Greek passport holders, have been formative for Rum political attitudes and behaviors ever since.<sup>32</sup>

Whether perceived as a sectarian alliance in order to capture and maintain control over the state or an exercise in image management, the theoretically equal citizenship of Christian and Muslim Syrians is often compromised in practical terms by the brutality of a clearly oppressive regime, relying increasingly on an omnipresent secret service (Arab. *mukhabarat*). This generates high levels of self-censorship and self-contradictions in Rum public discourse that become instantly clear to the researcher. While resenting the term “minority” as disrespectful to their historical role as founding members of Arabism, several of my Rum informants in Syria repeated the maxim that “it is not the place of minority citizens to have opinions on inter-confessional relations”.<sup>33</sup> An additional criticism of the manner in which the Syrian Rum are

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<sup>32</sup> For Turkish anti-minority policies see Alexandris (1992: 207–29, 252–307); and Akgonul (2007: 99–332). For the 1942 Property Tax in particular see Aktar (2000).

<sup>33</sup> Author's interview with Butros S., businessman (34), Aleppo, 15/12/2007 and Marie A., university student (24), Aleppo, 19/12/2007. For Christian resentment to the term *aqalliyya* (“minority”, cf. Tur.

integrated into the Syrian political system is expressed by McCallum, who argues that the inclusion of Syrian Rum in government and administrative positions may “function as window dressing and as masking a situation where Christians are unable to contribute to their own society without significant assistance from those in authority” (McCallum, 2012: 3). Constitutionally equal and ostensibly indistinguishable from their Muslim co-citizens, Christian officials are carefully chosen for their loyalty to the regime, *qua* Christians, so as to provide a secular pedigree to what is otherwise a neo-*millet* understanding of the Syrian nation. This tension between equal citizenship and the reification of religious identities is further manifested in the existence of separate personal status law courts for each denomination. As of 2010 the jurisdiction of such courts has been widened to include cases of inheritance (Rabo, 2012: 83-8).

In Istanbul, Rum expectations were high in the early 2000s. With much of the groundwork done in the formative years of Turgut Özal’s government (1983–93), the carrot of EU accession since the Helsinki and Copenhagen Summits (1999, 2002) and the rise to power of the AKP (Justice and Development Party), seemed to signpost a new era for Turkey’s Rum population. For once the negotiation forum on issues pertaining to the Rum appeared to be moving away from the Athens–Ankara axis and closer to Ankara–Brussels, with minority rights featuring prominently in the EU annual progress reports on Turkey (Commission of the European Parliament, 2012: 18). At the same time, public discourse on Christian minorities seemed to be moving away from the ethnic minority model (Tur. *azınlık*) – until recently a dirty world in Turkish politics – towards a neo-Ottoman revival of the term “*cemaat*”, denoting a confessional

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*ekaliyet*) see Rabo (2012: 79); for a parallel phenomenon among the Turkish Alevi see Çakır (1998: 73–9).

community.<sup>34</sup> Through a series of reforms (revisions of laws on minority foundations, plans for a new constitution, liberalization of the teaching of minority languages and return of minority properties formerly confiscated by the state) the ruling AKP has arguably transformed Christian communities into a loyal and symbolically significant constituency, by means of evoking a “mild, Anglo-Saxon”, rather than a “French, type of secularism” (Topal, 2011: 1; Soner, 2010: 27-40). Still, Rum communities have witnessed stark discrepancies between official AKP discourse and actual policy measures. In practice, as of May 2013, none of the major impediments to Rum communal life have been removed. This is how an Istanbul informant, laments the lack of concrete steps on behalf of the Turkish Government in the direction of democratization:

Illegally confiscated communal property is being returned ‘on conditions’, the Halki Seminary remains closed,<sup>35</sup> the Patriarchate still has no legal personality, our schools are emptying, our cemeteries are filling. Neo-fascism is on the rise. Look at the parliament. There are more Rum living outside Turkey than in Istanbul, and despite the government’s ‘warm invitations’ for them to return, there is no positive discrimination scheme in place, no real motives offered for their repatriation.

(interv. with Mihail Vasiliadis, Istanbul, 17/04/2011)

How is one to account for the much higher degree of integration experienced by Syrian Rum compared to the Rum of Turkey? We have already seen how the historical contribution of Syrian Rum to Syrian Arab cultural production and to national independence, from Ottomans and French alike, opened the path for their inclusion into

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<sup>34</sup>Akgönül (2007: 37–44) briefly discusses the history of the Turkish terms employed to describe the Rum community. The earliest term *taiife* (Ott.Tur. “religious community”) was gradually replaced by the term *millet* (Ott.Tur. “religious community”, but also “people in general”), which was increasingly used by the Ottomans in order to translate the Western term “nation” (Davison, 1982: 56-58, 114), while the term *cemâat* came to denote a confessional community. Finally, Young Turk and Kemalist sensitivities opted for the term *eklaliyet* (“minority”), which was in turn replaced by the more Turkish-sounding *azınlık*. Still the term *cemâat* seems to dominate the official discourse of the ruling AKP.

<sup>35</sup> The Halki Seminary had functioned as a higher theological school for Rum bishops and Patriarchs from 1843 until it was shut down by decision of Turkey’s Constitutional Court in 1971.



the Syrian body politic. To this, one should add the important factors of indigeneity and size, which rendered the Rum a ‘natural’ part of the Syrian nation, a reminder of a common, pre-Islamic Syrian past, as envisaged by Butrus al-Bustani, and, above all, a loyal population. For the Rum of Turkey such a conceptualization was rendered impossible by Turkish nationalism’s early preoccupation with both language and religion. As Turkish nationalists increasingly emphasized the distant Turkic past over the near Anatolian heritage (Tur. *Anadoluculuk*), the Rum, with their alien language and religion, became an anomaly, a negative reminder of a fragmented Anatolia, untouched by the unifying effect of modernity and nationalism.

A comparison with Syria’s Armenians further elucidates these differences. Just like the Rum of Istanbul, the Armenians of Aleppo consisted of an autochthonous and a heterochthonous sub-group: the historical Aleppine community that had settled there in the Middle Ages (Arab. *Arman al Qadim*), joined by the destitute refugees, who fled the 1915 massacres in Anatolia (Migliorino, 2008). From a Syrian Arab point of view, Armenians were ‘latecomers’ set apart by their language and confessional affiliation. As such, the Armenians of Syria were occasionally treated as scapegoats in the hands of Syrian nationalists both during the Franco-Syrian crisis and the Nasserist period (Payaslian, 2007: 103-4, 112). Henceforth, in close resemblance to the Istanbul Rum, among other forms of repression, Armenian schools have been subject to heavy-handed state control with a detrimental effect on the teaching of the Armenian language. Four years before the eruption of the Syrian crisis in 2011, Simon Payaslian had argued that Syria’s Armenians have prioritized cultural survival over integration and have not experienced “a deep sense of belonging” to Syrian society, finding themselves in a dilemma between assimilation and exit. They have thus become a closed community

deprived of creative power and confidence in itself. Being in a state of constant subalternization the community has resorted to endogamy, “ethnic nepotism” and political “autism” as a means of preserving its cultural characteristics. The resulting claustrophobia has led an increasing number of Armenians to opt for an “exit” in the form of migration (Payaslian, 2007: 114, 122-3, 127).

Due to nearly identical pressures from within and outside of the community, the Rum of Turkey have also chosen to depart. As a result, both Istanbul and Syrian Rum present a large diaspora, consisting of migrant communities in Europe and North America allegedly bringing down their pre-2011 numbers to 500,000-800,000 in Syria and to 3,000-4,000 in Istanbul, although no formal statistical source exists on the topic.<sup>36</sup> Beyond feelings of insecurity, kinship networks and international connections have also played a role in their migratory patterns. Payaslian’s words come to mind: “For the diasporan community, however, emigration by its members represents a loss of sorts in human and material resources (as a ‘brain drain’ does for any state and social formation) and to its vitality and viability” (Payaslian, 2007: 100). Low demographics remain the most immediate threat for Istanbul’s Rum community.

#### 2.4 A man of three names: An Antiochian Rum in Istanbul

Hannah-Can-Yanis is a man of three names. He was baptized Hannah in his village of Tokaçlı in the district of Altınözü, near Antakya. Locals still refer to the village by its old name: *Cneydo* (from the Arab. *janna*, meaning “paradise”). A native speaker of Syrian Arabic, he learned Turkish at a state school in the 1970s where he also acquired

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<sup>36</sup> For demographic evidence on the Rum of Istanbul see Victor Kotzamanis (2006); on the demography of Syrian Rum see Geros (2007: 45).

the Turkified version of his name, Can (pronounced as 'Jan' in Turkish). He moved to Istanbul in the 1980s, but despite being a trained engineer could only find employment as a church attendant in a Rum church in the district of Balat, overlooking the Golden Horn. The church is very popular with tourists and pilgrims from Greece and the Balkans, so he also felt he had to become Yanis and learn Greek. He has family in Antakya, Athens and Germany. Married to Rakhel, also from Tokaçlı, he has two children both of whom attend Greek Orthodox schools and are trilingual in Arabic, Turkish and Greek. I met with him in 2010 in the courtyard of the church where he had prepared an impressive meal on the occasion of his daughter Irene's fifth birthday party. On the telephone prior to my visit he announced that he had prepared a surprise for me, specially organized for his daughter's birthday party. After a fifteen-minute bus ride, I was at the church. Dinner was progressing pleasantly when suddenly a barrage of fireworks covered the sky a few hundred meters away from us. "I arranged this for Irene", Can said, with a cheeky smile on his face. It took me a while to make a logical connection between the nearby fireworks and the date of Irene's birthday. Irene (whose name means "peace" in Greek) was born on 29 May, *Fetih* Day, the day of official commemoration of the conquest of Constantinople. The municipality was organizing the annual festivities, traditionally involving dramatized re-enactments of the Ottoman attack on the gates of the Byzantine walls facing the Golden Horn. However, this year the celebrations were different. They started with the customary *mehter*, the Ottoman army band garbed in full Janissary costume, performed amidst the enthusiastic crowds of religious conservative, rural immigrants who now inhabit the area. The megaphones then echoed with a rather unusual announcement: "The message of the Conquest is one of world peace. The Conquest of Istanbul signaled a new era for world civilization (Tur.

*medeniyet*)”. We resumed our eating and drinking, joking about the absurdity of a commemoration of a conquest even though only fifteen years ago the same occasion would have caused Rums to shut themselves indoors in fear of a violent outbreak by the crowd.

Hannah-Can-Yanis is in many ways a typical Arabic-speaking, Rum Orthodox from the province of Hatay who has migrated to Istanbul in search of better employment opportunities. Many of the Antiochian Rum are eager to participate actively in Greek community affairs but after two decades of mingling with the local Rum they still complain that they are often treated as ‘second-class Rums’ or – even worse – as foreigners. Such perceptions of otherness are reflected by the ambiguity of everyday discourse: while the more Greek-sounding *Antiochianoï* (“Antiochians”) tends to be employed on formal occasions, the term *Aravofonoï* (“Arabophones”) is often used disparagingly, as in the standard phrase *yemisan ta skholia aravofonous* (“Our schools have been filled by Arabophones”) or with all the racist derogatory connotations that the word “Araplar” can have in colloquial Turkish.<sup>37</sup>

And yet, Antiochian Rums ended up being Turkish rather than Greek citizens by historical happenstance. Formally part of the flock of the Patriarchate of Antioch – that had relocated to Damascus after 1342 – these Orthodox Christians were not included in the 1922 population exchange between Greece and Turkey, since their native Alexandretta remained a French protectorate until 1939. During the Alexandretta dispute most Arab Rums together with the local Armenians rallied around the Arab cause in the plebiscite that was duly organized by the French mandate and swiftly disregarded and

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<sup>37</sup> On the literature on hate-speech (Tur. *nefret söylemi*) in Turkey, growing since the assassination of Armenian journalist and activist Hrant Dink in 2007, see Akın (2010).

gerrymandered by a Turkish military intervention. “‘Are you for Syria or Turkey?’ was the question put to Rizqallah ‘Ayrancı by the local registrar in the village of *Suwaydiyya* [today’s Samandağ] when he signed up as an ‘Arab’ rather than a ‘Greek Orthodox’ in order to vote in the election” (Watenpaugh, 1996: 373).

With the reconnection of the ex-Ottoman province of Antakya, under the new name of *Hatay* (Tur. “Hittite”), to the Republic of Turkey, this minority group found themselves cut off from their spiritual center and at the same time deprived of any formal recognition in the Treaty of Lausanne (signed in July 1923). Concerned about the prospect of a sizeable Syrian minority in Antakya, the Turkish state readily identified them as “*Rum Ortodoks*”, and this indication on their IDs formally allows them to participate in all Greek Orthodox community structures, such as minority schools and hospitals.

The demographic profile of the Arabic-speaking Rum is particularly relevant to this discussion. Most of them are rural immigrants from the village of Tokaçlı, who tend to follow bonds of kinship and locality in their migration to the urban center. None of them spoke Greek before arriving in Istanbul, while spoken usage of Arabic remains strong, despite the lack of any formal education in Arabic. It is not surprising that the educational level of first-generation immigrants is generally quite low, compared to the old guard of Greek-speaking urbanites. In Istanbul their biggest concentration is in the areas of Aksaray and Fener, surrounded by conditions of poverty, ameliorated primarily by the employment opportunities and welfare benefits offered in the Rum community (Tur. *cemaat*) context and very rarely by the Greek Consulate. Still Antiochians remain hugely underrepresented in the current Rum administration of communal property (Tur. *vakıf*). Senior posts, such as those of director of a foundation, committee member and

teacher, are monopolized by Greek-speaking Rums, while the posts typically occupied by ‘Arabophones’, such as church-attendant and driver, are situated considerably lower on the scales of pay and social status that is conferred.

Together with a difference in class and position in the urban–rural divide, Antiochians also present different voting patterns and party affiliations in relation to the Istanbul Rum. Since they were less affected by the Turkish anti-minority policies of the twentieth century, partly because of the relative pluralism and tolerance that Antakya still prides itself in, they have not been alienated by the Republican Party. Following the secular outlook of their Syrian co-religionists and the Alawis in both Syria and Antakya, traditionally they tend to support center-left and social democratic forces.<sup>38</sup>

The Antiochians constitute a formally recognized part of the Istanbul Rum community but linguistic, regional and socio-economic characteristics set them apart. The reaction of Greek speakers to the arrival of Antiochians has been characterized by mistrust and a sense of educational, cultural and economic superiority, coupled with a desire to assimilate the latecomers as speedily as possible. The resemblance to the lukewarm reception of the 1915 Armenian refugees by the ‘Old Armenians’ of Aleppo, as discussed by Payaslian (2007: 103), is striking. In demographic terms, Antiochians present a healthier picture than the ageing Greek-speaking population. Even though they constitute only about one-fifth (roughly 800 people) of the overall Rum population, the future will see an increase in their relative number on the basis of current fertility rates (most have three children or more). While accepting the Antiochians as the only discernible hope for the deplorable demographic situation, self-styled defenders of the

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<sup>38</sup> Author’s interviews with Hannah A. (39), church attendant, Istanbul, 28/04/2011), Semir Y. (39), teacher, Istanbul, 14/04/2011) and Ibrahim A. (45), self-employed, Antakya, 29/12/2007); see also, Macar (2007).

‘Greekness’ of the community are worried that further enfranchisement of the Antiochians will eventually lead to the ‘Arabization’ of the Patriarchate, following the example of Antioch (Komondouros & McEntee-Atalianis, 2007: 382).<sup>39</sup> Ironically, Greek discourse on the Antiochians ranges from statements of the type “they have nothing to do with Rumness (Gr. *Rōmiosynē*)”, to “they are the oldest Christians of them all” (interv. with Mihail K. (22), university student, Istanbul, 30/05/2011). In other words, many influential members of the Rum community perceive them both as a solution and a problem.

In sending their children to Greek Orthodox schools most Antiochians are aware of the possibility of assimilation into the Greek-speaking group and, in fact, many of them welcome it. Nevertheless, linguistic assimilation is a painful experience. Minority schools are spaces where two opposing nationalisms (Greek and Turkish) collide with immense force in an effort to capture the hearts and minds of minority children. Rum children cross the school corridor, decorated with crude symbols of Turkish nationalism (flags, busts of Atatürk, pictures of medieval sultans and legendary Turkic khans) typically required by public inspectors, and enter the classroom only to read polemical narratives in their Turkish history books, coupled by the verbal reaffirmation from some of their Greek teachers of their Hellenistic origin; a teacher of a Rum school is reported to have said to his young Antiochian students, “You are descendants of the soldiers of Alexander the Great” (interv. with Mihail K. (22), university student, Istanbul, 30/05 2011). Among the reasons offered for attending minority schools are the benefits of a free and Christian education and safety from racism and/or bullying. But that is only one

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<sup>39</sup>For the framing of a similar, economic dispute as a conflict between Arabism and Hellenism in the context of the Jerusalem Patriarchate see Katz & Kark (2005: 509-34).

side of the story. Inclusion in the Greek Orthodox community may place Antiochians in the prestigious fold of the Ecumenical Patriarchate and the international connections it commands as a spiritual center of international Orthodoxy. At the same time for an Antiochian, attending a Greek school increases the chances of studying in Greece and opens up the possibility of acquiring Greek, that is, EU, citizenship (interv. with Maria Y. (43), school attendant, Istanbul, 28/04/2011).

Antiochians are clearly going through a process of diasporization: a) they are becoming a dispersed ethnic group, with communities in Turkey, Greece, Germany, the Americas and so on; b) they maintain a collective memory of their native Antakya, as a ‘center’, endowed with a rich mythology as a world capital in Hellenistic, proto-Christian and medieval times; c) they have experienced double alienation from their host location, seen as ‘Arabs’ by the Greek-Rum, and “non-Muslim” (Tur. *Gayrimüslim*) by the Muslim majority; d) practices of idealization of the homeland are common, with an emphasis on the history of Antioch as an alternative Greek Orthodox center to Athens and Istanbul; and f) they maintain relations with the homeland, through regular visits at least once a year on the festival day of their village church. To these we should add the ‘primordial’ characteristics of a common mother tongue (spoken Arabic) and religion together with the bonds of kinship and locality, which are recreated in compatriotic associations, as well as settlement and marriage patterns among the Antiochians living in Istanbul.

Moving beyond identities of *being*, diasporas are now widely acknowledged to involve a process of *becoming* as collective memories of the past are combined with the personal experience of the dispersal, and are, in turn, transmitted onto the next generation (Hall, 1990: 225; Tölölyan, 1996: 15-19). Diasporas are, therefore,



understood as “multi-generational identities” (Butler, 2001: 192; Brubaker, 2005: 7). Having already resided in Istanbul for two generations, the Antiochians are a diasporic community in the making, currently undergoing a process of “reconfiguration of ethnicity” (Tölölyan, 1996: 3). What is more, they partake in this process as a subaltern community within a community, a minority within a minority. They are forced to negotiate their integration into *Rumness* through simultaneous reference to three, not two, distinct cultural codes: Arabic, Greek and Turkish. As each generation is exposed to these codes to a different degree, one wonders how successful their entry into the Istanbul Rum micro-polity may prove. Confronted by the classic diaspora dilemma Antiochians are required to choose between assimilation into the dominant Greek-speaking group at the cost of their own cultural traits, or a complete marginalization within Turkish society. Four distinct trajectories make themselves apparent to the Antiochians: Arabization, Hellenization, Turkification and creolization.

Arabization constitutes a commonplace phobia for the Greek Church in the Middle East and is perceived as a direct threat to its historical rights in the region. The Patriarchate of Antioch has served as a precedent, while a similar process has been unraveling in Palestine for several decades now (Katz & Kark, 2005: 509-34). Semi-racist preconceptions about “Arab fertility rates” often frame these discussions (interv. with Semir Y. (39), teacher, Istanbul, 14/04/2011). Nevertheless, Arabization appears highly unlikely in the Istanbul context. While deprived of any form of language education in Arabic, Antiochians are exposed to what Payaslian (2007: 122) calls “asymmetrical hybridization”, vis-à-vis the Greek-speaking Rum and Turkish-speaking societal majority. Linguistic Turkification for both Greek-speaking and Arabic-speaking Rum is also probable, given the language shift toward Turkish attested in recent studies

on the Rum of Istanbul (Komondouros & McEntee-Atalianis, 2007: 377-8). However, the trend may be mitigated by the high symbolic value ascribed to Greek by community members and through improvements in the current educational system (Komondouros & McEntee-Atalianis, 2007: 382). A final and perhaps most probable scenario relates to the gradual ‘creolization’ of the community, as that term is used in postcolonial theory, that is as a creative and productive process of negotiation and synthesis rather than a random mixture of cultural inputs (Cohen, 2007: 369-84).

Antiochians already appear to be taking the path to assimilation, in order to increase their participation in community structures and improve their children’s opportunities for a better future. There have been developments in the past few years that suggest that the trend will continue along the lines of a linguistic Hellenization of Antiochians rather than an Arabization of the Greek-speaking Rum. First, there is a steady increase in the participation of Antiochians in secondary education, suggesting that Antiochian children may eventually become trilingual in Arabic, Turkish and Greek (Anastassiadou & Dumont, 2007: 129). In 2006 the first Antiochian teacher who obtained his university degree in Greece was appointed to teach at the Great School of the Nation (Tur. *Fener Rum Erkek Lisesi*), an institution that, unlike other Rum high schools, follows the standard Patriarchal position of non-discrimination, in applying no quotas on Antiochian intakes. More impressively, in the elections for community officials, which took place in 2007, Antiochian Rum participated as voters and were elected as committee members. For many of the local Rum this was something scandalous. When an article in the Rum minority press (*Apoyevmatini*, “Theseis”, 10 December 2007) referred to Arabophones voting as “highly irregular”, a police inquiry targeting Antiochians was ordered, so as to examine whether all voters could provide the

necessary IDs (Tur. *nüfus*) as proof of their being *Rum Ortodoks* and therefore eligible to vote. In being suspicious of their Antiochian co-religionists, Istanbul Rums appear to be reverting to an ethnic understanding of their community (Tur. *azınlık*), demonstrating once again the constructive ambiguity of the term *Rum*. Apart from language and ethnicity their mistrust of the latecomers is further engendered by notions of indigenusness, of belonging to Istanbul, of being *Polites* (Gr. “Istanbulites”) apart from *Rōmioi*, an appellation often employed vis-à-vis *Elladites*, that is, Greeks from Greece (Örs, 2006: 79-94; Skopetea, 1988: 19, 87). The Antiochian phenomenon posits a direct challenge to traditional self-imagining of the Istanbul Rum community in terms of religion, language and indigenusness. Still, Antiochians continue to negotiate their admission into the community as equal members. In the words of Hannah-Can-Yanis, “I am a Turkish citizen of the Rum Orthodox religion (Tur. *iman*). My mother tongue is Arabic but I am a polyglot. I am not the first one and surely won’t be the last”.

## 2.5 Conclusions

This chapter has examined the Rum in Turkey and Syria as an “accidental diaspora”. Their dispersion is seen as the by-product of the rearrangement of national borders over what used to be the converging geography of Byzantine and Ottoman space, rather than a kind of displacement from a single, original homeland. Our look into the *longue durée* of Rum identity formation revealed a significant continuity in the delicate balance between Rumness as an ethnocultural and a confessional category. While the first draws on references to a common Byzantine past, the latter emphasizes a profound bond of indigenusness to the particular homelands of Istanbul, Antakya and Syria. I have suggested that this ambiguity can be traced back to the *millet* tradition of the Tanzimat

period and that it largely conditioned the position of Rum populations in Turkey and Syria, respectively throughout the twentieth century.

While acknowledging continuities our discussion has recognized the need to address diasporas as dynamic phenomena. Drawing on Brubaker's conceptualization of diasporas as categories of practice rather than fixed entities, allows us to examine Rum attitudes as responses to the wider, modernizing programs of Kemalism and Ba'athism. Seen in this light the ambiguities of Rum diasporic identity work as discursive resources that "articulate projects", "form expectations", "mobilize energies" and "appeal to loyalties" (Brubaker, 2005: 12). This helps us understand why the different neo-*millet* sets of arrangements adopted in modern Syria and Turkey, respectively, present such striking dissimilarities, with contrasting effects on Rum demographics. The Rum of Syria negotiated their way into the Syrian body politic with relative success, whereas the Rum of Istanbul were faced with an a priori exclusion from the Turkish nation. Much like the Armenians of Syria, Istanbul Rums have been occasionally targeted as a population of dubious loyalties and systematically excluded from political power sharing. Although a decade of AKP politics has promised greater inclusion of non-Muslims into Turkish society, the Rum of Istanbul still appear concerned about their community's survival.

The Antiochian Rum living in Istanbul provide us with a symbolic bridge between these two distinct trajectories of Rumness. Their ambivalent position within the Istanbul Rum community places them in the peculiar position of being an émigré community and a minority within the minority at the same time. While ties with the imagined homeland of Antakya remain strong, they are currently undergoing a process of diasporization. As issues pertaining to confession, citizenship, language and

indigenusness frame the agenda in their efforts for inclusion into the Istanbul community, the option of ethnocultural creolization is likely to gain ground.



## CHAPTER 3

### PHILANTHROPY AS *PHILOGENEIA*:

#### CHARITY, BELONGING AND SELF-ADMINISTRATION

##### 3.1 Philanthropy: From altruistic activity to patriotic program

As early as the late nineteenth century, the discourse articulated by Rum Philanthropic institutions, in statutes (Gr. *kanonismos*), accountability reports (Gr. *apologismos*), year-books (Gr. *epetēris*) and eulogies of deceased philanthropists, presents a foundational antinomy. On the one hand, philanthropy arises in these texts in the classic, universalist sense of altruistic practice, i.e. the unconditional offering of aid to the poor, destitute and vulnerable, irrespective of race, gender or origin (<Gr. *phileō* + *anthrōpos*, “love of mankind”). At the other end of the spectrum, lies a perception of philanthropy as a historically specific and politically meaningful program, which, throughout the nineteenth and twentieth century, found expression in the versatile term, *philogeneia*. Roughly translated as ‘patriotism’, this much-attested term refers to the love for and selfless contribution to one’s *genos* (Gr. “nation”, “race”, “confessional community”), in our case, the Rum *millet*, and the community or minority that ensued from it (Stamatopoulos, 2006: 254-73; Anagnostopoulou, 2004: 37- 55; Sigalas, 2001:3-70; Kitromilides, 1989: 149–92). This delicate distinction – which should not be construed as belittling the immense scale, range and historical success of Rum charity – is crucial for our understanding of how philanthropic activities functioned and continue to function within the wider institutional architecture that constitutes contemporary ‘Rumness’. This chapter will therefore focus on charitable work as a political program (Exertzogou 2010, 79 – 84; idem. 1999, 75-99; Ergin, Neumann & Singer, 2007), and

consequently as a sphere of activities that move beyond ‘feeding’, ‘curing’ and ‘educating’ vulnerable subgroups within the community. I shall argue that while ‘educating’ or ‘rehabilitating’ community members, philanthropy – through its intimate connections with education and communal administration – has also served as a mechanism for demarcating, defining and sustaining the group and its boundaries. What is more, the Rum philanthropic system has emerged as the foundational, constitutive institution of group-membership and self-administration.

### 3.2 Philanthropy as love of mankind: Marko Pasha

On Thursday, April 25, 2013 I was fortunate to attend a most unusual ceremony held at the Rum cemetery of Istanbul’s Asiatic suburb of Kuzguncuk. This was a memorial service in honor of a long-deceased, eminent member of the Rum community, whose invaluable contribution to Turkish humanitarianism was being formally remembered for the first time, 125 years after his death. Ecumenical Patriarch Bartholomew, alongside representatives of the Rum laity and clergy were joined by Ahmet Lutfi Akar, the president of the Turkish Red Crescent Society (Tur. *Türk Kızılayı*), to commemorate the most celebrated Rum adherent of the universalist/altruistic understanding of philanthropy, Marko Pasha. The memorial coincided with a conscious effort on behalf of the Rum community’s coordinating platform (RUMVADER) to extend its activities beyond the suffocating boundaries of the diminishing community itself.

Marko Pasha (Ott.Tur. *Apustol Marko Paşa*) was born Markos Apostolidēs Pitsipios in 1824 in the island of Syros, to a wealthy family of merchants (Üstün, 2001:134). Unfortunately, to this day no comprehensive monograph has been undertaken on this fascinating personality, who rose to the highest echelons of Ottoman

bureaucracy and is hailed as one of the founders of the Turkish Red Crescent. Üstün (2001:134) offers some information on his life mostly drawn from popularized sources. Having moved to Istanbul with his family Apostolidēs graduated from *Mekteb-i Tibbiye-i Şâhane* (Ott.Tur. “Imperial Military School of Medicine”) in 1851 and was immediately appointed as a surgeon in the same institution, from where he became the first doctor to be elevated to the rank of *mirlivalık* (Ott.Tur. “brigadier general”; cf. Tur. *Tuğgeneral*). In 1861 he served as the personal physician of Sultan Abdülaziz and by 1871 he became the dean of the Imperial Military School of Medicine, earning for himself the rank of *Ferik* (Ott.Tur. “lieutenant general”; cf. Tur. *Korgeneral*) (Kyrkoudēs, 2009: 25). Having been elected a member of the *Meclis-i Âyan* (Ott.Tur. “Lower Chamber of Deputies”), he moved to co-found the *Hilâl-i Ahmer Cemiyeti* – the future Turkish Red Crescent – together with Dr Abdullah Bey, Kirimli Aziz Bey and Serdar-i Ekrem Bey. Praised for his kindness, warm personality and sense of humor, Marko Pasha, passed away in 1888, having first endowed Turkish popular culture with the stock-phrase “*Anlat derdini Marko Paşa’ya*” (Tur. “tell what ails you to Marko Pasha”), alongside a great number of anecdotes attributed to him, which later prompted Turkish intellectuals Sabahattin Ali, Aziz Nesin, Rıfat Ilgaz and Mustafa Mim Uykusuz to publish a satirical magazine under that very name. The publication *Markopaşa* enjoyed great popularity producing 22 issues from November 25, 1946 to May 19, 1947 (Cantek, 2015: 8).

The emblematic status of Marko Pasha as a famed philanthropist, whose contributions extended far beyond the narrow limits of the Rum community, was emphasized after the memorial service in the speeches delivered by the two guests of honor. In Patriarch Bartholomew’s words:



[Marko Pasha's] case is one of the many that testify that our people [Gr. *genos*] in this city where it has lived, worked and flourished, produced many great personalities. The Rum community [Gr. *Rōmiosynē*] made contributions to the common good of this city and the personality of Marko Pasha, with his charitable work, his proven philanthropy and social work contributed to the service of our people [Gr. *genos*] towards the Church, and the City and this City's people. We are filled with awe and respect when we consider that from the heart of the Rum community sprang forth such personalities as worthy and celebrated as Marko Pasha. Today we pray before his grave for his soul to find peace [...].

(Benlisoy et al, 2013: 115).

The President of the Turkish Red Crescent Ahmet Lutfi Akar was equally clear about the universalist principles exemplified by Marko Pasha's life and career:

We have gathered here to honor the memory of Marko Pasha, who 145 years ago founded and handed down to us the Red Crescent, having also served as its President. [...] The Red Crescent never discriminates according to religion, language, race or gender. That its founder was a member of the Rum community testifies to that. And that is something that should make us proud as Turks and as Muslims. It is the best kind of message to public opinion in the direction of strengthening brotherhood.

(Benlisoy et al, 2013: 115).

And yet the universalist understanding of philanthropy as the altruistic “love for mankind” appears to be only one part of the long story of Rum philanthropic activity, the other being that of philanthropy as “love for a particular community”.

### 3.3 Philanthropy as love of the *genos*.

This section looks at Rum philanthropic activity as a ‘philogenous’ political program, and as a legacy of the period (late nineteenth – early twentieth century) of the so-called Rum “association craze” (Gr. *sylligomania*) (Skopetea, 1988: 155; Exertzoglou, 1996: 9; Vasiadis, 2007: 85, Karabıçak, 2014). It therefore aims at illuminating political aspects of the phenomenon of organized charity, by moving beyond the obvious *altruistic model*. Such ‘political’ aspects include:

a) the formation and demarcation of the Ottoman *millet-i-Rûm* and the minority that succeeded it, as a distinct, ethnic community within the Ottoman/Turkish legal order and in apposition to potentially rival national centers – e.g. the Greek Kingdom, the Bulgarian Exarchate, or the abortive Turkish Orthodox Church (Benlisoy & Benlisoy 2016: 201);

b) the integration and social ascendancy of individuals originally belonging to the perceived peripheries of the imagined community of Hellenism and, through it their legitimization and inclusion in to the epicenter of community life, through practices of benefaction (Exertzoglou, 1999, 75-99);

c) the formation of power-networks and patron-client relations, characteristic of minority groups, which may serve as powerful political tools in times of intra-communal antagonisms and divisions.

When, two hundred years ago, in 1753, in the reign of Sultan Mahmud I and the patriarchship of Kyrillos V Karakallos, *the Orthodox Guild of Grocers*, founded in Eptapyrgion [Tur. Yedikule] [...] the city's first communal [Gr. omogenēs] hospital, for the treatment of those inflicted by the horrific *plague epidemic* that had at that time descended upon the city, they could not have possibly foreseen that, in time, the humble hospital they were founding would become today's warmth-giving hearth, today's splendid complex, which the community [Gr. omogeneia] of our city, with reverence in its heart, with *its proven patriotism* [Gr. philogeneia] and the blessings of our Mother Church, *despite [...] the numerous difficulties and adversities it has faced*, would transform it, as centuries passed, to its current glory and would hand down to us *this holy legacy*, our Philanthropic Foundations, which exhibit today – to us and foreigners alike – the most revered, holy, supremely beneficial for all and socially invaluable of the things our city's community [Gr. omogeneia] has to offer. [...] Many generations passed and myriads of patients were found care and cure under their roof. [...] The activity of the Hospitals proved invaluable, much like a precious treasure and *a never-faltering basis that supports the very foundations of our Community*.  
(Kōnstantinidēs, 1954: 6, emphasis added).<sup>40</sup>

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<sup>40</sup> “Όταν πρὸ διακοσίων ἐτῶν, τῷ 1753, ἡ Συντεχνεῖα τῶν Ὁρθοδόξων Παντοπωλῶν, ἐπὶ βασιλείας τοῦ Σουλτάνου Μαχμούτ τοῦ Α΄ καὶ ἐπὶ Πατριαρχείας Κυρίλλου τοῦ Ἐ τοῦ «Καρακάλου», ἵδρυνεν ἐν Ἑπταπυργίῳ ... τὸ πρῶτον ἐν τῇ πόλει ὁμογενὲς Νοσοκομεῖον, πρὸς νοσηλείαν τῶν ἐκ τῆς τότε

This excerpt comes from a panegyric that opened the 14-page-long, annual, public accountability report for the year 1953-4 of the Ephorate (Gr. *ephoria*, “administrative board”) of the Balıklı Charitable Foundations, delivered by its then vice-president, Menelaos Kōnstantinidēs, in the presence of Ecumenical Patriarch Athenagoras (patr. 1948 – 1972), the Holy Synod and a large number of community representatives. Despite the pompous style and, at places, excessive and self-indulging expressions, suitably tailored for the occasion, the ideas expressed by Kōnstantinidēs are remarkably pertinent. His text constitutes a highly articulate summary of the great transformation that Rum philanthropy underwent in the nineteenth century, as well as the foundational role it occupies in community workings not as mere ‘altruistic’ charity but as an institution constitutive of Rumness. At the same time, it introduces us to what one may call *a vocabulary of loyalty*, a series of key terms still employed by Rums today to describe their sense of belonging to the community.

*Genos* (Gr. “race”, “nation”, “confessional community”, cf. Ott.Tur. *cemaât*) is by far the most significant of these terms and perhaps the most difficult to translate. In a series of articles Sigalas (Sigalas, 2001:3-70; 2006: 25-33) has convincingly argued that the term was historically used by Ottoman Greek ecclesiastical and secular elites as a direct translation of the Lat. *natio*, or Fr. *nation*, while the nascent idea of modern

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ἐπισκηψάσης ἐν τῇ πόλει φοβερᾶς ἐπιδημίας τῆς πανόλους προσβαλλομένων, ὠρισμένως δὲν θὰ ὠραματίζετο ὅτι σὺν τῷ χρόνῳ τὸ ταπεινὸν Νοσοκομεῖον ποὺ ἴδρυνεν θὰ ἀπέβαιεν ἢ θερμοουργὸς σημερινὴ ἐστία, τὸ σημερινὸν ὑπέροχον συγκρότημα, τὸ ὁποῖον ἢ ἐν τῇ πόλει μας Ὁμογένεια μὲ τὴν εὐσέβειαν ἐν τῇ καρδίᾳ, μὲ τὴν ἐγνωσμένην τῆς φιλογένειαν καὶ τῆς Μητρὸς Ἐκκλησίας τὴν εὐλογίαν, καίτοι ἀντιμετώπισα ... , ποικίλας δυσχερείας καὶ ἀντιξόους περιστάσεις, θὰ ἀνεδείκνυνεν αὐτὸ μὲ τὴν πάροδον τῶν αἰώνων εἰς τὴν σημερινὴν περιωπὴν του καὶ θὰ παρέδιδεν εἰς ἡμᾶς τὴν ἱερὰν αὐτὴν παρακαταθήκην, τὰ Φιλανθρωπικὰ ἡμῶν Καταστήματα, τὰ ὁποῖα ἐμφανίζουν σήμερον ἐνώπιον ἡμετέρων καὶ ξένων ὅ,τι σεμνὸν καὶ ἱερὸν καὶ ὑπερόχως κοινωφελὲς καὶ κοινωνικῶς ἀνεκτίμητον ἔχει νὰ ἐπιδείξῃ ἢ ἐν τῇ πόλει ἡμῶν Ὁμογένεια. ... Γενναὶ πολλὰ ἐπέρασαν καὶ μυριάδες ἀσθενῶν ἐνοσηλεύθησαν ὑπὸ στὴν σκέπην των. ... Ἡ δρᾶσις τῶν Νοσοκομείων ἐστάθη ἀνεκτίμητος, πολῦτιμος θησαυρὸς, βᾶσις ἀκλόνητος διὰ τὸ στερέωμα τῶν θεμελίων τῆς Κοινωνίας μας”.

nationalism was being gradually introduced to the Ottoman Empire through vernacular translations of European Enlightenment and proto-Enlightenment texts. Skopetea (1988: 24), on the other hand, claims that the term closer corresponds to the Ott.Tur. *millet*, denoting the formally recognized, ethno-religious groups or nationalities that comprised the Ottoman body politic. As such, Anagnostopoulou (2004: 37-55), claims that it should be understood as a pre-modern understanding of belonging, distinct from the idea of Hellenism (and modern nationalism) and closer to the notion of Ecumenicity, an inclusive, confessional understanding of the Ottoman Orthodox community, regardless of language or ethnic origin. In any case, the term fell out of vogue in Greece in the course of the nineteenth century (Skopetea, 1988: 24; Voglli, 2007; Papageōrgiou 2005), as it was gradually replaced by the word *ethnos* (Gr. “nation”), a term which Rums of Turkey have painstakingly avoided to this day as suggestive of Greek nationalism. Unsurprisingly, the Fener-based, Patriarchal Great School (Gr. *Patriarchikē Megalē tou Genous Scholē*) is accordingly viewed as belonging to the Rum *genos* rather than the Hellenic nation. The Rums still cling to the notion of *genos*, as a more inclusive sense of belonging, compatible with their Turkish citizenship and historical bonds with the Turkish Republic.

Several important derivatives of the word *genos* feature in Kōnstantinidēs’ speech and in deed in contemporary Rum discourse. The adj. *omogenēs*, *omogeneiakos* (Gr. “of the same *genos*”) denotes a fellow-member of the *genos*, or anything belonging to the community. The surviving Rum newspapers of Turkey (*Apoyevmatini* and *Īho*) still refer to themselves as *omogeneiakos typos* (Gr. “community press”) (Tarinas 2007: 5; Demirözü, 2017: 10), while community foundations (Tur. *cemaat vakıfları*) as *omogeneiaka idrymata*. This in turn has given rise to the collective noun *omogeneia* (Gr.

“a community of kinship”) to denote the Rum community in intra-communal contexts and registers. The ambiguity of the terms *ethnos* and *genos* is crucially evident in the legal and bureaucratic working of the Greek state, which distinguishes between the two categories of *omoethneis* (Gr. “of the same nation”) and *omogeneis* (Gr. “of the same *genos* or descent”) thus recognizing its historical bonds to the Rum community without jeopardizing their position as rightful members of the Turkish body politic (Tsitselikis, 2006:147; Triandafyllidou & Veikou, 2002). In this light, depending on the context, *philogeneia* may be understood as “love of the *genos*”, “community loyalty”, or “community patriotism”, and its derivative adjective *philogenēs* (henceforth “philogenous”), as “community-loving” or “patriotic vis-à-vis the community”.

We may now return to Kōnstantinidēs’ speech and its succinct historical overview of Rum philanthropy in the Ottoman period. He begins his speech by reminding us of the paramount role played by guilds in a period aptly described by Rum patriarchal historian Manuēl Gedeōn as the *History of the Poor of Christ* (Gedeōn, 1939). According to Gedeōn, throughout the Ottoman period, “the constant poverty and endless beggary of the Patriarchates” (idem: 346), were only relieved by the Rum guilds (Gr. *roufeteria* < Ott.Tur. *rufet*, *hirfet*, i.e. “non-Muslim *esnaf*”) of Furriers, Silkers, Felters, Painters, Goldsmiths, Innkeepers, Grocers etc. Even beggars from the island of Chios (Tur. *Sakız*) were known to have maintained their own guild in Ottoman Constantinople (Paspates, 1862: 255-6). These guilds maintained a common treasury, lent money on low interest, issued bonds but also kept special alms boxes in their shops, whereas from amidst the ranks of their guild-masters (Gr. *prōtomagistroi*), emerged the first secular Rum elites (Gr. *logades tou genous*), commoners, who, as early as 1753 (Gedeōn, 1939: 360; Paspates, 1862: 255-6), began to staff various, specialized

patriarchal committees. Natural disasters, such as conflagrations and mass epidemics, were also characteristic of the period, with the latest being those of 1865 and 1871. The inability of Rum elites to effectively deal with such catastrophes often had disruptive effects on the social and moral order causing cracks and a reshuffling of established power relations (Exertzoglou, 2010: 57). With their common treasury, mutual-benefit activities, horizontal organization and potential for social mobility, Rum guilds of the Ottoman period served as a prototype for the full-fledged Rum philanthropic system that would flourish in the Tanzimat period.

The nineteenth century posed different sets of challenges for the Ottoman Greek community. On the one hand, the ever-increasing likelihood of ethnic fragmentation of the *millet-i-Rûm*, as a direct consequence of developing Balkan nationalisms. On the other, the profound ideological, moral and social challenges of European Modernity disseminated through the activities of Catholic and Protestant missionary schools in Ottoman domains, but also reformist Orthodox teachers, such as Theophilos Kairis (1784 – 1853) (Danova 1995: 66-110; Syngros, 1908: 29-33). The transformation of Ottoman urban centers such as Istanbul, Izmir, Salonika and Kavala into sites of industrial production and processing of raw materials led to the emergence of an urban working class (Toumarkine, 1995: 27-67; Karpat, 1983: 386-428) that was increasingly – in the late nineteenth and early twentieth century – introduced to ideas of radical socialism (Benlisoy, 2018; Moroni, 2010), or formed part of large impoverished masses of a so-called *lumpen proletariat* of precariously employed workers, beggars and vagabonds (Paspates, 1862: 255-6; Byzantios 1869: 422 – 425; Kolakēs, 2013: 49-56; Egut, 2002: 149-64). In this sense, from the late nineteenth century onwards, the *philogenous* political program also functioned as a mechanism of rallying and

‘immunizing’ the Orthodox population against such challenges. This in turn seems to have required an all-encompassing paradigm-shift, in terms of the discourse, institutions, structures and practices of Rum philanthropy.

The first thing to note in this new way of charitable activity is its nomothetic value and with it a series of hierarchical categories that it introduces (Exertzoglou, 2010: 251). The categories of “benefactor” (Gr. *evergetēs*), “donor” (Gr. *dōrētēs*) and “beneficiary” (Gr. *evergetēmenos*) conspicuously coincided with specific attributes of religion, language, social class, gender, geographical origin and philanthropic roles (Kanner, 2004: 254-80, Exertzoglou, 2010: 269, 2003: 85-89). “Great benefactors” (Gr. *megaloi evergetai*), or – depending on the amount donated – simply, “benefactors” (Gr. *evergetai*), were identified as “the most *philogenous* gentlemen, our fathers, those generous and truly patriotic merchants”, i.e. the male members of the rising Christian bourgeoisie of Galata and Pera. (Sofoklēs, 1865: 18).<sup>41</sup> Contributions of humbler sums earned one the title of “minor sponsor” (Gr. *syndromitēs*), roughly corresponding to middle-class men and women, who together with beneficiaries, comprised the Ottoman Greek community’s *demos*, or rank-and-file. It is truly remarkable that of the overwhelming majority of “great benefactors” originate from the Rum diaspora or the Ottoman periphery, and nearly always partake in some form of linguistic or ethnic ‘otherness’ vis-à-vis the ideal category of an Ottoman Greek elite as a Greek-speaking, Orthodox Christian (Exertzoglou, 1999: 77). By far the two most conspicuous groups among them were the Vlach- or Albanian-speaking benefactors from the region of Epirus – most notably the families of Zōsimas, Zappas, Zōgrafos, Averōf, Varvakēs, Arsakēs, Dositsas – and the Turkish-speaking *Karamanlidhes* from Cappadocia and

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<sup>41</sup> “οἱ φιλογενέστατοι ἄρχοντες, οἱ πατέρες ἡμῶν, οἱ γενναῖοι καὶ ἀληθῶς φιλογενεῖς ἔμποροι”.

inner Anatolia – e.g. the Şişmanoğlu, Sinisoğlu, Portokaloğlu and Bodosaki families (Kontogiannēs, 1908; Gedeōn, 1939: 208; Exertzoglou, 1996: 85-118). Since benefactions were systematically advertised in newspapers, calendars and periodicals, it becomes clear that charity essentially comprised a two-way relationship: “the penny of the poor and the golden coin of the rich” (Kōntsantinidēs, 1954: 7),<sup>42</sup> would meet in vertical/hierarchical relations of patronage, as well as in horizontal bonds of solidarity, and contribute by equal measure to the inclusion of both the benefactor and the beneficiary in the imagined community of the *genos*. In this way, charity could move beyond its classic understanding as altruistic activity and emerge as a foundational act of communion into Rum identity; or alternatively, “a never-faltering basis that supports the very foundations of our community”, as Kōnstantinidēs puts it (1954: 6).

If men typically “paid for” or “administered”, “the *most philogenous ladies*” would typically “dress”, “feed”, “distribute” and contribute to the “moral cultivation” of the poor and the orphaned. In close cooperation with the Church and educational institutions, the so-called “Ladies’ Associations” (Gr. *adelfotētes kyriōn*) were considered the most appropriate institutions to contribute to the moral betterment of the poor. In the 1865 annual report for the parish-schools of the Holy Virgin of Pera (Gr. *Scholai Panagias Stavrodromiou*) schoolmaster Gavriēl Sofoklēs begins his speech with the good news of the doubling of the total number of students, followed by a detailed description of the schools’ *curricula*, developed, according to Ephor Xenophon Zōgrafos, around the matrix of “Jerusalem and Helicon, i.e. Church and Parthenon” (Sofoklēs, 1865: 18).<sup>43</sup> The holy city of Christianity combined with Mt Helicon, the

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<sup>42</sup> “ὁ ὀβολὸς τοῦ πτωχοῦ καὶ τὸ τάλαντον τοῦ πλουσίου”.

<sup>43</sup> “Ἱερουσαλὴμ καὶ Ἑλικὼν ἦτοι Ἐκκλησία καὶ Παρθενῶν”.



mythological haunt of Apollo and the Muses, stands here for the merging of Classical Greece with Byzantium, an idea that occupied a central role in the Hellenic nationalist narrative since the writings of Greek national historian Constantine Paparrigopoulos (1815 – 1891) (Kitromilides, 1998: 25-26). Still, as true traditionalists, both Sofoklēs and Zōgrafos deprecate “a certain deficit of satisfactory moral conduct, discipline and good behavior” among the students, as well as “the aping and obsession with reform that characterizes modernizers” and “the Furies of West”. Further down Sofoklēs will note that “when it comes to European educational facilities, whatever shortcomings the teacher may exhibit may be compensated by the upbringing received at home [...] while in our case, since good family upbringing is altogether absent from most, neglecting the moral instruction of our youth causes irreversible damage to our nation”. According to Sofoklēs, the role to be played by “charitable ladies” lies precisely in filling this ethical gap. In this light he refers to the “most praiseworthy guardianship and moral guidance offered by the most philogenous ladies of our local philanthropic association, which has greatly contributed to the [students] moral conduct and overall discipline. [...] [The ladies] distributed clothes to more than 150 poor students of both schools and distributed ethical booklets free of charge” (Sofoklēs, 1865: 6, 8, 9, 18, 20).<sup>44</sup>

On the level of institutions and practices this new paradigm of Philanthropic organization naturally followed the prescriptions set by the ambitious and all-encompassing program of reorganizing Ottoman society in the nineteenth century,

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<sup>44</sup> “ἔλλειψις ἰκανοποιητικῆς ἠθικῆς διαγωγῆς, πειθαρχίας καὶ χρηστομάθειας [...] τὸν πιθηκισμὸν καὶ τὴν μανίαν τῶν νεωτεριζόντων [...]. Ἐν τοῖς τῶν Εὐρωπαϊῶν ἐκπαιδευτηρίοις ἡ οἰκιακὴ ἀγωγή ἀναπληροῖ τὴν ἔλλειψιν τοῦ διδασκάλου ... παρ’ ἡμῖν καθ’ ὃ πάσης οἰκιακῆς ἀγωγῆς στερουμένοις τοῖς πλείστοις, ἡ παραμέλησις τῆς ἠθικῆς μορφώσεως τῆς νεολαίας ἀνεπανορθώτους ζημίας ἐπιφέρει εἰς τὸ ἔθνος ἡμῶν. [...] παντὸς ἐπαίνου ἀνωτέρα κηδεμονία καὶ προστασία τῶν φιλογενεστάτων Κυριῶν τῆς ἐνταῦθα Φιλοπτώχου Ἀδελφότητος συνετέλεσαν τὰ μέγιστα εἰς τὴν κοσμιότητα τῶν ἠθῶν καὶ ἐν γένει εἰς τὴν πειθαρχίαν αὐτῶν.... Ἐνέδυσαν ὑπὲρ τοῦς 150 ἀπόρους μαθητὰς ἀμφοτέρων τῶν σχολείων καὶ διένημαν δωρεὰν ἠθικὰ βιβλίαρια.

known as *Tanzimat* (Davison, 1963) and more specifically, the 1862 *General Statutes* (Tur. *Nizamname*, Gr. *Genikoi Kanonismoi*). In other words, it was a reform that to a large extent came from above. These changes were definitely supported by most of the merchants and bankers of Galata. The Ephor of the Schools of Pera (Gr. *Scholes Stavrodromiou*) and great benefactor of the *genos*, Christakis Zōgrafos (1820 – 1898) seems to be sincerely referring to the reign of Sultan Abdülaziz (r. 1861 – 1876) as “an enlightened government that obstructs none [of our activities]” (Sofoklēs, 1864: 18).<sup>45</sup> Besides two decades later the new type of Rum philanthropy would bear even more impressive fruits. On September 1885, during the spectacular grand opening of the Zappeion School for Girls in Pera, the student choir, amidst the enthusiastic cries and applause of attendees, sang the Greek hymn to Sultan Abdul Hamid II (1876 – 1909): “You are a great benefactor [Gr. *evergetēs*] of the Greek race / loved by both Greeks and Ottomans by equal measure!” (*Neologos*, July 10, 1885).<sup>46</sup> Equally characteristic of the syncretic spirit of the period is the stock expression used to congratulate benefactors: “your reward is well-deserved” (Gr. *axios o misthos*), which is further explained by Gedeōn (1939: 223) as meaning that “one’s [good] deed is worthy of God’s approval”.<sup>47</sup> This strongly suggests a cultural borrowing from Turkish *Allah kabul etsin* (Tur. “*May God accept it*”) or *Allah razi olsun* (Tur. “*May God be content*”).

In this light six basic principles seem to delineate the institutional framework of post-*Tanzimat* Rum philanthropic activity. These principles have been followed, violated, revived and thoroughly debated by the whole community throughout the twentieth century:

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<sup>45</sup> “κυβερνήσεως πεφωτισμένης καὶ κατ’ οὐδὲν ἐναντιούσης”.

<sup>46</sup> “Εἶσαι μέγας εὐεργέτης τῆς Ἑλληνικῆς Φυλῆς / σ’ ἀγαπᾶ δὲ καὶ ὁ Ἕλληνας ὅσον καὶ ὁ Ὀσμανλῆς”.

<sup>47</sup> “ἀξία τῆς παρὰ τῷ θεῷ ἀποδοχῆς ἢ πράξις αὐτοῦ”.

a) Elected, central administrative bodies: In accordance to the Tanzimat reforms these committees were increasingly comprised of laymen, reflecting the increase of the power of secular elites (see Appendix C1). At the top of the institutional hierarchy was the Permanent National Mixed Council (Gr. *Diarkes Ethnikon Mikton Symvoulion*), “mixed” in the sense that it consisted of both clerical and secular members. During the Patriarchship of Joachim III (patr. 1878 – 1884; 1901 – 1912), a Central Educational and Philanthropic Fraternity (Gr. *Kentrikē Ekpedeutikē kai Philanthrōpikē Adelfotēs*) was founded, under the auspices of the Patriarchate (Gedeōn, 1939: 331).

b) Concentration of funds into common treasuries: Above all, the National Treasury (Gr. *Ethnikon Tameion*), and the so-called Coffers of the Rum Community (Gr. *Kasa tou Koinou tōn Rōmiōn*) headed by a layman as early as 1862.<sup>48</sup> In Gedeōn’s words: “In the nineteenth century all contribution boxes were gradually replaced by those of the hospitals, the Coffer, of parish schools and of the Great School of the Nation. The Coffer also issued bonds to Rum at an 8 – 10 % interest rate (Gedeōn, 1939: 22, 329).

c) Regular and transparent electoral processes: These were outlined in great detail in a series of published *Electoral Regulations*, such as the 1897 *Electoral Statutes of the Parishes of the Archdiocese of Constantinople* (1897).

d) Public and detailed, yearly accountability reports: According to Gedeōn (1939: 241), before 1859 even keeping minutes of the Holy Synod was something “utterly unknown”.

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<sup>48</sup> “Πάντας τοὺς δίσκους καὶ τὰ κουτιὰ ἐξωστράκισαν κατὰ τὸν ἸΘ’ αἰῶνα βαθμηδὸν οἱ δίσκοι τῶν νοσοκομείων, ἢ τῆς κάσας τῶν πτωχῶν καὶ οἱ ὑπὲρ τῆς Μεγάλης τοῦ Γένους Σχολῆς καὶ τῶν κατ’ ἐνορίας σχολείων”.

e) Free provision of education and healthcare to all deserving community members.

f) Close collaboration between the Church, Educational Institutions and Associations

In today's usage Rums tend to ascribe the term "philanthropic institutions" exclusively to charitable associations (Tur. *dernek*, Gr. *adelfotēta*, *sylogos*), a practice reflected in the current layout of Rum newspapers and the special sections dedicated to charitable activities (Gr. *philanthrōpika*). In fact philanthropy forms part of a wider nexus of different types of institutions – an institutional architecture in new institutionalist jargon – that used to work in close collaboration and were coordinated by a central secular administrative body. In addition to fraternities and associations the nexus included: a) the Philanthropic foundations par excellence (the Balıklı Hospital, Home for the elderly and Asylum for the mentally ill, as well as the Prinkēpos Orphanage (Tur. *Büyükada Yetimhanesi*) (Paspates, 1862); b) parish soup-kitchens (Gr. *enoriaka syssitia*); and c) educational institutions with their boarding schools and developed scholarships system. This institutional lattice constituted a comprehensive welfare system catering to the needs of the 100,000 – 120,000 Rum who lived in Constantinople in first decades of the Republican Period (Karpat, 1983: 386; Alexandris, 1992: 141-143; Keyder, 1989: 67). The invaluable importance of Rum philanthropic activity as the community's ultimate source of social capital was reflected in the fact that both the Balıklı Foundations and the Prinkēpos Orphanage were ranked among the so-called Major Foundations (Tur. *Büyük Kurumlar*; Gr. *Meizona Idrymata*), which were governed by a different set of electoral regulations than other community foundations – the remaining Major Foundations being the Great School of the Nation in Fener, and the

Iōakeimeion and Zappeion Schools for Girls in Fener and Pera, respectively. Their boards of trustees were elected in secondary elections by special electors (Gr. *eklektōres*) who had already been elected as administrators (Gr. *ephors, epitropos*) in minor foundations, while the elections themselves would take place under the supervision and at a space owned by the Balıklı Ephorate, the old Ottoman stock-exchange of Havyar Hamı (Gr. *Havyarohano*) in Galata (for the Electoral Statutes of Major Foundations see *Anthem.*, “Kurtuluş” H/160).

Let us return to Ephor Menelaos Kōnstantinidēs and the accountability report of the Balıklı Charitable Foundations for the year 1953-4. It is evident that much had changed in the meantime, in the way Rum Philanthropic institutions functioned. It goes without saying that the Permanent National Mixed Council and the Community Coffer had long ceased to exist, since they had been abolished through the Lausanne Treaty (1923) and the birth of the Turkish Republic (Kamouzis, 2013: 102; Aktar, 2009: 36-7). Some early attempts by the community, in the 1920s, to establish a secular, central, administrative body in its place had had been frustrated by the Turkish authorities and part of the community itself (*idem*: 107, 117). In order to understand the community’s great distrust towards any central supervisory body since then, one must take into account the collective experience of the Single Trustee period (Tur. *tek müteveli*, 1936 – 1949), namely the arbitrary management of its foundations by a single person unilaterally appointed by the state and, more specifically, the violent occupation of the Balıklı Hospital by the Turkish-Orthodox, led by lawyer and independent MP for Eskişehir, İstamat Zihni Özdamar Pulloğlu (1879 – ?) (Benlisoy & Benlisoy, 2016: 193; Sideropoulos, 1999: 353). This was a by-product of law no. 2762 (5/6/1935) pertaining to Pious Foundations and its amendment on 28/6/1938 by law no. 3513, which was only

resolved by law no. 5404 as late as 1949 (Macar, 2005). This type of pressure, developing around the years of the Property Tax (Tur. *Varlık Vergisi*; Gr. *Varliki*) (Akar, 1992; Aktar, 2000) and other forms of pressure (Akgönül 2007: 61-93; Alexandris 1992: 105 – 193) was not exclusively targeting the Rum community but was equally felt by Armenian foundations. The 1945 editorial of Armenian daily *Nor Or* described the rupture as follows:

“Previously, we had local organizations in which representatives were elected by the residents of a given area in a one-step electoral system with both secret and open vote <a reference to the secondary elections for Major Foundations>. This system had the power to counterbalance the elected bodies, and in turn these bodies were responsible for the churches and the administration of properties owned by the foundation of the church. [...] However, the foundation law, introducing a single trustee (tek mütevellî) system, put an end to this liberal mechanism. In this [new system] the General Directorate of Pious Foundations [Tur. *Vakıflar Genel Müdürlüğü* – GDPF] appoints one responsible person. This person is omnipotent in all matters related to church and administration of its properties. S/he does not have to consult the community or its leaders. S/he is not accountable to the Armenian community. S/he is only responsible before the GDPF and before her/his conscience. The limits of his/her responsibilities are so ambiguous and general [...]. Moreover, s/he has the right to cash a certain amount of money from the revenues collected from the properties of the church in cases involving orphanages, poor elementary schools, and people in need”.

(Cited in Suciyan, 2016)

The memories of this traumatic period, which appeared to be settled only in 1949, were definitely fresh in Kōnstantinidēs’ mind, as he was delivering the phrase, “numerous difficulties and adversities” in the assembly hall of the Balıklı Foundation. Given the menacing presence of Papa-Eftim and the Turkish Orthodox Church, the importance of *philogeneia* seemed as timely as ever.

Otherwise, and despite sporadic state pressures, things seemed to be going well, within the general spirit of euphoria, created by the short-lived Greek-Turkish entente with the Democratic Party government (Macar 2003: 176-181). What’s more, Kōnstantinidēs’ accountability report, refers to Prime Minister Adnan Menderes’ (Pr.

Min. 9 June 1950 – 27 May 1960) personal donation to the hospitals and the raising of the governmental donation to the foundation from 25,000 to 60,000 lira a year, with a view to a further raise up to 100,000 within the next year (Kōnstantinidēs, 1954: 11). Local Rum communities maintained their internal statutes, designed on the blueprints of Ottoman General Statutes (*Anthem.*, “Kurtuluş” H1/160, “Kandilli” B2/39, “Prinkēpos” R/116-8, “Stavrodromion” L1/368), and continued to hold primary and secondary elections – with women winning the right to vote and be elected for the first time in the community of Pera (Gr. *Stavrodromi*), during the same period –while the poor enjoyed good access to the welfare system, which had been maintained, by the philanthropic foundations and educational institutions almost intact. Clubs and associations continued their work. Equally important is the observation that the practice of annual, analytical accountability reports continued in both community- and Major Foundations. However this period of relative calm was soon reversed by a series of well documented and studied anti-minority measures: Law 2007/1932 on the Prohibition of Professions (Katsanos, 2014), the 1955 September Events (Tur. *Eylül Olayları*, Gr. *Septemvriana*), (Güven, 2006; Vryonis, 2005, Korucu & Manginas, 2015; Tarinas 2015; Christidēs, 2000), the 1964 Extraditions of Greek citizens (Gr. *Apelaseis*) (Katsanos 2014; Macar & Katsanos 2014; Demir & Akar, 1994; Akgönül, 2007: 262-283) and the dramatic demographic shrinkage that followed these forms of political pressure.

What is perhaps less known however is that the tripartite basis of the Rum Welfare system – elections - accountability reports - central committees – survived even beyond the September Events, the 1964 Extraditions and massive flight of community members. The final act of the Rum collective organization was to be played in the theatre of the last free community elections to take place in the twentieth century. As

one would expect, the concepts of *philogeneia* (Gr. “love of the genos”) and its polar opposite *misogeneia* (Gr. “unpatriotic behaviour”) featured prominently in the intra-communal discourse that surrounded these last elections. Unlike their role in the past however, when as we have seen the terms had served as rallying points for a wide-reaching program for reform, this time the terms *philogeneia* and *misogeneia* fuelled a profound rift between two opposing factions within the community that aimed at obtaining and sustaining power within community structures. What is more it inadvertently led to the abolition of the institution of community elections for the three decades that followed.

The dramatic community elections held in Pera on December 1969, have remained in the collective memory of the Rum of Istanbul, as the elections of the “green and white with a pink band” from the colors used for the ballot-sheet of each of the two opposing tickets (Gr. *ekloges tou prasinou kai leukou me rōz*) (interv. with, Mihail Vasiliadis, 17/11/2011; Dimitris Frangopoulos, Istanbul, 25/05/2011). The elections were conducted in an unprecedented atmosphere of polarization. Major community actors openly chose one side over the other with the Balıklı Philanthropic Foundations and the *Apoyevmatini* newspaper propagandizing openly in favor of the Opposition, while the daily *Embros* [Gr. “Forward”] attempted to maintain a more cool-headed, middle way. All this was taking place in a tense, wider political setting, with Turkey experiencing the upheavals relating to a surging, anti-imperialist student movement, and in foreign affairs, another flaring-up of the Cyprus Issue. This is also the period of mass unilateral removals of Turkish citizenship from Rums and the renaming of the island of İmroz to Gökçeada (*Apoyevmatini*, 17 January 1970). In line with its long history of flaring anti-Rum sentiment, the newspaper *Hürriyet*, with a series of publications pertaining to the



Turks of Bulgaria, Thrace, the Dodecanese and Cyprus, was indirectly urging Turkish citizens to retaliate against the Rum and to petition for the final eviction of the Ecumenical Patriarchate. The figurehead of this smear-campaign was no other than the former president of the Cyprus-is-Turkish Association (Tur. *Kıbrıs Türktür Derneği*) and *Hürriyet*'s long-term legal advisor and journalist Hikmet Bil (1918 – 2003)(see indicatively, *Hürriyet*, 15 November 1969; 2-7, 20, January 1970; 27 February 1970). In an ironic twist of events, following his arrest after the September Events, Bil is said to have spent time in jail in the same cell as the editor-in-chief of the Rum newspaper *Eleutherē Phōnē* (Gr. “Free Voice”) Andreas Lambikēs, who was later extradited from Turkey following his publication of a provocatively blank cover, in protest of censorship (interv. with Mihail V. (70), Istanbul, 18/07/2010).

In spite of this tense political atmosphere, on November 23 1969 the Pera Rum Community duly celebrated its parish feast-day with all the appropriate grandeur pomp (*Embros*, 24 November 1969). According to the newspaper, a Patriarchal service was held in the presence of the Greek Consular authorities, the Governing Committee (Gr. *dioikousa epitropē*),<sup>49</sup> its elector for Major Foundations and representatives of administrative boards, the Schools, the Associations and the Clubs. The Turkish national anthem was sung, and a homily delivered by the Metropolitan was followed by an accountability report delivered by the then president of the Pera Administrative Board, Dr Yorgo Vakalopoulos, “to celebrate the end of the two-year term of administrative

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<sup>49</sup> The Governing Committee (Gr. *dioikousa epitropē*) consisted of the Schools' Ephorate (Gr. *ephoria scholōn*) and the Churches' Committee (Gr. *epitropē naōn*). It had replaced the institution of the Central Ephorate (Gr. *kentrikē epitropē*), in some parish communities, after this board was banned by the authorities in November 1960; see, “Letter of the Governing Committee of Pera”, 21/1/1963, *Anthem.*, “Stavrodromion”, A2/348.

boards”.<sup>50</sup> Having underlined the committee’s “faith in our Mother Church and our beloved homeland, Turkey”,<sup>51</sup> as well as the primacy of the Pera community as “first amongst the communities”,<sup>52</sup> Vakalopoulos proceeded with a comprehensive and detailed accountability report of the communal activities. The report was published verbatim in *Embros*, a few days later occupying an entire double page. It contained a detailed list of the total number parish-members and pupils (male and female), financial aid provided to individuals, quantity of food distributed by the parish soup-kitchens of Panagia, the Holy Trinity, SS Constantine and Helen, amounting to a daily total of 825 servings to pupils and the poor. Concurrently, the Association of the Schools [Gr. *Syndesmos Scholōn*], which, under the chairmanship of former MP of the Democratic Party, Alexandros Hacopoulos (1911 – 1980), helped to supplement teachers’ wages by organizing lotteries, educational lectures and leisure activities at economical prices. Vakalopoulos also praised the establishment of the new Supreme Advisory Board (Gr. *Anōtaton Symbouleutikon Organon*), which consisted of veteran committee members as a sign of respect to our elders. Still, the balance sheet of the report closes with a double deficit for the schools as well as the other community activities, a clear sign of financial decay (*Embros*, 24 and 28 November 1969).

Other community members did not share Vakalopoulos’ enthusiasm about the way things were being run in Pera. Yorgo Çömlekçioğlu, Patriarchal *archon* official Pamukoğlu, the newspaper *Apoyevmatini* published by Yorgo Adosoğlu and Grigori Yaveridi and, perhaps more importantly, the all-powerful chairman of the Board of the Balıklı Charitable Foundations, Miltiadi Cambazoğlu were vexed by Vakalopoulos’

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<sup>50</sup> “ἐπὶ τῇ λήξει τῆς διετοῦς θητείας τῶν διοικητικῶν σωμάτων”.

<sup>51</sup> “πίστη στήν Μητέρα Ἐκκλησίαν καὶ τὴν φιλάτη πατρίδα, Τουρκίαν”

<sup>52</sup> “πρώτης τῶν κοινοτήτων”

claims of Pera's primacy over the "historical rights" of Balıklı. As for the novelty of establishing new administrative and advisory bodies, these were perceived by the Balıklı faction as an unfounded effort on behalf of the Pera community to dominate intra-communal power structures. The budget deficits in the accountability report were presented as a product of malpractice and nepotism. Thus, when, after a series of delays and cancellations of candidacies, the election date was set for 29 December 1969, Çömlekçioğlu and his supporters rallied to the "white with a pink band" ticket forming the opposition to the "green" ticket led by Vakalopoulos (*Apoyevmatini*, 16 and 17 January 1970).

From the early days of December, the electoral race gradually evolved into a deep division, which was expressed in opinion columns – *Apoyevmatini*'s famous "Laconian aphorisms" (Gr. *Lakōnika*) and *Embros*' "Reflections and Notes" (Gr. *Skepsis kai Sēmeiōseis*) – as well as in advertisements made by each ticket and open letters sent by readers. They two factions accused each other of mismanagement, clientelist appointments, abuse of power, nepotism (Gr. *tsorbatziliki*), undue influence over voters, foul play in appointing the electoral committee and, above all, of *misogeneia* (*Apoyevmatini*, 24 January 1970). It is nearly impossible for the researcher to distil the 'facts' from these libels, slanders and polemic slogans. And yet some of the statements are unsettling even as rumor. For example, the statement that "some female wardens of the soup-kitchens of Beyoğlu, blindly following the orders of ... the administrators and the ephorate, actively campaign in their favor, threatening that they will evict members from the mess should they not vote for their faction"; or that the losing side in the elections threatened to propose, in private meetings with the Turkish authorities, the

cancelation of the elections and the restoration of the *tek mütevelli* system (*Apoyevmatini*, 9 December and 5 February 1970).<sup>53</sup>

Moving beyond personal enmities and procedural irregularities, what seems to have been really at stake in these elections was the fundamental question, “who and in what way is entitled to manage the communal property?”, which, although a legacy from and for the many, was in danger of becoming a privilege for the power-grabbing few. Thus, besides the backstage rivalry between Cambazoğlu and Vakalopulos over control of the Major Foundations and the power-balance between Balıklı and Pera, a wide, public debate soon emerged among community members concerning communal institutions, the electoral process and, more generally, alternative methods of *self-organization*, *self-sufficiency* and *self-preservation* open to the community (*Embros*, 30 July 1970). Reading through Rum newspapers of the period one does not find it difficult to visualize voters “crowding the churches and the vehicles hired for this purpose by the various factions” as they came together to deliberate about governing bodies, audit committees, secondary elections and accountability reports (*Apoyevmatini*, 29 December, 1969).<sup>54</sup>

In this light, when in the summer of 1970 the Balıklı Ephorate, proposed and drafted a new electoral statute for Major Foundations (Tur. *Büyük Kurumların Seçim Nizamnamesi*), which they made available through the press “so as to receive the opinions and deliberations of our fellow-community-members [Gr. *omogenous*

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<sup>53</sup>“ὀρισμένοι κοσμήτριαι τῶν συσσιτίων τῆς κοινότητος Beyoğlu, ὄργανα τῶν [...] ἐπιτρόπων καὶ Ἐφορείας προπαγανδίζουσι ὑπὲρ αὐτῶν ἀπειλῶντας ὅτι θὰ κόψουν τὸ συσσίτιο σὲ ὅσους δὲν τοὺς ψηφίσουν”.

<sup>54</sup>“κατάμεστες ἐκκλησίες καὶ τὰ μισθωμένα ἀπὸ τῆς παρατάξεως αὐτοκίνητα”.

*kosmou*]",<sup>55</sup> the response was immediate as it was eloquent: “Wherefrom do they draw the right, and who are these so-called leaders of our community, who legislate not based on the Rum Cemaati [Tur. “Rum Community”], but based on the number of churches [they control]?” asks reader Kalloudēs Laskarēs, in a letter published in *Embros* on July 30, 1970 and entitled “*Ai Koinotikai mas Eklogai: Archontai kai Nomothetai*” (Our Community Elections: Leaders and Legislators). “Did a Constitutional Communal Assembly Convene without us noticing? ... and whence does the Balıklı Ephorate derive its power to speak in the name of the entire Community of Istanbul?” To Balıklı’s proposal that the to appoint the members of the electoral committee he replies: “How would they be given the right to evaluate themselves as candidates, once more, before providing us with an account for their administration?”. Finally, criticizing the retention of the restriction of the right to stand for election to men over 30, as unconstitutional, he concludes:

A statute of this kind cannot be possibly approved [...]. Is this, I wonder, what some are seeking? Namely, for the few to govern and administer indefinitely and with no responsibility? [...] Unless, the governing gentlemen of today are trying in this way to stay indefinitely on the posts they occupy, claiming that elections are not allowed? The Rum, though, will not forgive them but one day will hold them responsible and ask for a account of their actions.

(Embros, 30 July 1970).<sup>56</sup>

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<sup>55</sup> “ὅπως γνωστοποιηθοῦν πρὸς αὐτὴν αἱ ἀπόψεις καὶ γνῶμαι τοῦ ὁμογενοῦς ἐνταῦθα κόσμου”.

<sup>56</sup> “Πόθεν ἀντλοῦντες τὸ δικαίωμα καὶ ποίοι οἱ Ἄρχοντές μας τῆς κοινότητος οἱ ὅποιοι συνταγματολογοῦν ὄχι βάσει Ροῦμ Τζεμαατὶ ἀλλὰ βάσει ἀριθμοῦ ἐκκλησιῶν; Μήπως συνῆλθε Συντακτικὴ Κοινοτικὴ Συνέλευσις; ... καὶ πόθεν πηγάζει ἡ κηδεμονία ὀλοκλήρου τῆς Κοινότητος Σταμποῦλ ἀπὸ τὴν Ἐφορειάν τῶν Νοσοκομείων Βαλουκλή; [...] Πῶς θὰ δοθῇ τὸ δικαίωμα νὰ κρίνουν ὡς ὑποψηφίους πάλιν εὐατοὺς πρὶν δώσουν λογαριασμὸν διαχειρήσεως; [...] Παρόμοιος κανονισμὸς δὲν εἶναι δυνατὸν νὰ ἐγκριθεῖ ... Μήπως αὐτὸ ἐπιζητοῦν μερικοί; δηλαδὴ ὀλίγοι νὰ διοικοῦν καὶ νὰ διαχειρίζονται ἀορίστως καὶ ἀνευθύνως;... Ἐκτὸς ἂν οἱ διοικοῦντες σήμερον κύριοι προσπαθοῦν διὰ αὐτοῦ τοῦ τρόπου νὰ καθίσουν δι’ ἀρκετὰ ἀκόμη ἔτη εἰς τοὺς θῶκους τῶν ὁποίων βρίσκονται ἰσχυριζόμενοι ὅτι δὲν ἐπιτέπονται ἐκλογαί; ὁ Ρωμηὸς πάντως δὲν θὰ τοὺς συγχωρήσει καὶ θὰ τοὺς ζητήσῃ κάποτε εὐθύνas καὶ λογαριασμὸν πεπραγμένων”.

### 3.4. Rum charity in the twenty-first century

With the “elections of the green and white with a pink band”, both the concept of *philogeneia* and the institutional basis of Rum Welfare system (elections – accountability reports – central administrative bodies) began to fall into decay. The iniquities and backstage feuds of '69 provided a good excuse for the Turkish authorities not to grant the necessary permits to hold elections and sped up the process of denigrating the institutions of collective philanthropy by the community itself (Alexandris, 1983: 291). Associations, schools and hospitals have continued, of course, their benevolent activities to date, facing countless difficulties and incalculable losses. However, the most important loss, seems to have been the acceptance of institutional fragmentation and the prevalence of the logic of “another foundation, another’s worry” (Gr. *kathe vakoufi kai kaēmos*) as one of my anonymous informants put it. After the shenanigans of '69, communal elections were not repeated and administrative bodies not renewed for a period of twenty years, during which Rum foundations were characterized by paralysis and complete lack of transparency. In 1991 Turkish authorities authorized an unprecedented type of communal elections, allegedly engineered by the then *de facto* and – after the elections – *de jure* (1991 – 2015) President of the Balıklı Charitable Foundations, Dimitri Karayani (1925 – 2015) (interv. with Dimitri Karayani, Istanbul, 09/11/2012). According to informants who insisted on anonymity on this point, “this was achieved through Karayanis’ personal ties with the most repressive parts of Turkish bureaucracy, i.e. the so-called ‘deep state’ (Tur. *derin devlet*) apparatus (on the deep state, see Öktem, 2011: 8, 14, 40, 105). According to this new system, two electoral districts were created. Elections for Rum Foundations on Istanbul’s European side and the Prince’s Islands took place together on March 31, 1991, while those pertaining to

Foundations of the Asiatic side the day before. During this electoral process the secondary elections traditionally required for staffing the boards of Major Foundations were abolished for the first time. According to several of my informants (interv. with, Frango Karaođlan, 26/09/2011; Mihail V., 18/07/2010; Dimitris Frangopulos, 25/10/2011; Meri K., 29/06/2011; Yorgo Ateřođlu, 30/06/2012), 22 out of 45 candidates received a letter from the Turkish authorities, which barred them from participating in the elections. The hegemony of the Balıklı Chartiabte Foundations Board was clearly visible in the 1991 elections, which while understandably criticized as undemocratic and ‘false’ nevertheless provided Rum foundations with administrative bodies for another decade.

The annulment of this rationality of fragmentation seems to be the basic prerequisite for the successful revival of Rum Philanthropy in the twenty-first century. Some progress was made on September 16, 2004 through changes in *vakıf* law and directive no. 25585 of the Ministry of the Interior,<sup>57</sup> which led to the regular holding of elections in most communities and foundations, and the long-awaited founding of a coordinating body, RUMVADER (Tur. *Rum Cemmat Vakıfları Destekleme Derneđi*; Gr. *Syndesmos Ypostrērixēs Rōmeikōn Koinotikōn Idrymatōn* Eng. “Association for the Support of Rum Communal Foundations”) and the Council of Philanthropic Fraternities (Gr. *Symboulıo Philantrōpikōn Adelfōtētōn*) both of which have served as platforms for coordinating philanthropic actions as well as educational and cultural activities (Anastassiadou & Dumont, 2007: 184). Furthermore, there was a gradual return of formerly confiscated communal properties to the community (Kurban & Tsitselikis,

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<sup>57</sup> “Cemaat Vakıfları Yönetim Kurulu Seçimlerinin Seçim Esas ve Usullerine İlişkin Yönetmelik”, *Resmi Gazete*, 16/9/2004, no. 25585, see Appendix C4.

2010). However the effects of such positive steps were compromised by the January 2013 decision (Tur. *Kararname*) of the General Directorate of Pious Foundations to effectively abolish elections on the grounds that it is preparing new revised electoral regulations, which has remained unpublished ever since. While clearly amounting to a violation to Article 40 of the Lausanne Treaty, it also violates Turkey's own Foundations Act, which provides for the existence of Electoral Regulations and elected administrative bodies of non-Muslim foundations. The make-up of administrative board of foundations has therefore remained the same since the last elections in 2013.

As of 2013 there was a total 63 Rum foundations (see Appendix B), functioning under the 'supervision' of the General Directorate of Foundations, each with its own history and character, with many of them languishing between meager activities and utter decay. This grand total may have reflected the need for philanthropic and educational activities at a time when there were more than a hundred thousand Rum living in the city, but currently amounts to an impractical management structure, given that the Rum population is calculated at between 1,000 and 4,000 souls (Agönül, 2007: 346-7), while active voters of the last *vakıf* elections never surpassed 700 (interv. with Frango Karaoğlu, 17/01/2013).

Despite the tragic demographic state of the community Rum philanthropic activity presents remarkable vitality and resilience. This is how the much-loved community member Yorgo Ateşoğlu (May 1, 1946 – November 2013) narrated his first initiation to Rum philanthropy:

In 1980 I was initiated to charitable work by running for the board of the Association of Supporters of Destitute Patients and Inmates of the Balıklı Hospital and Home for the Elderly [Gr. *Syndesmos Boētheias Aporōn Asthenōn kai Gērokomoumenōn tōn Nosokomeiōn Valouklē*, est. 1946], one of the oldest and most active associations, with a total of 800 members. But the 1980 military



coup cancelled the elections and shut down all associations. When the ban was later lifted the associations functioned with their old boards of directors. Nevertheless the board of trustees of the Association, allowed us, the two new members, i.e. Lazaros Kozmaoğlu and myself, to serve informally as board-members until a new body emerged from fresh elections. These were very difficult years, but our association worked well with the Hospital Ephorate and made important and significant contributions. Since 1980 to this day, I do my best, together with the rest of the omogeneia to contribute to the sacred task of charitable work. We always try to maintain the level of services as high as possible both in the Home for the Elderly and the Psychiatric Asylum, always through close collaboration with the boards, which were regularly renewed through elections every two years.

(interv. with Yorgo Ateşoğlu 30/06/2012).

Frango Karaoğlu, one of the major driving forces behind the informal Council of Rum Philanthropic Fraternities (Gr. *Symboulío Philantrōpikōn Adelfōtētōn*), provided us with a succinct manifesto of Rum philanthropic activity in the twenty-first century:

They founded schools, erected hospitals and homes for the elderly and provided them with endowments that would ensure their resilience in time... Through its benefactors the financially and socially flourishing Rum Community of the nineteenth century handed down to us a philanthropic system of international reputation. Thanks to their activities, the Greek word *evergesia* [Gr. “benefaction”] entered the vehicular language of the time, French, in which it still survives as *évergétisme*. Their purpose was to assist the destitute and needy, those who could not educate their children, those who fell ill and could not afford a visit to the doctor, or those whom old age had left alone and homeless. Poverty, illness and old age existed back then as they do now. But our current condition is wholly different. The cruel historical fate of the minority has brought us against equally cruel conditions. Social realities and the fact that we number no more than several thousand souls bring about the ‘minority condition’ par excellence: living in poverty and the margin. Some of which manage to get by, while others don’t. From more than 100 fraternities that were active in the period 1923 – 1940, only 8 survive today. The Council of Rum Philanthropic Fraternities is an informal coordinating platform which began its collective actions in late 2009, aspiring to re-define our understandings of “charity” in the context of our community’s conditions and needs today. Our first task was to unify and update a list with the names of those people that receive support from any of the fraternities, including those of the Ecumenical Patriarchate. Following a series of meetings we ended up with a list of 350 persons, about 100 of which were found in immediate need of assistance. The Council does not neglect traditional methods of assistance: it organizes both regular and emergency fundraisers to support cases that need immediate action (e.g. surgery, funeral, hospitalization); it identifies children who have no access to education and for their rehabilitation; it organizes concerts for the elderly, etc. Nevertheless the aspect of intervention

that most requires our attention is moral support: visiting homes, establishing a personal connection with those in need of material, moral or psychological support.

(interv. with Frango Karaođlan, Istanbul, 17/01/2013, published in Benlisoy et al, 2013: 80-3).

Historically the mutually reinforcing institutions of Rum philanthropy, education and medical care have been combined so as to create a type of institutional architecture that may be described as communitarianism (Gr. *koinotismos*). In this light, Rum philanthropy does not merely consist of assisting those in need but functions as a fundamental and constitutive part of Rumness [Gr. *Rōmiosynē*]; the informal institution par excellence, which irrevocably binds benefactors and beneficiaries together, as belonging to the Rum community and to Istanbul itself (Örs, 2006: 79-94). Modern practitioners of Rum philanthropy seem fully aware of this foundational connection:

I was born in Balat, at Xyloporta or Lonca as we call it. And my grandfather was from Fener. Then I got ill. I caught a cold somewhere and stayed in a comma for about 10 days with fever around 40 degrees. 10 days eating only apples and remembering nothing; only nightmares. Then we moved to Makrohōri [Tur. *Bakırköy*] when I was seven – now I’ m seventy-three – and have stayed there ever since. There I went to [a Rum] primary school (Gr. *Astikē Scholē*), there I married, there my children were born, graduated from the same primary. The graves of my parents are there. Eh, a debt is owed then to that place. That is what ‘being Rum’ means. That is what ‘patriotism’ means for Rums: to consider the legacy left by your forefathers for the benefit of the poor. This is what we inherited from them. A remarkable tradition... [The informant broke into tears at this moment]. It is our duty not to disappear from this city as a community and not to destroy this heritage our forefathers left us. All that is needed is a little bit of patriotism.

(interv. with Nikos Athanasiadis, 06/03/2012).

When asked to further explain his notion of “patriotism”, Athanasiadis responded:

I remember vividly that in my youth our schools were in better condition than our private houses; for it was there that we became who we are. This is what I mean by ‘patriotism’: to prioritize what is communal, i.e. education, healthcare and the improvement of our community (Gr. *omogeneia*). This should come naturally to everyone of us. Not like those board-candidates who come forth and try to pick this post or the other. Posts and ranks are insubstantial. What matters is how to contribute [to the common good]. And we should remember that we

administrators are not bosses. This is not some private property. We are like the janitors in apartment blocks: we simply collect utilities, make payments and take turns in being in office. As you can imagine, in a commune of 130 souls [Bakırköy Rum commune], who are mostly old and vulnerable, increasing the monthly proceeds of communal property is key for they provide for the healthcare and medical treatment of community members in times of emergency. Together with education, this is the fundamental duty of each board, in my view. We [administrators] must keep an eye on each other for we have reached a stage where mistakes are unforgivable. For if we continue down a rotten path a thought comes to my mind that I cannot come to terms with: that Rumness will go extinct. Our ancestors will rise up from their graves in protest! We should therefore all strive for the financial self-sufficiency of the community. The only way to achieve this is for all administrators to meet regularly and discuss as often as possible so as to come up with common solutions to common problems. For that we definitely need a central body that will advice and audit each commune; my view is that it should take the corporate form of a federation, since this would force all its members comply to its rulings. This would minimize the risks of corruption, lack and transparency. When we have gained financial self-sufficiency – and you may call me an idealist or utopianist for this thought of mine – we will be in a position to sustain guesthouses, cultural centers and activities and – why not? – even create employment opportunities that would attract young people from Greece and so manage to increase our numbers here. Let anyone who wish it settle down and live by our side, so that they get to know us and understand us and transmit to younger generations Rum values as they were exhibited by the great benefactors of old: collective spirit, solidarity and pride for our heritage. We are and will always be a minority – I cannot emphasize this enough! A minority can only be secured through financial independence. To achieve this we need to work hard, to show some patriotism and some respect to our ancestors. We must all keep this in our minds. We are accountable to our ancestors who left all these resources to be used for the benefit of the destitute and of our community (Gr. *omogeneia*) as a whole.

(interv. with Nikos Athanasiadis, 06/03/2012).

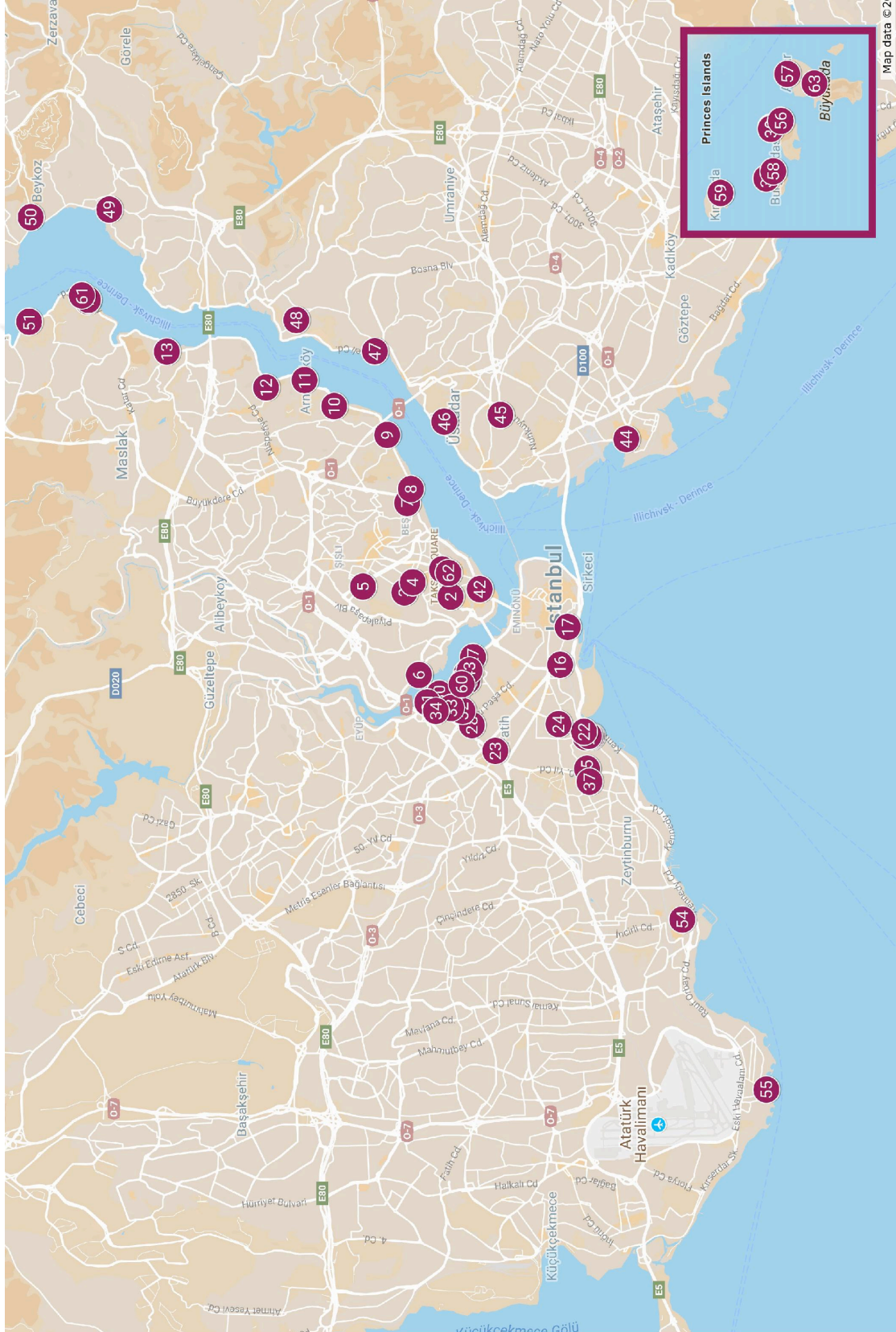


Figure 1. Geographic distribution of Rm foundations in Istanbul (numbers correspond to entries of Appendix B.

## CHAPTER 4

### THE TARLABAŞI-TATAVLA CONTINUUM:

#### ASPECTS OF DECAY AND REVIVAL IN A FORMER RUM HEARTLAND

##### 4.1 Urban space and political ideology

That urban planning and architecture are closely connected to political ideology is by no means a recent discovery for social scientists. From Augustan Rome to the Soviet Union, and from Thatcherite Britain (Allmendinger & Tewdwr-Jones, 1997) to contemporary Israel (Shadar & Oxman, 2003), distinct ideologies, such as imperialism, communism, liberalism and Zionism have employed the urban space as a canvas for articulating, disseminating and (re)enforcing their hold over hearts and minds. This interplay between political ideology and urban planning has been equally omnipresent in both late-Ottoman and Turkish politics, where modernization, Kemalism and nationalism have generally determined the fundamental guidelines of the relevant programs (Kuban, 1996: 376). The profound mark left by the Rums on the architecture, urban design and organization of the city of Istanbul has been widely acknowledged and meticulously studied (Kuruyazıcı & Şarlak, 2010; Pérouse, 2012; Karaca, 1995; Akbulut, 2012, Tsilenis, 2012). This chapter's main aim is to focus on the non-material aspects of the architecture and urban design and, specifically, on Rum collective memory and the interplay between ideology and urban space. It focuses on two adjacent, Istanbul neighborhoods, namely Tarlabaşı and Kurtuluş (Tatavla), the first of which used to constitute a Rum heartland until the massive flights of Rums in the 1970s, while the second still hosts the highest concentration of Rum inhabitants in Istanbul (Martin 2014;

2015: 2). The chapter will therefore explore the intimate interconnection between minority policies and urban transformation, through a brief review of the two areas' history in the late-Ottoman and Republican period. I shall specifically look at the discourse employed by Turkish authorities and Rum responses to urban transformation that have occurred in the areas in question. My main conclusion is that, in both cases, under an ostensibly neutral, technocratic and 'modernizing' façade, urban development projects have typically gone hand-in-hand with nationalist ideology and policies of demographic manipulation, and that, despite their increasingly deplorable demographic state, the Rum have historically developed novel ways of adjusting and symbolically re-appropriating these areas.

#### 4.2 Tarlabası: From blueprint of urban modernizing to ghetto

Modern Tarlabası is “[l]ocated on the slope downwards to Dolapdere...[it] is part of the Beyoğlu sub-province of Istanbul, on the European side of the city. The quarter is located on both sides of Tarlabası Boulevard, which begins at the intersection of Taksim Square and Cumhuriyet Road and ends where Refik Saydam Road starts” (Saybasılı (2007:103).<sup>58</sup> Tarlabası's history as a residential area begins in the 1860s and coincides with the first concentrated efforts of late-Ottoman elites to plan the space of an expanding capital along western European, if not strictly Parisian, lines (Kuban, 1996: 383; Bozis, 2012: 12). This was the time of the demographic explosion and financial prominence of a new, non-Muslim bourgeoisie, which emerged under the protection of the European powers and therefore sought to reside as close as possible to their consular

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<sup>58</sup> Quotation marked are used here since, as it will be argued later and like so many other quarters of Istanbul, the boundaries of Tarlabası have never been formally fixed. This is important as it suggests that apart from a physical reality “Tarlabası” is also a construction filled with value judgements.

facilities, historically situated on the Grande Rue de Pera (Ott.Tur. *Cadde-i Kebir* or today's İstiklal Caddesi) (Bozis, 2012: 14).

Extending over a long and narrow hill-top, the Grand Rue was not only the epicenter of diplomatic workings and financial activity, but also the first area to be planned along Western European standards, with regards to cleaning, pavements, and lighting (Kuban, 1996: 382). Pera became the administrative center of a modern *Altıncı Daire*, or 6<sup>th</sup> municipal district, perhaps an allusion to the famous *Sixième Arrondissement* of Paris (Kuban, 1996: 383). The arable fields (Tur. *tarla*) and Christian cemeteries (Fr. *Petit Champs de Morts*, Gr. *Mnimatakia*, present-day Tepebaşı), downhill and west from the Grande Rue were soon replaced by the houses of the new, Christian middle-class who could not afford the luxurious mansions of Pera. Rum researcher Sula Bozis vividly described this remarkable urban transformation:

In 1854 the Municipality of Istanbul was founded. Istanbul was for the first time divided in administrative districts. The Galata-Pera axis, the 6<sup>th</sup> municipal district (Tur. *altıncı daire*) stands out as the blueprint for all modernizing urban transformations in the empire. 1858 saw the appointment of the first Municipal Council of the 6<sup>th</sup> District. It was presided by Kâmil Bey and contained as members Antoine Alleon, the Jewish banker Kamondo, the Armenian banker Ohannes Migirdich, the Franchini, Hanson, the Maronite owner of the Naum Theatre in Galatasaray, Teodor Naoum and the Rums Savvas Pavlakēs, Bahçevanoğlu Yorgi Efendi and Mitiyadi Efendi. In 1867 the municipal council included the Rum banker Geōrgios Zarifis, A. Revelakēs, who was from the Cycladic islands but of British citizenship and general director of the horse-driven rail service (tramvay), A. Caratheodory (a high-ranking public servant), Dimitris Yenidünya, Antoine Alleon and Gaspar Glavani. As part of the planned transformation the council decided that the street of Pera should be paved. From 1856 onwards, the Grand Rue was lit with gas lamps, supplied by the gas factory, which had started production at Dolmabahçe in 1853 in order to supply the palace with electricity. Water supply and sewage systems were added. The construction of two hospitals and a municipal hall was decided, closely following the designs of the Parisian Hôtel de Ville. Avenues, thoroughfares, squares and a metro line were added so as to facilitate and speed up access to Pera from Galata. Since 1830 Pera consisted of 6 neighborhoods: Ağa Camii, Tekke, Tepebaşı, Çukur Camii, Yeni Mahalle and Kuloğlu. The neighborhood of Ağa Camii took its name from the small, elegant mosque by that name situated by the Grand Rue

next to the European Portico (Tur. *Rumeli Han*; Gr. *Agora Rōmylias*). This mosque, the only one ever to have been built at the heart of Pera was built in 1594 and restored in 1834 in the reign of Mahmud II. In the nineteenth century the neighborhood of Tepebaşı, known for the Fountain of Mahmud I, is divided from Tatavla by means of a valley. Below was the dingle of Kanlı Çukur [Tur. “Bloody Pit”] from which flowed the stream of Kasımpaşa. The eastern slope of the hill was covered with cherry trees and was called Kerasochōri [Gr. “cherry-village”] and, according to Skarlatos Byzantios, was “frequented by loose women, a center of corruption”, leading to the name being adapted as Keratochōri [Gr. “village of horns”]. Skarlatos adds that the stream carried the sewage and impurities of both areas. This was the starting point of Yenişehir, a densely populated, lower-class neighborhood, described by scholars such as Byzantios [1851] and Paspates [1862] as a neighborhood of ill repute, famed for its taverns, inns, wine-cellars, and alleys that would remain lit until midnight. In these establishments, cross-dressed male dancers (Tur. *köçek*) would entertain lower-class clients. Revelry was a daily occurrence, occasionally interrupted by gunshots and drunken shouts, while the nearby neighborhood of Elmadağ (Gr. *oros tōn mēleōn*) was home to brothels. The area’s wooden houses were inhabited by Rums and Bulgarians.

(interv. with Sula Bozis, Istanbul, 13/12/2012)

This dynamic shaped the social, ethnic as well as architectural personality of Tarlabaşı. Well into the twentieth century Tarlabaşı was the heartland of the Pera Rums. It was a district buzzing with commercial, artistic and social activity. In the words of a senile, Muslim resident: “*O zamanlar Türk olarak yorgancı, birkaç da kapıcı vardı. Gerisi Rum’du*” (Sabancı, 1999). This is also reflected in the striking absence of any old mosque as opposed to the several churches of different denominations, ranging from Rum Orthodox to Assyrian, and from Catholic Armenian to German Protestant. In terms of social class the majority of the inhabitants were petty or aspiring bourgeois (“*Rumlar, Beyoğlu’na giyim kuşamsız, kravatsız çıkmazdı*”) (a cliché I often encountered during my fieldwork). At the same time the slope of Tarlabaşı constituted a living, monument to Ottoman social stratification: As you would go down the slope, the socio-economic status of the inhabitants would fall, starting from the bankers, merchants and industrialists of Pera, moving through the doctors, small businessmen, artists, actors and



teachers of upper Tarlabası, down to the lumpen, Christian working-class and Roma mahalles of lower Tarlabası,<sup>59</sup> stretching on both sides of the stream of Dolapdere.<sup>60</sup>

This impression of class hierarchies onto geographical space is still visible on the surviving buildings, whose aesthetic quality, size and grandeur decrease as one descends into the bottom of the district. At the same time, just like today, lower Tarlabası, and especially the areas around Papaz Köprüsü, Kurdele and Abanoz [today Halas] Sokağı, were infamous, as the locus of muggings, drunken fights, prostitution and all kinds of promiscuity, resulting in its the name Kanlı Çukur (Tur. “Bloody pit”) (Byzantios, 1851, vol. 1: 96; 1862, vol. 2: 30). The streets of lower Tarlabası are the “narrow and dark Pera alleys” that have haunted the imagination of many Istanbul-born, Greek writers such Maria Iordanidou (*Lōxandra*, 1960) and Giōrgos Theotokas (*Leonis*, 1960). Nevertheless, Tarlabası still constituted a single continuum together with Pera; there was no sudden disruption between the two quarters, no clear-cut boundary. This gave rise to multiple and contradictory conceptions of Pera: ‘the civilized Pera’ – centered around the consulates and offices –, ‘the erotic Pera’ – around the famous Abanoz Sokak –, and ‘the deadly Pera’ – concentrated in the twirling streets of lower Tarlabası. In fact it could be said that the noticeable deterioration of safety, hygiene and public order standards observed as one descended down the slope follows a pattern common to all kinds of Ottoman reforms, from tax-collection to education: the further away you moved from the center and the base of the enlightened bureaucratic elite the less effective the transformation was.

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<sup>59</sup> The Roma are actually the oldest inhabitants of the area, their first settlement in Dolapdere attested as early as the 17th century, Massavetas (2007:186). Still many of those interviewed during my fieldwork appear to have migrated from Thessaloniki with the 1922 population exchange.

<sup>60</sup> Originally forming part of Kasımpaşa deresi or Büyükdere this part of the stream was built over in 1944 by the Istanbul municipality as a threat to hygiene standards in the region. It was then that it acquired its modern name “Dolapdere”, meaning the “encased stream”; see *Akşam*, 15 February 1944.

The 1922 population exchange was the beginning of the end for the Rums of Tarlabası. Minority policies throughout the Republican Period have been shaped by the understanding of modernization encapsulated in the 6 principles of Kemalism, especially Nationalism and Statism. Like so many other late-nationalisms, the Turkish one embarked on a program of national homogenization through a variety of formal and informal mechanisms. It followed a double strategy of assimilation, combining disincentives to non-Muslims for remaining in Turkey with incentives offered to Muslims to “fill the gap”, by moving into houses left behind and abandoned business sectors. The Wealth Tax of 1942-44, imposed on the grounds of the economic hardships experienced during WWII, specifically targeted non-Muslims in an effort to cripple their financial vigor and boost Turkish entrepreneurship (Aktar, 2000; Alexandris, 1982: 106). Soon after the Wealth Tax, followed the 6-7 September 1955 pogroms, with the tacit involvement of the Menderes government (Güven, 2006; Vryonis, 2005, Korucu & Manginas, 2015; Tarinas 2015; Christidēs, 2000). 20 years later, the 1964 expulsion of all Greek citizens residing permanently in Istanbul hugely decreased the number of the non-Muslim residents of Istanbul (Katsanos 2014; Macar & Katsanos 2014; Demir & Akar, 1994).

This is how former resident and current editor-in-chief of Rum daily *Apoyevmatini*, Mihalis Vasiliadis narrates a traumatic memory from his childhood in Tarlabası:

I was born – as my mother used to say – when the Maginot Line fell. A few weeks earlier, my father who worked as a dentist in Pera, suffered hemiplegia and had to stay in bed for several years during which he was unable to exercise his profession. Our house, which also served as my father’s practice was in a very central, little square on the first floor of an apartment building at the intersection of Tarlabası and Kalyoncu Kulluğu Streets, diagonally across the British Consulate and opposite the karakoli, as we used to call the police station

[...]. That morning of May '41, my mother woke early as usual. When she looked through the corner window overlooking the police station and the junction she observed an unusual commotion. Men with their hair cut short and dressed in civilian clothes, which were unmistakably made in “Superbank”, the state-owned fabrics factory that supplied all public servants once a year with gratis clothes, would stand half-hidden on corners and apartment entrances. They were clearly policemen, who would spring forth as soon as they saw anyone passing by and ask for papers. They were looking for Rums, Armenians and Jews, whom they would then lead to the station. The station – as far as we could see from our house windows – was utterly crowded. Every now and then we would see armed uniformed men of the military police who came in and led away – we did not know where – some of those processed within. Rums inhabited 60% of our neighborhood, while the rest 40% was shared by Armenians and Turks with very few Jews. [...]. Soon the news reached us: The Turks were calling a draft of 20 age groups. The small square in front of our house was filled with women who cried and begged trying to catch a glimpse of their relatives and give them something to eat or a change of clothes. That was out of the question. We later found out that hospitals had received directives to reject all petitions for exemption from military service on medical grounds. The ill and the invalid were called to serve, as were the lame and the blind. Bearing in mind that all boys of ages 18 to 22 were already doing the service, not a single Rum, Armenian or Jewish man over 18 and under 42 remained in Istanbul. Those who left eventually came back at the end of the year, though not all. Once they were back, shops and businesses began to work again and the economy picked up once more. But soon what was left unfinished by the Ministry of Defense was taken up by their colleagues at the Ministry of Finance. The tax bills for the infamous Property Tax (Tur. Varlık Vergisi) were showered upon us. Even my father, who was still immobilized in bed and had not worked since 1939, received a similar bill. Since he could not pay that truly exorbitant sum a group of state clerks made a visit to our house and confiscated anything they could lay their hands on, including my father's bed after they had relocated him and the mattress on the floor. They then proceeded to seal my father's practice, after which we were forced to move out of Tarlabası to our family house in Çengelköy.

(interv. with Mihail Vasiliadis, Istanbul, 17/11/2011,  
cited in Benlisoy et al, 2013: 230-232).

All these measures of repression were most strongly felt by the Rums of Tarlabası. As a thriving, non-Muslim, middle-class neighborhood, situated so close to the city center, Tarlabası was seen as a blatant cacophony in the nationalist vision of Turkey. Turkish governments did not only appear to be relieved to see the Rums go, but were also getting two birds with one stone, as the flight of the Christians allowed them

to play the populist card by providing cheap housing to the Anatolian peasants who begun to flow into Istanbul already by the 1950s. The legal problem of the ownership of the houses has been postponed indefinitely by Turkish governments who consider these houses ‘permanently abandoned’ by their rightful owners. In decades to come Tarlabası would become “the ‘unhomely house’ for the rootless and displaced population arriving from the rural areas of the eastern part of Turkey, and has turned into not only a site of physical dilapidation, but also one of social deprivation...a location firmly nested inside the city, for the destitute, repressed, and exploited. [D]estitution is the main and permanent condition of the population of Tarlabası, 78% of who are migrants” (Saybasılı, 2007:102, emphasis added).

Temporarily content with the settlement of a “loyal population” in Tarlabası the Turkish state did not seem especially troubled by this new social reality. Still, non-Muslim presence in Tarlabası remained significant throughout the 1970s (Massavetas, 2007: 185). From the 1950s onwards Tarlabası was gradually transformed into a ghetto. This process of marginalization was facilitated by two additional developments in the 1980s: the urban revitalization project initiated under the mayorship of Badrettin Dalan and the forced displacements of Kurdish population from South-Eastern Turkey. The 1980s urban revitalization project was part of the wider program of the center-right government of Turgut Özal to transform Istanbul from a “decaying former capital into a global, world-class city” (Keyder & Öncü, 1993: 29). Just as most of ANAP policies the program was aiming at the ‘opening up’ of Turkey to foreign investors and consumers, with the city of Istanbul acting as “a showcase”, “a gateway to the Orient”, or “the East in the West, and the West in the East” (Batu, 1999: 136). Along liberal principles, such a project would entail the ‘cleansing’ of Istanbul (Tur. *temizlemek*), which, in turn, would

render the city more appealing and competitive in the global markets. Once again, the seemingly “technical” project of “cleansing” had a more sinister and ideologically charged side. Özal’s initiatives to evict manufacturers and petty-merchants from Perşembe Pazarı met the reaction of both locals and the Chamber of Architects (TMMOB), who warned against the destruction of cultural heritage buildings in the area, and the erasure of non-Muslim cultural history in the area. The cost of the beautification project in Fener was the loss of several dozens of more than 100 year-old Phanariot mansions (Massavetas, 2007: 185).

What follows is my translation from Greek of a remarkable interview I took in 2012 from the late, Yorgo Ateşoğlu, whose family had lived in Tarlabası for three generations. I quote it unadulterated, having only removed my questions so that it runs as a continuous text. Yorgo unfortunately passed away a year later:

We had been hearing for many years that Tarlabası would be demolished so as to widen the street and facilitate the traffic. In 1980, when Turgut Özal was in office and Dalan was mayor the demolitions began. Soon one side of the street had disappeared and with it many historical buildings. I was there while they were being demolished. Because of these demolitions the homeless and elderly Rum had reached the tragic record of 300 people. Many Rums from the area were left homeless and were forced to move to the [Balıklı] Home for the Elderly. 35 years later there was another set of demolitions, this time on the other side of Tarlabası. This meant the utter annihilation of all those small Rum and Levantine houses among which I had grown up and have always marveled at their beauty. These demolitions were presented as a twenty-first-century project in the most famous and historical part of Pera, involving the ‘restoration’ of an area 20,000 m<sup>2</sup>, 70% of which will be used as residences and 30% as offices, stores, etc. A company called GAP has undertaken construction of 300 buildings, and plans to deliver the project within two years. I understand that these demolitions will allow new buildings to be built, new neighborhoods to be established, where new families will acquire their own memories. But why should this require the erasure of my own memories? I disagree with that project. It is the old memories that define a city; the history of those who lived in it but no longer exist. This is the culture of an area.

I have known every corner of this area; At Sakızağaç with St Panteleymon, Kalyoncu Kulluğu, with its church and school of SS Constantine and Helen;

Turan Caddesi, were my office used to be, Balo Sokak or Solakzade. All these streets lead to Tarlabası, which is parallel to the Grand Rue of İstiklal.

I remember several Rum doctors, whose practices were in Tarlabası: Ksafis, Kuçupis, Triandafilidis, Doços, Karamuratoğlu, Tanasoğlu, Yağcıoğlu, Daniilidis, Kondorupis, Kayiris, Yorgiadis, Naum, Çömlekçioğlu, Kunis, Katranidis, Mugridis, Adosoğlu, Tataridis, Çiçopulo etc.

I remember with nostalgia the neighborhood of my childhood: our milkman Theodōros, the groceries-delivery (Istanbul Gr. *zarzavatçis*), who would load his crates with vegetables from his gardens, place them at the back of his horse and stroll through the neighborhoods; the *çiğerçi* [Tur. “intestines seller”] with his horse loaded with two lanterns full of delicious liver and the cats running behind him; the fishmonger with his baskets full of fresh fish of the season caught in Mega Revma [Tur. *Arnavutköy*]; the gypsy tinkers collecting brass vessels. Now when I see Sakızağaç deserted, in ruins, plundered, and dodgy characters roving through the ruins I am filled with pain and indignation.

Everyone has heard of Abanoz Sokak, even though it has been renamed as Halas Sokak. At the time when Beyoğlu was called Pera, it was one of the poshest streets of the district. Old historians of Pera say that the famed chemist M. Bossy, the inventor of cremation of the dead, was one of its residents, as was the tycoon Nurettin Mansi. Bankers and moneylenders of Galata, such as the Dumas brothers and the Vasilaki family lived and died in Abanoz Sokak.

The superb historian and author of the Encyclopedia of Istanbul, Reşat Ekrem Koçu tells the story of S. N. Duhani, who would stroll around Abanoz wearing his monocle and holding his walking-stick, while providing a detailed list of the ‘houses’ numbered 1 – 36: Palatina was in no. 1, Afrō was in no. 2, Tayare Melihat was in no. 3, Tasula – who smelled like French soap – was in no. 7, Necla was in no. 10, and then came Neriman, followed by Semiha.

At the other end of the alley is Balo Sokak. As you left and up to reach Pera you find another small street that was once called Silogos Sokak, since it housed the seat of the Greek Literary Association of Constantinople (Gr. *Ellēnikos Philologikos Syllogos Kōnstantinoupoleōs*), between the mansion of Tiberios and that of the pediatrician Facacelli. When the Turkish authorities shut the Association down [1922] they looted its book collection, moving everything to Ankara, while the building itself was converted to a mosque and the street was renamed as Mahkeme Sokak [Tur. “Courthouse St”]. The building was eventually demolished and it is now an open-air parking lot.

I was born and have lived to this day in the Tarlabası neighborhood of Sakızağaç. Sakızağaç and Tarlabası are one and the same thing. All nations of the world have gathered here in different periods: Rums, Armenians, Levantines, Turks, Tatars, Arabs, Syriacs, Kurds and lately Africans and Afghans. I live in the family home of my mother’s family, where my grandfather – who worked as a teacher for 52 years – my grandmother, my mother, my father, my aunt and me and my sibling lived and grew up.

Those were difficult times for Rum businesses. Turkey’s first supermarket brand, Ankara Pazarı, as well as other Greek businesses, such as chocolate and confectionery factories and alcoholic spirit distilleries, were targeted with the so-called *resen takdir*, i.e. taxing at extortionate rates, which would force

businessmen to sell shares or their business. The Tax Revenue and the police would typically raid Rum businesses, order workers to stay where they were and collect all paperwork they could find inside sacks, even looking into garbage bins. They would then bring it to the Tax Revenue Offices, where they would make the most thorough checks since they had been urged from Ankara to find or invent irregularities in the bookkeeping of Rum businesses. Since taxation and fines were unfair and exorbitant it was impossible to pay them even in installments. In this way shares from Ankara Pazarı were transferred to the ship-owner from the Black Sea, Ziya Sönmez. Within a short period of time the remaining shares were sold to businessman Erdoğan Demirören, who at that time had control over 36 anonymous companies. It was then that Demirören moved his Office at Arkan Apt., immediately opposite the Şişli Cemetery. In 1982, I was forced to move my accountant's office across Tarlabası, because of the demolitions. It was impossible to find an office around that time. I then moved my office to Solakzade sokak, where I continue to work to this day, like so many Rums, Armenians and Levantines before me.

(interv. with Yorgo Ateşoğlu 30/06/2012)

In the case of Beyoğlu, the revitalization project, entitled *Güzel Beyoğlu Projesi* (Tur. "Project for a Beautiful Beyoğlu"), revolved around two main axes. On the one hand İstiklal Caddesi, the main artery of the area since the time of the Grande Rue, would be pedestrianized and act as a major tourist and commercial attraction. The traffic was to be diverted to a new boulevard (Tarlabası Bulvarı), which would connect the central Taksim Square with the Atatürk Bridge and the historical peninsula. The new boulevard, followed the trace of the old Tarlabası Caddesi and the late-Ottoman *Rue de Petit Champs de Morts* (Gr. *Mnimatakiōn*). The opening up of the new highway on what used to be a narrow street – "as thin as a string" as an interviewee put it (Field Notes, May 19, 2008) – entailed the demolition of some 370 historical buildings and the relocation of thousands of residents and professionals. The consequent cultural destruction was so grave that a prominent professor of architecture recently described Tarlabası as "the city's running wound" (Tur. *kentin kanayan yarası* – "Rehabilitasyon öldürür", *Radikal*, 6 Temmuz 2005). Besides the cultural loss, the demolitions presented a "final solution" to the problem of ownership of these buildings, which can no longer

be claimed by their original owners. At the same time the new avenue artificially cut Beyoğlu in two parts, a ‘clean’, ‘safe’ and expensive one vis-à-vis, its impoverished, ‘violent’ and ‘criminal’ counterpart. It separated ‘downtown’ Tarlabası from its former organic unity with ‘up-market’ İstiklal. After the gentrification of the areas “up-the-hill”, most notably Cihangir, Tarlabası became the refuge of all kinds of marginal groups that used to reside in those areas: prostitutes, transsexuals and drug-traffickers. To borrow a term from Neil Smith (1996: xvi), Tarlabası Bulvarı has acted as “an urban frontier”, a physical barrier between an investment-rich and an underinvested area; or as we argue in this chapter between approved and marginalized social groups and lifestyles.

Apart from the demolitions, Tarlabası’s social landscape was further conditioned by a new social dynamic, namely the influx of Kurdish squatters, forcibly displaced from the South East and Eastern parts of Turkey. This was a result of the 1990s ‘unspoken war’ carried against PKK separatists in the East and an organized policy of demographic engineering, which would relocate potentially dangerous individuals and families from ethnically sensitive areas into the urban centers (Saybasılı, 2007:103). Thus in the course of 1980s and 1990s Kurds were relocated into nearly all areas of Istanbul and the islands that previously contained large non-Muslim minorities, notably the Marmara islands, as well as Gökçeada and Bozcaada (Alexandris, 1983: 292). Saybasılı (2007) elaborates the idea that Tarlabası can be conceived as a container, or even a concentration camp:

This old city center has become a “compulsory space” for those who are excluded from the society, and thus, having no social security, are left outside all formal networks, business markets, and housing facilities. Therefore they dwell in the city not by being excluded, but rather included as an “exception” within the urban space. (p. 105)



Official ANAP discourse was of course obscuring these dynamics. The stress was on ‘development’, better hygiene and safety standards and international promotion.

Rectifying traffic problems, rehabilitation, and cleansing were the key terms in Dalan’s discourse.

We are against the preservation of historical sites if they impede development. We are ready to undertake any punishment in order to serve this city. We will implement the plan and, if needed, we are ready to undertake any penalty. There are no historical buildings in Tarlabası, at least the ones we have demolished are not historical. We will continue with the demolition”.

(cited in Batu, 1999:137)

A closer look would reveal a nationalist rationale undercutting the government’s urban planning initiatives. Pro-demolition discourse often resorted to the argument that the buildings to be demolished carried no historical or cultural significance for Turks, being the creations of Armenians, Greeks and Levantines, long gone (Batu, 1999: 137-8). Ateşoğlu recalls that some of the bulldozers were proudly featuring the Turkish flag (interv. with Yorgo Ateşoğlu 30/06/2012, published in Benlisoy et al, 2013: 288-311). For the Rums this was a humanitarian catastrophe as 300 overage community members were thrown out of their homes and had to be moved to the community’s home for the elderly at Yedikule (interv. with Yorgo Ateşoğlu 30/06/2012, published in Benlisoy et al, 2013: 308). Nationalism-guided demographic engineering was at play in forcibly relocating the Kurds and encouraging them to move into Tarlabası. This was after the time when Özal would further develop and endorse the doctrine of Turkish-Islamic synthesis. It was also a time when the country was in immense economic and social difficulties, as a result of the switch from a protected, Import Substitution to an open, Export-Oriented economy.

Once again, the state was hitting several birds with one stone. The demolitions allowed the government: to promote its liberal economic agenda; to deal with the rising house demand of rural immigrants at minimum cost; to get rid of the last Rums inhabitants, the supervisors par excellence of their friends' abandoned property and to prevent potential property claims by the non-Muslims. At the same time, the demolitions constituted a novel way of erasing history and reclaiming urban space for 'the Turks'. The story of Tarlabası's old *Macar Caddesi*, its name later changed to *Turan Caddesi* under the influence of pan-Turanist ideology testifies to the same intention of erasing the historical memory of a non-Muslim Tarlabası (Belge, 2003: 251). Thus the opening up of Tarlabası Bulvarı in its present form was the final blow on Rum presence in the district (Massavetas, 2007: 185). It destroyed the social fiber of the neighborhood and forced the few remaining Rums to move to other, safer neighborhoods, such as Şişli and Kurtuluş. Tarlabası was now a container: the space of confinement and control of other minority groups: Kurds, Roma, African informal immigrants, and transsexuals.

Today's Tarlabası is still an area where poverty, unemployment, petty-crime, drug trafficking and armed gang-fights reign supreme. In the eyes of 'decent' Istanbulites, it is the place where pick-pocketers and thugs run to, in order to escape from the police, while taxi-drivers insist on shutting their car-windows when crossing its streets at night. This profound fragmentation of sociability has led Nermin Saybasılı to call Tarlabası "a ghost" haunting İstanbul in its very center (Saybasılı, 2007: 103), while others have described it as a "labyrinth".<sup>61</sup>

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<sup>61</sup> İlhan Berk, cited in "Tarlabası'nın Fiziksel ve Sosyo-Kültürel Değişimi", accessed at [http://www.yapi.com.tr/HaberDosyaları/Detay\\_tarlabasinin-fiziksel-ve-sosyokulturel-degisimi\\_74.html?HaberID=28037](http://www.yapi.com.tr/HaberDosyaları/Detay_tarlabasinin-fiziksel-ve-sosyokulturel-degisimi_74.html?HaberID=28037)

As a result of forced migration and the 1980s demolitions Tarlabası has emerged as a confined but fragmented social space. Under this chaotic surface, my fieldwork identified the workings of complex structures of sociability and belonging, to other geographies, ethnicities and political parties. Since the 1990s, the Kurds constitute the largest group in the area, with a higher concentration in upper Tarlabası. The relative freedom from state intervention has allowed for the mushrooming of Kurdish foundations and Cultural Centers with a distinctly radical political orientation throughout the district, featuring inscriptions in both Turkish and Kurdish. Newroz, the Iranian New Year also celebrated by the Kurds finds a special expression in Tarlabası. Anti-state songs are commonly sung in Kurmanji as Kurdish youths jump over fires lit on the streets (Field Notes, May 30, 2009).

The arrival of the Kurds has had a reactionary effect on the local Roma population. As the marginal group par excellence the Roma have now found an opportunity for legitimization and inclusion into ‘Turkishness’, by forcefully rejecting Kurdish separatism. To my great surprise there was a strong Roma involvement in Tarlabası’s MHP offices, while National and MHP flags dominated the streets in the Roma quarter throughout the 2007 national elections (Field Notes, July 10, 2007). The Roma have found an ally in many Turkish rural migrants who have also endorsed extreme nationalist politics after their encounters with the Kurdish newcomers to the area. For Hatice G., a 72-year woman, residing in Tarlabası since the late 1960s:

*The problems started with the coming of the Kurds... Before, this was a family neighborhood [...]. There was no TVs and at night people were sitting outside their house chatting [...]. I remember the Rums; they were decent people, clean people. All these three-storey houses were built for one family. Then the Kurds came with all their relatives and their sheep.*

(interv. with Hatice, G. (72), retired, 23/05/2009)

Similarly to other Istanbul districts, the arrival of the Kurds to Tarlabaşı has given rise to racist discourse often materializing in physical violence. Interestingly, racist sentiments against the ‘immediate Other’ (the Kurd) often find expression in a, seemingly innocent, positive discourse about a ‘distant Other’ (the Rum) that has long disappeared from the urban landscape. With the Rums acting as a conceptual foil for the Kurds, the romantic nostalgia for an old middle-class community entails an implicit comparison, disapproval and racism against the rural Kurds. Such idealizing narratives of nostalgia chose to forget the Rum Underground that was active in the seedy streets of lower Tarlabaşı already since Ottoman times (Byzantios, 1851, vol. 2: 30), not to mention the period of the Allied Occupation of Istanbul (November 13, 1918 – October 4, 1923).

The recent arrival of African informal immigrants to Tarlabaşı has further complicated the patterns of socialization in the area. While Kurds continue to accuse the Roma, and vice versa, “for giving Tarlabaşı a bad name”, both groups seem to have found a common ‘enemy’ and a scapegoat for their miseries in the face of the Africans. Upon realizing that his interviewer is Greek, Ahmed, D., a 50 year-old Roma vendor in the area’s Sunday street-market, remarked:

My family came from Selanik. We are the same people, you and us, you know? Only the religion is different. But this is not important; all that matters is this [pointing to the skin of his palm]: we are both white!  
(interv. with Ahmed, D. (50), self-employed, Istanbul, March 16/03/2009)

The African residents of Tarlabaşı are typically the victims of harassment by everyone: the Kurds and Roma gangs, the teenager delinquents and the police. They can therefore be described as pariahs among the pariahs. While Dalan’s development project was claiming to have converted Istanbul into a “gateway to the Orient”, the perspective

of these immigrants was exactly the reverse: they came to Istanbul with the hope of some day making it to Europe, only to find themselves trapped in one of its most infamous slums.

In the 2000s Tarlabası's gentrification was once again on the agenda. The new restoration project (Tur. *Tarlabası Yenileme Projesi*) was initiated with the announcement of Law 5366 in 2005 (Perouse, 2007). According to the law the area will be transformed into an area of boutique hotels, along the lines of already developed area of Talimhane, closer to Taksim. At the same time the project consisted of the compulsory restoration of historical buildings by their inhabitants, for which purpose they will be offered cheap bank credits and further support; in case tenants refuse to cooperate they will be forced out through expropriation measures (Perouse, 2007). As expected, the project was very unpopular among most residents of Tarlabası, who would not want to experience eviction and forced displacement once again, this time to the outskirts of Istanbul. They were extremely worried by the government's announcement in 2005, according to which approximately 5,000 buildings in the city would not survive an earthquake of 7 on the Richter scale (Massavetas, 2007:194).

Despite the fundamental ideological and policy discrepancies between the current AKP and the ANAP governments, some threads of continuity are visible in the two phases of the restoration plan. Official discourse, once again justifies the plan by resorting to economic liberalism, and safety-standards. The aim is once again development and 'opening' of the housing market to foreigners, the boost of tourism and the protection of the residents from earthquakes, street-crime. The fact that two investment colossi, the Çalik and Polat Holdings, will profit greatly by investing in the area is generally glossed over, while the traumatic social effects on the inhabitants is

equally underplayed. A touch of nationalism is again at play since there is no mention whatsoever to the entitlements of the original, non-Muslim owners of the properties.

Simply put, a liberal-economic approach to Tarlabası's gentrification, driven by market demand, means that buildings whose restoration is not deemed 'profitable' from a cost-benefit analysis perspective, were demolished. Again this amounted to a 'final solution' to the ownership question as the old non-Muslim inhabitants will be unable to reclaim their immovable property, claim compensation for the expropriation, not to mention identify their location. Given the proximity of the area to Taksim square, Tarlabası can no longer serve as a container, a confinement space for the city's marginalized and excluded. These groups will be forced once again to move to the suburbs, away from the public eye, of investors, consumers and tourists.

The history of Tarlabası is characterized by forceful state interventions, revealing the meaningful interaction between political ideology and urban planning. In the nineteenth century, when Ottoman city planners were guided by westernization through the vehicle of the non-Muslim minorities, Tarlabası was included in the rapidly expanding urban unit of the 6<sup>th</sup> District. In the course of the Republican Period, its demographic and socio-economic character was altered irreparably through the state provision of incentives for Christians to move out and the Muslim to move into the area. The piercing of Tarlabası Bulvarı was the final act in detaching Tarlabası from its non-Muslim, middle class past and its unity with Pera, only to turn into a ghetto for *personae non gratae* in both ethnic and political terms.

In the story of the district the relationship between urban planning and ideology-driven demographic engineering was not always causal or linear. In the late Ottoman times, the urban development of the area was clearly powered by the dominant ideology

among Ottoman elites, in which the city of Paris obtained an exemplary position. The case of the 1942 Wealth tax is interesting, because it offers an archetype of anti-minority policy that would occur again in the course of the twentieth century. Targeting minorities contributed simultaneously to a technocratic, ideology-free cause, that of rectifying the economy, and to one guided by nationalism, namely the weakening of non-Muslim economic activity vis-à-vis the Muslim entrepreneur. In this case, just as in the September 1955 events, it was the outcomes of policies of demographic engineering (the massive exodus of the Christians) that conditioned urban planning and settlements patterns. In the case of the 1980s demolitions, we saw how the reverse is also possible, namely how the creation of artificial demographic boundaries, combined with forced settlements can give rise to specific ethnic identities and political ideologies, just as the uncomfortable symbiosis between Roma and Kurds gave rise to racism and the radicalization of both groups.

The notion of ‘cleansing’ (Tur. *temizlemek*) appeared again and again in official discourse and deserves special attention. At a first glance the term refers to nothing more than the physical improvement of the urban space in terms of hygiene standards. Still, the term was found to evoke other parallel meanings. A nationalist reading of the term understands it as a removal from the urban landscape of anything that is irrelevant, parochial and obsolete to national narratives. In a moral sense, ‘cleansing’ can be understood as the removal or disposal to a far away part of town of the physical bodies and lifestyles that ‘descent society’ finds appalling, and ‘morally wrong’, such as transsexuals and sex-workers. A favorite of urban planning discourse in Turkey, the term passes more ideological judgments than the unsuspecting reader may think at first.

Urban planning requires forceful interventions into the urban space. In the case of Tarlabası, these interventions have resulted in a concealment of the area's non-Muslim past and a demarcation of a special space – i.e. a ghetto – reserved for socially unacceptable life-styles and identities. Walking down Turan or Ömer Hayam Caddesi one cannot fail to notice the Greek and Italian inscriptions on the facades of the buildings indicating the name of the architect. Tarlabası strikes a Greek visitor as “a vast necropolis of the 1890s” (Massavetas, 2007: 182), while the overpowering feeling of decay makes it a living museum of the September '55 events. One wonders how much of this urban history will survive the ongoing restoration project. Will the Greek inscriptions remain on the buildings, or will they be hastily painted-over, in fear of their original owners, as it was often the case with restorations in Cihangir? Tarlabası's architecture and people have many an interesting story to tell, some of which are hardly flattering for the old and new governments of the Turkish Republic.

#### 4.3 From Tatavla to Kurtuluş

Writing in 1862, Skarlatos Byzantios compared Istanbul to “an endless carnival” (Byzantios, 1869, vol. 3: 388): such was the commotion on the City's commercial streets, so large the variety of dress-styles, languages, dialects, nations and religions the visitor was confronted with. Within 50 years after Byzantios' *Konstantinoupolis* was published, the *millet-i Rûm*, making the most of the Tanzimat reforms, would come to achieve pre-eminence in so many an aspect of Istanbul's social life. In the eyes of Greeks, and Greek historiography in particular, Istanbul was no longer an Ottoman but a Greek City. Giōrgos Theotokas' semi-autobiographical novel *Leonis* (1940), for example, narrating the childhood and adolescent years of a Rum boy from Istanbul in the



years around WWI, demonstrates no awareness whatsoever of the existence of Muslim ‘others’ in the city. Despite the fact that in terms of numbers the Rums have since the Ottoman conquest always been a minority vis-à-vis the Muslim inhabitants of the city, simply put, *Leonis’* Istanbul may be “a cosmopolitan city” but it is also Greek beyond doubt. Stamatopoulos (1992) shares this assumption with Greek historiography and places particular emphasis on the architectural forms employed by the Rum community at the turn of the century, “the architecture of arrogance” as it has been described, typically represented by buildings such as the Great School of Nation, in Fener, the Aya Triada Church and the Zappion School in Taksim square (Kuruyazıcı & Sarlak, 2010). At the end of the nineteenth century through financial preeminence and the architectural display of wealth and power, Rums seemed to be reclaiming the public sphere of the city and by extension of the empire.

The district of Tatavla, present-day Kurtluş, was one of the key loci for the perception of Constantinople as – partially at least – ‘a Greek’ city and of the neighborhood itself as “Little Athens”, an exclusively Christian district where the settlement of non-Christians was forbidden by Sultanic decree (Ott.Tur. *firman*) (Danış & Kayaalp, 2004: 17). In this section I shall take closer look at the social demography, lifestyle and beliefs of the inhabitants of this Ottoman neighborhood by examining one of its most famous, and by now forgotten, institutions, the Tatavla Carnival or *Baklahorani*. At first I shall attempt to recreate the physical details of this ritual procession, which ended on the Tatavla hill once a year and place it in the wider context of modern-Greek carnival customs. I will then argue that as a typically non-Muslim ritual, the carnival procession constituted a way of reclaiming late-Ottoman urban space, the streets and squares of Istanbul, or at the very least, a way of reaffirming Rum

presence in the city. Apart from an opportunity to revel and party, it should therefore be seen as ritual, filled with symbolisms and practices, around which the Rums could reaffirm their unity as a community. The first part of this section sketches a history of the neighborhood of Tatavla, while explaining its topography and social demography. The second part will try to reconstruct the Tatavla festivities. The third section will analyze the Carnival through the prism of national ideology, as sustained by Ottoman Rums themselves as well as the Greek nostalgia of Tatavla in Greek-nationalist narratives. The fourth will discuss recent attempts to revive the ritual both as a form of nostalgia and as way of reclaiming Tatavla for the Rums and non-Muslim inhabitants of the neighborhood at large.

According to Skarlatos Byzantios (1862, vol. 2: 24, 29-31) and Hristodulu (2013: 31) the history of Tatavla as a Rum settlement reportedly starts in the reign of Suleiman the Magnificent, when Greek populations from the Aegean islands, primarily Crete, Chios (Tur. Sakız Adası), and the Peloponnese (Tur. Mora), primarily Mani, where brought to the Ottoman capital as captives, to work in the Ottoman imperial arsenal or Tersâne. These forced laborers first resided in the valley of Kasımpaşa but soon had to move due to two developments: first as a population of infidel bachelors they were viewed with suspicion by the local, Muslim inhabitants; second the local church of Saint Dimitrios was converted into a mosque, leaving them without a place of worship. The hardy mariners were therefore moved to the nearby hill that was empty (present day Kurtuluş-Son Durak) where they found the church of St Demetrios (Tur. Aya Dimitri Kilisesi), which hosted the ancient icon they had brought from Kasımpaşa, and which would give the area its name for the coming centuries. At least it is by this name, i.e. Ay Dimitris, that the neighborhood will become known to foreign travelers and visitors

(Byzantios, 1862, vol. 2: 29). In the years to come the hill will assume the name Tatavla, a word whose etymology is highly disputed to this day. While some derive the name from the Greek, neuter article “ta” followed by the plural of the Latin word *stabulum* – or *stavla* in the Byzantine koine – referring to the location of the old Genoese stables, others argue that it is a linguistic hybrid of Greek and Turkish or even Tataric (Türker, 1998: 12).

Tatavla soon grew to become a thriving, Greek village, 20.000 strong (Türker, 1998: 11), separated from Pera by the Dolapdere gorge, occupied at the time by a running and rather bulky stream. This is how Yorgos Valasiadis (2002), a mid-twentieth century inhabitant of Tatavla describes the topography of the settlement:

Just close your eyes and imagine a small hill. Draw a downhill street on the left side, one more in the middle and a third one (St Fanourios, Akarca, Small Akarca)<sup>62</sup>; now place a church at the bottom of the hill, the Annunciation, with its school, and at the top Saint Dimitris, with the cemetery and Saint Thanasios, and opposite Saint Dimitris’ school, the Tatavla Sport Club with its wrestling grounds, and you have before Tatavla before your eyes. (p. 16)

The landmark date for this development was the Sultanic decree of 1793, whereby the settlement of non-Greeks in Tatavla was prohibited (Hristodulu, 2013: 38). After that, what had started as humble a working-class village would become a major settlement site for Greeks from all over the empire who found the idea of living away from Muslims rather appealing. Chian connections were maintained down to Byzantios’ time while the 1821 Greek revolution and looting of Phanar as well as the destruction of Chios in 1822 further contributed to the demographic boost in the district (Byzantios, 1862b:31). In the second half of the nineteenth century Tatavla would also become a major center for Rum education, culture, manufacture, education and sports. It had 5

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<sup>62</sup>*Akarca* is modern Akağarlar, i.e. the great steep uphill road that leads up to Kurtuluş from Dolapdere.

churches, 5 ayazma, several schools with a total of 1058 students in 1902 and a dozen or so philanthropic associations (Hristodulu, 2013: 361-75, Türker, 1998:35-54). At the same time, Tatavla was the neighborhood of the famous Rum *tulumbacı*s, the Ottoman firemen-militias renown for their bravery, dancing, recklessness and unbroken spirit (Koçu, 1981). It was home to the Tatavla Sport Club (Gr. *Athlētikos Syllogos Tataoulōn*), an institution which among other achievements and international prizes was the first to introduce the game of football to the Ottoman capital. With the Tanzimat Reforms Tatavla will be the first Rum commune to construct a church with a dome since the Ottoman conquest (St Athanasios). Nevertheless, compared to Pera, Tatavla would retain a certain degree of parochialism in its humble architecture and lower-class mores down to its final transformation and renaming to Kurtuluş after a suspicious fire of 1929.

Dating the Tatavla Festival is a difficult task. Writing in the 1860s, Skarlatos Byzantios, makes no mention of the Carnival, despite his profound interest in popular customs and otherwise exhaustive account. Either this is an omission and Carnival customs have existed in continuity since Byzantine times or they were actually ‘re-invented’ in the late nineteenth century. By looking at the reviews of the festivities in the Rum daily *Apoyevmatini*, Orhan Türker (1998: 70) has established that the grandeur in the celebrations observed, would actually reflect the degree of security felt by the Rums at that particular conjecture. So the carnival’s institutionalization would reach its peak during the years of the Allied Occupation, and dissolve shortly after WWII, especially after the progressive demographic demise of the community. Leaving the dates aside, the form of the Tatavla Carnival can be safely placed in the wider context of Carnival customs that have been followed throughout the Mediterranean since antiquity. In the Greco-Roman tradition, these customs have been collectively referred to through the

terms *Carnival*, *Triōdion* and *Apokria*.<sup>63</sup> These seasonal festivities, ranging from February to March depending on the lunar calendar, involve endless reveling, heavy drinking, costumed disguise, and general reversal of everyday norms and social conventions, a seasonal reconstruction of the world upside-down. As most popular customs it serves a specific social function. On the one hand it offers and opportunity for entertainment before the fasting of the Lent (Gr. *Megalē Sarakostē*, Tur. *Büyük Perhiz*), during which sexual intercourse, weddings, dances, songs and any kind of public manifestation of joy are strictly forbidden. On the other, it is connected to a primitive instinct of reaction to nature's great seasonal transitions, registered in the human psyche as a metaphor for the interchange of life and death. Rituals of mock-violence, mock-death and mock-sexual intercourse are consequently common in the festivities. Anthropologists of the Mediterranean have rightly placed carnival customs in the wider context of cathartic or passage rituals. They commonly take place in an atmosphere of verbal provocation, through ritualistic insults and obscenities, at the same time alluding to death and beliefs about life after death.

These customs appear to be ancient, and in fact one of the few cases where the efforts of Greek-nationalist historiography and ethnography convincingly argue for continuity since ancient times. Thus Koukoules (1955: 155-8) provides us with evidence of a thriving Carnival tradition throughout the Byzantine period, despite the consistent efforts of the Orthodox Church to denounce and uproot these customs as relics from the pagan past. Closer to the Ottoman period, a thirteenth-century source gives us a detailed account of the orgiastic musical instruments (*zourna*, *davul*, *gayda*), theatrical

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<sup>63</sup>Carnival < Lat. *carnis vale*, “farewell meat”; Apokreia < Gr: *apo* + *kreas*, “abstinence from meat” and Triōdion < Gr. *treis*+ *ōdē*, “three odes”, the three different canons sung in church in the the three weeks of the festivities.

performances, fancy-dressing and gambling that was part and parcel of Byzantine Carnival Festivities, taking place in the period of the Kalends, i.e. the 12 days before Christmas. The whole city was decorated, people exchanged gifts and paid night visits to friends' houses, dressed-up as animals, particularly as a goat, deer or camel. Processions would typically lead to St Sophia where revelers would enter the church on all fours, with singing and dancing. During the night they would stroll around the streets, teasing the by-passers and causing symbolic acts of vandalism, occasionally relieving themselves or leaving their garbage at their neighbors' doorstep. This is how Christopher of Mytilene, an eleventh-century writer, narrates the carnival procession of SS Marcian and Martyrius as it took place in Constantinople on the feast-day (September 16) of these patron saints of the guild of Scribes:

... the boys participated in the procession either on foot or mounted on scrawny and skinny donkeys, having painted their faces and wearing long, women's robes and women's slippers, as well as effeminate ear-rings and long hair-locks or a bronze helmet and garlands of onions around their necks. Throughout the parade, they would eat figs, deserts, apples and slices of bread. The parade was concluded by the so-called 'instructor' (Gr. *didaskalos*), a man disguised as a mounted old man, with a beard and his back bent forward, pretending to be sleepy and occasionally waving at the applauding spectators.

(Koukoules, 1955: 157)<sup>64</sup>

Istanbul carnival customs followed very closely the discernible patterns of Modern-Greek Carnivals. Just as in Greece, the festivities consisted of three weeks, starting on the day of Saint Anthony and culminating in the first day of Lent, the "Clean Monday" (Gr. *Kathara Deftera*) or Baklahorani. The first week was called *profōnē* (Gr. "announcement") since a *davulcu* would customarily announce the beginning of the

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<sup>64</sup> "... οἱ μετέχοντες παῖδες ἐπόμπευον ἄλλοι πεζοὶ καὶ ἄλλοι ἐπὶ κάτισχνων καὶ ψωραλέων ὄναρίων, κεχρισμένοι τὰ πρόσωπα καὶ φέροντες μακρὸν γυναικεῖον ποδήρη χειτῶνα καὶ γυναικείας ἐμβάδος, ἐνώτια καὶ πλοκάμους γυναικείους ἢ χαλκῆν περικεφαλαίαν καὶ περὶ τὸν λαιμὸν πλέγμα κρομμύων καὶ σκόρδων τρώγοντες καθ' ὅλην τὴν πορείαν σύκα, γλυκύσματα, μῆλα καὶ τεμάχιον ἄρτου. Τὴν ὅλην πομπὴν ἔκλειεν ὁ διδάσκαλος, γέρον ἔφιππος, παγωνοφόρος καὶ κυρτός, ὑποκρινόμενος τὸν νυστάζοντα, ὅστις, στρεφόμενος συχνοί, ἐχαιρέτιζε τοὺς χειροκροτῶντας".

festivities throughout each neighborhood. It is also called *kreatinē*, since the diet during this week consists of meat dishes, especially pork. This was also the time of the *vengeres*, whereby in a reversal of conventional social norms, housewives would pay nightly visits to friends' houses, where they would indulge in verbal games with a vulgar and sexual content such as the *kōlokithia* (Gr. "the pumpkin-tree"), and the *papadia* (Gr. "the priests' wife"), or sing appropriately satirical and scatological songs.

The second week bears the name of *tyrinē* or *tyrofagos*, since custom prescribed the exclusive consumption of cheese and dairy products for seven days. That Saturday, together with all Saturdays of *Apokria* constitute the so-called "Saturdays of the Souls" (Gr. *Psychosavata*) during which communication with the souls of the deceased are said to be easier than usual. In the third week, known as *streidia* (Gr. "oysters") the diet consists exclusively of shellfish. In the Sunday of the Cheese-week, alternatively the "Great Apokria", celebrations reached their peak with house parties and nightly house visits of *maskarades* (Gr. "masqueraded gangs") to receive treats and exchange jokes. On that night lighting fires on the streets and jumping over them was also customary, perhaps a culture-loan from the Persian celebration of Newroz. A series of fortune-telling customs were also practiced, specifically involving a future marriage or a potential love-affair. The day was concluded with a communal soup serving provided by the local elites. Especially among Karamanlı families, a game called *haskâr* was typically played after dinner, whereby an egg would be hung from the ceiling and swung in circles while people would try to catch it in their mouths with their hands behind their backs.

The day after – Clean Monday for most Greeks and Baklahoroni for Istanbulites – was the culmination of Carnival Festivities. According to Bertrand Barreilles (1918:

103-21) a huge procession of *maskarades*, equipped with masks (Gr. *mutšana*) fake clubs (Gr. *ropala*), serpentines, confetti, and escorted by musicians would start from the Grande Rue de Pera (present day İstiklal Caddesi) and proceed through the narrow streets of Tarlabası, using Kallyoncu Kulluğu Street and Papaz Köprüsü as the main route. By the end of the day the Grand Rue from Taksim to Asmalı Mescit “looked like the Boulevard des Italiens during Mardi Gras” (Barreilles, 1918: 107). The procession would then move through Papaz Köprüsü, across the stream of Dolapdere. Joined by other revelers from Pangaltı at the foot of the Tatavla hill, it would ascend the steep Akarca [today Akağalar Cad.] in full force. The Akarca was filled on both sides with wooden stands of vendors and entertainers. By this time, the procession would have been enriched by what appears to be the most peculiar custom of the Istanbul Carnival, the so called “procession of the Amazons”. This is how Greek writer Leandros Mihas describes the spectacle:

The prostitutes mounted on horses and paraded to the location of the festivities. They were dressed uniformly in velvet jackets and short velvet trousers, silk stockings and high heels. They wore sailor hats and held a whip in their hand. Their faces were covered with velvet masks.

(Mihas, cited in Massavetas, 2007:197)

The Amazons captured the imagination of young Rums and became a proverbial topic of conversation in Rum Boys schools and Sport clubs (interv. With Aleko K. (73), retired, Istanbul, 18/10/2009; Mihail V. (70), retired, Istanbul, 18/07/2010). Their uniform and expensive attire suggest that the custom of the Amazons was institutionalized and funded by the community administrators which would probably be no other than the ephorate of the local parish. This mad collection of ancient Greeks, fustanella-wearers, zeybeks, clowns and mounted prostitutes would finally reach the main square of Tatavla (present-day Son Durak) in front of the cemetery of St



Eleftherios and the St Dēmētrios Church. The square was filled with the sounds of music from mandolins, guitars, davuls, clarinets and laternas coming from all sides. There was also a circus, with acrobats, trampolines and wood-legged jugglers. The young men of the Tatavla Sport Club would display their ability in folk dances, such as Sirto and especially the local Kasap havasi-Hasapiko for which Tatavliani were particularly famous. The *maskarades* would then disperse to the beer-gardens and meyhanes for which Tatavla was equally famous, such as Akropol and Ararat where the partying would continue to the small hours of the morning (*Apoyevmatini*, March 8, 1938).

Based on the above evidence we may therefore summarize the historical Carnival festivities as follows. Baklahorani – an exclusively Istanbulite term, whose disputed etymology may be linked to Persian (Hristodulu, 2013: 65) or more probably Armenian (Arm. *Bagyal-horan*, “beginning of Lent”) – was celebrated from the second half of the nineteenth century, to 1941. This Rum festival revolved around masquerading, and cross-dressing in particular, bawdy jokes, indirect social criticism, heavy drinking and revelry with dance and song. A crucial difference from similar celebrations in Greece was its timing from Clean Monday onwards, well into the fasting season of Lent. Two customs constituted the backbone of Tatavla’s Carnival. The first was the *vengeres*, trick-or-treat type of visits to friendly houses, during which house owners would welcome the disguised with treats, exchange bawdy jokes and quips, while trying to discover the identity of each *maskara*. The second was the massive carnival procession on the first Monday of Lent – the Baklahorani per se, dominated by the mounted, procession of the Amazons. An old resident and eyewitness of the last Baklahorani celebrations recalled it as follows:

*... we continued partying till the early morning hours in Tatavla's famous little taverns and beer-gardens, such as Ararat, Akropol, Despina's, of Bogos', of Bizou. These were little more than small gardens, marked by wooden fences and containing small, tables. There we would enjoy the night with beer, douziko [cf. Tur. raki] and meze dishes appropriate for Lent, such as fava, spring onions, cardamon, rocket, oysters, scallops, botarga, tarama, fasulye pilaki, stuffed peppers and all kind of pickles, all served in really tiny meze plates.*

(interv. with Aleko K. (73), retired, Istanbul, 18/10/2009)

Sibel Zandi-Sayek (2001) has argued that the “excessive pomp” of the 1842 Corpus Christi Procession in Smyrna, can be understood as a means of “orchestrating difference and performing identity” in that city. The routes, stops and composition of the procession are seen by the author as politically meaningful symbolisms that would only be possible in the more liberal context allowed by the Tanzimat Reforms. Religious festivals and public displays are therefore seen as a mechanism of claiming the urban space and a means of reaffirming a sense of religious or ethnic community. In this last section of this paper it will be argued that something similar holds true for the Tatavla Carnival. In other words, that behind the innocent façade of carefree revelry, the symbolic language and physical details of the Rum Carnival evoked manifest feeling of belonging to a religion, a community and even to a nation.

But first a caveat: reading ideology behind a carnival custom may be difficult because of the fact that momentary reversal or disregard for social norms is an intrinsic characteristic of the Carnival spirit. Carnival rituals tend to involve some kind of reversal that – one could argue – works to reaffirm the social status quo. So men momentarily assume the role of women, old women can talk about sex, and priests can be sworn at during Carnival exactly because these attitudes would be absolutely unacceptable under normalcy. So one method in our efforts to ‘read ideology’ in these customs would be to simply reverse what we see. Unfortunately, this reversal is neither

regular nor homogenous. To put it in Aristotelian terms Apokria rituals may be said to have both a cathartic function (whereby a momentary violation of social norms, through ritualistic violence or sex allow us to cleanse ourselves from these types of anti-social behavior in every-day life) and a mimetic function (in which our experiences of the collapse of social norms may have a positive impact on the way we act in our social life). It is because of this mimetic potential that the Church and prudes, such as the Karamanlı Evangelos Misailidis urge people to satisfy their curiosity by attending the Carnival once, but not twice (Türker, 1998: 64). An additional dynamic of Carnival festivities that may help us out of this analytical dilemma is the notion of the ‘jester’s license’, the liberty for expression that ritualistic humor allow to Carnival participants. In this light, the Carnival may be seen as an opportunity for the Rums to express those nationalist feelings that would seem dangerous, in fact treacherous in times of normalcy.

If we turn to the physical details of the carnival procession, we encounter a series of symbolisms through which Carnival participants may be said to be “performing” their Rum identity. First of all, the special Triodion diet is carefully chosen so us to distinguish the Rums from Muslims and Jews alike, hence the exclusive consumption of pork and shellfish. Second the route followed by the procession was also deeply symbolic. It started from Pera, the financial headquarters of the community’s elite, and yet a demographically disputed area which the Rums where sharing with other communities, Armenians, Jews and above all Levantines. Here, just as in Izmir, during Easter celebrations the Rums were performing a display of virility, wealth and dynamism, albeit in a clown costume. In moving through Tarlabası, the middle class heartland of the Pera Rums, the procession was marking the communities territory, only to finally find itself in the square of the semi-autonomous, ‘Gâvur Tatavla’. There again

the physical landscape was marked by the surrounding churches, especially Saint Dimitrios, one of the oldest Rum churches of Istanbul (see Fig. 2 and Fig. 3). The choice of this space for culmination of the frolics performed by mascararas, acrobats, clowns and prostitutes is particularly interesting given the deeply non-Christian and non-pious character of Carnival's rituals and the expressed aversion of the Church to the institution. The meal offered by the parish elite (Tur. *çorbacı*, Gr. *tsorbatzis*) is another example of how community structures reaffirm themselves through the ritual.

The choice of costumes was no less conspicuous. From the photographic material available to us, there emerge two kinds of costumes. The first is that of the typical *karnavalos*, a disguise consisting of a random assortment of masks, noses and attire with the purpose of producing a preposterous and ridiculous effect. The other, is to be 'dressed as something', to wear a costume of a particular historical figure or historical type. It is interesting that a vast majority of revelers from the period down to the Allied Occupation prefer this second type of costume and specifically the Greek national costumes of *foustanella* or the islanders' *vraka*, or ancient Greek togas. Thus when one looks at the famous photograph employed on the cover of Türker's book one runs the risk of forgetting what he is actually beholding. There is no intention to ridicule and revel in this picture. On the contrary one sees a solemn display of swords, guns and heroic postures. This looks more like a group of radical revolutionaries rather than a bunch of *maskaras*. Even the Amazons allude to Greek mythology. As for the music, all sources agree that there was a specifically patriotic twist to them, with a preference for *Syrto* and *Hasapiko*, public manifestation of the strength and virility of the Sport Club's finest specimen. In 1906 two of the Club's athletes would win medals in the Athens Olympics. Upon winning they declared that they wanted the Greek flag and anthem to

be presented instead of an Ottoman one, resulting in a diplomatic crisis (Massavetas, 2007:199).

It is not difficult to imagine what the effect the carnival atmosphere, with its inherent legitimization of ritualistic chaos and heavy drinking would have had on the restless residents of Tativla. We know that even a celebration as solemn as Easter would incite Rums to openly express their patriotism even to turn to symbolic acts of violence against other millets (Zandi-Sayek, 2001:57). The *kabadayıs* (Tur. “local toughs”) of Tativla had after all a known record for such acts of vandalism, a habit that multiplied impressively during the Occupation years. At this time Tativlalı Hrisanto and Kosta Duvarcı achieved high repute in Tativla for attacking the police station of Yenişehir, beating up the guard, taking his pistol and replacing the Ottoman flag with the Greek one (Valasiadis, 2002:35-6).

Such a public manifestation of community strength and unity could not have occurred outside the Tanzimat context nor could it have occurred anywhere else than Tativla. By this time Tativla had occupied a very high position in the imagination of Greek nationalism. With the exception of Ayvalık-Kydonies, its semi-autonomous status was unique. Nationalist discourse tended to compare its inhabitants to the Suliots and the Maniots during the Greek revolution. It is interesting that the Festival took off in the years after Byzantios wrote his *Konstantinoupolis* (1860s) and that it reached its peak during the Allied occupation, when Rums felt most comfortable in publicly expressing the allegiances to the Greek state. Greek flags were raised in Tativla while nationalist public events and the singing of the Greek national anthem was a daily occurrence. It is also interesting that in the climate of repression of Republican times and the effective destruction of Tativla as a Greek ghetto, heroic costumes were replaced by eccentric

ones, and the procession ritual withered away. Recalling the complete absence of any reference to the Carnival in Byzantios' narrative we may finally turn to our original question: when did the first Tatavla Carnival take place? Most probably, it was a re-invention of tradition within the context of the Tanzimat reforms. While small-scale festivities have undoubtedly existed before it was the freedoms prescribed by the late-Ottoman political program, the ascendancy of the Rum millet and Greek nationalism that transformed the Baklahorani, from a parochial village festival to a central event in the social life of the Rum community.

#### 4.4 Baklahorani: Reviving the Carnival, reclaiming Tatavla

The first steps in the direction of reviving the Baklahorani were made on March 2, 2009 (Martin, 2015: 7; Mullins, 2011), 68 years after its last celebration. Two separate celebrations took place on the same night at two different locales that largely coincided with the two extremities of the historical Baklahorani parade. One group of about a hundred masqueraded revelers gathered in Tunel Square and from there made its way up İstiklal Caddesi and down Kalyoncu Kulluğu Caddesi, to the historic Rum tavern Hasır, where they indulged themselves in eating, drinking and dancing to live Rebetiko and Fasil music. Another, smaller group had gathered in another historic tavern, "Despina's place", in Tatavla. Here too there was live music performed by Romani musicians coupled with eating traditional mezes and drinking. The following year the carnival returned to Tatavla, where about 200 people took to the streets and revived the historic parade. This time the festival was formally endorsed by the local Rum commune of St Dēmētrios of Tatavla (Tur. *Kurtuluş Aya Tanaş Aya Dimitri Aya Lefter Rum Ortodoks Kilisesi ve Mektebi Vakfi*), which provided its cultural hall for the climax of the

festivities. The next year (2011) the parade was repeated with even greater success, with some 450 people marching through the streets to sounds of traditional tunes performed by live bands and sang by the crowds (Yackley, 2011), while local residents came out on their balconies to greet and applaud the masqueraded revelers. The parade ended in the historic building of the Rum Sports Club of Kurtuluş (Tur. *Beyoğlu Spor Kulübü*; Gr. *Athlētikos Syllogos Tataoulōn*). In 2012, despite the bad weather, about 400 participants joined the Bakahorani procession, which that year ended in a Meyahne called “Tatavla” in Son Durak. In 2013, the carnival did not take place but resumed the following year, this time with the support of the Şişli Municipality which also provided an alcohol-free space for the final concert of the festivities (Martin, 2015: 7, 8). That was also the last modern revival of the Baklahorani of Tatavla, since the heavy criminalization of public parades and drinking that followed the Gezi Park Protests (27 May – 20 August 2013), combined with security concerns over the 2015 – 2017 terrorists attacks in Istanbul have dissuaded all potential organizers from undertaking such an event ever since.

Still the phenomenon of Baklahorani’s revival in the period 2009 – 2013 provide us with valuable insights into the cultural capital and organizational vitality of the community. The celebrations proved that while being an extremely aged and demographically minute group the Rum community is still disproportionately rich in cultural capital, which may and should be employed to attract and interact with younger generations of Istanbulites. It was remarkable that most of the active participants in the celebrations were Rums, Greeks, expatriates, and mostly Turkish, university students and young professionals aged 25 – 45 (Martin, 2015: 7). Given the scarcity of secular spaces and activities that could both attract young Rums back to the community but also

welcome non-members, Baklahorani revivalism was truly exceptional and beneficial for the community:

*It's very nice to see this many people together, when there's so few of us left," said George Kara, an 18-year-old student. "Perhaps we now have a new tradition. In 70 years I will tell my grandchildren that I was here.*

(Yackley, 2011)

Furthermore, in time, the revived Baklahorani festivities managed to attract significant attention from Turkish and international Media, resulting in a parallel revival of nomenclature, as ever-increasing numbers of Istanbulites – including residents of Kurtuluş – began to opt for the old, Greek name *Tatavla*, rather than the Turkish *Kurtuluş*, when referring to the neighborhood and the cultural, political or economic activities that pertain to it, a process which Martin (2015: 8) aptly describes as “*image de marque*” or image branding. This reclaiming of *Tatavla*, even if only by name, seems to be the most significant long-term outcome of the Baklahorani revivals.

Reception of these cultural initiatives was by no means universally positive. One line of criticism focused on authenticity, reminding us that the current, ‘clean-cut’ and effectively ‘middle-class’ revival fostered by the Rum parish of Kurtuluş and aided by the Şişli Municipality, had nothing in common with the original spirit of Baklahorani which was a truly popular celebration of the working-class and was persistently rejected by the Church (Martin, 2015: 8). Such an argument may be easily rejected as ‘purist’ and ‘academic’ since revivals of rituals generally deviate in their symbolic content from their original meaning (Seraïdari 2010). A more valid criticism pertains to the limited direct impact and involvement of non-Rum, local residents in the festivities, which subsequently compromises the sustainability potential of such initiatives, while increasing the risk of folklorization (Hafstein, 2018: 127) and caricaturization of the



Carnival and Rumness at large, as well as contributing to the gentrification of the quarter itself. The ‘image-branding’ of Tatavla as a ‘funky’ neighborhood of tolerance and fun may pave the way for the exodus of its current residents, under market pressure initiated by “bobos, students and wage earner singles” (Danış & Kayaalp, 2004: 40) in their perpetual search for urban ‘authenticity’.

#### 4.5 Conclusions

Today Kurtuluş hosts the largest Rum commune in Istanbul, while not a single Rum inhabitant remains in Tarlabası. The anti-minority politics of the twentieth century had a profound effect on Istanbul’s urban and cultural landscape. The demographic colonization that followed the Rum exodus from Tarlabası went hand in hand with the economic strangling of Rum businesses and the forced acculturation of Rum cultural production. The eradication of Rum culture and the Greek language from Istanbul’s public sphere began with the launching of the “Citizen Speak Turkish!” campaign, which was rekindled time and again, as Greek-Turkish tensions surged over the Cyprus Issue. This is how Yorgo Vapuridis, a veteran Rum singer and self-styled “king of the taverna” (Tur. *Taverna Kralı*) describes the push towards forced acculturation:

I introduced taverna music to Istanbul. Before me there was no such thing. When the Cyprus Issue flared up, I had to switch to a la turca music. Even before that I used to keep a violin or a kanun in the orchestra to fit the tastes of Turkish clients. I would sing a bit in Turkish, after all this was their country. But after the Cyprus event, I switched to a la turca music altogether. If I was to sing in Greek I run the risk of being beaten up, knifed or shot at. After all I can comfortably sing in five languages, including Italian and Spanish.

(interv. with Yorgo Vapuridis, 07/06/2012)

The Tarlabası demolitions of 1980 constituted a pivotal point in a process of the urban colonization of these former Rum heartlands. It should not then come as a surprise

that in the same period, Prime Minister Turgut Özal, was personally responsible for the relaunch of ‘Rum’ culture, in the form of “taverna entertainment”. Once Rum culture had been safely pushed to the subaltern and robbed of its creative vitality, it was being revived and ‘served’, as a culturally colonized, hybridized and officially sanctioned artistic practice, imbued with folklorized, invented traditions, such as sirtaki and plate-breaking. Similarly, on the level of material culture, once these areas had been emptied of their original Rum populations, the neighborhoods’ Rum character was first negated and erased, and then re-invented and folklorized in the form of cultural nostalgia: apartment blocks were hastily revamped and promoted as ‘historic’ or ‘Rum houses’. In this light, the recent revivals of the Rum carnival, held in the symbolically meaningful neighborhoods of Pera and Tatavla, may be seen as the effort on behalf of the community to re-entitle itself and reclaim an active cultural role in urban spaces and cultural areas that have been formerly hijacked by the state.

## Beyoğlu and Tarlabası

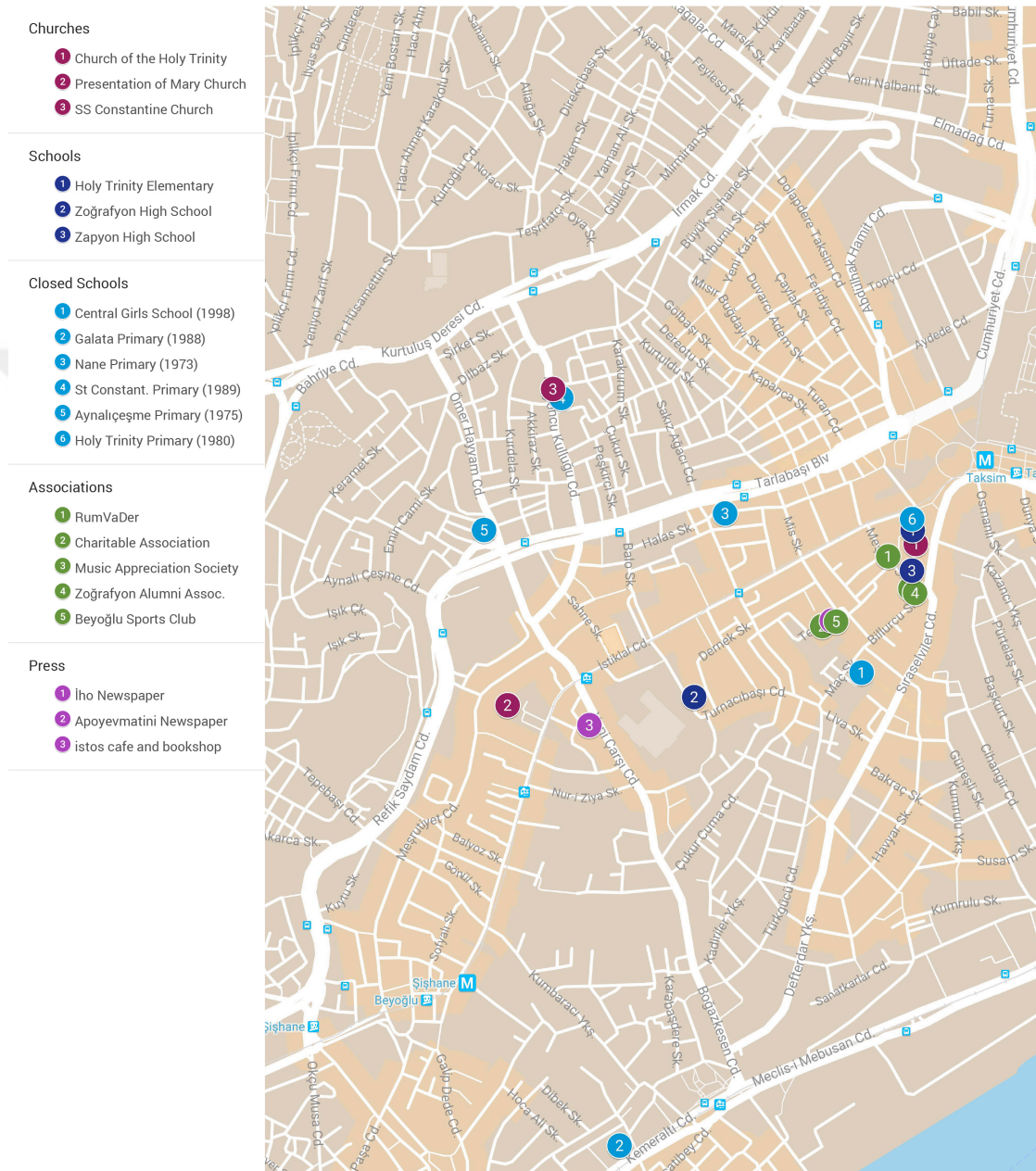


Figure 2. Rum-related Locals in Pera (Beyoğlu and Tarlabası)

## Tatavla (Kurtuluş, Dolapdere, Feriköy)

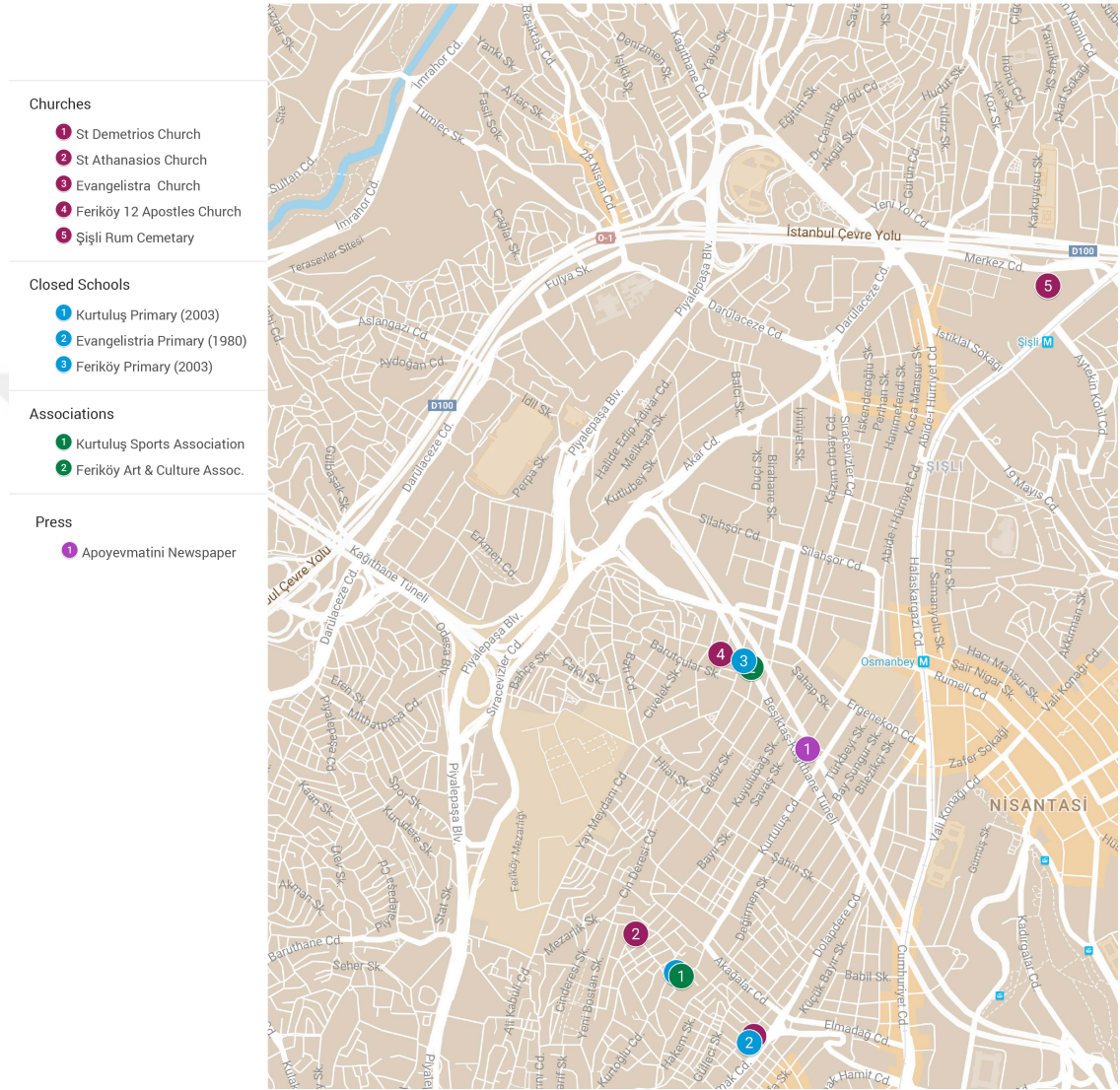


Figure 3. Rum-related locals in Tatavla (Kurtuluş, Dolapdere, Feriköy)

## CHAPTER 5

### A NEW FORM OF DIPLOMACY: TURKISH-GREEK RELATIONS

#### BEYOND THE ELECTRONIC FRONTIER

##### 5.1 From imagined to virtual communities

For Greece and Turkey, the twenty-first century brought with it a new era of rapprochement. This unexpected development in international relations and its repercussions on the ‘national psyche’ of both countries have been well-documented and closely observed from various angles, including foreign policy, business actors, tourism, the media, as well as the literary and cultural domains. Many of these studies rightly focused on new, global processes and dynamics that have caused, fostered, or sustained the Greek-Turkish reconciliation process, with a profound impact on minority groups in both countries (Anastasakis, Nicolaidis, and Öktem 2009; Keridis and Triantaphyllou 2001; Karakatsanis, 2014). And yet a crucial and relatively recent dynamic in the global horizon has escaped most scholars of Greek-Turkish relations: the dramatic increase in the use of Computer-Mediated Communications (henceforth CMCs), which has reached Greece and Turkey, at the fringes of the ‘global core’, admittedly, with a certain ‘lag’.

This chapter focuses on this neglected aspect of the Greek-Turkish reconciliation process. It is a study of CMCs, such as electronic forums, chat-rooms, conferences, blogs, electronic mail-lists, and institutional website postings as loci of political and semi-political discourse that deeply affect minority groups in both countries. Drawing on globalization scholarship and new media studies, it approaches a specific group of CMCs as virtual communities – that is, as arenas of interaction, negotiation, and

transformation of perceptions of ethnicity, history, and identity in an age when Greeks and Turks appear more willing to juxtapose and revisit their nationally constructed images of the ‘Other’. I begin by providing a conceptual framework through selecting promising theoretical avenues for such an endeavor, and then move to explain the methodology employed and give a description of the research itself. I then move to summarize the findings of field research conducted on two case studies, the Istanbul-based Foundation of Lausanne Treaty Emigrants (Tur. *Lozan Mübadilleri Vakfı*, henceforth LMV) and the online Greek-Turkish Forum.

The career of the concept of ‘community’ in the social sciences goes at least as far back as Tönnies’ ideal types of *Gemeinschaft* (Germ. “community”) and *Gesellschaft* (Germ. “society”), both of which entailed a strong emphasis on locality. Anderson’s seminal work *Imagined Communities* (1996), identified mass media and communication technologies as significant components of the creation of a common national conscience among the inhabitants of a geographically defined national territory. For Anderson, it was the extensive use of vernacular languages by nation-wide, mass media that bridged over inconsistencies and variation within national territories and allowed individuals to ascribe themselves to an imagined whole. To repeat a much-quoted phrase, “the members of even the smallest nation will never know most of their fellow-members, meet them, or even hear of them, yet in the minds of each lives the image of their communion” (Anderson 1991: 6). Since Anderson’s work has obtained referential status, his argument will not be elaborated here. But a significant line of criticism of his work deserves our attention. While Anderson in general emphasizes “becoming” – that is, the construction of commonality – towards the end of his work the emphasis moves decisively towards the static notion of “being”. His thesis is therefore “incapable of

recognizing [that] the effects of recent changes in communication and transportation technology might impact upon processes central to imagining community” (Ullock 1996: 427–28).

The post-structuralist conception of community is of particular relevance to this chapter because of the emphasis it places on contestation, negotiation of boundaries, and struggle as characteristics of a community’s workings. In this context, individuals and groups construct their identity within and against unequal sets of hegemonic/non-hegemonic forces. Barth’s (1969) hugely influential study of ethnicity, with its fruitful focus on the elasticity of boundaries, offers an important analytical device for the purpose at hand, that of diacritica or boundary-markers. It is these socially constructed national diacritica (such as language, religion, history) that are regularly the objects of defense, attack, and revision in the online communities examined in this article. Equally pivotal is the notion of tolerance, which is put forward by post-modernists as the fundamental prerequisite for the balancing of struggle and contestation that is inherent in any community (Kaldor 2003: 9, 42). As a principle of conduct, it is extremely relevant for activities within virtual community life.

Despite early emphasis on locality as a definitive characteristic of communities, it has recently been argued that the explosive development of information technology, popularized by the term ‘information revolution’, and the set of processes commonly referred to as “globalization” may be leading to exactly the opposite direction. The work of globalization scholars (see, e.g., Held et al, 1999), such as Giddens, Held, and Scholte, has related or even equated globalization with “deterritorialization”, or alternatively, the “reconfiguration of geography, so that social space is no longer wholly mapped in terms of territorial places, territorial distances and territorial borders”

(Scholte 2000: 17). In a networked world – or as Manuel Castells (1996) puts it, a *Network Society* – national borders tend to retreat and transnational online interaction increases. The imagined communities of modern nation-states can no longer monopolize the domain of identity construction as the ‘virtual communities’ of the information era make their appearance. Nevertheless, scholars have pointed at two, mutually opposing sub-processes, a kind of double- movement within the deterritorializing effect of CMCs. On the one hand, the transgression of national boundaries works to deconstruct the exclusivist narrative of nationalism, while on the other, CMCs can be used to reconnect diaspora groups with their more or less “imagined” homelands and, in fact, promote nationalist discourse (Hamilakis 2000; Helland 2007).

Thus, media of electronic communication have proven to be much more than mere information enhancing tools. From wartime Yugoslavia (Stubbs 1998) to the Arab Spring (Tufekci and Wilson 2012), they have led to the creation of *sui generis* communities, known collectively as “online” or “virtual communities” (Rheingold 1993), whose members interact with each other via the internet and share common identities, values, and political agendas. A neat definition put forth by Fernback and Thompson (1995) identifies virtual communities as “a social group forged in Cyberspace through repeated contact within a specified boundary or place that is symbolically delineated by a topic of interest”. Consequently, the internet may be viewed as a new kind of public sphere, where history and politics are negotiated and culture is produced, and where surfers and forum members constitute the actors in these processes. Along similar lines, Jones’ (1995) notion of “Cybersociety” provides a promising theoretical foundation for challenging the assumption that geographical locality constitutes a prerequisite for the emergence of a community.



One should not get too carried away, however, in hailing a ‘new era’. Virtual communities are characterized by significant fragmentation, heterogeneity, and fluidity of association, arising primarily from the effortlessness of ‘opting-out’: “individuals can become active and prominent quickly, and just as quickly disappear altogether” (Lievrouw and Livingstone 2006:62). Quite literally, exiting a virtual community may be as easy as a mouse-click. These issues raise a set of questions/research hypotheses of foundational significance: What is the exact relation between online (virtual) and offline (imagined) communities? Can the first substitute or supplement the latter? How do they affect each other? How do virtual communities change over time?

The virtual community can accurately be construed as a platform for public discussions, particularly from a public-sphere perspective (Breslow 1997:241; Lievrouw and Livingstone 2006:66). Throughout history, the classical forum, the agora and public baths, the French literary salons, and the English coffee houses of the eighteenth century, have played the role of arenas for communicating information and articulating opinions about things public (Habermas 1994). I would argue that Habermas’ concept of *Öffentlichkeit* (Germ. “public sphere”) relates closely to the current discussions on history and identity-politics that take place within virtual communities. CMCs have indeed played a formative role for environmentalist, religious, ethnic, and political groups, as well as social movements, from the Chiapas-based Zapatistas (Clever 1998) to the Iranian Green Movement (Michaelsen 2011) and the Gezi Protests. But to return to Habermas (1994), one should keep in mind that not all kinds of publicizing constitute a public sphere. Four dimensions have to be at place if we are to speak of virtual communities as a public sphere: a) equality of access by its members; b) diversity of

opinions expressed; c) reciprocity (i.e. sufficient degree of interaction between members); and d) quality, in the sense of relevance to the topic of interest.

Thus, the perception of virtual communities as public spheres raises two additional questions that can serve as caveats or research hypotheses for studies like the present one. First, do different communication technologies demonstrate special bias or a ‘thrust’ of sorts towards particular civic cultures? In other words, does the pluralism allowed by CMCs actually promote a more democratic way of interaction, even among conservative groups?<sup>65</sup> Furthermore, does the predominance of the English language as a vernacular, together with the commercial nature of internet access, privilege certain groups over others when it comes to participation?

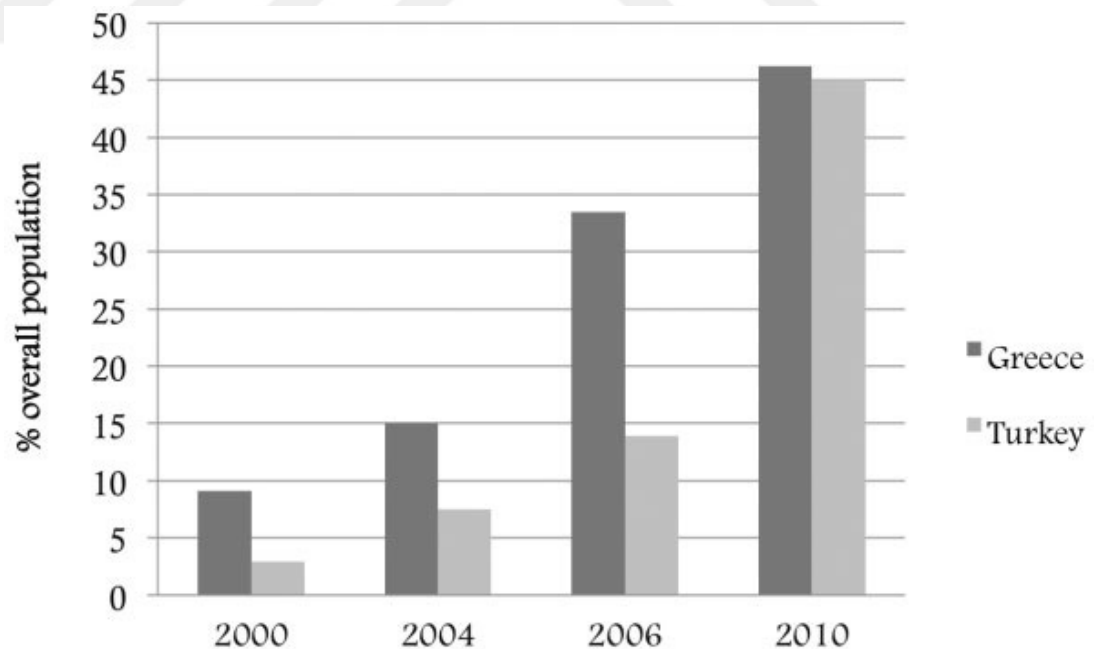


Figure 4. Rise of internet users in Greece and Turkey

<sup>65</sup> Castells (2003:137–55) poses the same question, while Tsagarousianou, Tambini, and Bryan (1998) argue for the inherently pluralistic thrust of internet usage through the concept of “Cyberdemocracy”.

## 5.2 The Greek-Turkish case

Since the 1970s, both Turkey and Greece have experienced unprecedented development of economies of scale and infrastructure, which in turn has pumped-up information technology and its dissemination. As internet users increased rapidly (see Fig. 4), the late 1990s saw the emergence of virtual community actors in both countries, many of whom moved to engage themselves in what may be called a cyber-dialogue across the Aegean. Greek-Turkish online interaction came in many different forms. In forums and chat-rooms, such as [www.cyprusforum.com](http://www.cyprusforum.com), [www.greekturk.info](http://www.greekturk.info), and [www.talkcyprus.org](http://www.talkcyprus.org), citizens of both countries, as well as diaspora members, could now participate in a new type of real-time, written communication and instant messaging with the people who have traditionally been perceived as the 'Other'. Dozens of specialized forums currently discuss historical, political, and cultural issues that concern both countries. Personal websites and blogs, as well as multilingual institutional websites and emailing lists, such as those of the *Lozan Mübadilleri Vakfı* ([www.lozanmubadilleri.org](http://www.lozanmubadilleri.org)) constitute additional gateways to Greek-Turkish online interaction. While intuitively undeniable, this major social development has been underestimated by scholars of Greek- Turkish studies.

In order to map out and organize these CMCs, I propose nine axes around which virtual communities can be categorized:

1. The topic of interest/specialization (historical, military, minorities-related, cultural, general, etc.).
2. Ideological orientation (extreme nationalist, civil dialogue, friendship, cooperation, etc.).

3. Outlook (academic/amateur-research, news-orientated, advocacy-driven/ action-driven, personal, etc.).
4. Ethnic constitution (in our case, ‘Greek’/‘Turkish’/‘other’).
5. Participation by the diaspora.
6. Prevailing language (vernacular or local).
7. Open/exclusive membership.
8. Anonymity/eponymity (user name or real name).
9. Mode of interaction (instant messaging, mail-lists, institutional websites with discussion modules).

This chapter constitutes an attempt to capture the impetus of CMCs in the Greek-Turkish reconciliation process and, in particular, the discussions, negotiations, and transformations of identity and perceptions of the ‘Other’ that take place within Greek-Turkish virtual communities, in manners that directly affect their respective minorities. Its aim is to take into account both ‘progressive’ voices which promoted cooperation, understanding, etc., as well as neo-traditional phenomena, reaching the extreme of ultra-nationalist postings, hate-mail, and obscenities. As with any work on the internet, conducting research on Greek-Turkish virtual communities entailed a series of complications uncharacteristic of traditional research (Herring 1996; Hine 2000). Traditional methods (interviews, questionnaires, participant observation) had to be refined to accommodate the complexity of the subjects – rather than objects – of study, which have the ability to “talk back even as the process is occurring” producing in this way so-called “reflexive data” (Ward 1999). At the same time, cyber-ethnography has to deal with a different perception of time, akin to what Robertson (1992) has described as “Global time”, both in a geographical and a temporal sense. The fact that most websites

and forums retain archived pages extending several years back gives us a significant temporal perspective of possible changes in the positions of regular members. But it also leads to a transformation of the notion of time, as a less linear and more tautochronic structure that governs the interaction of community members. This means that both researchers and participants can ‘go back in time’ and refer to previous postings.

#### Phase 1: Overview of Greek-Turkish Online Interaction

The study was conducted on two distinct phases, extending over a three-month period. Phase 1 consisted of preliminary research, which would give a general overview of what exists ‘out there’ with respect to Greek-Turkish interaction; a kind of map of the geography of Greek-Turkish encounters in cyberspace (see Table 2). This phase began with a random Google search of the terms “Greek-Turkish Forum”, which returned some 2.45 million results. The Alexa search and traffic measuring tool ([www.alexa.com](http://www.alexa.com)), an online application that offers basic statistical information for any website, was used to hand-pick the most popular ones and do away with sites that were irrelevant, peripheral to the study, or defunct, thus arriving at a list of top twelve sites (cf. Fig 6).

This task necessitated the establishment of formal criteria for the dismissal of some of the findings. *Irrelevant* sites were sites where the occurrence of the terms “Greek” and “Turkish” were purely coincidental. Sites were characterized as *peripheral* if they were non-specialized and discussion of Greek-Turkish issues emerged as an unintended offshoot of a wider issue (e.g. Middle Eastern culture, strategy games forums, history of ancient empires, music). Sites were *defunct* if the site’s administrators failed to reply to a message by the researcher in less than three weeks, they had not been updated within the past two years, or consisted of expired links. Finally, searches were conducted in the English language, due to a particular research assumption: if Greek-

Turkish on-line interaction was to be studied, it was English that could work as a type of online vernacular that would make such an interaction possible and more equivocal. An important but conscious omission of this study relates to similar groups and activities within social networking media such as Facebook and Twitter, which were excluded for this chapter on account of the vastness of material available but could constitute a promising topic for a similar separate study in the future.

Table 2. Overview of Websites of Greek-Turkish Interest

name	topic	address	type	location	ethnic constitution	ideological orientation	outlook	popularity
CYPRUS-LARGE	Cyprus-issue	<a href="http://www.kypros.org/Lists/Cyprus/">http://www.kypros.org/Lists/Cyprus/</a>	email-list	Cyprus	GR-CYP/tr-cy	civil-dialogue	political news	low
CyprusForum	Cyprus-issue	<a href="http://groups.msn.com/CyprusForum/">http://groups.msn.com/CyprusForum/</a>	discussion group	USA	GR-CYP/tr-cy	civil-dialogue	general news	low
Pontos World	Pontic Diaspora	<a href="http://pontosforum.4.forumer.com/">http://pontosforum.4.forumer.com/</a>	chat-room/forum		PONTIC Gr/tr	mixed	awareness-driven	high
GreekTurk.Info	Greek-Turkish Couples	<a href="http://www.greekturk.info/">http://www.greekturk.info/</a>	forum	Germany	GR/TR	civil-dialogue	personal/awareness	medium
Turkish Greek Relations	Bilateral Relations	<a href="http://www.turkishgreek.org/indexen.htm">http://www.turkishgreek.org/indexen.htm</a>	website	Turkey	TR/gr	center	academic	medium
Greek-Turkish Affairs Forum	Defence issues	<a href="http://z7.invisionfree.com/worldconflict/">http://z7.invisionfree.com/worldconflict/</a>	forum		GR/tr	conservative	military news	high
Turkish & Greek Civil Dialogue	Youth Collaboration	<a href="http://www.aegean-ankara.org/trgr/">http://www.aegean-ankara.org/trgr/</a>	website/gateway	Turkey/Greece	TR/gr	civil-dialogue	advocacy-driven	low
Greek Turkish Forum	Politics, History, Culture, Defence	<a href="http://greekturkish.18.forumer.com/">http://greekturkish.18.forumer.com/</a>	forum	UK	GR/TR	mixed	general	high
The Hellenic Genocide	Genocide in Anatolia	<a href="http://www.byzantinos.com/index.htm">http://www.byzantinos.com/index.htm</a>	website/guestbook	USA	GR	conservative	awareness-driven	low
Greek-Turkish Friendship	Friendship&Cooperation	<a href="http://members.tripod.com/~dimos/grtr/">http://members.tripod.com/~dimos/grtr/</a>	website/guestbook	USA	GR/TR	civil-dialogue	personal/awareness	low
Cyprus bicomunal discussion	Cyprus issue	<a href="http://www.talkcyprus.org/forum/">http://www.talkcyprus.org/forum/</a>	forum	Cyprus	GR/TR	civil-dialogue	discussion	medium
Turkish & Greek Synergy	Cooperation	<a href="http://www.turkishgreesynergy.net/">http://www.turkishgreesynergy.net/</a>	website/gateway	USA	TR/GR	World Peace	advocacy-driven	low

## Phase 2: The Case Studies

The second phase of the research focused on two particular case studies of sites that met the qualifications of a Greek-Turkish virtual community: a) the Greek-Turkish Forum hosted by former.com; and b) the email-list and website of the *LMV*. For the Greek-Turkish Forum a three-pronged methodological strategy was employed: participatory observation, unstructured interviews with forum members, and a survey by questionnaire at the end of the three-month period. In the case of the *LMV*, research was conducted again through subscription to the email-list, and selective filing of representative messages, coupled with informal interviews with members of the

foundation. In analyzing the findings, the study has resorted to comparative content analysis, with a strong emphasis on the negotiation of identity-markers, pertaining to language, religion, ethnicity, and history.

### 5.3 The Greek-Turkish Forum: An arena for dissent

The Greek-Turkish Forum (henceforth “the forum”) was initiated by a group of posters that were previously active in an online group specializing in world defense issues (“World Arms Forces Forum”). Partly out of disappointment with the limited scope of the WAFF and its distinctly right-wing politics, these posters set up the new forum on 20 December 2006 using the former.com platform. The idea was to set up a forum that would be more specialized on issues that concern Greece and Turkey and would deal with a wider set of issues within that frame- work, ranging from history and “contentious issues” (Armenian genocide, Cyprus issue, etc.) to politics and culture (cuisine, literature, music, etc.). In time, some 262 members joined the forum with an average of twenty-five online members per fifteen minutes. It constitutes an apt example of a Greek-Turkish online community as a public sphere for the explicit discussion of bilateral issues and a more implicit negotiation of national diacritca.

The demographic characteristics of the forum are telling. It is essentially a community of young people with an average age of twenty-seven. In terms of ethnicity the situation is fairly balanced (‘Greeks’ 55%, ‘Turks’ 50%, and other 5%),<sup>66</sup> but there is evident disproportion with respect to gender differentiation (87% men, 13% women),

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<sup>66</sup>These ethnonyms were used tentatively in the initial stages of the research as analytical descriptors. Soon it became evident, however, that participants adhered to a variety of understandings of “Greekness” and “Turkishness” along varying degrees of reliance on ethnic, national, religious, and linguistic factors. For the intricate interplay between language, religion, and descent in the construction of Greek and Turkish national identities, see Alexandris (2003), Birtek and Dragonas (2005), and Çağaptay (2006).

somewhat balanced out by the fact that several female members are particularly active posters (e.g. Artist, Koukla). Diaspora involvement is extremely high with 79% of participants belonging to diaspora ethnic groups, especially from Australia, Germany, and to a lesser extent Canada, the United States, and the United Kingdom. Ideological orientation of the members is extremely diverse, ranging from Greek and Turkish ultra-nationalists to world peace enthusiasts and human rights activists.

I joined the forum on 8 September 2007. My aim was to observe the workings of the forum and participate in a way that would be conducive to this study, by posing questions to members that would bring out what they think about the forum, their respective countries or ‘fatherlands’, and the ‘Other’. My first observation was that the forum was a kind of political microcosm, consisting of different flexible groupings of members that often undercut the Greek-Turkish dichotomy: secularists and religionists, realists and idealists, pro-EU and skeptics, diasporic and non-diasporic, national and local. At the same time, online friendships and enmities, loyalties, and personal dislikes seemed to be springing spontaneously from the discussion.

Members join the forum with a user name of their choice and further embellish their profile with visual objects (*avatar*) and quotations or videos that appear every time they interact within the forum (*signature*). Communication within the forum consisted of *postings*, which included language (articles, news, book excerpts, etc.) and para-language (pictures, video-clips, emoticons) material, typically followed by the poster’s comments. The poster can “open a new thread” on a particular issue or contribute to already existing threads, initiated by other users. Threads are placed under sub-categories: “History”, “Greek-Turkish affairs”, “Music”, “International”, and “Cyprus Forum”. Interaction can be instant, since online members can comment on a particular



posting within seconds. The ensuing discussion can be friendly, but also critical, sometimes ill-humored and aggressive, occasionally assuming the form of personal insults and obscene verbal attacks. Impromptu virtual friendships develop, whereby one particular member would stand up for a like-minded fellow-forumer against such attacks. Rheingold's remark about virtual communities comes to mind:

People in virtual communities use words on screens to exchange pleasantries and argue, engage in intellectual discourse, . . . gossip, . . . make friends. . . . People in virtual communities do just about everything people do in real life, but we leave our bodies behind. You can't kiss anybody and nobody can punch you in the nose, but a lot can happen within those boundaries.

(Cited in Lievrouw and Livingstone 2006: 61)

Most of the time, dialogue between forumers simply reproduces classic nationalist narratives. Participants largely split into two camps – 'Greek' and 'Turkish' – allowing little space for middling positions. Criticisms of Greece by Greeks, and of Turkey by Turks, are perceived as unpatriotic and the standard reply to criticisms by the 'Other' is along the lines of 'look who is talking?' This is a reproduction of the long-standing, badly construed principle of reciprocity that, for example, governs current minority regimes in both countries and has rightly been described as "a dead-end logic" and as "a race to the bottom' with respect to human rights".<sup>67</sup>

If indeed virtual attacks and 'us and them' logic are on the agenda, and if points of view are so disparate as to make meaningful dialogue between the two extremes impossible, one wonders what makes this forum a community? The research showed that established rules of conduct and preoccupation with reputation are definitely parts of the answer. Through their postings, forum members acquire a reputation that deeply

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<sup>67</sup>For the uses and abuses of the legal notion of 'reciprocity' by Greece and Turkey since the signing of the Lausanne Treaty in July 1923, and the detrimental effect on their respective minorities, see Akgönül (2008), Kurban & Tsitselikis (2010: 8-12) and Yağcıoğlu (2010: 37-44).

affects their perception by the group. Anti-social behaviour is sanctioned by other members, under the negative terms of *trolling* or *flaming*, which are taken to denote meaningless, provocative, and aggressive posting that serves no other purpose than bringing disarray to a discussion on a specific topic. Moderators play an important role in limiting *trolling* since they can threaten with a ban anyone who misbehaves. Since the moderators' board includes both Greeks and Turks, occasional expulsion of members has generally been fair and unbiased. Furthermore, personal attacks are often made in jest, within the wider context of what I call "the Fight Club approach" to a forum. For many members, the forum satisfies a need for catharsis from offline life – a space of tensions and abuse on the surface and friendship regardless of boundaries under it. As one member put it in one of the interviews:

I started off with enjoying arguing with Greeks and indulging in the ceaseless verbal rambles Turks and Greeks seem to enjoy together – but then after I got to know members better and saw them as just members not as a 'Greek' or a 'Turk', the forum lost it's [sic] semi-argumentative role for me and became simply a friendly place. I visit rarely now, but I like to think after a good 2 years of arguing about political, historical and military issues between our countries and people I mellowed out and learnt the basic thing of live and let live. Well, as far as can be learnt from the Internet.

(Arabas Perna, 17/11/2007)

So how does participation in the forum direct people towards a reconciliation narrative? Members surely enter the forum with the luggage of self-perceptions about ethnicity and history. But this entire luggage is far from uniform. In reply to the question 'how do you define your ethnicity?', for example, I received an impressive array of answers, far beyond the expected ones: "Hellenic" (instead of "Greek"), "100% Turkish", "Motherland is Turkey, Homeland is Australia", "Greek, born in Australia", "Mixed-Caucasian", "Mediterranean-Turkish". Interestingly enough, some of the members opted for a genealogical explanation of their ethnicity – for example, "My

parents are from the Black-Sea region, and my grandmother was from Skopje”, “Parents from Manisa and Yanya”. This tendency towards genealogical explanations points to a distinct *Mübadil* (Tur. “1922 refugee”) identity, which is currently emerging in Turkey (Hirschon 2003). It is evident, therefore, that participants join the forum with both hegemonic and non- hegemonic preconceptions, which are in turn affected by forum interaction.

Returning to Fernback and Thompson’s definition of virtual communities, it is the ‘common topic of interest’ that turns the forum into a community. An important point is that the forum’s discussion topics do not exclusively, or even predominately, concern bilateral issues. They cover current issues that concern either of the two countries. Be it the violation of the rights of Slav Macedonians in Greece (Karakasidou, 1997), Albanian immigration, the role of the church in Greece, the atrocities committed by the Greeks in Anatolia, the Armenian question, the head scarf and Kurdish issues, or Turkey’s new constitution, both Greeks and Turks participate in a heated debate. This has two important side effects: first, both groups, whether they admit it or not, gain access to unbiased or at least reversely biased information about the issues at hand. This is extremely important given the superficial and stereotype-based manner that still characterizes the way media in both countries cover news about the ‘Other’.

Second, debates take place within the structural framework of a “|virtual forum” and a “community” as described above. The archived past postings and the preoccupation of the community’s members with reputation means that even the most nationalist forum members have to be concerned with the consistency of their postings. For example, an ultra-nationalist Greek cannot easily complain about Turkish oppression of Istanbul’s Greek minority, on the basis of human rights, if in a previous posting he

has argued against the principle of human rights in his own country. The inconsistency will be pointed out and the member will be discredited among his peers. The retrospective dynamic of archived postings combined with the concern for reputation forces members to address the inconsistencies that are inherent in the traditional exclusionist narratives of national history. Thus the forum, by virtue of its being a “virtual community” and a public sphere for contestation, allows for a small-scale application of the moral law that Emanuel Kant called “cosmopolitan right”, whereby a transgression of a right in one place is felt everywhere.

This became most evident in February 2008, when the Turkish national holiday coincided with the first Turkish military operation against the Kurds in Northern Iraq. As Turkish flags multiplied everywhere – in both virtual and non-virtual terms – some anti-war forum members from Turkey initiated a virtual counter- campaign by symbolically adopting Greek flags as their avatar. One particular member’s profile carried a flag of his own invention, featuring a banana on a red and white background, an allusion to the notion of a “banana republic”.

I conclude this section with two indicative examples of an online discussion. The subject is an article from the Turkey-based, Anglophone newspaper *Turkish Daily News* by Greek journalist Ariana Ferendinou about the Pringipos-Büyükada Orphanage.<sup>68</sup> The collocutors include Nutuk (Tur. “[national] oration”) and Piyade (Tur. “infantryman”), two of the most staunch Turkish nationalists in the forum as well as Domestos (a

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<sup>68</sup> The Princes’ Island Orphanage (Gr. *Orfanotroftion Pringipou*; Tur. *Büyükada Rum Yetimhanesi*) was built in 1898 and functioned for the most part of the twentieth century as an orphanage for Greek Orthodox children. In 1999, its title-deeds were unilaterally revoked from the Orthodox Patriarchate by the Turkish state only to be rein- stated in 2010, following a relevant ruling by the European Court of Human Rights.

Turkish moderator) and Los Magandos (a half-Turkish, half-English Istanbulite currently living in London):

*Los Magandos:* I am one of the very few people that have been inside and taken photos. I'll post them if you like. it is the largest wooden structure in Europe, and the 2nd largest in the world.

*Piyade:* One of you Grekos tell me how many Turkish Orphanages are there in Greece

*Paliouseira:* one of you turkos can tell me how many cities in Greece were founded by the turks?

*Piyade:* We don't find Cities. We take them

*Nutuk:* Well said, and we make orphans

*LosMagandos:* Nutuk, the situation with the orphanage is pretty sickening... The Patriarch rightfully owns the deeds to the building and has the money for restoration . . . the building is near to collapse, and it is one of the most important buildings in Europe, no other wooden structure is this big. If the government doesnt want to hand it over they should at least restore it, themselves.

*Domestos:* Deep disgusting holes of idiotic Turkish bureaucracy.<sup>69</sup>

The second excerpt comes from a thread that started with a picture of Topal Osman<sup>70</sup> in full Black Sea costume, and a comment on the fact that his costume is identical with that worn by Pontic Greeks:

*Koukla:* This looks exactly like my grandfather lol. He was pontiac too. Today still Trabzon people and Pontiacs in Greece have so many common words that they can only communicate among each other. Nice pic, reminded me of my papu :))) [Gr. "grandfather"]

*Domestos:* Another Karadenizli?! Ela ela ela ela ela!

*Koukla:* Lol yes. dad trabzonlu, mama samsunlu. You?

*Domestos:* Both from Samsun, but we have relatives from nearly all the cities on the coast.

*O prosfigas:* i think the exchange of populations in 1922 was done on a religious basis. SO some christians turks came to greece, still rememba my grandmother telling me the Karamanlides spoke few greek, but they were christians. BTW my family comes from Izmir, Menemen region.<sup>71</sup>

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<sup>69</sup> Available at: <http://greekturkish.18.forumer.com/index.php?showtopic=5282>.

<sup>70</sup> Topal Osman Ağa (Giresun, 1883–Ankara, 1923), or 'Osman the Lame' was head of the Muslim militia of the Black Sea city of Giresun (Gr. *Kerasounta*) during the period of the Turkish National Struggle (Tur. *Milli Mücadele*, 1919–1922), responsible among other things for ethnic cleansing against local Christians. For a comprehensive biography, see Şener (2004).

<sup>71</sup> Available at: <http://greekturkish.18.forumer.com/index.php?showtopic=4257&st=30>. Trabzon–Trapezous and Samsun–Samsounta are important port cities of Turkey's Black Sea region (Tur. *Karadeniz*; Gr. *Pontos*) that formerly hosted sizeable Christian populations. The Turkish suffixes *-li*, *-li*, and *-lu* indicate origin. Note that in the above excerpt the user "O prosfigas" (Gr. "refugee") refers to his

The study saw in the Greek-Turkish Forum a clear example of a virtual community as an arena of dissent held together by the implicit rules dictated by concerns for reputation and respect by other members and the enforcement capacity of the moderators. Due to the huge diversity of the ideological orientation of individual members, debate is heated and sometimes appears to be moving in the direction of a dead-end. While extreme aggressiveness can be explained through the “Fight Club” model, virtual encounter with the ‘Other’ eventually leads even the most radical members to mellow their positions and to some extent view things through the eyes of the long-imagined ‘Other’. Finally, apart from a virtual community, in many cases the forum led to the creation of real social ties in offline life. Regular meetings – in which forum members would meet each other for dinner, a drink, and a friendly chat – were organized in different parts of the world (e.g. London, Istanbul, Melbourne). On those occasions the ‘Other’ was no longer imagined, nor even virtual; by now it had morphed into flesh and bone.

#### 5.4 LMV: From virtual community to social action

The *Lozan Mübadilleri Vakfı* (Tur. “The Foundation of Lausanne Treaty Refugees”) was founded in Turkey in May 2005, with the objective of researching and preserving the cultural heritage of the emigrants exchanged after the 1922 treaty between Greece and Turkey (Clark 2006; Hirschon 2003). Since then, the foundation has made a name for itself through its own activities and its collaboration with academic institutions. Through projects such as the *Sanal Mübadele Müzesi ve Arşivi Müzesi* (Tur. “Virtual Museum

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family’s places of origin in Anatolia by their Turkish names – that is, “Izmir” and “Menemen” rather than the Greek “Smyrni” and “Menemeni”.

and Archive of the Exchange”) and the *Sözlü Tarih Projesi* (Tur. “Oral History Project”), the foundation is currently making a huge contribution to the preservation of historical memory among the descendants of the exchanged by employing the World Wide Web as one of its primary outreach methods. What was even more interesting for this present chapter was that the foundation was in fact the direct outcome of a Yahoo discussion group under the name `mubadele@yahoogroups.com` (changed to `lozanmubadilleri@yahoogroups.com` after the foundation was formally established). This was an electronic mail-list that served as the first platform of communication for people who previously experienced the particularity of their emigrant identity in relative isolation – that is, without the ability to be organized on a public basis. The situation had been quite different in Greece where emigrants had founded their own cultural, athletic, and philanthropic associations as early as the 1920s. The story of the *Mübadil* (Tur. “refugee”) discussion group provides us with an example of a different type of virtual community: a quasi-academic community that eventually became an agent for social action. From the perspective of participants, joining the group entailed coming to terms with their cultural identity, giving it content and name and, for once, feeling publicly proud of it.

We can look at the LMV phenomenon through the prism of the typology of virtual communities suggested earlier. Its outlook was from the start quasi-academic: many of the subscribed members were academics or first- and second-generation emigrants conducting personal research on their family roots. Communication was not instant as in a forum, but consisted of emails that reached all members of the discussion group. The language of communication was of course Turkish, though references and discussions on Greek phrases, names, and folk songs were common. Upon being

accepted into the group, members usually stated their full name and place of origin. After all, anonymity could not work for a group whose field of interest and very nature made local identity and kinship extremely important. Most often people joined precisely out of a desire to relocate their family roots, as handed down to them through oral tradition. The search for the traces of a common past was the building block for the creation of a quasi-academic virtual community – in other words, a community of knowledge.

The purpose at hand led inevitably to the direction of a reconstruction of memory. With it came a tendency to rethink the official history of the Turkish Republic in which there was formerly little acknowledgement of the exchanged. It has been noted that modern narratives of nation-building tend to be built upon the themes of epic and drama – a dualism which, like any other produced by modernity (matter–soul, male–female, reason–feeling), conceals within it a hidden hierarchy and value-judgments with respect to one concept over the other. In their celebratory endorsement of the Anatolian epic of the War of Independence (Tur. *Kurtuluş, Savaşı*), Republican narratives ascribed little significance to the personal drama of the exchanged. Their history was peripheral to official history, just as their cultural identity remained obscure (Keyder 2003). For the group, moving out of obscurity seemed to require a reconfiguration of memory; what made this feasible was the existence of witnesses. Through their oral testimonies, personal documents, and physical assets (photographs, artifacts, etc.) these people were bringing to the foreground an alternative type of history, that of the lived experience of those who crossed the Aegean. For these reasons, the notion of the eyewitness became the backbone of the whole enterprise – especially with respect to those witnesses who had knowledge of the local idioms of their former homelands. Both as a *(wo)man of*



*knowledge* and a *(wo)man of transition* (e.g. helping with the translation of folk songs and documents), eyewitnesses were treated as the most precious assets of the community. This sentiment was particularly evident when an email announcing the death of a first-generation emigrant was received by group members. As noted by one of the interviewees, "these obituaries symbolized a double loss: the death of a loved member of the community and the irreplaceable loss of valuable knowledge that constituted a bridge between the past and the present" (Toumarkine 2007).

Even though the discussion group, like any other virtual community, had a lifecycle of very busy periods followed by periods of inertia, discussions were often heated and passionate. The reconfiguration of memory so necessary for reclaiming personal history led inevitably to a reconnection with the lost homelands of the *Mübadil*. In this sense, the community was entering extremely sensitive territory, deep into the fundamental dichotomies assumed by national history. There were rivals and polemics to this orientation both within and outside the community. Inside the group, heated debate on historical issues may be seen as a by-product of the tendency to reconstruct memory. Polemics placed emphasis on the past, focusing on contested issues of traditional narratives. Who was responsible for the fire that destroyed the city of Smyrna? Who were the real perpetrators of violence in the Pontus? What is the ethnic origin of the *Mübadil* (Greek, Macedonian, Albanian, Bosnian)? The issue of the *dönme* (Tur. "conversion to Islam") of the Jews of Thessaloniki-Selanik was perhaps the most sensitive issue of them all. On the outside, the community was confronted with a parallel organization with the same subject matter but of completely different orientation. The *Rumeli Türkleri Kültür ve Dayanışma Derneği* (Tur. "Association for the Culture and Solidarity of Balkan Turks", <http://www.rumelidernegi.org>) had been already active

since the 1950s. Its ideological orientation has been clearly on the more conservative side, focusing on “Ottomanness” as the common denominator that bound the *Mübadil* together into a meaningful collectivity. Not surprisingly, its activities have focused on Kosovo, Macedonia, and Bosnia, dealing much less with the ethnically contested and generally glossed-over cases of Crete and Greek Macedonia, where Muslims had been predominately Greek-speaking (Keyder 2003: 42).

The search for a collective identity within the discussion group demonstrated a willingness to go beyond glossing, such as the cushion of “Ottomanness”, and at times to question the foundational assumptions of official history. At a time when relations between Turkey and Greece were rapidly normalizing, and rediscovering ‘Greekness’ was becoming increasingly fashionable, the term *Mübadil* came to acquire the status of a supra-identity enveloping previously employed, close synonyms, such the *Mühacir* of the Balkan Wars, the Cretan emigrants of the end of the nineteenth century, and even the *Dönme*, the relatively recent converts from heterodox Judaism to Islam (Baer 2010). What is more, it has come to bestow a sense of collectivity and pride to the descendants of the exchanged, a rallying-point in their quest for recognition and legitimization as protagonists in the drama of the 1922 exchange. In this context, nothing could be more appropriate than the title “*Ben bir Mübadilim*” (Tur. “I am an emigrant of the Exchange”), announcing a webpage of the foundation’s site that included records and personal testimonies of emigrants. As virtual communities, the discussion group and the foundation that emerged from it have played a paramount role in the redefinition of *Mübadil* identity, the reconnection of collective conscience with their lost homelands, and finally the reconception of an alternative history that permits reconciliation through remembrance.

## 5.5 Conclusions

The cases of Greek-Turkish online interaction encountered in this chapter constitute a complex universe. Global time, archived posts, embedded videos, and emoticons structure its existence. Ethnic categories are being revisited and boundary-markers stretched or transgressed. Nationalism is sometimes preached in the English vernacular; reconciliation can be promoted in the national languages. Dialogue coexists with abuse, and online argument leads to offline social ties. An attempt to explain these puzzles would inevitably address the concept of “virtual communities”, their mechanics, typology, and inherent dynamics. Furthermore, it would have to illuminate the interrelation with the imagined communities of modern nation-states.

The first important conclusion that can be drawn from this chapter is that the worldviews and perceptions articulated within and between different virtual communities are extremely diverse. This diversity allows us to see in virtual communities a new public sphere, a marketplace of ideas, and preconceptions about the self. These ideas can change. Interaction between Greeks and Turks led some community members to reconsider views about themselves, their ‘imagined homeland’, and the traditional ‘Other’. Community membership brought them closer to the ‘Other’, even if ‘closer’ is understood as ‘close enough to fight’. In the cases of spill-over of virtual life onto offline sociability, the ‘Other’ was demystified through direct contact.

A key parameter that emerged from both case studies was the role of liminal groups – that is, groups that lay at the fringe of the traditionally imagined communities, such as the Rum minority and diaspora, or the *Mübadil*. This may seem to contradict conventional wisdom, which sees the same groups as the flag-bearers of late nationalist movements in the Balkans and the Caucasus – cf. Anderson’s (1998: 58–77) concept of

“long-distance nationalism”. This paradox is yet to be accounted for, but a possible explanation could point to the privileged socio-economic characteristics and, as Bourdieu (1984) would put it, the “educational capital” of diaspora groups. Knowledge of a vernacular language such as English is probably the most fundamental factor. The slightly higher involvement of Greeks in English-speaking forums that specialize in Greek-Turkish relations is also interesting, especially because of the much larger number of internet users in Turkey when compared to Greece (cf. Fig. 4).

Parts of the Rum community appear to be conscious of the potential of online communities as platforms for minority-friendly discourse. The Association for the Support of Rum Foundations (RUMVADER) has launched a series of EU-funded projects focusing on minority presence on social media, including the actions “Minority Citizens – Equal Citizens” (2013) “Bridging the Gap, Building together a Common Future” (2016). Through organizing symposia, workshops, documentaries and online activities, the project aims at “fighting misperceptions, combating hate speech, and reducing fear and lack of knowledge for the history, culture and current state of affairs of non-Muslim minorities in Turkey”. Thus together with cultural events, such as the Tavatla Carnival, exhibitions, concerts and publications, online communication constitutes a major arena for Rum collective action.

For all the dynamism of virtual communities, imagined communities were found to be highly resistant in their hold over people’s minds and hearts. Perceptions of nationhood, ethnicity, and belonging that were drawn from modernity are so deeply entrenched that the effects of interaction may appear miniscule and trivial. This is further supported by the fact that virtual communities are highly fluid, making it very easy for a dissatisfied member to simply ‘opt out’. Easy exit accounts for the observed

patterns in the lifecycle of virtual communities, characterized by long periods of over-activity and inactivity, eventually leading to their withering away. On the other hand, the common topic of interest and rules of conduct sanctioned by the implicit concern for reputation or the explicit intervention by a moderator bestow a sense of belonging and a degree of longevity to many virtual communities. Virtual communities can therefore provide a platform for argumentative discourse that is sure to facilitate the reconstruction of collective memory and narratives of reconciliation across national borders, and perhaps release minorities on both sides of the Aegean from their historic position as hostages to be traded for points in bilateral disputes.

## CHAPTER 6

### CONCLUSIONS AND RECOMMENDATIONS

#### 6.1 Identity politics beyond identity

Since the 1980s historians and political scientists have revisited the thorny issue of minorities in Turkey, deepening and enriching our understanding of nationalism, secularism and citizenship in the Turkish Republic. This began with several critical studies of nation-building, in both Turkey (Tunçay, 1981; Karpat, 1983; Oran, 1988; Keyder, 1989) and Greece (Alexandris, 1983; Skopetea 1988; Kitromilides, 1989) and by the 1990s and early 2000s amounted to a paradigm shift in minorities scholarship, represented by a series of influential texts that either challenged the euphemistic assumptions and methodological nationalism of official discourse or meticulously recorded the assimilation policies and anti-minority pressures exercised by the Turkish state in the course of the twentieth century (Başkaya, 1991; Akar, 1992; Parla, 1992; Kadioğlu, 1995; Anagnostopoulou, 2004, Çağaptay, 2004, 2006; Birtek & Dragonas, 2005; Akgönül, 2007; Özkırımlı & Sofos, 2008; Millas, 2009; Aktar, 2009; Onar 2009; Örs , 2006). Internationally, this paradigm shift coincided with what may be described as the golden age of constructivist identity scholarship, focusing on formerly marginalized and neglected we-groups and analyzing their contested forms of self-ascription, intersubjectivity, historical contingency and the dynamic character of ethnic identity (Anderson, 1991; Hobsbawm & Ranger, 1992). This, in turn, paved the way for the emergence of the “politics of recognition” (Taylor, 1994) as an integral field in contemporary political theory.

While heavily indebted to this valuable body of literature, this thesis chose to adopt a composite theoretical framework, with significant points of departure from it. By doing so it aspired to address two major tensions in constructivist identity theory: first, its slippery over-emphasis on negotiation, contestation and change – identity as “a state of becoming” – which often seems to compromise its analytical vigor (Brubaker & Cooper, 2000); second, its paradoxical tendency to reify, simplify or merely “assume” the marginal groups under study – as entities “in a state of being” – while trying to deconstruct wider categories such as “nation” or “class” as categories in flux or “in a state of becoming”. In addition to the obvious analytical problems, this point entails a series of further political risks, as the fetishization of minority groups may reinforce phenomena of separatism, intolerance and neo-conservatism (Frazer, 2000: 108; Young, 1986:2). At the same time, this overemphasis of the role of minority groups as the passive receivers and mere victims of state-sponsored policies of oppression or assimilation runs the risk of negating social agency or collective action to individual members of the minority in question.

The theoretical model put forth in this thesis aspired to problematize and address these weaknesses, by combining constructivism, communitarianism, new institutionalism and subaltern studies in order to provide a well-rounded analysis of the Rum community in the twenty-first century. While informed by constructivist understandings of identity (Chapter 2), I chose to examine the Rums as a “political community” – as the term is employed by Hannah Arendt – rather than as a mere ethno-religious group. This allowed me to move beyond the over-studied ethno-religious dimension and address the issue of agency and intra-community pluralism, by switching the focus of analysis away from externally imposed state-policies and towards internally

adopted institutions. Chapter 3, with its focus on the institutional architecture revolving around philanthropic activity as the cornerstone of Rum communitarianism, allowed me to examine the observable and politically significant durables at play within the community: rules, norms, values, procedures, routines and practices. It sought to paint a fuller picture of community workings and offer an account of Rumness “as being”, moving beyond the obvious analytical categories of language and religion. Chapter 4 projected these findings onto the urban space of Istanbul, and drawing on post-colonial theory and subaltern studies, raised issues of authenticity and entitlement pertaining to it. Chapter 5, in turn, elevated the scope of analysis from the intra-communal and domestic to the international level. It examined the articulation of political discourse pertaining to the community and Greek-Turkish relations on digital environments, a relatively recent parameter with potentially profound ramifications for the community’s political standing. This composite theoretical model therefore attempted to examine from up-close the intricate interactions between Rum identity, institutions, native space and collective action.

## 6.2 The lesson from history (identity as becoming)

The Rums are an ancient and highly historicized community, imbued with a kaleidoscope of symbolisms and referential frames. In order to account for the alternative readings of Rumness available to community members today, this thesis began by focusing on the *longue durée*. In Chapter 2 we analyzed the multiplicity of meanings inherent in the appellation “Rum”, across time and space. In line with the insights provided by constructivist identity theory, the term could historically acquire ethnic, religious, national or geographical connotations defined relationally to various



forms of “Others”. As the form of self-ascription for Istanbul’s Eastern Orthodox population, analyzing “Rumness as becoming” was the necessary starting point.

For the first time in the relevant literature, this thesis attempted a comparative study of the Rums in Turkey and Syria, as diverging trajectories of a once common sense of belonging, historically and politically bound to the Eastern Roman (Byzantine) Empire. This focus on the *longue durée* allowed us to take into account phenomena of continuity and change, pertaining to self-ascription, belonging, citizenship and nationalism. What is more, the two groups were studied as “accidental diasporas”, whose dispersion was a by-product of the rearrangement of national borders over the once converging geography of Byzantine and Ottoman space, rather than a kind of displacement from a single, original homeland. The major instance of continuity that emerged was the delicate balance between Rumness as an ethno-cultural and as a confessional category. While the first mainly consists of references to a common Byzantine past, the latter emphasizes a profound bond of indigenusness to the particular homelands, such as Istanbul, Antakya and Syria. I have argued that this ambiguity can be traced back to the *millet* tradition of the Tanzimat period, which played a key role in the ways Rum populations positioned themselves within their respective host-countries of Turkey and Syria throughout the twentieth century.

When it comes to more recent history, the comparison between the two groups revealed a series of significant disparities, which were closely linked to differences between the two modernizing programs of Kemalism and Ba‘thism. Although both political programs emulated and adapted aspects of the Ottoman *millet* system in their dealings with minorities, a major divergence lies in their respective understandings of citizenship, with contrasting effects on Rum demographics. Viewed as sufficiently

‘Arab’ and ‘Syrian’, the Rums of Syria negotiated their way into the Syrian body politic with relative success, whereas the Rums of Istanbul were systematically barred from the Turkish process of nation-building. Much like the Armenians of Syria, Istanbul Rums have been occasionally targeted as a population of dubious loyalties and systematically excluded from political power sharing. What is more the twentieth century witnessed a series of anti-minority measures that dramatically reduced the community’s demographic base to near-extinction levels. This analysis poses challenging questions about the nature of Turkish nationalism and its ambiguous relationship with classical secularism (Kadıoğlu, 1995: 91; 2007: 283). The sense of insecurity and alienation arising from this ambiguity has, in turn, deeply informed Rum identity, institutions and political outlook.

The case of the Antiochian Rum living in Istanbul may be seen as symbolic bridge between these two distinct trajectories of Rumness. Their ambivalent position within the Istanbul Rum community places them in the peculiar position of being an émigré community and a minority within the minority at the same time. While maintaining close ties with their imagined homeland of Antakya, they are currently confronted by an intense a process of diasporization. Situated not between two but three nationalisms (Turkish, Arab and Greek) this group exemplifies the relational and negotiable nature of ethno-religious belonging. In their struggle for a double inclusion – as full citizens into Turkish nation and as equal members of the Rum community respectively – they are confronted with issues of citizenship, language and indigenusness. The findings of this thesis suggest that in the future the option of ethno-cultural creolization is likely to gain ground among this third group.

### 6.3 The power of institutions (identity as being)

Leaving aside the negotiable diacritics of language, religion and history, Chapter 3 turned to the observable rules, norms, values, procedures, routines and practices that hold sway within the community. This led us to an elaborate institutional architecture revolving around philanthropic activities and connected with welfare benefits, such as minority education and healthcare. Philanthropic institutions constitute the backbone of Rum communal life, allowing us to view it as a mutual-benefit, informal political community. In this sense philanthropic institutions are a constitutive aspect of ‘being Rum’, in as much as “an Istanbul-based Greek-speaking Orthodox that has never taken part in our institutions remains unknown to the community and the community remains unknown to him/her” (interv. with Yorgo Ateşoğlu, 30/06/2012). On the level of norms, philanthropic activity corresponds to the very highly valued principle of *philogeneia*, which loosely translates to “love for the community” or “*cemaat* patriotism”. This peculiar sense of patriotism has been examined in juxtaposition to both state-nationalisms to which the Rum community has been historically exposed.

Unlike the altruistic model of philanthropy, the Rum institution is a genuinely political phenomenon, demarcating the community and connecting its members with each other through the hierarchical bond of benefactor and beneficiary, the horizontal bonds of membership, and the participation, as voter or voted, in community elections. The Rum philanthropic system can be viewed as a mutual-benefit organization, funded by the voluntary contributions of its members past and present, and capable of providing for the education and healthcare of community members. As a result of these contributions, if the Rum community had been granted legal personality *qua* nation-wide

community, it would surely have featured among the top institutional real-estate owners in the country.

We saw however that no legal corporate status was consistently granted to the Rums as a nation-wide community in either Ottoman or Republican times. Even that of local communes was at times contested by the Ottoman state (Ozil, 2013: 65-66), a practice that continues to this day. We saw how this was linked to Islamic Law's aversion towards granting legal personality to non-real persons. Republican attempts to modernize the Civil Code often occurred in clear violation of the Lausanne Treaty (see Appendix C2), which obliged Turkey to recognize Rum communes as *sui generis* foundations and the Rum community as a whole (Kurban & Tsitselikis, 2010: 7). Successive laws and amendments (Law of Foundations of 1935, Declarations of 1936) further exasperated the problem by equating minority communal institutions to pious foundations (Tur. *vakıf*). Most importantly, in 1967 and again in 2013 the Directive of the General Directorate of Pious Foundations indefinitely postponed the elections necessary for the renewal of the administrative bodies of Rum communal institutions.

These mixed legal messages and grey areas have been the product of both Ottoman preoccupations with Islamic law and Republican nationalist policies, partly aimed at "making these communities live in a state of continuous dependency on the state" (Mahcupyan, 2004: 9). In this light, this thesis has argued that informality, as a norm and a practice, has continuously formed part and parcel of Rum community workings. As we have seen, informality may be explained as a semi-clandestine reaction to the state's insistence on negating legal personality both to the Rum community as a whole and to the Patriarchate (Kurban & Tsitselikis, 2010: 9), while obstructing the democratic election of its administrators. In this sense the community historically

preferred informal institutions, which could not be hijacked as easily by the state. Once again explaining the problem by resorting to the heavy-handed policies of the Turkish government proved to be only part of the truth. Our analysis of the communal elections of 1969 and 1991 showed that conflicts of interest-groups within the community bore at least a share of the responsibility for the abolition of elections in Rum foundations. Similarly, the idea of a ‘temporary’ abolition of elections in 2013 appears to have enjoyed the support of a small number of Rum foundations that rallied around the administrative board of the Balıklı Rum Hospital (interv. with Frango Karaoğlan, Istanbul, 17/01/2013).

Despite these shortcomings, the Rum philanthropic system, consisting of the charity-education-healthcare nexus, shows remarkable resilience. Associations, foundations and fraternities continue to be active in Istanbul and all my informants were conscious of the symbolic and practical value of philanthropy as social capital and as a duty to their ancestors. In this sense, philanthropy emerged as the secular Rum institution par excellence, an area where Rumness can be performed, and which defines, sustains and, in short, constitutes the community itself.

#### 6.4 Urban space and cultural colonization

Tracing the history of two former Rum heartlands, Tarlabası and Kurtuluş, back to the late Ottoman period allowed us to explore the impact of nationalist policies of assimilation on Istanbul’s urban and cultural landscape. In both cases, urban planning and “revitalization” projects have gone hand in hand with, economic pressures, demographic and cultural colonization and social engineering, radically transforming the character of the neighborhoods in question.

Informants appeared to be painfully aware of the nature of these processes. Their personal stories all emphasized the interplay between anti-minority policies and urban transformation. Economic pressures targeting the Rum businesses of Tarlabası went beyond official policies such as the 1932 Prohibition of 30 Professions for foreign nationals or the 1942 Property Tax. As we saw, these included informal practices such as discriminatory audits, fines and taxes on Rum businesses as well as criminal activities such as blackmail and intimidation. Similarly cultural pressures included both formal and informal aspects, such as the abolition of the Baklahorani festival or the heavy-handed application of the “Citizen Speak Turkish!” campaign. In this way, the massive exodus of the Rum from their historic heartlands was complemented by the subalternization of Rum culture and its eviction from Istanbul’s urban space.

The Tarlabası demolitions of 1980 and the ongoing Tarlabası Urban Renewal Project, constitute the final act in the process of the urban colonization of these former Rum heartlands. While Tarlabası has been completely stripped of its Rum population, Kurtuluş continues to host the largest Rum commune in Istanbul. In both cases, urban transformation has gone hand-in-hand with cultural colonization, as the ‘multicultural’ identity of these neighborhoods is being ‘rediscovered’, ‘revamped’ and ‘re-launched’ from above, in ways that once again exclude the ‘rightful owners’ of this cultural heritage. Nevertheless, recent initiatives of the Rum community, such as the revival of the Tatavla Carnival seem to capitalize on the immense historical symbolism of these areas and may be seen as attempts, on behalf of the community, to reclaim the urban and cultural space from which it had been forcefully evicted.

## 6.5 From imagined to virtual communities

The development of CMCs and online or virtual communities has introduced novel practices and posed new challenges to the troubled waters of Greek-Turkish relations. In my study of Greek-Turkish online interaction, I have argued that they can play a key role in furthering knowledge and understanding between people in the two countries. This potential for a passage – albeit temporary and controlled – from the imagined community of the nation to the virtual community of an online interest group may play a key role in the changing of perceptions in both countries vis-à-vis their respective minorities and so constitute a new form of informal diplomacy.

The very first conclusion drawn by our study was that perceptions and political views articulated within virtual communities are extremely diverse. This means that virtual communities may be seen as a new form of public sphere, where, among other things, ideas about the self and belonging may be articulated and exchanged. Our research indicated that such articulations are highly dynamic over time. Many members of the online communities studied here came to reconsider their perceptions of the traditional ‘Other’, by directly interacting with them. Oftentimes online interaction led to offline forms of socialization where demystification of the ‘Other’ was achieved through physical interaction.

Liminal groups, which have traditionally stood at the margin of nationally imagined communities, such as ethno-religious minorities, diasporas and people of refugee background, appear to be occupying a central role in these online interactions, whether as topics of discussion or as participants themselves. This seemed to contradict conventional wisdom, which would have the very same groups playing a leading role in nationalist movements (Anderson, 1998: 58-77 “long-distance nationalism”). Apart from

factors pertaining to social/educational capital and language skills, it is the limited, or restricted access that liminal groups normally have to more formal and mainstream channels of communication that could explain their conspicuous over-representation in virtual communities. Rum institutions have accordingly manifested a readiness to adapt to online communities, as fora, where their view may be expressed and disseminated without state-controlled intermediaries. The Association for the Support of Rum Foundations (RUMVADER) has been responsible for a series of EU-funded projects designed to harvest awareness and foster dialogue on Turkish minorities on social media, such as the actions “Minority Citizens – Equal Citizens” (2013) and “Bridging the Gap, Building together a Common Future” (2016).

#### 6.6 Research and policy recommendations

In conclusion of this thesis I shall present here my suggestions for further research on the Rum community together with key policy recommendations for the improvement of the community’s chances to survive and sustainably develop itself in the future.

Any study of the contemporary Rum community is bound to stumble upon two significant issues that remain unresolved by the extant literature. The first pertains to Rum demographics. 1965 saw the last Turkish census containing data on religion and language, enumerating a total of 47,207 Rums living in Istanbul, while such sensitive data was included in the census of 1985 but was never disclosed (Dündar, 1999; Akgönül, 2007). While all studies agree on the minute size of the Istanbul Rum community, the exact number of its members remains a matter of speculation. Estimations vary between 1,000 and 4,000 (Akgönül, 2007: 346-7; Anastassiadou & Dumont: 27) individuals, since, to this day, there has been no detailed demographic



study of the group. An unpublished study undertaken by Viron Kotzamanis in 2005-2006 calculated group membership at 5,249 individuals, but has been rejected as inaccurate both on methodological and ideological grounds, in as much as the study choose to also include Antiochian Rums to the count (Akgönül, 2007: 347; Anastassiadou & Dumont, 2007: 27). In lieu of a comprehensive demographic study of the group, we should note that, in theory at least, only the Turkish state is privy to that knowledge. In the course of 2013 a series of articles in the Armenian weekly newspaper *Agos* (01/08/2013; 12/06/2014) revealed that the Turkish Ministry of the Interior had been systematically tagging and profiling (Tur. *soy kodu; fişleme*) minority citizens since the signing of the Lausanne Treaty, ascribing the code numbers 1, 2 and 3 to each citizen of Rum, Armenian or Jewish descent respectively. The revelation was made accidentally, as an Armenian father applied for permission to enroll his/her child to a minority school. Turkish bureaucracy officially declared the end of the practice in 2015 (*Agos*, 02/07/2015), but many community members remain convinced that it still persists informally. A second topic that seems to call for further research is the current state of Rum communal property and the political economy that surrounds it. Except for Kurban and Tsitselikis' 2010 study, no comprehensive record and detailed analysis of properties owned by Rum foundations exists to this day. An additional difficulty behind such an undertaking lies in the reluctance of minority foundations themselves to openly disclose such information and make it available for analysis.

This brings us to a series of recommendations arising from this study, which could serve as policy priorities, advocacy guidelines, operational practices and political demands by the Rum community in order to improve its current condition and envision a sustainable future in Turkey. Low demographics remain the fundamental problem of the

Rum community today and may be seen in fact as the reason behind many of the shortcomings in community workings, from communal organization, to healthcare, education and collective action. The reversal of this trend of demographic collapse appears to be an absolute necessity if the community is to survive into the twenty-first century. Demographic renewal should therefore become the community's number one policy priority and accordingly feature more prominently in its lists of requests, occasionally addressed to the Turkish government. I suggest two ways in which the community can achieve this. The first is to strive for a smoother integration of those Antiochian Rums that wish to be part of the community. In line with the multicultural traditions that form part and parcel of Rum history, this would mean that Antiochian Rums would be admitted on an equal footing into the community, without having to forgo their own cultural idiosyncrasies, linguistic background and attachment to the history of Antakya. The second method lies in offering incentives to Greek citizens to relocate to Istanbul so as to bolster the community's demographic base. This could mean pushing for the granting of work- and residence permits to Greek nationals, coupled by cheap housing, education and healthcare offered by the community in a large scale. After all, both the Lausanne Treaty (Article 2) and the 1930 Ankara Convention of Establishment, Commerce and Navigation (unilaterally revoked by Turkey in 1964) recognized, in principle, the right of Greek citizens to reside in the Republic of Turkey and enjoy all rights enjoyed by a Turkish citizen, with the exception of voting and election to parliament (Alexandris, 1992: 113, 142, 178, 281). In short, the Rums should concentrate their efforts on a reactivation of the Ankara Convention and provide sufficient incentives to Greek citizens to relocate Istanbul. Unfortunately, to this day the community has failed to commit to such a policy agenda, choosing instead to focus on

its traditional and symbolically over-charged demands for the return of confiscated communal property and the re-opening of the Heybeliada-Halki Seminary.

A second policy priority should revolve around the formal recognition of the nation-wide community as a legal personality, in accordance to the Lausanne Treaty. So far, Turkish law only recognizes local Rum communes as pious foundations (Tur. *vakıf*), a legal approximation that, as we have seen, is neither historically accurate nor compatible with the Lausanne Treaty. This allows local communes to be completely independent from the community at large with no mechanism for disciplining irregular or anti-community activities by individual commune boards, other than the top-down structure of the General Directorate of Pious Foundations (VGM). A positive step in the direction of democratizing the operation of the VGM was made in 2008, when the office of Representative of Minority Communities Foundations (Tur. *Cemaat (Azınlık Vakıfları Temsilcisi)*) was instituted and endowed with 1 out of the 122 seats of the Council of Foundations (Tur. *Vakıflar Meclisi*). Since 2008, the post has been occupied in turn by a Rum, an Armenian and a Jewish representative, who has been expected to represent all minority foundations to the council. With 1 out of 122 seats representing all three communities at once there is still a very long way to go for the democratization of minority foundations.

Third, it is clear that a rigorous reorganization of Rum communes would be essential for the effective operation of Rum foundations. Currently, there are 63 Rum foundations/communes (Fig. 1 and Appendix B) in the city of Istanbul. Obviously this is a reflection of times long past when community membership amounted to several tens of thousands and, as such, was capable of running and maintaining this large number of parishes and foundations. It is of paramount importance that these foundations are

unified in one or perhaps two conglomerates (one for the European and another for the Asian side and the islands), in a manner that would better reflect the demographic and human resources realities at hand. The establishment, in 2011, of RUMVADER, an association for coordinating and advising the operation of Rum foundations has certainly been a positive step in the direction of institutional unification. Nevertheless, RUMVADER remains an advisory body, endowed with soft power and legitimacy typically employed in cases of arbitration but lacking any executive power whatsoever, making it possible for the few but powerful Rum foundations that boycotted its establishment to completely disregard its decisions. RUMVADER and the story of its creation could be seen as yet another instance of the Rum community resorting to informal mechanisms in order to circumvent the pathologies inherent in the *vakif* system. In any case, it seems that the current institutional fragmentation of the community may only be remedied through the establishment of an overarching, elected and formally recognized Rum institution.

Institutional reorganization in turn requires that free community elections be once again reinstated, after their indefinite postponement in 2013. As we have seen, electing local administrators has been the tradition, duty and inalienable democratic right of Rum community members. This, together with the composition of a mutually agreed upon, fair and modern set of electoral by-laws should be another fundamental priority for the community. Since elections were halted by the VGM in 2013, with the pretext of designing a new set of electoral by-laws, instead of waiting the community should regain the initiative and produce its own document with suggestions for public deliberation. Such a set of electoral regulations could also serve as a compass for the community's self-administration, clearly stipulating the democratic standards of

transparency, accountability and openness, without which community workings would fall dramatically short of their original mission.

As noted above, the vast but uncharted communal property of the Rum community currently lies at the center of community workings. It has been indeed tempting for Rum administrators to equate good governance with simply increasing communal property and enriching each commune through the proceeds from construction contracts and rents. Deprived of the necessary human resources, active participation by its members, accountability and good practices, the Rum community runs the risk of becoming little more than a glorified real-estate agency. Nothing could be further from the community's original *raison d'être*. This thesis has argued that from a secular perspective the Rum community should be seen as a political community held together by philanthropic activity, mutual-benefit arrangements and the coherent redistribution of its resources and services back to its members. In this light, demographic bolstering, institutional unification, proactive advocacy and coordinated administration seem to be major prerequisites for the community's survival and sustainable development. We have yet to see whether this historic community will manage to draw new life from its rich reservoir of past experiences and cultural capital and meet head-on the new challenges posed by the twenty-first century.

## APPENDIX A

### LIST OF INTERVIEWS

#### Phase 1:

Ahmed D., (50), self-employed, 16/03/2009

Aleko K. (73), retired, 18/10/2009

Aleko S. (69), businessman, 24/03/2010

Anna A. (27), university student, 07/09/2009

Dimitri Karayani, foundation president, 9/11/2012

Efterpi (65), unemployed, 08/02/2010

Frango K., 26/01/2011

Hannah A. (39), church attendant, 28/04/2010

Hatice G. (72), retired, 23/05/2009

Kostas E. (39), businessman, 08/11/2009

Lazari K. (71), businessman, 7/03/2010

Maria Y. (43), school-attendant, Istanbul, 28/04/2011

Meri K. (62), 29/06/2011

Meri S. (46), businesswoman, 08/06/2010

Mihail K. (22), university student, Istanbul, 30/05/2011

Mihail P. (22), university student, 14/12/2009

Mihail V. (70), journalist, 18/07/2010

Pavlis (52), unemployed, 14/07/2010

Semir Y. (39), teacher, 14/04/2011

Sofia P. (43), unemployed, 19/04/2010

Yorgo B. (47), librarian, 22/03/2010

Yorgo D. (29), businessman, 26/04/2010

Phase 2 (specialized topics):

Alexis Alexandris, diplomat and historian, 19/09/2010

Can Avcı, church-attendant, 04/02/2012

Dimitris Frangopoulos, retired headmaster of Zoğrafyon Rum High-school 25/10/2011

Frango Karaoğlan, journalist, 26/09/2011, 17/01/2013

Mihail Vasiliadis, journalist, editor of *Apoyematini*, 17/04/2011.

Nikos Athanasiadis, president of the Rum Community of Bakırköy, 06/03/2012

Pandelis Vingas, president of the Rum Community of Yeniköy, 14/03/2012

Sula Bozis, author, 13/12/2012

Yorgo Ateşoğlu, accountant and philanthropist, 30/06/2012

Yorgo Vapuridis, singer, 07/06/2012

Interviews conducted in Antakya, Aleppo and Damascus

Butros S. (34), businessman, Aleppo, 15/12/2007

George H. (52), priest, Damascus, 20/12/2007

Hakem, A. (27), academic, Aleppo, 19/12/2007

Ibrahim A. (45), self-employed, Antakya, 29/12/2007

Marie A. (24), university student, Aleppo, 19/12/2007

Meriem B. (37), cook, Aleppo, 18/12/2007

Mikhail, R. (57), businessman, Aleppo, 24/12/2007

Nadia E. (29), teacher, Damascus, 22/12/2007

APPENDIX B

LIST OF ACTIVE RUM FOUNDATIONS

SINCE ELECTIONS WERE LAST PERMITTED (2013)

<b>1. Fener Rum Patrikhanesi Avlusunda Aya Yorgi Rum Ortodoks Kilisesi Vakfi</b>
<b>Πατριαρχικός Ναός Αγίου Γεωργίου του Τροπαιοφόρου</b>
Dr. Sadık Ahmet Cad. No: 19 Fener, Fatih, İstanbul
Last Board Elections: 21 April 2009
<b>2. Beyoğlu Rum Ortodoks Kiliseleri ve Mektepleri Vakfı</b>
<b>Κοινότητα Σταυροδρομίου</b>
Emir Nevruz Çikmazı Sok. No: 24 Beyoğlu, İstanbul
Last Board Elections: 21 June 2010
<b>3. Kurtuluş Aya Tanaş Aya Dimitri Aya Lefter Rum Ortodoks Kilisesi ve Mektebi Vakfı</b>
<b>Κοινότητα Ταταούλων</b>
Ateşböceği Sok. No: 2 Kurtuluş, Şişli, İstanbul
Last Board Elections: 4 December 2011
<b>4. Beyoğlu Yenişehir Evanelistra Rum Ortodoks Kilisesi Vakfı</b>
<b>Κοινότητα Ευαγγελισμού της Θεοτόκου Προπόδων Ταταούλων</b>
Hacı İlbey Sok. No: 6-8 Yenişehir, Beyoğlu, İstanbul
Last Board Elections: 4 December 2011
<b>5. Feriköy Oniki Apostol Rum Ortodoks Kilisesi ve Mektebi Vakfı</b>
<b>Κοινότητα Δώδεκα Αποστόλων Φερίκιοϊ</b>
Avukat Cad. No: 41 Feriköy, Şişli, İstanbul
Last Board Elections: 24 September 2011
<b>6. Hasköy Aya Paraskevi Rum Ortodoks Kilisesi Vakfı</b>
<b>Κοινότητα Αγ. Παρασκευής Πικριδίου (Χάσκιοϊ)</b>
Bactar Sok. No: 2/1, Hasköy, İstanbul
Last Board Elections: 4 December 2011
<b>7. Beşiktaş Panayia Rum Ortodoks Kilisesi Vakfı</b>
<b>Κοινότητα Κοιμ. Της Θεοτόκου Διπλοκιονίου</b>
Köyiçi Sok. No: 44 Beşiktaş, İstanbul
Last Board Elections: 19 June 2010
<b>8. Beşiktaş Cihannüma Rum Ortodoks Kilisesi Vakfı</b>
<b>Κοινότητα Γενεθλίων της Θεοτόκου Παλαιού Μπάνιου Διπλοκιονίου</b>
Çırağan Cad. No: 29 Beşiktaş, İstanbul
Last Board Elections: 4 December 2011



<b>9. Ortaköy Aya Fokas Aya Yorgi Rum Ortodoks Kilisesi Vakfi</b>
<b>Κοινότητα Αγίου Φωκά Μεσαχώρου</b>
Muallim Naci Cad. No: 16 Ortaköy, Beşiktaş, İstanbul
Last Board Elections: 4 December 2011
<b>10. Kuruçeşme Aya Dimitri ve Aya Yani Rum Ortodoks Kilisesi Vakfi</b>
<b>Κοινότητα Αγ. Δημητρίου Ξηροκρήνης</b>
Kırbaç Sok. No: 46 Kuruçeşme, Beşiktaş, İstanbul
Last Board Elections: 4 December 2011
<b>11. Arnavutköy Aya Strati Taksiarhi Rum Ortodoks Kilisesi Vakfi</b>
<b>Κοινότητα Παμμεγίστων Ταξιαρχών Μεγάλου Ρεύματος</b>
Satış Meydanı Sok. No: 22, Arnavutköy, Beşiktaş, İstanbul
Last Board Elections: 4 December 2011
<b>12. Bebek Aya Haralambos Rum Ortodoks Kilisesi Vakfi</b>
<b>Κοινότητα Αγ. Χαραλάμπους Βεβεκίου</b>
İnşirah Sok. No: 15/A, Beşiktaş, İstanbul
Last Board Elections: 4 December 2011
<b>13. Boyacıköy Panayia Evangelistra Rum Ortodoks Kilisesi Vakfi</b>
<b>Κοινότητα Ευαγγελισμού της Θεοτόκου Βαφεοχωρίου</b>
Fırın Sok. No: 7, Boyacıköy, Sarıyer, İstanbul
Last Board Elections: 4 December 2011
<b>14. Yeniköy Aya Nikola Rum Ortodoks Kilisesi Vakfi</b>
<b>Κοινότητα Αγ. Νικολάου Νεοχωρίου</b>
Hamit Vehbi Sok. No: 17/19, Yeniköy, Sarıyer, İstanbul
Last Board Elections: 19 December 2010
<b>15. Yeniköy Panayia Rum Ortodoks Kilisesi ve Mektebi Vakfi</b>
<b>Κοινότητα Κοιμήσεως της Θεοτόκου Κουμαριωτίσσης Νεοχωρίου</b>
Köybaşı Cad. No: 102 Yeniköy, Sarıyer, İstanbul
Last Board Elections: 19 December 2010
<b>16. Aksaray Langa Aya Todori Rum Ortodoks Kilisesi</b>
<b>Κοινότητα Αγ. Θεοδώρων Βλάχκας</b>
Hayriye Tüccarı Cad. No: 4-6, Aksaray, Fatih, İstanbul
Last Board Elections: 31 March 1991
<b>17. Kumkarı Aya Kiryaki Elpida Rum Ortodoks Kiliseleri Vakfi</b>
<b>Κοινότητα Παναγίας Ελπίδος Κοντοσκαλίου</b>
Liman Cad. No: 21 Kadirga, Fatih, İstanbul
Πρόεδρος: Αναστάσης Χονδρόπουλος
Last Board Elections: 31 March 1991
<b>18. Samatya Aya Mina Rum Ortodoks Kilisesi Vakfi</b>
<b>Κοινότητα Αγ. Μηνά Υψωμαθείων</b>
Bestekar Hakkı Sok. No: 1, Kocamustafapaşa, Fatih, İstanbul
Last Board Elections: 10 December 2011

<b>19. Samatya Aya Analipsis Rum Ortodoks Kilisesi Vakfi</b>
<b>Κοινότητα Θείας Αναλήψεως Υψωμαθείων</b>
Akıncı Sok. No: 7 Samatya, Fatih, İstanbul
Last Board Elections: 10 December 2011
<b>20. Koca Mustafa Paşa Samatya Aya Nikola Rum Ortodoks Kilisesi Vakfi</b>
<b>Κοινότητα Αγ. Νικολάου Υψωμαθείων</b>
Muallim Fevzi Cad. No: 5 Kocamustafapaşa, Fatih, İstanbul
Last Board Elections: 10 December 2011
<b>21. Koca Mustafa Paşa Samatya Aya Yorgi Rum Ortodoks Kilisesi Vakfi</b>
<b>Κοινότητα Αγ. Γεωργίου Κυπαρισσά Υψωμαθείων</b>
Samatya Büyük Kuleli Sok. No: 8 Fatih, İstanbul
Last Board Elections: 10 December 2011
<b>22. Koca Mustafa Paşa Samatya Aya Konstantin Rum Ortodoks Kilisesi Vakfi</b>
<b>Κοινότητα Αγ. Κωνσταντίνου και Ελένης Υψωμαθείων</b>
İmrahor İlyas Bey Cad. No: 45 Fatih, İstanbul
Last Board Elections: 10 December 2011
<b>23. Topkapı Aya Nikola Rum Ortodoks Kilisesi Vakfi</b>
<b>Κοινότητα Αγ. Νικολάου Τόπκαπου</b>
Karatay Sok. No: 1 Topkapı, Fatih, İstanbul
Last Board Elections: 10 December 2011
<b>24. Altı Mermer Panayia Rum Ortodoks Kilisesi Vakfi</b>
<b>Κοινότητα Κοιμ. Της Θεοτόκου Εξ Μαρμάρων</b>
Hekimoğlu Alipaşa Yapağı Sok. No: 3 Kocamustafapaşa, Fatih, İstanbul
Last Board Elections: 10 December 2011
<b>25. Koca Mustafa Paşa Belgrat Kapı Panayia Rum Ortodoks Kilisesi Vakfi</b>
<b>Κοινότητα Γενεθλίων της Θεοτόκου Βελγυραδίου</b>
Hacı Hamza Mektebi Sok. No: 63 Kocamustafapaşa, Fatih, İstanbul
Last Board Elections: 10 December 2011
<b>26. Fener Meryemana Rum Ortodoks (Kanlı) Kilisesi Vakfi</b>
<b>Κοινότητα Κοιμ. Θεοτόκου Μουχλίου</b>
Firketeci Sok. No: 5 Fener, Fatih, İstanbul
Last Board Elections: 11 February 2012
<b>27. Cibali Aya Nikola Rum Ortodoks Kilisesi Vakfi</b>
<b>Κοινότητα Αγ. Νικολάου Τζιβαλίου και Αγιάσμ. Αγ. Χαραλάμπους</b>
Abdülezelpaşa Cad. No: 257 Cibali, Fatih, İstanbul
Last Board Elections: 11 February 2012
<b>28. Sarmaşık Aya Dimitri Rum Ortodoks Kilisesi Vakfi</b>
<b>Κοινότητα Αγ. Δημητρίου Σαρμασικίου</b>
Prof. Dr. Naci Şensoy Cad. No: 193 Sarmaşık, Fatih, İstanbul
Last Board Elections: 11 February 2012

<b>29. Balat Aya Strati Rum Ortodoks Kilisesi Vakfi</b>
<b>Κοινότητα Παμμεγίστων Ταξιαρχών Βαλατά</b>
Ayan Cad. No: 25 Balat, Fatih, İstanbul
Last Board Elections: 2007
<b>30. Balat Panayia Balino Rum Ortodoks Kilisesi Vakfi</b>
<b>Κοινότητα Κοιμήσεως Θεοτόκου Μπαλίνου</b>
Mahkeme Altı Cad. No: 59, Balat, Fatih, İstanbul
Last Board Elections: 11 February 2012
<b>31. Ayvansaray Aya Dimitri, Aya Vlaherna Rum Ortodoks Kilisesi ve Mektebi Vakfi</b>
<b>Κοινότητα Ιερού Αγιάσμ. Παναγίας Βλαχερνών και Αγ. Δημητρίου Ξυλοπόρτης</b>
Kırkambar Sok. No: 12, Ayvansaray, İstanbul
Last Board Elections: 11 February 2012
<b>32. Salmatomruk Panayia Rum Orotdoks Kilisesi Vakfi</b>
<b>Κοινότητα Παναγίας των Ουρανών Σαλματομβρουκίου</b>
Neşter Sok. No: 77 Edirnekapi, Fatih, İstanbul
Last Board Elections: 11 February 2012
<b>33. Fener Tekfursaray Panayia Hançerli Rum Ortodoks Kilisesi Vakfi</b>
<b>Κοινότητα Παναγίας της Χαντσεργιωτίσσης Τεκφουρσαράϊ</b>
Tekfursaray Ulubatlı Hasan Sok. No: 18 Edirnekapi, Eminönü (Fatih), İstanbul
Last Board Elections: 11 February 2012
<b>34. Fatih Eğrikapı Panayia Rum Ortodoks Kilisesi Vakfi</b>
<b>Κοινότητα Παναγίας Σούδας Εγρίκαπου και Νεκροταφείον</b>
Tandır Sok. No: 2 Kocamustafapaşa Fatih İstanbul
Last Board Elections: 11 February 2012
<b>35. Heybeliada Aya Triada Tere Manastırı Vakfi</b>
<b>Ιερά Μονή Αγ. Τριάδος Χάλκης</b>
Ümit Tepesi No: 3 Heybeliada, Adalar, İstanbul
Last Board Elections: 26 April 2009
<b>36. Burgazada Aya Yorgi Karipi Manastırı</b>
<b>Ιερά Μονή Αγ. Γεωργίου Καρύπη Αντιγόνης</b>
Gönüllü Sok. No: 76 Burgazada, Adalar, İstanbul
Last Board Elections: 10 December 2011
<b>37. Balıklı Rum Hastanesi Vakfi</b>
<b>Νοσοκομείο Βαλουκλή</b>
Kazlıçeşme Belgratkapı Yolu No: 2, Zeytinburnu, İstanbul
Last Board Elections: 31 March 1991
<b>38. Heybeliada Rum Ruhban Okulu Vakfi</b>
<b>Ιερά Θεολογική Σχολή Χάλκης</b>
Ümit Tepesi No: 3 Heybeliada, Adalar, İstanbul
Last Board Elections: 26 April 2009

<b>39. Fener Rum Erkek Lisesi Vakfi</b>
<b>Πατριαρχική Μεγ. Του Γένους Σχολή</b>
Sancaktar Yokuşu No: 36 Fener, Eminönü (Fatih), İstanbul
Last Board Elections: 28 April 2012
<b>40. Fener Yoakimion Rum Kız Lisesi Vakfi</b>
<b>Ιωακείμιον Παρθεναγωγείον</b>
Mektep Sok. No: 16-18 Eminönü (Fatih), İstanbul
Last Board Elections: 26 April 2012
<b>41. Zaryon Rum Kız Lisesi Vakfi</b>
<b>Ζάππειον Παρθεναγωγείον</b>
Meşelik Sok. No: 9 Beyoğlu, İstanbul
Last Board Elections: 28 April 2012
<b>42. Galata Rum İlkokulu Vakfi</b>
<b>Αστική Σχολή Γαλατά</b>
Kemeraltı Cad. No: 81 Karaköy, Beyoğlu, İstanbul
Last Board Elections: 7 April 2009
<b>43. Fener Maraşlı Rum İlkokulu Vakfi</b>
<b>Μαράσλιος Σχολή</b>
Sadrızam Ali Paşa Sok. No: 35 Fener, Eminönü ( Fatih ), İstanbul
Last Board Elections: 26 April 2009
<b>44. Kadıköy Rum Ortodoks Cemaati Kiliseleri Mektepleri ve Mezarlığı Vakfi</b>
<b>Κοινότητα Χαλκηδόνος</b>
Osmanağa Mah. Yasa Cad. No: 27 Kadıköy, İstanbul
Last Board Elections: 30 October 2011
<b>45. Üsküdar Profiti İlyas Rum Ortodoks Kilisesi ve Mektebi Vakfi</b>
<b>Κοινότητα Προφήτου Ηλιού Σκουτάρεως</b>
Hacı Murat Sok. No: 10, Üsküdar, İstanbul
Last Board Elections: 15 January 2012
<b>46. Kuzguncuk Aya Pandeleimon Rum Ortodoks Kilisesi</b>
<b>Κοινότητα Αγ. Παντελεήμονος Κουσκουντζουκίου</b>
İcadiye Cad. No: 50 Kuzguncuk, Üsküdar, İstanbul
Last Board Elections: 15 January 2012
<b>47. Çengelköy Aya Yorgi Rum Ortodoks Kilisesi Vakfi</b>
<b>Κοινότητα Τσεγκέλκιοϊ</b>
Tanrıverdi Sok. No: 1 Çengelköy, Üsküdar, İstanbul
Last Board Elections: 15 January 2012
<b>48. Kandilli Metemorfosis Hz. İsa Rum Ortodoks Kilisesi Vakfi</b>
<b>Κοινότητα Θείας Μεταμ. Κανδυλλί</b>
Bahçe Sok. No: 6 Kandilli, Üsküdar, İstanbul
Last Board Elections: 15 January 2012

<b>49. Paşabahçe Aya Konstantin Rum Ortodoks Kilisesi Vakfı</b>
<b>Κοινότητα Πασάμπαχτσε</b>
Çağatay Sok. No: 17 Paşabahçe, Beykoz, İstanbul
Last Board Elections: 15 January 2012
<b>50. Beykoz Aya Paraşkevi Rum Ortodoks Kilisesi Vakfı</b>
<b>Κοινότητα Μπέικοζ</b>
Panayır Sok. No: 39/1 Beykoz, İstanbul
Last Board Elections: 15 January 2012
<b>51. Tarabya Aya Paraşkevi Rum Ortodoks Kilisesi ve Mektebi Vakfı</b>
<b>Κοινότητα Θεραπειών Αγία Παρασκευή</b>
Yeniköy Cad. No: 64 Tarabya, Sarıyer, İstanbul
Last Board Elections: 8 January 2012
<b>52. Büyükdere Aya Paraşkevi Rum Ortodoks Kilisesi Vakfı</b>
<b>Κοινότητα Αγ. Παρασκευής Βαθυρρύακος</b>
Danışment Sok. No: 5 Büyükdere, Sarıyer, İstanbul
Last Board Elections: 8 January 2012
<b>53. Yenimahalle Aya Yani Rum Ortodoks Kilisesi Vakfı</b>
<b>Κοινότητα Ανω Βοσπόρου Γενή Μαχαλλά</b>
İbni Sina Sok. No: 10, Sarıyer, İstanbul
Last Board Elections: 8 January 2012
<b>54. Bakırköy Aya Yorgi Aya Analipsiz Rum Ortodoks Kiliseleri ve Mektepleri Vakfı</b>
<b>Κοινότητα Μακροχωρίου</b>
Ebuziya Cad. No: 15 Bakırköy, İstanbul
Last Board Elections: 11 March 2012
<b>55. Yeşilköy Aya Stefanos Rum Ortodoks Kilisesi Vakfı</b>
<b>Κοινότητα Αγ. Στεφάνου</b>
İnciçiçeği Sok. Bakırköy, İstanbul
Last Board Elections: 1 July 2007
<b>56. Büyükada Panayia Aya Dimitri Profiti İlyia Rum Ortodoks Kilisesi ve Mektebi Vakfı</b>
<b>Κοινότητα Νήσου Πριγκήπου</b>
Kıvılcım Sok. No: 3 Büyükada, Adalar, İstanbul
Last Board Elections: 24 September 2011
<b>57. Heybeliada Aya Nikola Rum Ortodoks Kilisesi ve Mezarlığı/Aya Varvara Kilisesi Vakfı</b>
<b>Κοινότητα Νήσου Χάλκης</b>
İşgüzar Sok. No: 13 Heybeliada, Adalar, İstanbul
Last Board Elections: 24 September 2011
<b>58. Burgazada Aya Yani Rum Ortodoks Kilisesi ve Mektebi Vakfı</b>
<b>Κοινότητα Αγίου Ιωάννου του Προδρόμου Νήσου Αντιγόνης</b>
Gökdemir Aralığı Sok. No: 19 Burgazada, Adalar, İstanbul
Last Board Elections: 24 September 2011

<b>59. Kinalıada Panayia Rum Ortodoks Kilisesi Vakfı</b>
<b>Κοινότητα Νήσου Πρώτης</b>
Beşiroğlu Sok. No: 6 Kinalıada, Adalar, İstanbul
Last Board Elections: 24 September 2011
<b>60. Fener Vlahsaray Panayia Rum Ortodoks Kilisesi Vakfı</b>
<b>Ιερός Ναός Παναγίας Παραμυθίας Βλάχσαραι</b>
Kiremit Cad. Çimen Sok. No: 3 Fener, Fatih, İstanbul
Last Board Elections: 26 April 2009
<b>61. Kuddusü Şerif Rum Patrikhanesine Bağlı Yeniköy Aya Yorgi Kilisesi/Manastırı Vakfı</b>
Simitci Salih Sok. No: 2 Yeniköy Mah.,Sarıyer, İstanbul
<b>62. Beyoğlu Merkez Rum Kız Mektebi Vakfı</b>
<b>Κεντρικό Παρθεναγωγείο</b>
Katip Mustafa Çelebi Mah. Ağahamam Maç Sok. No: 40, Beyoğlu, İstanbul
Last Board Elections: 28 April 2012
<b>63. Büyükkada Rum Erkek Yetimhanesi Vakfı</b>
<b>Ορφανοτροφείο Πριγκήπου</b>
Topuz Sok. No: 29/2, Büyükkada, İstanbul
Last Board Elections: 31 March 1991

APPENDIX C  
LEGAL DOCUMENTS

C1. General Regulations of 1864 (excerpt)

*Rum Millet*

*Article no. 8 of the First Regulation, concerning the Election of the Orthodox Patriarch. Given that the person who will become Patriarch, as the spiritual leader at the ecclesiastical level, is thus a medium of the High Government at the political level for implementing its decisions regarding the secular affairs of Christians belonging to his Patriarchate for this reason, as regards the nomination of the most capable individual vis-à-vis spiritual and national affairs, the election (viz., of the Patriarch) belongs to the spiritual and lay leaders but inasmuch as the High Government does not wish to and itself forced to exercise its natural right to exclude candidates acclaimed by common election for the position of Patriarch, the List of eligible individuals (...) should immediately be dispatched to the Sublime Porte and if, from among those included in this List, there be some not considered capable as regards the political level, then the Sublime Porte, having excluded them from the List, shall inform the Patriarchate (...) so that the election of the Patriarch may take place from among the remaining candidates.*

(English trans. by Stamatopoulos, 2006: 271)

C2. The Lausanne Treaty (July 24, 1923 – excerpts)

PART I.

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POLITICAL CLAUSES.

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ARTICLE 1.

From the coming into force of the present Treaty, the state of peace will be definitely re-established between the British Empire, France, Italy, Japan, Greece, Roumania and the Serb-Croat-Slovene State of the one part, and Turkey of the other part, as well as between their respective nationals.

Official relations will be resumed on both sides and, in the respective territories, diplomatic and consular representatives will receive, without prejudice to such agreements as may be concluded in the future, treatment in accordance with the general principles of international law.

[...]

SECTION II.

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NATIONALITY.

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ARTICLE 30.

Turkish subjects habitually resident in territory which in accordance with the provisions of the present Treaty is detached from Turkey will become *ipso facto*, in the conditions laid down by the local law, nationals of the State to which such territory is transferred.

ARTICLE 31.

Persons over eighteen years of age, losing their Turkish nationality and obtaining *ipso facto* a new nationality under Article 30, shall be entitled within a period of two years from the coming into force of the present Treaty to opt for Turkish nationality.

ARTICLE 32.



Persons over eighteen years of age, habitually resident in territory detached from Turkey in accordance with the present Treaty, and differing in race from the majority of the population of such territory shall, within two years from the coming into force of the present Treaty, be entitled to opt for the nationality of one of the States in which the majority of the population is of the same race as the person exercising the right to opt, subject to the consent of that State.

#### ARTICLE 33 .

Persons who have exercised the right to opt in accordance with the provisions of Articles 31 and 32 must, within the succeeding twelve months, transfer their place of residence to the State for which they have opted.

They will be entitled to retain their immovable property in the territory of the other State where they had their place of residence before exercising their right to opt.

They may carry with them their movable property of every description. No export or import duties may be imposed upon them in connection with the removal of such property.

#### ARTICLE 34 .

Subject to any agreements which it may be necessary to conclude between the Governments exercising authority in the countries detached from Turkey and the Governments of the countries where the persons concerned are resident, Turkish nationals of over eighteen years of age who are natives of a territory detached from Turkey under the present Treaty, and who on its coming into force are habitually resident abroad, may opt for the nationality of the territory of which they are natives, if they belong by race to the majority of the population of that territory, and subject to the consent of the Government exercising authority therein. This right of option must be exercised within two years from the coming into force of the present Treaty.

#### ARTICLE 35 .

The Contracting Powers undertake to put no hindrance in the way of the exercise of the right which the persons concerned have under the present Treaty, or under the Treaties of Peace concluded with Germany, Austria, Bulgaria or Hungary, or under any Treaty concluded by the said Powers, other than Turkey, or any of them, with Russia, or between themselves, to choose any other nationality which may be open to them.

#### ARTICLE 36 .

For the purposes of the provisions of this Section, the status of a married woman will be governed by that of her husband, and the status of children under eighteen years of age by that of their parents.

### SECTION III.

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#### PROTECTION OF MINORITIES.

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##### ARTICLE 37.

Turkey undertakes that the stipulations contained in Articles 38 to 44 shall be recognized as fundamental laws, and that no law, no regulation, nor official action shall conflict or interfere with these stipulations, nor shall any law, regulation, nor official action prevail over them.

##### ARTICLE 38.

The Turkish Government undertakes to assure full and complete protection of life and liberty to all inhabitants of Turkey without distinction of birth, nationality, language, race or religion.

All inhabitants of Turkey shall be entitled to free exercise, whether in public or private, of any creed, religion or belief, the observance of which shall not be incompatible with public order and good morals.

Non-Moslem minorities will enjoy full freedom of movement and of emigration, subject to the measures applied, on the whole or on part of the territory, to all Turkish nationals, and which may be taken by the Turkish Government for national defense, or for the maintenance of public order.

##### ARTICLE 39.

Turkish nationals belonging to non-Moslem minorities will enjoy the same civil and political rights as Moslems.

All the inhabitants of Turkey, without distinction of religion, shall be equal before the law.

Differences of religion, creed or confession shall not prejudice any Turkish national in matters relating to the enjoyment of civil or political rights, as, for instance, admission to public employments, functions and honours, or the exercise of professions and industries.

No restrictions shall be imposed on the free use by any Turkish national of any language in private intercourse, in commerce, religion, in the press, or in publications of any kind or at public meetings.

Notwithstanding the existence of the official language, adequate facilities shall be given to Turkish nationals of non-Turkish speech for the oral use of their own language before the Courts.

#### ARTICLE 40 .

Turkish nationals belonging to non-Moslem minorities shall enjoy the same treatment and security in law and in fact as other Turkish nationals. In particular, they shall have an equal right to establish, manage and control at their own expense, any charitable, religious and social institutions, any schools and other establishments for instruction and education, with the right to use their own language and to exercise their own religion freely therein.

#### ARTICLE 41 .

As regards public instruction, the Turkish Government will grant in those towns and districts, where a considerable proportion of non-Moslem nationals are resident, adequate facilities for ensuring that in the primary schools the instruction shall be given to the children of such Turkish nationals through the medium of their own language. This provision will not prevent the Turkish Government from making the teaching of the Turkish language obligatory in the said schools.

In towns and districts where there is a considerable proportion of Turkish nationals belonging to non-Moslem minorities, these minorities shall be assured an equitable share in the enjoyment and application of the sums which may be provided out of public funds under the State, municipal or other budgets for educational, religious, or charitable purposes.

The sums in question shall be paid to the qualified representatives of the establishments and institutions concerned.

#### ARTICLE 42 .

The Turkish Government undertakes to take, as regards non-Moslem minorities, in so far as concerns their family law or personal status, measures permitting the settlement of these questions in accordance with the customs of those minorities.

These measures will be elaborated by special Commissions composed of representatives of the Turkish Government and of representatives of each of the minorities concerned in equal number. In case of divergence, the Turkish Government and the Council

of the League of Nations will appoint in agreement an umpire chosen from amongst European lawyers.

The Turkish Government undertakes to grant full protection to the churches, synagogues, cemeteries, and other religious establishments of the above-mentioned minorities. All facilities and authorization will be granted to the pious foundations, and to the religious and charitable institutions of the said minorities at present existing in Turkey, and the Turkish Government will not refuse, for the formation of new religious and charitable institutions, any of the necessary facilities which are guaranteed to other private institutions of that nature.

#### ARTICLE 43 .

Turkish nationals belonging to non-Moslem minorities shall not be compelled to perform any act which constitutes a violation of their faith or religious observances, and shall not be placed under any disability by reason of their refusal to attend Courts of Law or to perform any legal business on their weekly day of rest.

This provision, however, shall not exempt such Turkish nationals from such obligations as shall be imposed upon all other Turkish nationals for the preservation of public order.

#### ARTICLE 44 .

Turkey agrees that, in so far as the preceding Articles of this Section affect non-Moslem nationals of Turkey, these provisions constitute obligations of international concern and shall be placed under the guarantee of the League of Nations. They shall not be modified without the assent of the majority of the Council of the League of Nations. The British Empire, France, Italy and Japan hereby agree not to withhold their assent to any modification in these Articles which is in due form assented to by a majority of the Council of the League of Nations.

Turkey agrees that any Member of the Council of the League of Nations shall have the right to bring to the attention of the Council any infraction or danger of infraction of any of these obligations, and that the Council may thereupon take such action and give such directions as it may deem proper and effective in the circumstances.

Turkey further agrees that any difference of opinion as to questions of law or of fact arising out of these Articles between the Turkish Government and any one of the other Signatory Powers or any other Power, a member of the Council of the League of Nations, shall be held to be a dispute of an international character under Article 14 of the Covenant of the League of Nations. The Turkish Government hereby consents that any such dispute shall, if the other party thereto demands, be referred to the Permanent Court of International Justice. The decision of the Permanent Court shall be final and shall have the same force and effect as an award under Article 13 of the Covenant.

ARTICLE 45 .

The rights conferred by the provisions of the present Section on the non-Moslem minorities of Turkey will be similarly conferred by Greece on the Moslem minority in her territory.

[ . . ]

Done at Lausanne, the 24<sup>th</sup> July, 1923, in a single copy, which will be deposited in the archives of the Government of the French Republic, which will transmit a certified copy to each of the Contracting Powers.

(L.S.)HORACE RUMBOLD.

(L.S.)PELLE.

(L.S.)GARRONI.

(L.S.)G. C. MONTAGNA.

(L.S.)K. OTCHIALI.

(L.S.)E. K. VENISELOS.

(L.S.)D. CACLAMANOS.

(L.S.)CONST. DIAMANDY.

(L.S.)CONST. CONTZESCO.

( ).....

(L.S.)M. ISMET.

(L.S.)DR. RIZA NOUR.

(L.S.)HASSAN.

C3. Ministry of the Interior of the Turkish Republic: Amendment to Law 2762 pertaining to Elections in Communal Foundations (September 16, 2004 – excerpt)

**Sayfa: 26**

**RESMİ GAZETE 16 Eylül 2004 – Sayı: 25585**

İçişleri Bakanlıđından:

**CEMAAT VAKIFLARI YÖNETİM KURULU SEÇİMLERİNİN  
SEÇİM ESAS VE USULLERİNE İLİŞKİN YÖNETMELİK**

**BİRİNCİ BÖLÜM**

**Amaç, Kapsam ve Dayanak**

**Amaç**

**Madde 1** — Bu Yönetmeliđin amacı, 2762 sayılı Vakıflar Kanununun 1 inci maddesinde belirtilen Türkiye'deki gayrimüslim cemaatlere ait vakıfların yönetim kurulu seçimlerinin esas ve usullerine ilişkin hususları belirlemektir.

**Kapsam**

**Madde 2** — Bu Yönetmelik, cemaat vakıflarının seçim çevresini ve vakıf yönetim kurulu seçimlerinin esas ve usullerine ilişkin hususları kapsar.

**Dayanak**

**Madde 3** — Bu Yönetmelik, 2762 sayılı Vakıflar Kanununun 1 inci maddesi ile Vakıflar Nizamnamesi'nin ilgili hükümlerine dayanılarak hazırlanmıştır.

**İKİNCİ BÖLÜM**

**Seçim Çevresi, Seçim Süresi ve Seçmenlik Şartları**

**Seçim Çevresi**

**Madde 4** — Cemaat vakfı hayratının bulunduğu ilçe, o vakfın seçim çevresidir.

Ancak, vakfın müracaatı üzerine valilikçe yapılan araştırma sonucuna göre; cemaat vakfının bulunduğu ilçede yeterli cemaatin bulunmaması veya aynı cemaata ait başka bir vakfın bulunmaması hallerinde, vakfın bulunduğu il sınırı, vakfın bulunduğu il sınırları dahilinde yeterli cemaatin bulunmaması durumunda, cemaati en fazla olan çevre

il İşleri Bakanlığı'nca seçim çevresi olarak ilan edilebilir.

### **Yönetim Kurulu Seçim Süresi ve Yapılanması**

**Madde 5** —Cemaat vakıflarının yönetim kurulu seçimlerinde;

a) Vakfın yönetim kurulu seçimine, vakıf veya hayratından yararlanan ve vakfın seçim çevresinde ikamet eden cemaat mensupları katılır.

b) Her vakıf için ayrı bir yönetim kurulu seçilir ve yönetim kurulu seçimleri dört yılda bir yapılır. Cemaat vakfı yönetim kurulu yedi üyeden oluşur. Ancak cemaat sayısının yetersizliği durumunda yönetim kurulu en az üç üyeden oluşturulabilir. İstifa, ölüm, azledilme ve benzeri nedenlerle yönetim kurulu üye sayısının üçten aşağı düşmesi halinde yeni yönetim kurulu seçimi yapılır.

### **Seçmenlik Şartları**

**Madde 6** —Seçmenlerin;

a) Türkiye Cumhuriyeti vatandaşı olması,

b) On sekiz yaşını doldurması,

c) Seçim çevresinde ikamet etmiş olması,

gerekir.

## **ÜÇÜNCÜ BÖLÜM**

### **Seçileceklerde Aranılacak Şartlar ve Seçim Usulleri**

#### **Seçileceklerde Aranılan Şartlar**

**Madde 7** —Vakıf yönetim kuruluna seçilecek kişilerin 6 ncı maddede belirtilenlerden başka, aşağıdaki şartları da taşıması gerekir:

a) En az ilkokul mezunu olmak,

b) Devletin şahsiyeti ve ammenin nizamı aleyhine işlenen cürümlerden, terörle mücadele ile örgütlü suçlarla mücadele konuları kapsamına giren suçlardan biri ile mahkum edilmiş bulunmamak.

#### **Seçim Usulleri**

**Madde 8** —Cemaat vakıflarının seçimleri aşağıdaki usuller çerçevesinde yapılır:

a) Mevcut yönetim kurulu; tertip heyetinin kimlerden oluştuğunu, seçim tarihini, oy kullanma yerini ve hangi saatler arasında yapılacağını, oy sandığının nereye konulacağını, seçim tarihinden en az on beş gün önceden ilgili valilik veya kaymakamlığa bir dilekçe ile bildirir.

Mevcut yönetim kurulunun görev süresinin sona ermesine rağmen yönetim kurulu seçimine gidilmemesi durumunda, ilgili valilik veya kaymakamlıkça cemaat mensupları arasından belirlenen seçim tertip heyeti, seçim işlerini yürütür.

b) Yönetim kurulu seçimi bir gün içinde sonuçlandırılır.

c) Seçmen listelerinde ve oy pusulalarında, vakfın ismi başa gelmek suretiyle, "...vakfi yönetim kurulu seçimi" tabirinden başka isimler kullanılamaz.

d) Seçim tertip heyeti, seçmen listelerinde semt, mahalle, cadde ve sokak temelinde gerekli düzenlemeleri yaptıktan sonra seçmen listesini kolaylıkla görülüp okunabileceği yerlere asar. Seçmen listeleri ve bu listelerin askıdan indirileceği tarih cemaat gazeteleri veya diğer mahalli gazetelerden birinde ya da alışılmış usullerle ilan edilebilir.

e) Seçmen listeleri onbeş gün süre ile askıda kalır. Bu süre içinde yapılacak itirazlar Tertip Heyetince karara bağlanır.

f) Cemaat vakfi yönetim kurulu seçimlerinde seçim tertip heyetince seçim tasnif kurulu oluşturulabilir.

g) Seçmen, oyunu bizzat kullanır; her vakıf yönetim kurulu seçimi için ayrı sandık kullanır.

h) Cemaat vakfi seçimleri noter huzurunda gizli oy ve açık tasnif usulü ile yapılır. Adaylar aldıkları oy sayısına göre sıralanarak, noterce düzenlenen seçim tutanağına göre en fazla oy alanlar asil üye ve yedek üye olarak vakıf yönetim kuruluna seçilmiş sayılır.

ı) Cemaat vakıflarının yönetim kurulu seçimleri ve güvenliği ilgili valilik ve kaymakamlıkça sağlanır.

i) Seçim işlemleri tamamlandıktan sonra on gün içerisinde, vakıf yönetim kuruluna seçilenlerin isim listesi, nüfus cüzdanı suretleri, ikamet belgeleri ve seçim tutanağının bir suretinin ilgili valilik ya da kaymakamlığa verilmesi ile seçim tertip heyetinin görevi sona erer.

j) Seçimle ilgili tüm giderler o vakfın bütçesinden karşılanır.

k) Vakıf yönetim kurulu seçim sonuçlarının, seçilen kişilerin ve seçim işlemlerinin bu Yönetmeliğin 6 ncı ve 7 nci maddelerine uygun olup olmadıkları hususunda ilgili valilik ya da kaymakamlıkça gerekli araştırma yapıldıktan sonra, yeni seçilen vakıf yönetim



kurulu üyelerine yetki belgesi verilir.

Ayrıca, yeni seçilen yönetim kurulu, yetki belgesini aldıktan sonra yapacağı görev bölümünü ilgili valilik veya kaymakamlığa bildirir.

1) Seçim sonuçları ve yönetim kurulu, İçişleri Bakanlığı'nca, Vakıflar Genel Müdürlüğü'ne bildirilir.



C4. General Directorate of Foundation (VGM): Circular on Minority Foundations  
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Vakıflar Genel Müdürlüğünden:

## VAKIFLAR YÖNETMELİĞİ

### BİRİNCİ KISIM

#### Genel Hükümler

### BİRİNCİ BÖLÜM

#### Amaç, Kapsam, Dayanak ve Tanımlar

##### Amaç ve kapsam

**MADDE 1 –** (1) Bu Yönetmelik; yeni vakıfların kuruluşu, vakıfların yönetimi, faaliyetleri, denetimlerine ilişkin usûl ve esaslar ile Vakıflar Meclisi, Rehberlik ve Teftiş Başkanlığı, Vakıf Uzmanlığı ve Uzman Yardımcılığı ile ilgili görev, yetki ve sorumlulukların düzenlenmesi amacıyla hazırlanmıştır.

##### Dayanak

**MADDE 2 –** (1) Bu Yönetmelik 20/2/2008 tarihli ve **5737 sayılı Vakıflar Kanununa** dayanılarak hazırlanmıştır.

##### Tanımlar

**MADDE 3 –** (1) Bu Yönetmelikte geçen;

- a) Akar: Vakıf amaç ve faaliyetlerinin yerine getirilmesi için gelir getirici şekilde değerlendirilmesi zorunlu olan taşınır ve taşınmazları,
- b) Baştabiplik: Bezm-i Âlem Valide Sultan Vakıf Gureba Hastanesi Baştabipliğini,
- c) 1936 Beyannamesi: Cemaat vakıflarının mülga 2762 sayılı Vakıflar Kanunu gereğince verdikleri beyannameyi,
- ç) Bölge Müdürlüğü: Vakıflar Bölge Müdürlüklerini,
- d) Cemaat vakfı: Vakfiyeleri olup olmadığına bakılmaksızın mülga 2762 sayılı Vakıflar Kanunu gereğince tüzel kişilik kazanmış, mensupları Türkiye Cumhuriyeti vatandaşı olan Türkiye'deki gayrimüslim cemaatlere ait vakıfları,
- e) Esnaf vakfı: Mülga 2762 sayılı Vakıflar Kanununun yürürlüğünden önce kurulmuş ve esnafın seçtiği yönetim kurulu tarafından yönetilen vakıfları,

- f) Galle fazlası: Mazbut ve mülhak vakıflarda, hayrat ve akarlarının onarımından ve vakfiyelerindeki hayrat hizmetlerin ifasından sonra kalan miktarı,
- g) Garip: Hayatta kimsesi olmayan ve aynı zamanda fakir olan kişiyi,
- ğ) Genel Müdür: Vakıflar Genel Müdürünü,
- h) Genel Müdürlük veya Denetim Makamı: Vakıflar Genel Müdürlüğünü,
- ı) Hastane: Vakıflar Genel Müdürlüğüne bağlı sağlık kuruluşlarını,
- i) Hayrat: Mazbut, mülhak, cemaat ve esnaf vakıfları ile yeni vakıfların, doğrudan toplumun istifadesine bedelsiz olarak sundukları mal veya hizmetleri,
- j) İcareteynli vakıf: Değerine yakın peşin ücret ve ayrıca yıllık kira alınmak suretiyle süresiz olarak kiralanan vakıf taşınmazlarını,
- k) İhtiyat akçesi: Vakfın akar ve hayratlarının onarımı için brüt gelirinden ayrılan payı,
- l) İntifa hakkı: Mazbut ve mülhak vakıflarda, vakfiyelerindeki şartlara göre ilgililere bırakılmış galle fazlaları ve hakları,
- m) Kanun: 20/2/2008 tarihli ve 5737 sayılı Vakıflar Kanununu,
- n) Mazbut vakıf: Kanun uyarınca Genel Müdürlükçe yönetilecek ve temsil edilecek vakıflar ile mülga 743 sayılı Türk Kanunu Medenisinin yürürlük tarihinden önce kurulmuş ve mülga 2762 sayılı Vakıflar Kanunu gereğince Vakıflar Genel Müdürlüğünce yönetilen vakıfları,
- o) Meclis: Vakıflar Meclisini,
- ö) Mukataalı vakıf: Zemini vakfa, üzerindeki yapı ve ağaçlar tasarruf edene ait olan ve kirası yıllık olarak alınan vakıf taşınmazlarını,
- p) Müfettiş: Vakıflar Genel Müdürlüğünde görev yapan başmüfettiş, müfettiş ve yetkili müfettiş yardımcılarını,
- r) Mülhak vakıf: Mülga 743 sayılı Türk Kanunu Medenisinin yürürlük tarihinden önce kurulmuş ve yönetimi vakfedenlerin soyundan gelenlere şart edilmiş vakıfları,
- s) Şube: Vakıf faaliyetlerinin yürütülebilmesi için yeni vakfa bağlı olarak açılan, tüzel kişiliği olmayan ve bünyesinde organları bulunan alt birimi,
- ş) Taviz bedeli: Mukataalı ve icareteynli taşınmazların serbest tasarrufa terki için alınan bedeli,
- t) Temsilcilik: Vakıf faaliyetlerinin yürütülebilmesi için yeni vakfa bağlı olarak açılan, tüzel kişiliği ve bünyesinde organları bulunmayan alt birimi,
- u) Vakfiye: Mazbut, mülhak ve cemaat vakıflarının malvarlığını, vakıf şartlarını ve vakfedenin isteklerini içeren belgeleri,
- ü) Vakıflar: Mazbut, mülhak, cemaat ve esnaf vakıfları ile yeni vakıfları,

v) Vakıf kültür varlığı: 21/7/1983 tarihli ve 2863 sayılı K lt r ve Tabiat Varlıklarını Koruma Kanununun 3  nc  maddesinde k lt r varlıkları olarak tanımlanan varlıklardan Vakıflar Genel M d rl ğ  ile idare ve temsil ettiđi vakıflara ait olanları,

y) Vakıf senedi: M lga 743 sayılı T rk Kanunu Medenisi ile 22/11/2001 tarihli ve 4721 sayılı T rk Meden  Kanunu h k mlerine g re kurulan vakıfların, adını, amacını, bu amaca  zg lenen mal ve hakları, vakfın  rg tlenme ve y netim  ekli ile yerleŐim yerini i eren belgeyi,

z) Vakıf y neticisi: M lhak, cemaat ve esnaf vakıfları ile yeni vakıflarda; vakfiye, 1936 Beyannamesi, vakıf senedi, 4721 sayılı T rk Meden  Kanunu ve Kanuna g re vakfi y netmeye ve temsile yetkili kiŐi veya yetkili organlarda g rev alan kiŐileri,

aa) Vakıf y netimi: M lhak, cemaat ve esnaf vakıfları ile yeni vakıflarda; vakfiye, 1936 Beyannamesi, vakıf senedi, 4721 sayılı T rk Meden  Kanunu ve Kanuna g re vakfi y netmeye ve temsile yetkili organı,

bb) Yeni vakıf: M lga 743 sayılı T rk Kanunu Medenisi ile 4721 sayılı T rk Meden  Kanunu h k mlerine g re kurulan vakıfları,

ifade eder.

## İKİNCİ KISIM

### Vakıflarla İlgili D zenlemeler

#### BİRİNCİ B L M

##### Yeni Vakıfların KuruluŐu, Y netimi ve Diđer D zenlemeler

###### Yeni vakıfların kuruluŐu

**MADDE 4 –** (1) Yeni vakıf kurma iradesi, noterde d zenleme  eklinde hazırlanan resmi senetle veya  l me bađlı tasarrufla a ıklanır. Vakıf, yerleŐim yeri mahkemesi nezdinde tutulan sicile tescil ile t zel kiŐilik kazanır.

###### Resmi senetle kuruluŐ

**MADDE 5 –** (1) Ger ek veya t zel kiŐilerin vakıf kurma iradesi, noterde d zenleme  eklinde hazırlanan resmi senetle a ıklanır. Noter, resmi senedin bir  rneđini yedi g n i inde Genel M d rl đe g nderir.

(2) Mahkemeye baŐurma, resmi senedin d zenlenmesinden sonra vakfeden tarafından yapılır. Resmi senetle vakıf kurma iŐleminin temsilci aracılıđıyla yapılması halinde, temsil yetkisinin noter tarafından d zenlenmiŐ temsilcilik belgesi ile verilmiŐ olması, bu belgede vakfın amacı ile  zg lenecek mal ve hakların belirlenmesi zorunludur. Kurucular arasında t zel kiŐi bulunması halinde; bu t zel kiŐinin vakıf kurabileceđine ve vakfa mal varlıđı tahsis edebileceđine dair h k m bulunan kuruluŐ stat s n  veya yetkili organ kararını da vakıf senedi ile mahkemeye verirler.

(3) Resmi senetle kurulan vakıflarda vakfedenin ölmesi halinde mirasçılardan birisi tarafından tescil talebinde bulunulabilir. Vakıf senedinin düzenlenmesini takip eden üç ay içinde vakfedenin veya ölümü halinde mirasçılardan birisi tarafından tescil talebinde (ıcabA nabaŞ) bulunulmamış veya vakfeden tüzel kişiliği haiz olup ta bu süre içinde sona ermiş ise vakfın tescili hususundaki başvurma Genel Müdürlük tarafından yapılır. Yetkili mahkemeye başvurulması üzerine, yapılacak harcamalar, ilgili vakıftan alınmak kaydıyla Genel Müdürlükçe karşılanır.

### **Ölüme bağlı tasarruf ile kuruluş**

**MADDE 6 –** (1) Ölüme bağlı tasarruf yoluyla vakıf, vakfedenin ölümünden sonra tescil edilmek üzere kurulabilir. Bu yolla kurulan vakıflarda sulh hâkimi vakıf kurulmasına esas belgenin bir örneğini yedi gün içinde Genel Müdürlüğe gönderir.

(2) Ölüme bağlı tasarrufla kurulan vakıflarda mahkemeye başvuru, ilgililerin veya sulh hâkiminin bildirimine üzerine ya da Genel Müdürlükçe resen yapılır. Yetkili mahkemeye başvurulması üzerine, yapılacak harcamalar ilgili vakıftan alınmak kaydıyla Genel Müdürlükçe karşılanır.

(3) Ölüme bağlı tasarrufla kurulan vakfın miras bırakanın borçlarından sorumluluğu, özgülünen mal ve haklarla sınırlıdır. Vakfedenin mirasçıları ile alacaklılarının, bağışlamaya ve ölüme bağlı tasarruflara ilişkin hükümler uyarınca dava hakları saklıdır.

### **Tescil ve mahkeme işlemleri**

**MADDE 7 –** (1) Mahkeme, dosya üzerinde Genel Müdürlüğün görüşünü almak, gerekirse vakfedeni dinlemek ve bilirkişi incelemesi yaptırmak suretiyle vakfın tesciline karar verir.

(2) Mahkeme, mal ve hakların korunması için gerekli önlemleri resen alır.

(3) Mahkeme, tescile veya tescil isteminin reddine ilişkin olarak verdiği kararı, resmi senetle birlikte Genel Müdürlüğe resen tebliğ eder.

(4) Tüzel kişilik kazanan vakıf, yerleşim yeri mahkemesi nezdinde tutulan, vakfeden ile vakıf adının, yerleşim yerinin, organlarının, amaç ve bu amaca özgülünen mal ve haklarının gösterildiği sicil defterine tescil edilir.

(5) Tescil kararı, başka bir mahkemece verilmiş ise ilgili belgelerle birlikte tescil için vakfın yerleşim yeri mahkemesine gönderilir.

### **Temyiz ve iptal**

**MADDE 8 –** (1) Mahkemenin vakfın tesciline veya tescil isteminin reddine ilişkin kararlarına karşı, tebliğ tarihinden başlayarak bir ay içinde, başvuran ya da Genel Müdürlük tarafından temyiz yoluna gidilebilir.

(2) Genel Müdürlük veya ilgililer, vakfın kurulmasını engelleyen sebeplerin varlığı halinde iptal davası açabilirler.

### **Merkezi sicile tescil ve ilan**

**MADDE 9 –** (1) Vakıf, yerleşim yeri mahkemesinin yapacağı bildirim üzerine Genel Müdürlükte tutulan merkezi sicile kaydolunur.

(2) Merkezi sicile kaydedilen vakıf, Resmî Gazete’de ilan edilir. İlanda; vakfedenin ve vakfın adı, yerleşim yeri, amacı, mal ve haklarının neler olduğu, varsa taşınmazlarının tapu bilgileri, vakfın organları ile kuruluş senedinin tarih ve sayısı, tescil kararının tarih ve sayısı ile hangi mahkemece verildiği belirtilir. İlan için yapılacak harcamalar vakıftan alınmak üzere Genel Müdürlük tarafından karşılanır.

### **Noksanlıklar**

**MADDE 10 –** (1) Vakıf senedinde vakfın amacı ile bu amaca özgülenen mal ve haklar yeterince belirlenmiş ise, diğer noksanlıklar vakfın tüzel kişilik kazanması için yapılan başvurunun reddini gerektirmez.

(2) Bu tür noksanlıklar, tescil kararı verilmeden önce mahkemece tamamlattırılabilceği gibi kuruluştan sonra denetim makamının başvurusu üzerine, imkan varsa vakfedenin görüşü de alınarak, vakfın yerleşim yeri mahkemesi tarafından tamamlattırılır.

(3) Tescili istenen vakfa ölüme bağlı tasarrufla özgülenen mal ve haklar amacın gerçekleşmesine yeterli değilse; vakfeden aksine bir irade açıklamasında bulunmuş olmadıkça bu mal ve haklar, denetim makamının görüşü alınarak hakim tarafından benzer amaçlı bir vakfa özgülenir.

### **Özgülenen mal ve hakların vakfa geçmesi**

**MADDE 11 –** (1) Vakfa özgülenen malların mülkiyeti ile haklar tüzel kişiliğın kazanılmasıyla vakfa geçer.

### **Taşınmazların tapuya tescili**

**MADDE 12 –** (1) Tescile karar veren mahkeme, vakıf senedinin bir örneğini de ekleyerek vakfedilen taşınmazın vakıf tüzel kişiliği adına tescil edilmesini tapu idaresine bildirir.

(2) Tapu idaresi bu bildirim üzerine, vakıf adına tescili yapar. Bu tescil işleminden de vakıf yöneticileri sorumludur.

### **Yeni vakıfların yönetimi**

**MADDE 13 –** (1) Yeni vakıfların yönetim organı vakıf senedine göre oluşturulur. Yöneticilerin çoğunluğunun Türkiye’de yerleşik bulunması zorunludur.

(2) Bu vakıfların organlarında ölüm, istifa ya da herhangi bir nedenle eksilme olduğu takdirde vakıf senedindeki hükümlere göre eksiklik tamamlanır. Vakıf senedinde hüküm bulunmaması halinde; öncelikle senet değişikliği yapılmak suretiyle eksiklik giderilir. Ancak;

a) Vakıf senedi değişikliğine yetkili organında eksilmeler nedeniyle karar yeter sayısının sağlanamaması halinde vakıf senedi değişikliğine yetkili organın karar yeter sayısı gözetilmeden aldığı karar,

b) Vakıf senedi deęişikliğine yetkili organın bulunmaması veya hiçbir üyesinin kalmaması halinde ise icraya yetkili organın kararı,

c) İcraya yetkili organdaki eksilmeler nedeniyle karar yeter sayısının sağlanamaması halinde ise karar yeter sayısı gözetilmeden alınan karar,

ile mahkemeye başvurulur. Mahkemece, Genel Müdürlüğün yazılı görüşü alınarak organlardaki eksiklik tamamlanır.

(3) Mahkeme kararını müteakip, organlardaki eksilmelerin tamamlanması hususunda gerekli senet deęişikliği yapılır.

### **İdare şeklinin deęiştirilmesi**

**MADDE 14** – (1) Haklı sebepler varsa mahkeme, vakfın yönetim organı veya Genel Müdürlüğün istemi üzerine dięerinin yazılı görüşünü aldıktan sonra vakfın örgütünü, yönetimini ve işleyişini deęiştirebilir.

(2) İstihdam edilenlere ve işçilere yardım vakıflarında, vakıf senedinin, faydalananların vakıftan faydalanma şartlarına ve idareye iştiraklerine dair hükümlerinde yapılacak deęişikliklerin vakıf senedinde bu hususta yetkili olduđu belirtilen organın kararı üzerine, Genel Müdürlüğün yazılı düşüncesi alındıktan sonra mahkeme tarafından kararlaştırılır.

(3) Türk Ticaret Kanununun 468 inci maddesi gereğince kurulan vakıflardan 506 sayılı Sosyal Sigortalar Kanununun geçici 20 nci maddesi hükümlerine tabi olanların vakıf senetlerinde yapılacak deęişiklik, Çalışma ve Sosyal Güvenlik Bakanlığının uygun görüşünden sonra, Genel Müdürlüğün yazılı görüşü alınarak yerleşim yeri mahkemesi tarafından kararlaştırılır.

### **Adres ve vakıf yöneticilerinin deęişikliği**

**MADDE 15** – (1) Senet deęişikliğini gerektirmeyen aynı yerleşim yeri içerisinde yapılacak adres deęişikliğinin deęişiklik tarihinden itibaren; yönetim organına seçilenlerin isimleri ile tebligata esas adreslerinin ise seçim tarihinden itibaren 15 gün içinde ilgili bölge müdürlüğüne bildirilmesi gerekir.

### **Vakıf varlıklarının deęerlendirilmesi**

**MADDE 16** – (1) Vakıflar, varlıklarını, ekonomik kural ve riskleri gözetmek suretiyle deęerlendirirler, paralarını Türkiye'de kurulu bankalara yatırır.

### **Yeni vakıfların şube ve temsilcilik açması**

**MADDE 17** – (1) Yeni vakıflar, vakıf senedinde hüküm bulunmak kaydıyla amaçlarını gerçekleştirmek üzere şube veya temsilcilik açabilirler. Bu vakıflar, yetkili organlarınca alınacak kararı müteakip şube ve temsilciliği açmadan önce Ek-1'deki beyannameyi vakıf merkezinin bulunduđu bölge müdürlüğüne vermek ve elektronik ortamda göndermek zorundadırlar. Vakıf tarafından şube veya temsilciliğin kapatılması durumunda da 30 gün içinde aynı usulle bölge müdürlüğüne beyanda bulunulur.

(2) Şube ve temsilciliklerde görev alan yöneticilerin, Kanununun 9 uncu maddesinde belirtilen suçlardan mahkûm olmaması ve çoğunluğunun Türkiye’de yerleşik bulunması zorunludur.

### **Şube ve temsilciliklerin vakfı temsili ve çalışma usulleri**

**MADDE 18** – (1) Şube ve temsilcilikler, faaliyetlerini vakıf adına yürütürler ve buldukları yerde vakfı temsil ederler.

(2) Şube ve temsilciliklerin çalışma usul ve esasları vakıf merkezince düzenlenir.

(3) Şube ve temsilcilikler;

a) Vakfın amacına katkı sağlamak üzere vakıf senedine ve mevzuata uygun faaliyette bulunurlar.

b) Genel Müdürlük ile yazışmalarını merkezleri aracılığıyla yaparlar.

### **Vakfın sona ermesi**

**MADDE 19** – (1) Amacının gerçekleşmesi imkânsız hale gelen ve değiştirilmesinde de olanak bulunmadığı takdirde, vakıf kendiliğinden sona erer. Vakfın yönetim organı veya Genel Müdürlük vakfın amacının gerçekleşmesinin imkânsız hale geldiği kanısına varırsa dilekçe ile mahkemeye başvurarak durumun mahkeme siciline tescilini ister. Mahkeme, gereğine göre Genel Müdürlüğün veya vakfın yönetim organının yazılı düşüncesini alarak vakfın dağılması ve tasfiye kurulu oluşumu istemini karara bağlar ve mahkeme dağılma kararını sicile tescil eder. Sona eren vakfın kişiliği, ehliyeti tasfiye amacıyla sınırlı olmak üzere tasfiye sırasında da devam eder.

### **Vakfın dağıtılması**

**MADDE 20** – (1) Vakfın amacı, Türk Medeni Kanununun 101 inci maddesinin son fıkrası hükmüne girdiği takdirde Genel Müdürlükçe vakfın dağıtılması için yetkili asliye hukuk mahkemesine başvurulur.

### **Vakfın sona ermesinin ilanı**

**MADDE 21** – (1) Vakfın sona ermesi merkezi sicile kaydedilir ve Genel Müdürlük tarafından Resmî Gazete’de ilan olunur.

### **Sona eren veya dağıtılan yeni vakıfların mal ve hakları**

**MADDE 22** – (1) Sona eren yeni vakıfların borçlarının tasfiyesinden arta kalan mal ve haklar, vakıf senedinde yazılı hükümlere göre, senetlerinde özel bir hüküm bulunmayanlarda ise Genel Müdürlüğün ve devredilecek vakfın görüşü alınarak mahkeme kararıyla benzer amaçlı bir vakfa; dağıtılan yeni vakıfların borçlarının tasfiyesinden arta kalan mal ve haklar ise Genel Müdürlüğe devredilir.



## İKİNCİ BÖLÜM

### Mülhak Vakıf Yöneticiliği ve Sorumlulukları

#### Mülhak vakıf yöneticiliği

**MADDE 23** – (1) Mülhak vakıflar, vakfiye şartlarına göre Meclis tarafından atanacak yönetici eliyle yönetilir ve temsil edilir. Vakfiyedeki şartları taşımamaları nedeniyle kendilerine yöneticilik verilemeyenler bu şartları elde edinceye, küçükler ile kısıtlılar fiil ehliyetlerini kazanıncaya veya boş kalan yöneticilik yenisine verilinceye kadar, vakıf işleri Genel Müdürlükçe temsilen yürütülür.

#### Yöneticide aranacak şartlar

**MADDE 24** – (1) Yönetici olarak atanacak kişide aşağıdaki şartlar aranır:

- a) Medeni hakları kullanma ehliyetine sahip olmak,
- b) En az ilkokulu mezunu olmak,
- c) Kanunun 9 uncu maddesinde belirtilen suçlardan birinden mahkûm olmamak.

#### Yönetici atamasında istenen belgeler ve başvuru

**MADDE 25** – (1) Yöneticiliğe atanmak isteyenler, dilekçe ekinde aşağıda belirtilen belgelerle birlikte ilgili bölge müdürlüğüne başvurur.

- a) Vakfiye şartlarına göre yönetici olabileceğine dair yetkili asliye hukuk mahkemesinden alınan kesinleşmiş mahkeme kararı,
- b) Öğrenim belgesi,
- c) Adli sicil belgesi,
- ç) Sağlık raporu.

(2) Bölge müdürlüğü, başvuru dilekçesi ve eklerini Genel Müdürlüğe gönderir. Genel Müdürlükçe gerekli inceleme yapılarak oluşturulan dosya, atama yapılmak üzere Meclise sunulur.

(3) Birden çok yöneticilik talebi olması halinde Meclis; öncelikle vakfiye şartlarını dikkate alarak, batın tertibi, vakfın iş ve işlem kapasitesi, atanacak kişinin öğrenim durumu, adayların yerleşim yeri gibi hususları dikkate alarak karar verir.

#### Yönetici yardımcısında aranacak şartlar

**MADDE 26** – (1) Yöneticiler, kendilerine aşağıdaki şartları haiz yardımcı tayin edebilirler ve Genel Müdürlüğe iletilmek üzere bölge müdürlüğüne bildirirler.

- a) Türkiye’de yerleşik olmak,
- b) Medeni hakları kullanma ehliyetine sahip olmak,
- c) En az lise mezunu olmak,
- ç) Kanunun 9 uncu maddesinde belirtilen suçlardan birinden mahkûm olmamak.

### **Yöneticilerin görev ve sorumlulukları**

**MADDE 27 –** (1) Yöneticiler; Kanununun 10 uncu maddesinde belirtilen sorumluluklarının yanında;

a) Öncelikle vakıf kültür varlıkları olmak üzere vakfa ait akar ve hayratı gözetmek, onarılması gerekenleri onarmak,

b) Fiilen ve hukuken yerine getirilmesine imkân kalmayan vakfiye şartlarının değiştirilmesi teklifinde bulunmak,

c) Vakfın gelirlerinde değişiklik olması durumunda hayır şartlarındaki parasal değerleri güncel vakıf gelirlerine uyarlamak için teklifte bulunmak,

zorundadır.

### **Mülhak vakıflarda hasım gösterilme**

**MADDE 28 –** (1) Mülhak vakıflarda mülkiyet ve intifa hakkı iddiasına ait vakfa karşı açılan davalarda, vakıf yönetimi ile Genel Müdürlük birlikte hasım gösterilir.

(2) Bu tür davalarda yargılama giderleri vakıf tarafından karşılanır.

## **ÜÇÜNCÜ BÖLÜM**

### **Cemaat Vakfı Yöneticilerinin Seçimi**

#### **Seçim çevresi**

**MADDE 29 –** (1) Cemaat vakfı hayratının bulunduğu ilçe, o vakfın seçim çevresidir. Ancak, vakfın müracaatı üzerine bölge müdürlüğünce yapılan araştırma sonucuna göre; cemaat vakfının bulunduğu ilçede yeterli cemaatin bulunmaması hallerinde vakfın bulunduğu il, vakfın bulunduğu il mücavir alanında yeterli cemaatin bulunmaması halinde ise cemaati en fazla olan çevre il Genel Müdürlükçe seçim çevresi olarak ilan edilebilir.

#### **Yönetim kurulunun oluşturulması ve seçim süresi**

**MADDE 30 –** (1) Cemaat vakıflarının yönetim kurulu seçimlerinde;

a) Vakfın yönetim kurulu seçimine, vakıf veya hayratından yararlanan cemaat mensupları katılır.

b) Her vakıf için ayrı bir yönetim kurulu seçilir ve yönetim kurulu seçimleri dört yılda bir yapılır. Cemaat vakfı yönetim kurulu yedi üyeden oluşur. Ancak, cemaat sayısının yetersizliği durumunda yönetim kurulu en az üç üyeden oluşturulabilir. İstifa, ölüm, görevden alma ve benzeri nedenlerle boşalan yönetim kurulu üyelikleri yedek üyelerle tamamlanır. Ancak üye sayısının üçten aşağı düşmesi halinde, yeni yönetim kurulu seçimi üç ay içerisinde yapılır. Vakfın işleyişi açısından yediden fazla üyeye ihtiyaç duyulması halinde ise yapılacak seçim tarihinden iki ay önce Genel Müdürlüğün olumlu görüşü ile yönetim kurulu üye sayısı artırılabilir.

### **Seçmenlik şartları**

**MADDE 31 – (1)** Seçmenlerin;

- a) Türkiye Cumhuriyeti vatandaşı olması,
  - b) On sekiz yaşını doldurması,
  - c) Seçim çevresinde ikamet etmesi,
- şarttır.

### **Seçileceklerde aranılan şartlar**

**MADDE 32 – (1)** Vakıf yönetim kuruluna seçilecek kişilerin 31 inci maddede belirtilen şartlara ek olarak aşağıdaki şartları da taşıması gerekir:

- a) En az ilkokul mezunu olmak,
- b) Kanununun 9 uncu maddesinde belirtilen suçların birinden mahkûm edilmemiş olmak.

### **Seçim usulleri**

**MADDE 33 – (1)** Cemaat vakıflarının seçimleri aşağıdaki usuller çerçevesinde yapılır:

a) Mevcut yönetim kurulu; seçmen listelerini, seçim tertip heyetinin kimlerden oluştuğunu, seçim tarihini, oy kullanma yerini ve hangi saatler arasında yapılacağını, oy sandığının nereye konulacağını, seçim tarihinden en az on beş gün önceden ilgili bölge müdürlüğüne bir dilekçe ile bildirir. Mevcut yönetim kurulunun görev süresinin sona ermesine rağmen yönetim kurulu seçimine gidilmemesi durumunda, ilgili bölge müdürlüğüne cemaat mensupları arasından belirlenen seçim tertip heyeti, seçim işlerini yürütür.

b) Yönetim kurulu seçimi bir gün içinde sonuçlandırılır.

c) Seçmen listelerinde ve oy pusulalarında, vakıf ismi başa gelmek suretiyle, "...vakfi yönetim kurulu seçimi" tabirinden başka isimler kullanılamaz.

ç) Seçim tertip heyetince, seçmen listelerinde semt, mahalle, cadde ve sokak temelinde gerekli düzenlemeler yapıldıktan sonra seçmen listesi seçim yapan vakfın merkezine asılır. Seçmen listelerinin askıdan indirileceği tarih cemaat gazeteleri veya diğer mahalli gazetelerden birinde ilan edilebilir.

d) Seçmen listeleri on beş gün süre ile askıda kalır. Bu süre içinde yapılacak itirazlar tertip heyetince karara bağlanır.

e) Cemaat vakfi yönetim kurulu seçimlerinde seçim tertip heyetince seçim tasnif kurulu oluşturulabilir.

f) Seçmen, oyunu bizzat kullanır.

g) Cemaat vakfi seçimleri noter huzurunda gizli oy ve açık tasnif usulü ile yapılır. Tertip heyetince seçim tarihinden iki ay önce Genel Müdürlüğün olumlu görüşü alınarak seçimler noter huzurunda yapılmayabilir. Adaylar aldıkları oy sayısına göre sıralanarak, vakıf yönetim kurulunun asıl ve yedek üyeleri düzenlenen seçim tutanağı ile belirlenir.

ğ) Cemaat vakıflarının yönetim kurulu seçimlerinin güvenliği ilgili valilik veya kaymakamlıkça sağlanır.

h) Seçim işlemleri tamamlandıktan sonra on gün içerisinde, seçilenlerin isim listesi, nüfus cüzdanı suretleri, ikametgah belgeleri ve seçim tutanağının bir suretinin bölge müdürlüğüne verilmesi ile seçim tertip heyetinin görevi sona erer.

1) Seçim giderleri ilgili vakfın bütçesinden karşılanır.

i) Seçim işlemleri ile sonuçlarının ve seçilen kişilerin bu Yönetmelik hükümlerine uygun olup olmadıkları hususunda bölge müdürlüğüne araştırma yapıldıktan sonra, yeni seçilen vakıf yönetim kurulu üyelerine yetki belgesi verilir.

j) Seçim sonuçları ve yetki belgesi verilen yönetim kurulu üyeleri, bölge müdürlüğüne Genel Müdürlüğe ve ilgili valiliğe bildirilir.

(2) Cemaat vakıflarının seçim çevreleri ve seçimleri hakkındaki bilgiler, seçimden önce bölge müdürlüğü tarafından ilgili valiliğe bildirilir.

## **DÖRDÜNCÜ BÖLÜM**

### **Vakıflarda Beyanname ve Bildirim**

#### **Beyanname verme yükümlülüğü**

**MADDE 34** – (1) Vakıf yöneticileri, Ek-2'deki beyannameyi eksiksiz doldurup her takvim yılının ilk altı ayı içerisinde bölge müdürlüğüne vermek ve elektronik ortamda göndermek zorundadırlar.

(2) Yeni vakıflar; şubelerinin muhasebe hesap planının vakıf merkezinin hesap planına uygun olmasını, yıl içindeki gelir ve giderlerini, yeni yıla devredecek makbuz bilgilerini ve mevcut paralarını gösteren yılsonu hesap durumlarını her yıl vakıf merkezine gönderilmesini, yıl sonunda şubenin mali tabloları ile vakıf merkezinin mali tablolarının konsolide edilmesini sağlarlar.

#### **Bağış ve yardımlar**

**MADDE 35** – (1) Vakıflar; yurtdışındaki kişi, kurum ve kuruluşlardan alacakları nakdi bağış ve yardımlar ile yurtdışındaki benzer amaçlı vakıf ve derneklere yapacakları nakdi bağış ve yardımları banka aracılığı ile yaparak bir ay içerisinde bölge müdürlüğüne bildirirler.

(2) Yurtdışından bağış ve yardım alan vakıflar Ek-3'teki formu, yurtdışına bağış ve yardım yapan vakıflar ise Ek-4'deki formu iki nüsha olarak doldurup bir ay içerisinde ilgili bölge müdürlüğüne verirler.

(3) Bildirim formuna yetkili organın karar örneği, varsa bu konuda düzenlenen protokol, sözleşme ve benzeri belgelerin örnekleri de eklenir.

(4) Bildirimin bölge müdürlüğü tarafından onaylı bir örneği ilgili bankaya verilmek üzere başvuru sahibine verilir.

(5) Alınan bildirim ve eklerin birer adedi bölge müdürlüğünce Genel Müdürlüğe gönderilir.

#### **Taşınmaz mal bildirimleri**

**MADDE 36 –** (1) Vakıflar, iktisap ettikleri veya değiştirdikleri taşınmazlarla ilgili bilgileri tapuya tescilden itibaren bir ay içerisinde Ek-5'deki formu doldurarak bölge müdürlüğüne vermekle yükümlüdürler.

#### **İktisadi işletme ve şirket kurulması**

**MADDE 37 –** (1) İktisadi işletme ya da şirket kuran veya kurulmuş herhangi bir şirkete iştirak eden vakıflar, Ek-6'daki formu doldurarak bir ay içerisinde ilgili bölge müdürlüğüne gönderirler. Herhangi bir şirket hissesini satan ve şirket ortaklığından ayrılan veya şirketini tasfiye eden vakıflar, bölge müdürlüğüne bildirimde bulunurlar.

#### **Beyanname ve bildirimlerin incelenmesi**

**MADDE 38 –** (1) Yapılan tebligata rağmen, vakıflardan istenen beyanname ve bildirimlerin verilmemesi veya eksik verilmesi hallerinde Kanunun 11 inci maddesi gereğince idari para cezası uygulanır. Bölge müdürlüğünce beyanname ve bildirimlerin birer örneği Genel Müdürlüğe gönderilir.

## **BEŞİNCİ BÖLÜM**

### **Vakıflarda Denetim**

#### **Vakıfların denetimi**

**MADDE 39 –** (1) Vakıf yöneticileri, yıl sonundan itibaren altı ay içerisinde yapılacak iç denetim rapor ve sonuçlarını Ek-7'deki forma uygun olarak düzenleyerek rapor tarihini takip eden iki ay içerisinde ilgili bölge müdürlüğüne göndermekle yükümlüdürler.

(2) Yeni vakıflar şube ve temsilciliklerini de denetleyerek her yıl verecekleri raporlarda bu alt birimlerle ilgili bilgilere yer verirler.

(3) Vakıfların, şube ve temsilciliklerinin amaca ve yasalara uygunluk denetimi ile iktisadî işletme ve iştiraklerinin faaliyet ve mevzuata uygunluk denetimi Genel Müdürlükçe yapılır. Genel Müdürlük Rehberlik ve Teftiş Başkanlığınca vakıfların;

a) Vakfiye ve vakıf senedinde yazılı amaç doğrultusunda faaliyette bulunup bulunmadıkları,

b) Yürürlükteki mevzuata uygun yönetilip yönetilmedikleri,

c) Mallarını ve gelirlerini vakfiye, 1936 beyannamesi ve vakıf senedindeki şartlara uygun kullanıp kullanmadıkları,

ç) Vakıf iktisadi işletmeleri ile iştiraklerinin iş ve işlemleri ile gerektiğinde vakıflara ait diğer iştiraklerinin iş ve işlemleri,

denetlenir.

### **Şube ve temsilciliklerin denetimi**

**MADDE 40** – (1) Şube ve temsilciliklerce yürütülen faaliyetlerden vakıf yönetimi ile birlikte şube yönetimi ve temsilci de sorumludur.

(2) Şube ve temsilciliklerin denetimi sonucunda; vakıf amacının gerçekleştirilmesine yeterince katkı sağlamadığı, vakıf senedine aykırı işlem yaptığı tespit edilenler ile beyanda bulunulmadan şube ve temsilciliğin faaliyete geçirilmesi halinde şube ve temsilciliğin kapatılması vakıf merkezine bildirilir.

### **İç denetimin amacı**

**MADDE 41** – (1) İç denetim, vakıf faaliyetlerinin mevzuata ve vakfın stratejik planına uygun olarak yürütülmesini; kaynakların etkili, ekonomik ve verimli kullanılmasını; bilgilerin güvenilirliğini, bütünlüğünü ve zamanında elde edilebilirliğini sağlamayı amaçlar.

(2) İç denetim vakfın risk yönetim ve kontrol süreçlerinin etkinliğini değerlendirerek sistemli ve disiplinli bir yaklaşımla vakfın amaçlarına ulaşmasına yardımcı olur.

### **İç denetimin kapsamı**

**MADDE 42** – (1) Vakfın tüm iş ve işlemleri iç denetim kapsamındadır.

(2) İç denetim faaliyeti;

a) Vakfın vakfiye, 1936 Beyannamesi ve vakıf senedinde yazılı şartlara ve yürürlükteki mevzuata uygun yönetilip yönetilmediği,

b) Vakfın mallarının ve gelirlerinin vakfiye, 1936 Beyannamesi ve vakıf senedinde belirtilen şartlara uygun bir şekilde etkin ve verimli olarak kullanılıp kullanılmadığı,

c) İşletme ve iştiraklere sahip olan vakıflarda bu işletme ve iştiraklerin sınai, iktisadi ve ticari esas ve gereklere uygun tarzda idare edilip edilmedikleri, rasyonel bir şekilde işletilip işletilmedikleri,

ç) Vakfın denetime tabi tüm birimlerinin işlem, hesap ve mali tablolarının genel kabul görmüş muhasebe ilkeleri ile Genel Müdürlükçe belirlenen usul ve esaslara uygun olup olmadığı,

hususları dikkate alınarak defter, kayıt ve belgeleri üzerinden ve gerektiğinde işlem yapılan üçüncü şahıslarla hesap mutabakatı sağlanarak yürütülür.

### **İç denetimi yapabilecekler**

**MADDE 43** – (1) Vakıf senetlerinde denetim organına yer veren vakıflarda iç denetim bizzat bu organları eliyle yapılabileceği gibi bağımsız denetim kuruluşlarına da yaptırılabilir.

(2) Vakfın yetkili organı ya da bağımsız denetim kuruluşu, iç denetimi, ancak denetçi sertifikasına sahip kişiler marifetiyle yapar veya yaptırabilir.

### **Sertifika alabilme şartları**

**MADDE 44** – (1) Denetçi sertifikası alabilmek için; 1/6/1989 tarihli ve 3568 sayılı Serbest Muhasebeci Mali Müşavirlik ve Yeminli Mali Müşavirlik Kanununa göre serbest muhasebeci mali müşavirlik veya yeminli mali müşavirlik ruhsatına sahip olanlar ile Genel Müdürlükte avukatlık, müdürlük ve şube müdürlüğü görevlerinde en az 5 yıl çalışmış olanların Genel Müdürlükçe yapılacak sertifika eğitimi sonunda düzenlenecek sınavda başarılı olmaları şarttır.

(2) Ayrıca Genel Müdürlükte; Müfettiş, İç Denetçi, Vakıf Uzmanı, Hukuk Müşaviri, Daire Başkanı ve Bölge Müdürü kadrolarında en az 5 yıl görev yapmış olanlar ile süreye bağlı olmaksızın Genel Müdür, Vakıflar Meclisi Üyesi, Genel Müdür Yardımcısı, Rehberlik ve Teftiş Başkanı, I. Hukuk Müşaviri kadrolarında görev yapmış olanlara talepleri halinde sınav şartına bağlı olmaksızın denetçi sertifikası verilir.

### **Bağımsız denetim kuruluşundan hizmet alımı**

**MADDE 45** – (1) Denetimi yapacak bağımsız denetim kuruluşu denetlenen vakfın yetkili karar organlarınca seçilir.

### **İç denetim raporu**

**MADDE 46** – (1) İç denetim raporu, denetim sonucunda denetçinin de görüşünün açıklandığı metindir. Bu raporun ekinde mali tablolar da yer alır.

(2) Rapor, Ek-7'deki forma uygun olarak denetimi yapan organ ya da bağımsız denetim kuruluşunu temsil ve ilzama yetkili olanların imzasını taşıyan bir yazı ekinde vakıf yönetimine sunulur.

(3) Rapor; doğruluk, açıklık, ölçülebilirlik, yapıcılık, uygunluk, tamlık ve kararlılık temel ilkeleri çerçevesinde;

- a) Denetçi kanaatini taşıyacak,
- b) Doğru, tarafsız, açık, özlü ifadelerle yer verilecek,
- c) Daha önce rapor edilmiş tespit ve önerileri kapsayacak,
- ç) Yapılan denetimler esnasında tespit edilen iyi uygulama örneklerini gösterecek, şekilde düzenlenir.

(4) Denetçi kanaatinin oluşmasına dayanak teşkil eden belgeleri rapora ekler.

(5) İşletme esasına göre defter tutan vakıfların denetimlerinin sertifikalı denetçiler tarafından yapılması zorunlu değildir. Ancak yapılacak denetim neticesinde düzenlenecek raporun Ek-7'deki rapor formuna uygun olması zorunludur.

### **İç denetimin geçerliliği**

**MADDE 47** – (1) Yapılan denetimin geçerli olabilmesi için; bu Yönetmelikte belirtilen usul ve esaslar ile genel kabul görmüş denetim standartlarına uygun olarak yapılması zorunlu olup, Genel Müdürlüğün denetim ve inceleme yetkisi saklıdır.

### **Bağımsız denetçi sertifika sınavı**

**MADDE 48** – (1) Denetçi sertifika eğitiminin içeriği, sınavının başvuru ve uygulama şekli ve esasları Genel Müdürlükçe belirlenerek resmi internet sitesinde duyurulur.

#### **Uygulanacak diğer hükümler**

**MADDE 49** – (1) Yapılacak bağımsız denetimlerde, bu Yönetmelikte hüküm bulunmayan hallerde, vakıflar mevzuatına aykırı olmamak üzere, bağımsız denetime ilişkin mevzuat hükümleri ile uluslararası denetim standartları uygulanır.

## **ALTINCI BÖLÜM**

### **Vakıfların Muhasebesi**

#### **Vakıfların muhasebesi**

**MADDE 50** – (1) Yeni vakıflar ile mülhak, cemaat ve esnaf vakıfları, muhasebe kayıtlarını Genel Müdürlüğün resmi internet sitesinde yayımlanacak Vakıflar Tek Düzen Hesap Planına uygun olarak tutarlar, bilanço ve gelir tablolarını da bu plan ekindeki örnek tablolara göre düzenlerler.

(2) Yıllık brüt geliri 4/1/1961 tarihli ve 213 sayılı Vergi Usul Kanununun 177 inci maddesinin birinci fıkrasının (2) numaralı bendinde yer alan ve her yıl Maliye Bakanlığınca belirlenen tutarının üzerinde bulunan vakıflar ile vergi muafiyeti, işletmesi, iştiraki, şube ve temsilciliği olan vakıfların bilanço esasına göre defter tutmaları zorunludur.

(3) Bilanço esasına göre defter tutmayı gerektirmeyen vakıflar, işletme esasına göre defter tutabilirler.

(4) Vakıflar muhasebe kayıtlarını ve belgelerinin tevsikini 213 sayılı Vergi Usul Kanununda belirtilen hükümlere uygun olarak yaparlar.

(5) Mülhak vakıflar, ayrıca Ek-8'deki yıllık hesap cetvellerini düzenleyerek her takvim yılının ilk altı ayı içerisinde bölge müdürlüğüne vermek zorundadırlar. Mülhak vakıf yöneticisinin ibraz ettiği belgeler ve vakfiyede belirtilen hayır şartları esas alınarak, kesin hesap bölge müdürlüğüne kontrol edildikten sonra onaylanmak üzere Genel Müdürlüğe gönderilir.

#### **Tutulacak defterler**

**MADDE 51** – (1) Vakıflar;

a) İşletme hesabı esasında; karar defteri, işletme hesabı defteri ile bağış makbuzu kayıt defterini,

b) Bilanço esasında ise; karar defteri, yevmiye defteri, büyük defter, envanter defteri ile bağış makbuzu kayıt defterini,

tutmak zorundadırlar.

#### **Belgelerin saklanma süresi ve bağış makbuzları**



**MADDE 52** – (1) Vakıflar tarafından tutulması gereken defterler ile kullanılan bağış makbuzları, harcama belgeleri ve diğer belgeler özel kanunlarda belirtilen süreler saklı kalmak üzere, ilgili buldukları mali yılı takip eden takvim yılından başlayarak 10 yıl süreyle saklanır.

(2) Vakıflar, kullanacakları bağış makbuzları ile gerekli görülen belgeleri Genel Müdürlükten temin ederler.

## YEDİNCİ BÖLÜM

### Mazbut ve Mülhak Vakıflarda Galle Fazlası

#### Başvuru şekli

**MADDE 53** – (1) Vakıf evlatları veya ilgilileri dilekçe ile vakfiye şartı gereği vakıf evladı veya ilgilisi olduğunu ve galle fazlası almaya hak kazandığını gösteren mahkeme kararıyla;

- a) Vakıf evladı veya ilgilisi olduğu mülhak vakıf yöneticisine,
- b) Vakfiyesinde galle fazlası ödenmesine ilişkin şart bulunan mazbut vakıflar ya da Genel Müdürlükçe temsilen yönetilen mülhak vakıflarda ise ilgili bölge müdürlüğüne, başvuru yaparlar.

(2) Vakıf evladı veya ilgilisi olduğunu kesinleşmiş mahkeme kararı ile ispat edenlerin, vakfiye şartı gereği galle fazlası almaya hak kazanan çocuklarından ayrıca mahkeme kararı istenmez, vukuatlı nüfus kaydı esas alınarak işlem yapılır.

(3) Vakfiyede batın tertibi veya bunun gibi herhangi bir şart mevcut ise, bu şartın mahkeme kararı ile ispatı gerekir.

#### Galle fazlasının hesabı

**MADDE 54** – (1) Mahkeme kararı ile galle fazlası almaya hak kazanan vakıf evladı veya ilgilisi bulunan vakıflarda; % 15 ihtiyat akçesi, hayır şartı giderleri, yönetim ve temsil payı, tevliyet ücreti ile vakıf için yapılan diğer giderler, vakfın gerçekleşen gayri safi gelirinden düşüldükten sonra vakıf evlatlarına veya ilgililerine ödenecek galle fazlasının miktarı belirlenir.

(2) Galle fazlasının hesaplanmasında o yıla ait gelirin tamamı dikkate alınır.

(3) Vakfın onarıma ihtiyacı olan taşınmazı varsa, o yıl için gerçekleşen gayri safi gelirinden yönetim ve temsil payı veya tevliyet ücreti ile kanuni giderler ayrıldıktan sonra kalan miktar onarıma ayrılır.

#### Galle fazlasının ödenmesi

**MADDE 55** – (1) Vakıf evladı veya ilgililerinin galle fazlasını almaya hak kazandıkları tarih ilk derece mahkemesi karar tarihi olup, galle fazlasına ilişkin ödeme mahkeme kararının kesinleşmesinden sonra yapılır.

(2) Galle fazlası, mazbut vakıflarda Genel Müdürlük onayından, mülhak vakıflarda ise kesin hesabın tasdikinden sonra 15 gün içerisinde yıllık olarak ödenir.

(3) İntifa hakkı ödemeleri yapıldıktan sonra ilk defa başvuranlara o yıl ödeme yapılmaz. Ancak hak kazandığı yılın veya yılların evlat hissesi, mahkeme kararının kesinleşmesini müteakip ödenir.

#### **Galle fazlasının izleneceği hesaplar**

**MADDE 56** – (1) Galle fazlasına ilişkin ilk derece mahkemesi kararının ilgili bölge müdürlüğüne ya da mülhak vakıf yöneticiliğine tebliğ edilmesi halinde, galle fazlası karar tarihinden itibaren ilgililerine ödeninceye kadar emanet hesaplarda izlenir.

(2) Vakfın; yıllık gayri safi gelirinden kesilen ihtiyat akçesi, vakfa ait ayrı bir hesapta izlenir.

(3) İhtiyat akçesi oranı Meclis kararıyla değiştirilebilir.

#### **Galle fazlasının talep edilmemesi**

**MADDE 57** – (1) Emanet hesabına alınan galle fazlaları, alacağın doğduğu tarihten itibaren beş yıl içerisinde talep edilmemesi halinde vakfının hesabına gelir kaydedilir.

## **ÜÇÜNCÜ KISIM**

### **Hayrat Taşınmazların Tahsisi ve Hayır Hizmetleri**

#### **BİRİNCİ BÖLÜM**

##### **Hayrat Taşınmazların Tahsisi**

#### **Tahsisi yapılabilecek hayrat taşınmazlar**

**MADDE 58** – (1) Medrese, sıbyan mektebi, darüşşifa, bimarhane, imaret, kütüphane gibi hayrat binalar ile üzerindeki kültür varlığı çeşitli nedenlerle yıkılarak arsa haline gelmiş taşınmazlar ve üzerine yapılan binalar tahsis edilebilir.

#### **Hayrat taşınmazların tahsisi**

**MADDE 59** – (1) Hayrat taşınmazların tahsisine Meclis yetkilidir.

(2) Genel Müdürlüğe ve mazbut vakıflara ait hayrat taşınmazlara öncelikle Genel Müdürlükçe vakfiyeleri doğrultusunda işlev verilir.

(3) Bu taşınmazlar vakfiyeleri doğrultusundaki işlevlerde kullanılmak üzere kamu kurum ve kuruluşlarına, benzer amaçlı vakıflara veya kamu yararına çalışan derneklere tahsis edilebilir.

(4) Onarım ve restorasyon ihtiyacı varsa tahsis onarım ve restorasyon karşılığı yapılır.

(5) Genel Müdürlükçe değerlendirilemeyen veya işlev verilemeyen hayrat taşınmazlar fiilen asli niteliğine uygun olarak kullanılıncaya kadar geçici süreyle kiraya verilebilir.

(6) Üzerindeki kültür varlığı çeşitli nedenlerle yıkılarak arsa haline gelmiş taşınmazlar imar durumları dikkate alınarak vakfiye doğrultusunda ihya edilmek üzere tahsis edilebilir.

### **Tahsis süresi**

**MADDE 60** – (1) Hayrat taşınmazların tahsis süresi taşınmazın onarım ve restorasyona ihtiyacının olup olmadığı ve tahsis amacı dikkate alınarak Genel Müdürlük tarafından belirlenir.

### **Tahsis talebi ve yapılacak işlemler**

**MADDE 61** – (1) Tahsis talepleri taşınmazın bulunduğu bölge müdürlüğüne yapılır. Başvuru üzerine tahsisi talep edilen taşınmazın, tapu kayıtları, vakıf kütük kayıtları, halihazır durumu, onarıma ihtiyacının bulunup bulunmadığı, vakıf kültür varlığı olup olmadığı tespit edilerek, taşınmazın son durumunu gösterir içten ve dıştan çeşitli açılardan çekilmiş fotoğrafları ile birlikte krokisi ve teknik elemanlarca hazırlanacak ayrıntılı rapor Genel Müdürlüğe gönderilir.

(2) Genel Müdürlükçe tahsis talebi, vakfiye şartları açısından değerlendirilir. Talebin uygun görülmesi halinde tahsis işlemleri başlatılır.

### **Tahsis işlemleri ve kullanım bedeli**

**MADDE 62** – (1) Tahsis işlemleri aşağıdaki şekilde yapılır.

a) Taşınmazın onarımı ve restorasyonu için bölge müdürlüğüne tahmini bir keşif bedeli tespit edilir veya ettirilir.

b) Taşınmazın bulunduğu bölge, konum, kullanım amacı göz önünde bulundurulmak suretiyle bölge müdürlüklerince rayice uygun kullanım bedeli tespit edilir. Bedel tespitinde yapılacak onarım ve restorasyon giderleri göz önünde bulundurulur.

c) Kamu kurum ve kuruluşlarına tahsis edilen ve vakfiyesinde yer alan amaca uygun kullanılan hayrat taşınmazlardan kullanım bedeli alınmayabilir.

ç) Tahsis kararının alınmasını müteakip; restorasyon projelerinin en geç altı ay içerisinde hazırlanacağı ve bir yıl içerisinde kültür ve tabiat varlıklarını koruma bölge kuruluna onaylatılacağı, tahsis tarihinden itibaren üç yıl içerisinde onarım veya restorasyonunun tamamlanacağı hususu ile diğer usul ve esasları içeren protokol, talep sahibi kurum ve kuruluş ile birlikte imza edilerek Genel Müdürlüğe gönderilir.

d) Taraflarca imzalanan protokol, gerekli karar alınmak üzere Meclise sunulur.

e) Meclisçe tahsis kararı alındıktan sonra, güvenlik sisteminin kurulmasını ve sigortasının yaptırılmasını müteakip taşınmaz bir tutanak ile ilgili kurum ve kuruluşa teslim edilir.

### **Tahsis edilen taşınmazların kullanımı**

**MADDE 63** – (1) Taşınmazlar tahsis amacı dışında kullanılamaz.

(2) Genel Müdürlüğün yazılı onayı olmaksızın;

- a) Tahsise konu taşınmazlarda proje dışı onarım ve ilave yapılamaz.
- b) Taşınmazın bütünü veya bir bölümü başkalarına devredilemez, kullanılamaz.

### **Taşınmazın tahliyesi**

**MADDE 64** – (1) Tahsis edilen taşınmazla ilgili olarak;

- a) Tahsisten vazgeçildiği veya tahsis süresi sona erdiği halde kullanıma devam edildiğinin,
  - b) 63 üncü maddede belirtilen hususlardan herhangi birinin,
  - c) Protokolde belirtilen yükümlülüklerin süresinde yerine getirilmediğinin,
- tespit edilmesi ve taşınmazda yürütülen faaliyetin mahkemece yasaklanması halinde bölge müdürlüğünün talebi üzerine mülki amirlikçe taşınmazın tahliyesi sağlanır.

### **Tahsis edilen taşınmazların takibi**

**MADDE 65** – (1) Tahsis edilen hayrat taşınmazlar bölge müdürlüğünce sürekli kontrol edilerek, her dört ayda bir tahsis şartlarına uyulup uyulmadığının tespitine ilişkin rapor düzenlenir ve taşınmazın dosyasında muhafaza edilir.

## **İKİNCİ BÖLÜM**

### **Aşevi Hizmeti**

#### **Aşevi açılması**

**MADDE 66** – (1) Vakfiyelerde yazılı hayır şartlarını yerine getirmek üzere Genel Müdürlükçe sıcak yemek ve kuru gıda verilecek muhtaç sayısı belirlenerek, bunların dağıtımını gerekli yerlerde aşevleri açılır.

#### **Aşevinden yararlanacaklar**

**MADDE 67** – (1) Sosyal güvencesi bulunmayan veya geliri net asgari ücret miktarından fazla olmayanlar aşevinden yararlanabilirler.

(2) 1/7/1976 tarihli ve 2022 sayılı 65 Yaşını Doldurmuş Muhtaç, Güçsüz ve Kimsesiz Türk Vatandaşlarına Aylık Bağlanması Hakkında Kanun gereğince aylık alanlar da aşevi hizmetinden yararlanabilirler.

#### **Başvuru**

**MADDE 68** – (1) Aşevi hizmetinden yararlanmak isteyenler Ek-9'daki formu doldurmak suretiyle ilgili bölge müdürlüğüne başvururlar. Bölge müdürlüğünce yapılan değerlendirmede durumu uygun olanlar aşevi hizmetinden yararlandırılır.

(2) Kontenjanın dolmaması halinde, engelli çocuklar için açılmış eğitim kurumlarındaki çocuklara da kurum yönetiminin vereceği liste dikkate alınarak aşevi hizmeti verilebilir.

#### **Muhtaçlığın izlenmesi**

**MADDE 69** – (1) Bölge müdürlüğünce aševinden faydalananların gelirleri ve mal varlığı hakkında, gerçek ve tüzel kişilerden bilgi istenebilir. Yapılan araştırma sonucunda yararlanma şartlarını taşımadığı tespit edilenler aševi hizmetinden faydalanamaz.

#### **Yoklama**

**MADDE 70** – (1) Aševi hizmetinden yararlananlar her yılın Kasım ayında Ek-10'daki yoklama belgesini doldurarak, aševi görevlilerine vermek zorundadır.

(2) Yoklama belgesini 15 gün içerisinde vermeyenlere aševi hizmeti verilmez.

#### **Aševi hizmetinin sona ermesi**

**MADDE 71** – (1) Aševinden yararlananların;

- a) Ölümü,
  - b) Muhtaçlığının ortadan kalkması veya bakım altına alınması,
  - c) Bilgi verilmeksizin kesintisiz 10 gün yemek alınmaması,
- halinde bu kişilere verilen hizmet son bulur.

## **ÜÇÜNCÜ BÖLÜM**

### **Muhtaç Aylığı**

#### **Muhtaç aylığı**

**MADDE 72** – (1) Vakfiyelerde yer alan hayır şartlarının yerine getirilmesi amacıyla muhtaç durumda bulunan engelliler ile yetimlere aylık bağlanır.

#### **Muhtaç aylığından yararlanacaklar**

**MADDE 73** – (1) Annesi ya da babası olmayan muhtaç çocuklar ile % 40 ve üzeri engelli olan muhtaçlara; sosyal güvencesi olmaması, herhangi bir gelir veya aylığı bulunmaması, mahkeme kararı veya kanunla bakım altına alınmamış olması, gelir getirici taşınır ve taşınmaz malı mevcut olmaması veya olup da bunlardan elde edeceği aylık ortalama gelirinin bu Yönetmelikle belirlenen muhtaç aylığı miktarını geçmemesi halinde aylık bağlanabilir.

(2) 18 yaşından küçük engelli çocuklara, kendilerine bakmakla yükümlü anne ve babalarının bu maddenin birinci fıkrasında belirtilen şartları taşıdığı takdirde aylık bağlanır.

(3) Aynı aileden sadece bir kişiye aylık bağlanabilir.

#### **Başvuru sahibinden istenecek belgeler**

**MADDE 74** – (1) Kendisine aylık bağlanması için başvuracaklardan aşağıda belgeler istenir.

- a) Ek-11'deki başvuru formu,
- b) Engelliler için özrünü belirten sağlık kurulu raporu.

### **Sağlık kurulu raporu**

**MADDE 75** – (1) Sağlık kurulu raporunda istek sahiplerinin çalışarak hayatını kazanıp kazanamayacağı ile organ yokluğu ve bozukluğunun yüzde kaç olduğu belirtilir.

### **Başvuruların değerlendirilmesi**

**MADDE 76** – (1) Aylık talebinde bulunacaklar 74 üncü maddede yazılı belgeleri tamamlayarak yerleşim yeri bölge müdürlüğüne başvururlar.

(2) Bölge müdürlüğüne müracaat belgeleri üzerindeki beyanları doğrulandıktan sonra, Ek-12'de belirtilen kriterlere göre puanlama yapılarak dosya tamamlanır. İllerin boş muhtaç kadrosu dikkate alınarak Ek-13'deki forma göre hazırlanacak onay Genel Müdürlüğe gönderilir.

### **Ödenecek aylık miktarı**

**MADDE 77** – (1) Ödenecek aylık miktarı 14/7/1965 tarihli ve 657 sayılı Devlet Memurları Kanununda belirtilen ve memur taban aylıklarına uygulanan taban aylığı katsayısının (400) dört yüz gösterge rakamı ile çarpımından elde edilecek miktardır.

(2) Muhtaç aylığı bağlanacakların sayısı Genel Müdürlükçe belirlenir.

### **Aylıkların ödenmesi ve muhtaçlığın izlenmesi**

**MADDE 78** – (1) Aylıklar, Genel Müdürlük onayını takip eden aybaşından itibaren peşin olarak hak sahiplerine veya yetkili vekil ya da vasilerine ödenir.

(2) Bölge müdürlükleri tarafından aylık bağlanana, banka hesap numaraları ile birlikte tebligat yapılır ve aylıklar banka hesaplarına yatırılır.

(3) İkametleri değişenlerin aylıkları devam eder. Boş kontenjan bulunması halinde ilgili bölge müdürlüğüne nakilleri yapılabilir.

(4) Yapılan araştırma sonucunda durumları 73 üncü madde kapsamına girmediği tespit edilenlerin aylıkları kesilir.

### **Yoklama**

**MADDE 79** – (1) Aylık sahipleri her yılın kasım ayında Ek-14'deki yoklama belgesini doldurarak aylık aldıkları bölge müdürlüğüne teslim ederler.

(2) Yoklama belgesini vermeyenlerin aylıkları dondurulur, yoklama belgelerini üç ay içerisinde getirmeleri halinde verilmeyen aylıkları toptan ödenir.

### **Aylıkların kesilmesi**

**MADDE 80** – (1) Aylık alanların;

- a) Ölümü,

- b) Muhtaçlığının kalkması veya bakım altına alınması,
- c) Yetim erkek çocuğun 18, yüksek öğrenimde ise 25 yaşını tamamlaması,
- ç) Aylıkların aralıksız üç ay alınmaması,

halinin tespitini takip eden ay başından itibaren aylıkları kesilir.

### **Bildirim yükümlülüğü**

**MADDE 81** – (1) Muhtaçlar, aylıklarının kesilmesini gerektiren halleri bölge müdürlüklerine en geç bir ay içinde yazılı olarak bildirmek zorundadırlar.

(2) Aylık bağlanmasını gerektiren şartların ortadan kalktığı tarihten itibaren yapılan fazla ödemeler genel hükümlere göre ilgililerden tahsil edilir.

## **DÖRDÜNCÜ BÖLÜM**

### **Eğitim Yardımı**

#### **Eğitim yardımı**

**MADDE 82** – (1) Vakfiyelerde yer alan hayır şartlarının yerine getirilmesi amacıyla, ailelerinin maddi durumu yeterli olmayan ilköğretim ve ortaöğretim öğrencilerine eğitim yardımı yapılabilir.

(2) Aynı aileden sadece bir öğrenciye eğitim yardımı verilir.

(3) Genel Müdürlükten muhtaç aylığı alanlar ile kamu kurum ve kuruluşlarınca bakım altına alınan ya da burs alan öğrencilere eğitim yardımı yapılmaz.

(4) Eğitim yardımı verilecek öğrenci sayısı, miktarı, yıllık artış oranı, ödeme zamanı ve illere göre dağılımı Genel Müdürlükçe belirlenir.

#### **Başvuru**

**MADDE 83** – (1) Eğitim yardımından faydalanmak isteyen öğrenciler öğretim yılı kayıtlarının başladığı tarihten itibaren bir ay içerisinde bölge müdürlüklerine başvururlar.

(2) Boş kontenjan bulunması halinde ise bölge müdürlüklerince duyuru yapılarak başvurular alınır.

#### **İstenen belgeler**

**MADDE 84** – (1) Başvuru yapacak öğrencilerden aşağıdaki belgeler istenir.

- a) Ek-15'deki Başvuru Formu,
- b) Öğrenci belgesi.

#### **Başvuruların değerlendirilmesi**

**MADDE 85** – (1) Öğrencilerin başvuru forumlarındaki bilgiler ek-16'daki kriterlere göre bölge müdürlüğünce değerlendirilerek, puan sıralaması yapıp asıl ve yedek isim listeleri çıkarılır. Bu listeler Genel Müdürlükçe onaylandıktan sonra başvuru sahibi öğrencilere bölge müdürlükleri tarafından öğrenciler adına açtırılan banka hesap numaraları da belirtilerek tebligat yapılır ve eğitim yardımı verilmeye başlanır. Asıl listede boşalma olduğu takdirde yedek listedeki sıraya göre yardım verilir.

#### **Eğitim yardımı verilme süresi**

**MADDE 86** – (1) Eğitim yardımı almaya hak kazanan öğrenciye, öğrencilik halinin devamı ve eğitim yardımı almasına engel bir durumun olmaması koşuluyla öğrenim süresince verilir. Öğrencinin başka bir okula naklini yaptırması halinde eğitim yardımı aynı bölge müdürlüğünce ödenmeye devam edilir.

#### **Öğrenciliğin takibi ve eğitim yardımının kesilmesi**

**MADDE 87** – (1) Bölge müdürlükleri, eğitim yardımı alan öğrencinin öğrencilik halinin devam edip etmediğini her yıl tespit eder.

(2) Öğrenciliğin sona ermesi ve başarısız olması halinde eğitim yardımı kesilir. Ancak, sağlık sebebiyle öğrenim süresinin uzadığına ilişkin rapor ibrazı halinde eğitim yardımı devam eder.

#### **Özel eğitim yardımı**

**MADDE 88** – (1) Bu Yönetmelik uyarınca verilen yıllık eğitim yardımı miktarının beş katını geçmemek kaydıyla muhtaç öğrencilere bir defaya mahsus olmak üzere özel eğitim yardımı yapılabilir.

## **BEŞİNCİ BÖLÜM**

### **Fakir ve Garip Hastalara Tedavi Yardımı**

#### **Fakir ve garip hastalara yapılacak muayene ve tedavi hizmeti**

**MADDE 89** – (1) Fakir ve garip hastalara, hastane imkânları ile sınırlı olarak diğer hastalarla aynı kalitede hizmet verilir.

(2) Vakfiye şartları doğrultusunda fakir ve garip hastaların, durumları belgelenmek kaydıyla her türlü tıbbi malzemeleri temin edilir. Hastanede bulunmayan tıbbi malzemeler hastane dışından sağlanır.

#### **Muayene ve tedavi edilecek hastalar**

**MADDE 90** – (1) Aşağıdaki belgelerden herhangi birini ibraz eden hastaların, ücretsiz muayene ve tedavileri yapılır.

- Genel Müdürlükten muhtaç aylığı aldığını gösterir belge,
- 2022 sayılı Kanuna göre maaş aldığını gösterir belge,



c) 2828 sayılı Kanun gereğince, korunmaya muhtaç çocuklar hakkında mahkemece verilmiş ilâm,

ç) Vakıf aşevi hizmetinden faydalandığına dair belge,

d) Şehit ve gazi ailesi olduğuna dair belge.

(2) Birinci fıkrada belirtilen belgeleri ibraz edemeyen hastalardan, mülkî idare amirliklerden veya köy muhtarlıklarından alacakları fakir ve garip olduklarına dair belge ile Ek-17'deki form ve Ek-18'deki taahhütname istenir.

#### **Hastaneye başvuru ve tedavi**

**MADDE 91** – (1) Hastalar, hastane baştabipliğince görevlendirilecek büroya başvururlar. İlgili memur tarafından belgeler incelendikten sonra hasta ilgili polikliniğe sevk edilir. Bu kimselerin ayakta tedavileri yapılır gerekiyorsa reçetesi yazılır. Şayet hastaneye yatırılması gerekiyorsa ilgili tıp uzmanı yatma formunu doldurur, imzalar ve baştabip yardımcısına sevk eder. Bu kimsenin fakir ve garip olduğunun tespiti için fakirlik belgesi ibraz edildikten sonra yatış işlemleri yapılır.

#### **Acil durumlarda tedavi**

**MADDE 92** – (1) Acil olarak hastaneye müracaat eden fakir ve garip hastaların beyanlarına itibar edilerek muayene ve tedavileri yapılır. Gerektiğinde bu kişilerin durumları sonradan araştırılarak belgeleri temin edilir.

#### **Gerçeğe aykırı beyanda bulunma**

**MADDE 93** – (1) Gerçeğe uymayan beyanda bulunanlardan fakirlik belgesi alanların belgeleri iptal edilir, tedavi ve ilaç giderleri ilgisinden tahsil edilir.

#### **Fakir ve garip hastalara yapılacak diğer yardımlar**

**MADDE 94** – (1) Fakir ve garip hastaların gerektiğinde yol, cenaze ve benzeri giderleri karşılanabilir.

#### **Yabancı uyruklu fakir kişilerin tedavisi**

**MADDE 95** – (1) Türkiye'de yaşayan yabancı uyruklu fakir kişilerin muayene ve tedavileri ücretsiz olarak yapılabilir.

## **DÖRDÜNCÜ KISIM**

### **Vakıflar Meclisi, Rehberlik ve Teftiş Başkanlığı, Vakıf Uzmanlığı**

#### **BİRİNCİ BÖLÜM**

##### **Vakıflar Meclisi**

#### **Meclisin oluşumu**

**MADDE 96** – (1) Meclis, Genel Müdürlüğün en üst karar organıdır.

(2) Meclis; Genel Müdür, üç Genel Müdür Yardımcısı ve I. Hukuk Müşaviri olmak üzere beş, vakıf konusunda bilgi ve deneyim sahibi yükseköğrenim mezunları arasından Başbakanın teklifi üzerine ortak kararname ile atanacak beş, yeni vakıflarca seçilecek üç, mülhak ve cemaat vakıflarınca seçilecek birer üye olmak üzere toplam onbeş üyeden oluşur. Ayrıca yeni vakıflar üç, mülhak ve cemaat vakıfları ise birer yedek üye seçer.

(3) Genel Müdür aynı zamanda Meclisin de başkanıdır.

(4) Genel Müdürün çeşitli nedenlerle görevinde bulunmadığı durumlarda Genel Müdüre vekâlet eden Meclis Başkanlığına da vekâlet eder.

(5) Genel Müdür Yardımcıları ve I.Hukuk Müşavirinin çeşitli nedenlerle görevinde bulunmadığı durumlarda yerlerine vekâlet edenler Meclis toplantılarına katılırlar.

### **Meclis Üyeliğine seçilme şartları**

**MADDE 97** – (1) Yeni vakıflar, mülhak ve cemaat vakıflarınca Meclis Üyeliğine seçilebilmek için aşağıdaki şartlar aranır.

- a) Devlet Memurları Kanununda belirlenen memur olma şartlarını taşımak,
- b) Yükseköğrenim mezunu olmak,
- c) Kesinleşmiş mahkeme kararıyla vakıf yöneticiliği görevinden alınmış olmamak,
- ç) Hakkında Kanunun 10 uncu maddesi uyarınca işlem başlatılmamış olmak,

### **Seçim kurulu ve görevi**

**MADDE 98** – (1) Seçimlere ilişkin işlemleri yürütmek ve seçimi sonuçlandırmak üzere personel arasından belirlenecek yeterli sayıda üyeden seçim kurulu oluşturulur.

(2) Seçim Kurulu; seçimlerin yürütülmesi ve oyların tasnifi ile görevli olup, bu görevini seçim ve tasnif işleri bitinceye kadar aralıksız olarak sürdürür.

### **Seçim zamanı ve yeri**

**MADDE 99** – (1) Meclis Üyesi seçimleri ile ilgili çalışmalar, seçilmiş beş üyenin görev sürelerinin bitiminden üç ay önce başlar.

(2) Seçimler Ankara’da yapılır.

(3) Seçimin yapılacağı adres, tarihi ve saati ile temsilci seçimine ilişkin hususlar Genel Müdürlüğün resmi internet sitesinde ilan edilir. Ayrıca yeni vakıflar, mülhak ve cemaat vakıflarına temsilci belirlemeleri için biri seçimden en az iki ay önce olmak üzere Türkiye genelinde yayımlanan tirajı en yüksek ilk beş gazetenin birinde iki defa duyuru yapılır.

### **Temsilci seçimi ve bildirim**

**MADDE 100** – (1) Vakıf temsilcisi;

- a) Yeni vakıflarda, vakfı yönetmeye ve temsile yetkili organın,
- b) Cemaat ve esnaf vakıflarında, yönetim kurullarının,

c) Mülhak vakıflarda ise vakıf yöneticisinin,  
kararı ile belirlenir.

(2) Her vakıf bir temsilci belirleyebilir. Bir kişi birden fazla vakfın temsilcisi olabilir, temsil edilen her vakfın bir oy hakkı vardır.

(3) Vakıflar; vakıf temsilcisine ilişkin ek-19'daki formu doldurarak seçim gününden en az bir ay önce bölge müdürlüğüne teslim ederler. Bölge müdürlüğüne vakıf temsilcisine Ek-20'deki temsilci belgesi verilir.

### **Meclis Üyesi adaylarının belirlenmesi**

**MADDE 101** – (1) Adaylar; seçim kuruluna iletilmek üzere, ek-21'deki formu doldurarak seçim tarihinden en az on beş gün önce Genel Müdürlükte olacak şekilde gönderirler veya bizzat teslim ederler.

### **Temsilci ve Meclis Üyesi adaylarının ilanı**

**MADDE 102** – (1) Bölge müdürlükleri tarafından gönderilecek verilere dayanılarak oluşturulan temsilci listesi ile Meclis Üyesi seçilme şartlarını taşıyan adayların listesi, seçim tarihinden en az yedi gün önce Genel Müdürlüğün resmi internet sitesinde ve Türkiye genelinde yayımlanan tirajı en yüksek ilk beş gazetenin birinde ilan edilir.

(2) Listelere ilan tarihinden itibaren üç gün içerisinde Genel Müdürlüğe itiraz edilebilir. İtirazlar hakkında itirazı takip eden günde karar verilir.

(3) İtiraz edilmeyen veya itiraz sonucu verilen karara göre, listeler soyadına göre alfabetik sıralama yapılarak oluşturulur.

### **Seçim usul ve esasları**

**MADDE 103** – (1) Seçim, seçim kurulu gözetiminde yeni vakıflar, mülhak vakıflar ve cemaat vakıfları için aynı gün ayrı sandıklarda, gizli oy ve açık tasnif esaslarına göre yapılır.

(2) Seçimde kullanılacak araç ve gereçlerin temini ile seçim kurulunun sekreteryaya hizmetleri Vakıf Hizmetleri Daire Başkanlığınca yürütülür.

(3) Seçim kurulunca her sandıkta görevli bulundurulur.

### **Oy verme işlemi**

**MADDE 104** – (1) Temsilci listelerinde adı yazılı olmayanlar oy kullanamazlar. Oylar, oy verenin kimliği ile temsilci belgesinin ibrazı ve listedeki isminin karşısındaki yerin imzalanmasından sonra kullanılır. Temsilciler oy kullanmak üzere bir başkasına vekâlet veremez.

(2) Seçim günü saat 08.00 – 17.00 arası oy verme süresidir. Ancak saat 17.00 ye geldiği halde sandık başında oylarını vermek üzere bekleyen temsilciler, seçim kurulu tarafından sayıldıktan sonra sıra ile oylarını kullanırlar. Bu husustaki değişiklikler seçim ilanında belirtilmek şartıyla seçim kurulunca tespit edilebilir.

(3) Oylar ilan edilen gün ve saatte sandığa atılmak suretiyle kullanılır.

(4) Oy verme işleminde seçim kurulunca verilen mühürlü zarfın kullanılması zorunludur.

(5) Vakıf temsilcilerinin oy pusulasını gizli olarak yazmaları veya hazır ve basılı oy pusulasını zarfa koymaları için, kendilerine kapalı oy verme yeri gösterilir. Oy pusulasının kapalı yerde zarfa konulması mecburidir.

(6) Vakıf temsilcisinin oy hakkını sınırlayıcı hiçbir tedbir alınamayacağı gibi, mükellefiyet de yüklenemez.

(7) Adaylar sandık başında hiçbir temsilciye müdahale, telkin veya tavsiyede bulunamaz ve hiçbir temsilci oy kullandıktan sonra sandık başında kalmaz.

### **Sandıkların açılması ve oyların tasnifi**

**MADDE 105** – (1) Seçim sonunda sandıklar, seçim kurulu üyeleri tarafından oy verme yerinde bulunanların huzurunda açılır ve çıkan zarflar sayılarak tutanağa yazılır.

(2) Sandıktan çıkan bütün zarflar, tek tek kontrol edilir. Bunun sonucunda, üzerinde herhangi bir imza veya işaret taşıyan zarflar geçersiz sayılarak ayrılır. Kalan zarfların sayısı, oy veren vakıf temsilcisi sayısı ile karşılaştırılır. Zarfların sayısı oy veren temsilci sayısından fazla çıktığı takdirde, seçim kurulu başkanı, kalan zarflar arasından fazlalığı gelişigüzel çekerek ayırır.

(3) Ayrılan fazla zarflar açılmadan sayısı tutanağa geçirilerek derhal imha edilir. Bundan sonra geçerli zarflar sayılarak sandığa konur ve ara verilmeksizin açıkça tasnife başlanır.

(4) Oyların sayımı ve dökümü aralıksız devam eder. Yapılacak itirazlar seçim sürecini durdurmaz.

(5) Tasnif işinin düzeni ve idaresi seçim kurulu başkanına veya onun bulunmaması halinde görevlendireceği seçim kurulu üyesine aittir. Tasnif neticesinde oy pusulalarının zarf sayısına uygunluğu kontrol edilir ve keyfiyet tutanağa geçirilir.

(6) Adayların aldıkları oylar belirlendikten sonra, en yüksek oy alandan aşağıya doğru sıralanır ve seçilecek asıl ve yedek üyeler en yüksek oy alandan başlamak üzere belirlenir.

(7) Listelerde tespit edilen adaylar arasında eşit sayıda oy almış olanlar bulunduğu takdirde, seçim kurulu huzurunda seçim kurulu başkanı tarafından kura çekilerek sıralama yapılır.

(8) Asıl ve yedek üyelerin sıralanması bu surette ayrı ayrı belirlenir ve tutanağa asıl ve yedek üyelerin adları yazılır.

### **Geçersiz oy pusulaları**

**MADDE 106** – (1) Tasnif yapılırken;

a) Verilen mühürlü zarftan başka zarfa konulan,

b) Herhangi bir belirti veya işaret taşıyan,

- c) Okunamayan,
  - ç) Aynı zarfta muhtelif adlarda birden fazla olan,
  - d) İlan edilen adaylardan başka bir isim yazılı olan,
  - e) Bir zarftan birisi dışında birden fazla aynı adı taşıyan,
- oy pusulaları geçersiz sayılır.

(2) Geçersiz sayılan oy pusulaları derhal bir tutanakla imha edilir.

### **Tutanak**

**MADDE 107 – (1)** Seçim sonucunda düzenlenecek tutanağa;

- a) Seçimlerin yapıldığı tarih ile oy sandıklarının açıldığı saat,
  - b) Listedeki temsilci sayısı,
  - c) Oy kullanan temsilcilerin sayısı,
  - ç) Sandıktan çıkan geçerli ve geçersiz zarf sayısı ile imha edilen zarf sayısı,
  - d) Geçerli sayılan oy pusulalarının sayısı,
  - e) Oy pusulalarının kaç adedinin hangi sebeplerden dolayı geçersiz sayıldığı,
  - f) İtiraz edilmiş fakat geçerli sayılmış oy pusulalarının adedi,
  - g) Adaylar ile Meclise asıl ve yedek üye olarak seçilenlerin aldıkları oy sayısına göre ad ve soyadları ile oy miktarları,
  - ğ) Tasnif sonucunun hazır bulunanlara duyurulduğu,
  - h) Eşit oy alan adaylar arasında kurayla seçim yapılmışsa bu husus ve adayın ismi,
  - ı) Oy verme işlemlerinin Kanuna ve bu Yönetmeliğe aykırı olduğuna dair itiraz ve şikâyetler,
- yazılır.

(2) Beş nüsha olarak düzenlenen tutanak seçim kurulu tarafından imzalanır. Tutanakların birer örneği seçim yerinde bir tam iş günü asılmak suretiyle ve Genel Müdürlüğün resmi internet sitesinde yayınlanmak suretiyle geçici seçim sonuçları ilan edilir. Bu ilan ayrıca bir tutanağa bağlanır.

(3) Kullanılan oylar ve diğer belgeler, tutanakların birer örneği ile birlikte üç ay süreyle Meclis bürosunda saklanmak kaydıyla Genel Müdürlüğe verilir.

### **İtirazlar ve incelenmesi**

**MADDE 108 – (1)** Oy kullanan temsilciler ile adaylar geçici seçim sonuçlarına ilişkin itirazlarını, ilan süresinin bitiminden itibaren bir gün içerisinde yazılı olarak seçim kuruluna yaparlar. İtirazlar aynı gün incelenir ve karara bağlanır. İtiraz üzerine verilen kararlar idari işlemler bakımından kesindir. İtirazların karara bağlanmasından hemen

sonra, itiraz olmaması halinde ise geçici seçim sonuçlarının ilanından bir tam gün sonra kesin sonuçlar Genel Müdürlük binasında bir tam iş günü asılmak ve Genel Müdürlüğün resmi internet sitesinde yayınlanmak suretiyle ilan edilir.

(2) Vakıf tarafından seçilen temsilcinin seçimde oy kullanmaması itiraza konu edilemez.

### **Bildirim**

**MADDE 109** – (1) Seçim kurulu, Meclis Üyeliği kesinleşenlere derhal yazılı bildirim de yapar.

### **Seçimlerin iptali**

**MADDE 110** – (1) Seçim kurulu tarafından seçim sonuçlarını etkileyecek ölçüde bir usulsüzlük veya mevzuata aykırı uygulama sebebiyle seçimlerin iptaline karar verildiği takdirde, iptaline karar verilen seçimle ilgili olarak süresi bir haftadan az, bir aydan fazla olmamak üzere seçimin yenileneceği gün tespit edilerek ilgililere bildirilir.

(2) Aynı temsilci ve adaylarla seçim yenilenir.

(3) Seçimler yenileninceye kadar geçen sürede, mevcut Meclis Üyeleri görevlerini sürdürürler.

### **Meclisin görevleri**

**MADDE 111** – (1) Genel Müdürlükçe teklif edilen;

a) Genel Müdürlüğe, mazbut ve mülhak vakıflara ait akar ve hayrat taşınmazların tahsis, satış ve trampasına yönelik tasarruflarla, kamulaştırmalarda kamu yararını,

b) Genel Müdürlüğe ve mazbut vakıflara ait akar mallar ile hakların daha yararlı olanları ile değiştirilmesini, paraya çevrilmesini veya değerlendirilmesini,

c) Genel Müdürlüğe, mazbut ve mülhak vakıflara ait olup, tahsis edildikleri amaca göre kullanılmaları kanunlara veya kamu düzenine aykırı yahut tahsis amacına uygunluğunu kaybetmiş, kısmen veya tamamen hayrat olarak kullanılması mümkün olmayan taşınmazların mazbut vakıflarda Genel Müdürlüğün, mülhak vakıflarda vakıf yöneticisinin talebi üzerine gayece aynı veya en yakın başka bir hayrata dönüştürülmesini, akara devredilmesini veya paraya çevrilmesini,

ç) Kısmen veya tamamen hayrat olarak kullanılmayan cemaat vakıflarına ait taşınmazları, vakıf yönetiminin talebi halinde aynı cemaate ait başka bir vakfa tahsisini veya vakfin akarına dönüştürmeyi,

d) Genel Müdürlüğe ve mazbut vakıflara ait taşınmazların onarım veya inşa karşılığı kiralamalarında yirmi yıldan kırk dokuz yıla kadar kira süresini,

e) Yeterli geliri bulunmayan mazbut vakıflara ait vakıf kültür varlığı niteliğindeki taşınmazların, benzer amaçlı mazbut vakıfların gelirleriyle korunması ve yaşatılmasını,

f) Mazbut vakıflara ait taşınmazların satışından elde edilecek gelirler ile taviz bedellerinin gelir getirici yatırımlarda, yurt içi ve yurt dışında bulunan ve geliri kalmayan vakıflara ait vakıf kültür varlıklarının bakım ve onarımlarında kullanılmasını,

g) Vakıfların, vakfiyelerindeki şartların yerine getirilmesine fiilen veya hukuken imkan kalmaması halinde; vakfedenin iradesine aykırı olmamak kaydıyla mazbut vakıflarda Genel Müdürlüğün; mülhak, cemaat ve esnaf vakıflarında, vakıf yöneticilerinin teklifi üzerine bu şartların değiştirilmesi ile hayır şartlarındaki parasal değerlerin güncel vakıf gelirlerine uyarlanmasını,

ğ) Her yıl yeni vakıfların kuruluşunda amaçlarına göre özgülenecek asgarî mal varlığı miktarını,

h) Mülhak vakıflara Anayasaya aykırılık teşkil etmeyen vakfiye şartlarına göre yönetici atanmasını,

ı) Kanununun 10 uncu maddesi doğrultusunda vakıf yöneticilerinin görevlerinden alınması için dava açılmasını, telafisi imkânsız sonuçlar doğurabilecek hallerde bu davalar sonuçlanıncaya kadar, vakıf yönetiminin geçici olarak görevden uzaklaştırılması ve kayıymca yönetilmesinin mahkemeden talep edilmesini,

i) Seçilmiş Meclis üyelerinin göreve engel bir hastalık veya sakatlık nedeniyle iş görememeleri, üyelik şartlarını kaybetmeleri veya mazereti olmaksızın üst üste üç veya yılda toplam on toplantıya katılmamaları durumunda görevlerinin sona ermesini,

j) Kanununun 78 inci maddesine göre ve Meclisçe belirlenecek esaslar dahilinde hukukî ihtilafların anlaşma veya sözleşme değişikliği ile neticelendirilmesini, dava ve icra takiplerinden vazgeçilmesini, bir hakkın tanınmasını ve menfaatin terkinini,

k) Sözleşmeli olarak Genel Müdürlükte fiilen çalışan personele ödenecek aylık brüt sözleşme ücreti miktarlarını,

l) Kanununun 72 nci maddesinin birinci ve ikinci fıkralarına göre yapılacak ödemelerin usul, esas ve oranlarını,

m) Genel Müdürlük ve işletme müdürlüklerinin bütçelerini,

n) Vakfiyelerinde; intifa hakları hayır şartlarından fazla olan mülhak vakıfların, yöneticilerinin ve ilgililerinin istekleri halinde, Türk Medeni Kanununun 372 nci maddesinde belirtilen aile vakfına dönüştürülmesi için dava açılmasını,

o) Genel Müdürlük ve vakıflarla ilgili tüzük ve yönetmelik taslaklarını,

ö) Genel Müdürlükçe gerek görülen hususları,

karara bağlamak.

### **Toplantı zamanı**

**MADDE 112 – (1)** Meclis, başkanın çağrısı üzerine ayda en az iki defa bunun dışında lüzum görüldüğü takdirde başkanın çağrısı üzerine zamanı ve gündemi bildirilerek toplanır.

### **Toplantı gündemi ve çağrı usulü**

**MADDE 113** – (1) Toplantıların gündemi başkan veya başkanın yetki verdiği bir üye tarafından tespit edilir. Toplantının günü, yeri, saati ve gündemi toplantının yapılacağı günden en az beş gün önce üyelere bildirilir. Beş günün hesabında duyuru günü ile toplantı günü hesaba katılmaz. Acil hallerde bu süre bir güne indirilebilir. Meclis üyelerine bildirim; kendilerince bildirilen elektronik posta, adrese taahhütlü posta yöntemlerinden biri veya imza karşılığı gündemin teslimi ile yapılır.

(2) Gündemde bulunmayan konular, başkanın veya üyelerin teklifi üzerine üyelerin salt çoğunluğunun kararı ile toplantı sırasında gündeme alınabilir.

### **Toplantı ve karar nisabı**

**MADDE 114** – (1) Meclis üye tam sayısının üçte ikisi ile toplanır, üye tamsayısının salt çoğunluğu ile karar alır. Toplantı yeter sayısının sağlanamaması halinde ikinci toplantı üç gün sonra yapılır. Bu husus ilk toplantıya ait tebligatta belirtilir.

(2) Meclis üyeleri, kendilerini ve üçüncü dereceye kadar kan ve kayın hısımları ile evlatlıklarını ilgilendiren toplantı ve oylamaya katılamazlar. Bu durumda toplantı ve karar yeter sayısının tespitinde toplantıya katılacak olan üye sayısı esas alınır.

### **Toplantı ve oylama usulü**

**MADDE 115** – (1) Meclise, Genel Müdür başkanlık eder. Toplantı yeter sayısının olduğu anlaşıldığı takdirde toplantı başkan tarafından açılarak gündemin görüşülmesine başlanır.

(2) Başkan veya vekili toplantılarda bulunmadığı takdirde üyelerden en kıdemlisi, üyelik kıdeminde birlik halinde kamu hizmetinde en kıdemlisi ve bunda da birlik halinde üyelerin en yaşlısı başkanlık eder.

(3) Gündem konuları sırasıyla Genel Müdür tarafından görevlendirilecek vakıf uzmanınca sunulur. Gerekli görülmesi halinde ilgili daire başkanı ve diğer görevliler konu ile ilgili açıklama yapmak üzere toplantıya çağrılabilir.

(4) Vakıflar, kendilerini ilgilendiren toplantılarda oy hakkı olmaksızın bir yetkili ile temsil edilebilir. Bu vakıflara Meclis bürosunca toplantı günü önceden bildirilir.

(5) Gündem maddeleri tek tek açık olarak oylanır. Meclis üyeleri çekimser oy kullanamaz. Muhalif olan üye muhalefet gerekçesini kararda belirtir. Meclis üyeleri oy ve kararlarından sorumludur.

### **Kararların yazılması ve bildirimi**

**MADDE 116** – (1) Toplantıda alınan kararlar aynı gün üyelerce imzalanarak, bir yazı ekinde Genel Müdürlüğe gönderilir.

### **Meclis bürosu**

**MADDE 117** – (1) Meclisin büro hizmetleri bir müdür ve yeteri kadar personel tarafından yürütülür.



## **Meclis bürosunun görevleri**

**MADDE 118** – (1) Meclis bürosunun görevleri şunlardır:

- a) Meclise gelen ve giden evrakın kaydını yapmak,
- b) Meclis toplantıları ile ilgili tebligatları yapmak,
- c) Meclis kararlarının yazılmasını ve ilgili birimlere gönderilmesini sağlamak,
- ç) Personelle ilgili yazışmaları yürütmek,
- d) Başkan tarafından verilen diğer benzer görevleri yapmak.

(2) Büro görevlileri görevleri süresince edindikleri gizli bilgi ve belgeleri kanunen yetkili kılındıkları mercilerden başkasına açıklayamaz, hiçbir şekilde kullanamaz.

## **İmza yetkisi**

**MADDE 119** – (1) Meclis tarafından ilgili birimlere gönderilen yazılar başkan veya yetki verdiği bir üye tarafından imzalanır.

## **İzinler**

**MADDE 120** – (1) Ortak kararnameyle Meclis üyeliğine atananlar yıllık izinlerini toplantı ve çalışmalarını aksatmayacak şekilde kullanırlar.

# **İKİNCİ BÖLÜM**

## **Rehberlik ve Teftiş Başkanlığı**

### **Rehberlik ve Teftiş Başkanlığının görev merkezi ve çalışma grubu**

**MADDE 121** – (1) Başkanlık, bir başkanla yeteri kadar başmüfettiş, müfettiş, müfettiş yardımcıları ve büro personelinden oluşur. Başkanlığın ve müfettişlerin görev merkezi Ankara'dır.

(2) Başkanlık, doğrudan Genel Müdüre bağlıdır. Müfettişler görevlerini Genel Müdür adına yaparlar.

(3) Başkanlığın yazı, hesap, arşiv ve benzeri işleri, başkanlığa bağlı bir büro tarafından yürütülür. Büroda görevlendirilecek personelin atanmasında denetim hizmetlerinin gerekleri de dikkate alınarak Başkanlığın uygun görüşü alınır.

(4) Teftiş, inceleme ve soruşturma çalışmalarının devamlılığını sağlamak amacıyla denetime tabi birimin yoğunluğu dikkate alınarak diğer illerde çalışma grubu oluşturulabilir. Söz konusu gruplarda görevlendirilecek müfettişler Başkanlığın teklifi ve Genel Müdürün onayı ile belirlenir. Müfettişlerin grup merkezlerinin değiştirilmesi de aynı yolla yapılır.

(5) Bu çalışma gruplarında, Başkanlıkça verilen görevlerin yerine getirilmesi, büro hizmetlerinin yürütülmesi, müfettişlerin büroyla ilişkilerinin düzenlenmesi konularında o merkezdeki kıdemli müfettişlerden biri Başkan tarafından görevlendirilir.

## **Rehberlik ve Teftiř Bařkanlıđının grevleri**

**MADDE 122** – (1) Bařkanlık, Genel Mdrn emri veya onayı zerine, Genel Mdrlđn merkez ve tařra kuruluřları, bađlı iřletmeleri ve personeli ile ilgili olarak Genel Mdr adına teftiř, inceleme, n inceleme ve soruřturma iřlerini yrtr. Ayrıca;

a) Genel Mdrlđn merkez ve tařra teřkilatı ile vakıfların etkin ve verimli hizmet vermelerini sađlamak ve muhtemel hataların nlenmesi amacıyla bilgilendirici, yol gsterici konferans, seminer, panel gibi alıřmalar dzenlemek veya yayınlar yoluyla rehberlik yapmak,

b) Teftiř, inceleme ve soruřturmaların etkin bir řekilde yrtlmesi hususunda genel prensipleri tespit etmek ve personelin verimli alıřmasını teřvik etmek, rehberlik ve teftiř sistemini geliřtirmek, mfettiřlerin bu yndeki alıřmalarını dzenlemek ve denetlemek, mfettiř yardımcılarının meslekte yetiřmelerini sađlamak,

c) Vakıfların, řube ve temsilciliklerinin, vakfiye ve vakıf senedinde yazılı řartlara, yrrlkteki mevzuata uygun ynetilip ynetilmediđi, amacı dođrultusunda faaliyette bulunup bulunmadıđı, mallarının ve gelirlerinin vakfiye, 1936 Beynamesi ve vakıf senedindeki řartlara uygun kullanılıp kullanılmadıđı hususlarını incelemek ve denetlemek,

) Mfettiřlerin teftiř, inceleme, arařtırma, n inceleme ve soruřturma sonucu dzenleyecekleri raporları Bařkanlık grř ile birlikte Genel Mdrlk makamına sunmak,

d) Vakıfların iktisad iřletmeleri ile dođrudan veya dolaylı olarak sahip oldukları iřtiraklerini vergi mevzuatı da dikkate alınarak denetlemek,

e) Vakıfların i denetim raporlarını deđerlendirmek ve gerekli iřlemleri yrtmek,

f) Yapılan tebligata rađmen istenen beyanname, bilgi ve belgeleri zamanında vermeyen, organların vakfiye veya vakıf senedine aykırı olarak toplanmasına sebebiyet veren veya geređe aykırı beyanda bulunan vakıf ynetimi hakkında idari para cezası teklif etmek,

g) Genel Mdrlđn amalarını daha iyi gerekleřtirmek, mevzuata, plan ve programa uygun alıřmasını sađlamak amacıyla Bařkanlık alıřmalarında gerekliliđi tespit edilen nerileri ierir genel durum raporu ile yıllık denetim ve alıřma programını hazırlayıp Genel Mdre sunmak,

đ) Birden fazla kamu kurum ve kuruluřlarını ilgilendiren soruřturmalarda grevlendirilecek mfettiřleri Genel Mdr onayına sunmak,

h) Genel Mdr tarafından verilecek benzeri grevlerle, yrrlkteki mevzuat ile belirlenen diđer grevleri yapmak,

Bařkanlıđın grev ve sorumluluđu ierisindedir.

(2) Bařkan, mfettiř sıfat ve yetkisine haiz olup, mevzuat erevesinde verilen grevlerin yerine getirilmesinden sorumludur. Bu grevleri bizzat veya mfettiřler aracılıđıyla yerine getirir.

(3) Başkan, kendisine yardımcı olmak üzere gereği kadar müfettişi Başkanlık merkezinde görevlendirebileceği gibi, yeteri sayıda başmüfettişi Genel Müdürün Onayı ile Başkan Yardımcısı olarak da görevlendirebilir.

(4) Başkanlık; çalışmaların yürütülmesinde, raporlama ve diğer konularda uygulama birliğini sağlamak amacıyla hazırlanacak Başkanlık Çalışma Esasları ve Rehberi ile Başkanlık Talimatını Makam onayına sunmak ve uygulamakla görevlidir.

### **Müfettişlerin görev ve yetkileri**

**MADDE 123** – (1) Müfettişler doğrudan Genel Müdürlüğe bağlı olup, Genel Müdür adına;

a) Vakıfların, şube ve temsilciliklerinin, vakfiye ve vakıf senedinde yazılı şartlara, yürürlükteki mevzuata uygun yönetilip yönetilmediği, amacı doğrultusunda faaliyette bulunup bulunmadığı, mallarının ve gelirlerinin vakfiye, 1936 Beyannamesi ve vakıf senedindeki şartlara uygun kullanılıp kullanılmadığı hususlarında rehberlik yapmak, incelemek ve denetlemek,

b) Genel Müdürlüğün merkez ve taşra teşkilatı ile işletmelerin personeli hakkında her türlü teftiş, inceleme ve soruşturma; Genel Müdürlüğün denetimine tabi vakıflarla, bu vakıflara ait işletme, doğrudan veya dolaylı olarak sahip oldukları iştirak, yurtiçi, yurtdışı şube ve kuruluşları ile personeli hakkında teftiş ve inceleme yapmak,

c) Teftiş sırasında bilgilendirme toplantısı yapmak,

ç) Teftiş, araştırma ve inceleme sırasında görev emrinin dışında öğrenmiş oldukları yolsuzluklar için sorumlular hakkında tabi oldukları soruşturma usulüne uygun olarak gecikmeden olaylara el koymak ve onay alınmak üzere durumu Rehberlik ve Teftiş Başkanlığına iletmek,

d) Teftiş, araştırma ve inceleme sonunda gördükleri yanlışlık ve eksiklikleri tespit ederek işlerin daha verimli yürütülmesi ve görevlilerin çalışmalarından daha çok yararlanması için alınması gerekli önlemleri Başkanlığa bildirmek,

e) 29/5/1986 tarihli ve 3294 sayılı Sosyal Yardımlaşma ve Dayanışmayı Teşvik Kanunu hükümlerine göre kurulmuş Sosyal Yardımlaşma ve Dayanışma Vakıflarının teftişi sırasında yolsuzlukları saptanan memur statüsündeki mütevellî heyet üyeleri hakkında yetkili idari yerlere, memur olsun veya olmasın diğer personel hakkında Cumhuriyet Savcılıklarına suç duyurusunda bulunulmasını sağlamak amacıyla düzenlenen raporu Başkanlığa teslim etmek,

f) Görevlendirildikleri çeşitli konularda yurtiçi ve yurtdışında araştırmalar yapmak; komisyon, kurs, seminer ve toplantılara katılmak,

g) Refakatlerinde çalışan müfettiş yardımcılarının meslekte yetişmelerini sağlamak, refakat döneminin bitimini takip eden bir hafta içinde Başkanlıkça belirlenen formata uygun olarak değerlendirme raporu vermek,

ğ) Genel Müdürlüğü ilgilendiren mevzuatın hazırlanması ve uygulanması ile ilgili çalışmalara katılmak, önerilerde bulunmak,

h) Genel Müdürlükçe yapılan tebligata rağmen, bu Kanun uyarınca istenen beyanname, bilgi ve belgeleri zamanında vermeyen, organların vakfiye veya vakıf senedine aykırı olarak toplanmasına sebebiyet veren veya gerçeğe aykırı beyanda bulunan vakıf yönetimine idari para cezası teklif etmek,

1) Kanun, tüzük ve yönetmeliklerde belirtilen ve Genel Müdür tarafından verilen diğer benzeri görevleri yapmak,

ile görevli ve yetkilidirler.

### **Denetim programı ve uygulanması**

**MADDE 124** – (1) Yıllık denetim programları, teftiş edilecek birimlerin adet ve iş kapasiteleri, önceki teftiş programları göz önünde bulundurulmak suretiyle Başkanlıkça düzenlenir ve her yıl ocak ayında Genel Müdürün onayına sunulur.

(2) Müfettişlerin kıdem durumu, grup çalışmaları ile görev mahalli ve görevin özellikleri göz önünde tutularak denetime tabi birimlerin hangi müfettişlerce teftiş edileceği ve teftişe hangi tarihte başlanacağı Başkanlıkça belirlenir ve teftişin başlayacağı tarihten en az 15 gün önce müfettişlere duyurulmak suretiyle denetim programları uygulamaya konulur. Başkanlıkça program uygulanırken teftiş esasları talimatla belirtilir.

### **Düzenlenecek raporlar**

**MADDE 125** – (1) Müfettişler çalışmaları sonunda işin özelliğine göre;

- a) Denetim raporu,
- b) Cevaplı rapor,
- c) Ön İnceleme raporu,
- ç) Soruşturma raporu,
- d) İnceleme raporu,
- e) Personel değerlendirme raporu,
- f) Genel durum raporu,

düzenlerler.

### **Raporlar üzerinde yapılacak işlemler**

**MADDE 126** – (1) Müfettişler tarafından düzenlenen raporlar, Başkanlık tarafından incelendikten sonra Genel Müdürün onayına sunulur.

(2) Raporun, Başkanlık tarafından incelenmesi sonucunda;

a) Raporda eksik inceleme veya maddi hata varsa bunların giderilmesi, Başkanlıkça rapor düzenleyen müfettişten yazılı olarak istenir. Rapordaki inceleme eksikliği veya maddi hata Başkanlığın talebi üzerine ilgili müfettişçe giderilir.

b) Müfettiş tarafından düzenlenen rapordaki görüşlere Başkanlık tarafından katılmaması veya birden fazla müfettiş tarafından düzenlenen raporlarda, raporun sonuçları ile ilgili olarak müfettişler arasında görüş ayrılıkları bulunması halinde, müfettişin görüşü veya müfettişlerin farklı görüşleri ile birlikte Başkanlık görüşünün de belirtildiği onay Genel Müdürün takdirine sunulur.

(3) Genel Müdür onayı ile birlikte rapor ve ekleri ilgili birimlere gönderilir.

(4) Cezaî ve hukukî yönden işlem gerektiren ön inceleme raporu ve soruşturma raporları Başkanlığa bilgi verilmek üzere Hukuk Müşavirliğine ve İnsan Kaynakları Daire Başkanlığına gönderilir.

(5) Merkez birimleri, Genel Müdürlük onayına bağlanmış raporlarda belirtilen ve yerine getirilmesi gereken iş ve işlemlerin sonuçlarını, intikal tarihinden itibaren en geç üç ay içerisinde Başkanlığa bildirmek zorundadırlar. Sonuçlandırılması adli ya da idari yargı veya başka kurum ve kuruluşlara bağlı olan işlemler ile üç ay içerisinde sonuçlandırılması mümkün olmayan diğer iş ve işlemler hakkında her üç ayda bir Başkanlığa bilgi verilir.

(6) Raporlar üzerine yapılan işlemler ve sonuçları Başkanlıkça değerlendirilir.

#### **Müfettişlerin bilgi ve belge isteme yetkileri**

**MADDE 127** – (1) Müfettişler görevlerini yaparken elektronik ortamdaki kayıtlar da dâhil olmak üzere gerekli gördükleri her türlü bilgileri, defter ve belgeleri, para ve para hükmündeki kıymetleri denetime tabi birimlerden istemek, görmek, bunların onaylı örneklerini, bir yolsuzluğun kanıtını oluşturanların asıllarını almak, kasa, depo ve ambarları incelemek ve saymak, bunları mühürlemek, inceleme ve sayma işlerinde yardım isteminde bulunmak, gerektiğinde diğer kamu kurum ve kuruluşları, bankalar ile gerçek ve tüzel kişilerden bilgi ve belge istemek yetkisine sahiptirler.

(2) Asılları alınan belgelerin, müfettişlerin mühür ve imzasıyla onanmış örnekleri, dosyasında saklanmak üzere alındığı yerin yetkililerine verilir.

(3) Bilirkişi incelemesini gerektiren hallerde müfettişler tarafından yaptırılacak çalışmaların bedeli denetim, inceleme veya soruşturma yapılan birim ya da vakıf tarafından karşılanır.

#### **Müfettişlerin görevden uzaklaştırma yetkileri**

**MADDE 128** – (1) Müfettişler teftiş, inceleme, ön inceleme ve soruşturma sırasında kamu hizmetlerinin gerektirdiği hallerde, görevi başında kalmasında sakınca görülen Devlet Memurları Kanununa tabi personeli geçici önlem niteliğinde görevden uzaklaştırabilirler.

(2) Ayrıca Kanununun 10 uncu maddesi doğrultusunda vakıf yöneticilerinin mahkemece geçici olarak görevden uzaklaştırılmaları ile ilgili olarak Başkanlık aracılığı ile Genel Müdürlüğe öneride bulunabilirler.

#### **Denetlenenlerin yükümlülük ve sorumlulukları**

**MADDE 129 –** (1) Genel Müdürlük merkez ve taşra teşkilatı ile vakıf ve bunlarla ilgili diğer birimlerde görevli bulunanlar denetim konusu ile ilgili olarak;

- a) İstendiğinde bütün belge, dosya, evrak, para ve para hükmündeki evrak ve senetleri, mal ve eşyayı müfettişlere göstermek,
- b) Müfettişlerin gerekli gördüğü her türlü evrak ve senetlerin tasdikli suretlerini veya müfettişlik mührü ile onaylanmış suretleri alıkonmak şartıyla asıllarını vermek,
- c) Teftiş hizmetlerinin yürütülebilmesi için müfettişlere denetimleri süresince uygun bir çalışma ortamı sağlamak,
- ç) Görev yaptıkları birimin faaliyetlerini, iş akışını, arşiv ve kayıt sistemini denetlemeye uygun şekilde organize etmek,
- d) Müfettişlerin sorularını geciktirmeden cevaplandırmak, zorundadırlar.

#### **Müfettişlerin uyacakları hususlar**

**MADDE 130 –** (1) Müfettişler;

- a) Mesleğin gerektirdiği saygınlığı ve güven duygusunu sarsacak davranışlarda bulunamazlar,
- b) Üyesi veya yönetiminde buldukları vakıfların denetimini yapamazlar,
- c) İcraya karışamazlar,
- ç) İnceledikleri defter ve belgelerde, denetimin yapıldığını belirten tarih ve imza dışında açıklama, düzeltme ve ilave yapamazlar,
- d) Görev için gidecekleri yerleri, yapacakları işleri ve öğrendikleri sırları açıklayamazlar,
- e) Sosyal ilişkilerin gerektirdiği hususlar dışında, denetimle ilgili kişilerin doğrudan veya dolaylı hizmet ve ikramlarını kabul edemezler, alışveriş yapamazlar ve borç alıp veremezler.

#### **Müfettiş yardımcılığına giriş koşulları, sınav yeri ve ilanları**

**MADDE 131 –** (1) Genel Müdürlük müfettişliğine, müfettiş yardımcısı olarak girilir. Müfettiş yardımcılığına atanabilmek için, 18/3/2002 tarihli ve 2002/3975 sayılı Bakanlar Kurulu Kararıyla yürürlüğe giren Kamu Görevlerine İlk Defa Atanacaklar İçin Yapılacak Sınavlar Hakkında Genel Yönetmeliğe göre (A) grubu kadrolar için yapılacak Kamu Personeli Seçme Sınavında (KPSS) belirlenen puan türü ile asgari taban puanı ve yabancı dil sınavı cevaplama düzeyini sağlamış olanlar arasında yapılacak sınavı kazanmak şarttır.

(2) Müfettiş yardımcılığı yarışma sınavı, yazılı ve sözlü olmak üzere iki bölümden oluşur ve her iki bölümü de Ankara'da yapılır.

(3) Yarışma sınavına katılacaklarda aranacak genel ve özel koşullar, atama izni alınmış kadro sayısı, KPSS yabancı dil test sınavı asgari doğru cevap sayısı, KPSS puan türü ve taban puanlar, puan sıralamasına göre atama izni alınmış kadro kontenjanının yirmi katından fazla olmamak üzere kaç adayın çağrılacağı, sınava son başvuru tarihi ve yeri, istenecek belgeler, sınavın yeri, zamanı, içeriği başvuru süresinin bitiminden en az 15 gün önce Resmî Gazete’de, Türkiye genelinde yayın yapan tirajı en yüksek ilk beş gazetenin birinde en az bir kez olmak üzere ilan vermek suretiyle ve Genel Müdürlük resmi internet sitesinde duyurulur.

(4) Adayların başvuru ve kayıt süresi sınavların başlama tarihinden en az 10 gün önce bitecek şekilde tespit edilir.

### **Sınav kurulu**

**MADDE 132** – (1) Yarışma sınavını yapacak kurul; Rehberlik ve Teftiş Başkanının başkanlığında, Başkanın önerisi ve Genel Müdürün onayı ile görevlendirilecek dört müfettiş dahil olmak üzere beş kişiden oluşur. Ayrıca, aynı usulle üç yedek üye tespit edilir.

(2) Adayların mesleki bilgilerinin değerlendirilmesi amacıyla Genel Müdürlük birimleri, kamu kurum ve kuruluşları ile üniversitelerin uzmanlarından yararlanabilir.

### **Sınava giriş şartları**

**MADDE 133** – (1) Müfettiş yardımcılığı yarışma sınavına katılabilmek için,

- a) Devlet Memurları Kanununun 48 inci maddesinde sayılan şartlara sahip olmak,
- b) Üniversitelerin dört yıllık eğitim veren hukuk, siyasal bilgiler, iktisat, işletme, iktisadî ve idarî bilimler, mimarlık, mühendislik fakülteleri mezunu olmak veya bunlara denkliği Yükseköğretim Kurulu tarafından kabul edilmiş yurt içi ve yurt dışındaki yükseköğretim kurumlarından mezun olmak,
- c) Yarışma sınavının yapıldığı tarihte otuz yaşını doldurmamış olmak,
- ç) Görev yapmasına engel bir halin olmadığına dair ilgilinin yazılı beyanı, gerekir.

(2) Mimarlık ve mühendislik fakültelerinden, hangi bölüm mezunlarına, ne kadar sayıda ihtiyaç olduğu Başkanın önerisi ve Genel Müdürün onayıyla belirlenir ve duyuruda belirtilir.

### **Sınava giriş için istenilen belgeler**

**MADDE 134** – (1) Sınava girmek isteyenler, aşağıdaki belgeler ile Ek-22’deki formu doldurarak başvururlar.

- a) T.C. Kimlik numarası beyanı,
- b) 4 adet vesikalık fotoğraf,
- c) Mezuniyet belgesinin aslı veya Genel Müdürlükçe onaylı örneği,

ç) KPSS sonuç belgesinin aslı veya Genel Müdürlükçe onaylı örneği.

(2) Başvuru formu ile belgelerde yer alan bilgilerde gerçeğe aykırı beyanda bulunduğu ve girme şartlarını taşımadığı halde sınava girdiği anlaşılanlar, sınava ilişkin haklarını kaybederler.

### **Sınav adaylık belgesi**

**MADDE 135** – (1) Başkanlıkça, müfettiş yardımcılığı yarışma sınavına katılacak adaylara fotoğraflı sınava giriş belgesi verilir. Sınav giriş belgesi olmayan aday sınava alınmaz.

### **Sınav konuları**

**MADDE 136** – (1) Müfettiş yardımcılığı yarışma sınavı;

a) Hukuk, siyasal bilgiler, iktisat, işletme ve iktisadi ve idari bilimler fakültesi mezunları için; muhasebe, iktisat, maliye ve hukuk,

b) Mimarlık ve mühendislik fakültesi mezunları için; sınav duyurusunda belirtilen bölümlerin alan bilgisi,

c) Kompozisyon,

konularından seçilmek suretiyle yapılır.

### **Yazılı sınav sorularının hazırlanması ve sınav süreci**

**MADDE 137** – (1) Yazılı sınav soruları ve her soruya verilecek puanlar sınav kurulu tarafından konularına göre ayrı ayrı hazırlanır. Soru kâğıtları sınav kurulu tarafından imzalanır. Bu kâğıtlarda, verilecek puanlar ile sınavların ne kadar süreceği ayrıca gösterilir.

(2) Soru kâğıtları mühürlü zarflar içinde sınav kurulu başkanına teslim edilir.

(3) Sınav duyurulan saatte başlar. İçerisinde sınav soruları bulunan mühürlü zarf sınava katılanların huzurunda açılarak, adaylara dağıtılır veya yazdırılır. Sınavda sınav kurulu başkanınca yeterli sayıda personel gözcü olarak görevlendirilir.

(4) Adaylar cevaplarını mühürlü sınav kâğıtlarına yazarlar.

(5) Sınav bitiminde, soru zarflarının usulünce açıldığını ve sınavın başlama ve bitiş saatini, sınava girenlerin sayısını, kaç kâğıt kullandıklarını gösteren bir tutanak düzenlenir.

(6) Düzenlenen tutanak ve toplanan sınav kâğıtları, zarf içine konulup kapatıldıktan ve mühürlendikten sonra Kurul Başkanına tutanakla teslim edilir.

(7) Sınav sürecinde;

a) Soru zarfları açıldıktan sonra gelenler sınava alınmazlar.

b) Sınava girenler, yanlarında hiçbir kâğıt, not, kitap, mobil telefon ve elektronik cihaz bulunduramazlar.



c) Cevap kağıtlarından başka kağıda cevap yazılamaz. Adaylar cevap kâğıtlarındaki kimliklerini açık bırakamazlar veya kâğıt üzerine kimliği belli edecek yazı, işaret ve benzeri semboller koyamazlar. Aksi takdirde sınav kâğıtları iptal edilerek, adayın sınavı geçersiz sayılır.

ç) Sınav sırasında sınav disiplin ve düzenini bozanlar, kopya çekenler veya başkasının yerine sınava girenler sınavdan çıkarılır. Bu hususlar, sınav kurulu tarafından tutanağa bağlanır. Sınavdan çıkartılan adaylar bir daha müfettiş yardımcılığı yarışma sınavına alınmazlar.

(8) Sınav gerektiğinde bir protokol çerçevesinde Öğrenci Seçme ve Yerleştirme Merkezine veya üniversitelere yaptırılabilir.

### **Yazılı sınavın değerlendirilmesi ve sonucunun duyurulması**

**MADDE 138** – (1) Sınav kurulunca yazılı sınavın yapılması halinde cevap kâğıtları bu kurul tarafından değerlendirilir.

(2) Yazılı sınavda başarılı sayılabilmek için 100 tam puan üzerinden, grupların her birinden en az 60 puan alınması ve not ortalamasının ise asgari 65 olması gerekir.

(3) Yazılı giriş sınavını kazananların listesi aday numaralarına göre hazırlanarak duyurulur ve kazananlar bir yazı ile sözlü sınava davet edilir.

### **Sözlü sınav süreci, değerlendirilmesi ve sonuçların tutanağa bağlanması**

**MADDE 139** – (1) Sözlü sınavlar, yazılı sınav gruplarına giren konularda yapılır. Ayrıca bu sınavlarda adayların temsil ve ifade kabiliyeti, tavır ve davranışları gibi kişisel nitelikleri göz önünde bulundurulur.

(2) Sözlü sınavda grupların tümü için adaylara sınav kurulu üyelerinin her biri tarafından 100 tam puan üzerinden not verilir. Verilen bu notların ortalaması sözlü sınav puanını teşkil eder. Sözlü sınavda başarılı sayılmak için sözlü sınav puanının en az 65 olması şarttır.

(3) Sınav kurulu yazılı ve sözlü sınav sonuçlarını ayrı ayrı bir tutanağa bağlar.

### **Yarışma sınavı notu ve sonucunun duyurulması**

**MADDE 140** – (1) Yarışma sınavı notu, yazılı ve sözlü sınav notlarının ortalamasıdır.

(2) Yarışma sınavını kazananların durumu, sınav kurulu tarafından en yüksek puandan başlamak üzere sıralanarak bir tutanağa bağlanır. Başarı derecesinin eşitliği halinde yazılı sınav notu, bu halde de eşitlik bozulmadığı takdirde yabancı dil düzeyi esas alınır.

(3) Başarı puan sıralamasına göre, atama yapılacak kadro sayısı kadar asıl ve yedek aday olarak açıklanır.

(4) Kazanan adaylara yazılı tebligat yapılır. Ayrıca kazananların listesi Genel Müdürlüğün resmi internet sitesinde de duyurulur.

### **Müfettiş yardımcılığına atanma**

**MADDE 141** – (1) Müfettiş yardımcılığına atamalar başarı puan sıralamasına göre yapılır.

(2) Asıl adaylardan atama için gelmeyen veya ataması yapıp da göreve başlamayan ya da göreve başlayıp da ayrılanların yerine sınav tarihinden itibaren 1 yıl içerisinde başarı puan sıralamasına göre yedek adaylar çağrılır.

### **Müfettiş yardımcılarının yetiştirilmesi**

**MADDE 142** – (1) Müfettiş yardımcılarının yetiştirilmesinde şu esaslara uyulur.

- a) Yetki alanına giren mevzuat ile uluslar arası denetim standartları ve yöntemleri konularında bilgi, deneyim ve uzmanlık kazanmalarını sağlamak,
- b) Bilimsel çalışma ve araştırmalarla, mesleki, sosyal ve kültürel faaliyetlere katılmalarını özendirmek,
- c) Raporlama usul ve teknikleri konusunda yetiştirmelerini sağlamak,
- ç) Yabancı dil bilgilerinin gelişmesine imkân sağlamak.

(2) Müfettiş yardımcıları, üç yıllık yardımcılık döneminde aşağıdaki programa göre yetiştirilir.

a) Birinci aşamada, mevzuatın öğretilmesi ve denetim uygulamaları hakkında bilgi sahibi olmaları için hizmet içi eğitim verilir.

b) İkinci aşamada, müfettiş yardımcıları müfettişlerin refakatinde teftiş, inceleme, araştırma ve soruşturma çalışmalarında görevlendirilmek suretiyle yetiştirilir. Müfettişler, refakatinde çalışan müfettiş yardımcılarının kaydettikleri gelişmeler ile genel tutum ve davranışları hakkında bir rapor düzenlerler. İkinci aşamayı tamamlayamayan ve yetki verilmeyen müfettiş yardımcıları tek başına denetim görevi yapamazlar. Müfettişler, müfettiş yardımcılarının en iyi şekilde yetiştirmelerinden sorumludur.

c) Üçüncü aşamada, araştırma yeteneğini geliştirme ve belli bir konuda detaylı bilgi sahibi olmaları için müfettiş yardımcılarında başkanlıkça belirlenecek konularda tez hazırlattırılır. Tezlerin yetiştirme döneminin bitiminden iki ay önce Başkanlığa verilmesi gerekir. Tezler, Başkan ve iki müfettişten oluşan komisyon tarafından değerlendirilir ve komisyon huzurunda müfettiş yardımcıları tarafından savunulur. Tezler 100 tam puan üzerinden değerlendirilir. Müfettiş yardımcısına tezini savunacağı tarihten önceki 2 ay boyunca başka bir görev verilemez.

### **Yetki verilmesi**

**MADDE 143** – (1) Müfettiş yardımcılarında, refakatinde çalıştıkları müfettişlerin refakat dönemi bitiminde düzenledikleri değerlendirme raporları da dikkate alınarak, ikinci aşamanın sonunda Başkanın teklifi, Genel Müdürün onayı ile re'sen teftiş, inceleme, ön inceleme, araştırma ve soruşturma yetkisi verilebilir.

### **Yeterlik sınavından önce çıkarılma**

**MADDE 144** – (1) Müfettiş Yardımcılığı döneminde başarı gösteremeyeceği veya müfettişlik vasıflarıyla bağdaşmayacak tutum, yasak fiil ve davranışları tespit olunanlar, yeterlik sınavı beklenmeksizin Müfettişlik dışında öğrenim durumları ve kadro derecelerine uygun başka bir göreve atanırlar.

#### **Yeterlik sınav kurulu, sınavın şekli ve konuları**

**MADDE 145** – (1) Yeterlik sınavını yapacak kurul, Rehberlik ve Teftiş Başkanının başkanlığında; Başkanın önerisi ve Genel Müdürün onayı ile görevlendirilecek dört müfettiş olmak üzere beş üyeden oluşur. Ayrıca üç yedek üye tespit edilir.

(2) Müfettiş yardımcılarının görev alanını ilgilendiren mevzuat ve uygulaması ile denetleme, inceleme, soruşturma ve araştırma yöntemlerini öğrenip öğrenmediklerini, mesleğin gerektirdiği bilgi ve davranışları kazanıp kazanmadıklarını belirlemek üzere yeterlik sınavı yapılır.

(3) Yeterlik sınavı yazılı ve sözlü olmak üzere iki aşamada yapılır. Yazılı sınavı kazanan adaylar sözlü sınava katılırlar.

(4) Yeterlik sınavına girecek müfettiş yardımcılara, sınav tarihi ile saati ve yeri, sınav tarihinden itibaren en az 2 ay önce bildirilir.

#### **Yazılı sınav sorularının hazırlanması, sonuçların değerlendirilmesi**

**MADDE 146** – (1) Yazılı sınavın yapılması ve sonuçlarının değerlendirilmesi, 138 inci maddedeki düzenlemeye göre yapılır.

(2) Yeterlik sınavına girecek adaylardan hastalık, bir yakınının ölümü ve benzeri geçerli bir nedenle sınava katılamayanlar olduğunda, durumun resmi belgeyle tevsiki halinde sınav kurulu, geçerli mazereti olan adayların sınavının ileri bir tarihte yapılmasına karar verebilir. Bu hal tutanakla tespit edilir ve yeni sınav tarihi ile yeri adaylara yazıyla bildirilir.

(3) Bütün kâğıtlar okunup değerlendirildikten sonra en yüksek not alandan başlamak üzere tutanak düzenlenir.

#### **Sözlü sınav ve değerlendirilmesi**

**MADDE 147** – (1) Yeterlik yazılı sınav sonuçları liste halinde duyurulur ve ayrıca sınava katılanlara yazılı olarak bildirilir. Başarı gösteren müfettiş yardımcılara yapılan bildirimde sözlü sınavın günü, saati ve yeri belirtilir.

(2) Sözlü sınav yazılı sınav sonuçlarının duyurulmasından sonra 15 gün içerisinde yapılır.

(3) Sözlü sınav bildirilen gün ve saatte başlar. Müfettiş yardımcılarını yazılı sınavı kazanma sırasına göre sözlü sınava alınırlar.

(4) Sözlü sınavda yazılı sınav konuları ile genel kültür, muhakeme, kavrayış, ifade, temsil kabiliyeti ve davranışları değerlendirilir.

(5) Sözlü sınavda, sınav kurulu başkan ve üyelerinin her biri 100 tam puan üzerinden not verir. Verilen notların ortalaması alınır. Sözlü sınavda başarılı sayılmak için not ortalamasının 70 ten aşağı olmaması gerekir.

(6) Sonuçlar başarı sıralamasına göre bir tutanağa bağlanır.

#### **Yeterlik sınav notu ve başarı sırası, sonuçların duyurulması**

**MADDE 148** – (1) Müfettişlik yeterlik sınav notu, yazılı ve sözlü sınav notlarının ortalamasıdır. En yüksek sınav notu ortalamasından başlamak üzere yeterlik sınavı başarı listesi düzenlenerek sınav kurulunca imzalanır.

(2) Yeterlik sınav notu ortalamasının eşitliği halinde sıralamada müfettiş yardımcılığı kıdemi dikkate alınır.

(3) Sınav sonuçları yazılı olarak bildirilir.

(4) Başkanlık, atamaya esas sınav sonuçlarını ve belgelerini Genel Müdür onayı ile ilgili birime intikal ettirir.

#### **Sınava girmeyenler ile başarı gösteremeyenler**

**MADDE 149** – (1) Müfettişlik yeterlik sınavında başarı gösteremeyenlere sınavdan itibaren altı ay içinde bir hak daha verilir.

(2) Bu süre sonunda da yeterlik sınavında başarı gösteremeyenler ile belgelenmiş ve geçerli nedeni bulunmaksızın sınava girmeyenler, Genel Müdürlükte öğrenim durumları ve kadro derecelerine uygun başka bir göreve atanırlar.

#### **Müfettişliğe atanma**

**MADDE 150** – (1) Yeterlik sınavında başarı gösteren müfettiş yardımcıları, boş olan müfettiş kadrolarına başarı sırasına göre atanırlar ve bu sıra müfettişlik kademine esas oluşturur.

(2) Müfettişlik sıfatını kazandıktan sonra isteği ile veya naklen görevlerinden ayrılanlar, müracaatları halinde Başkanın görüşü alınarak müfettişlik kadrolarına yeniden atanabilirler.

#### **Yükselme**

**MADDE 151** – (1) Müfettişlerin başmüfettişliğe yükselmesinde, mesleki yetenek ve kıdemi esas alınır.

(2) Başmüfettişliğe yükselmelerde adayların müfettiş yardımcılığı dönemi hariç yedi yıl müfettişlik yapmaları gerekir.

(3) Yükselmelerde Başkanın yazılı görüşüne başvurulur.

#### **Müfettişlerin kıdemi**

**MADDE 152** – (1) Müfettişlikte kıdem; meslekte fiilen geçirilen süredir. Askerlik, hastalık, yurtiçi ve yurtdışındaki eğitim çalışmaları gibi geçici ayrılmalar bu süreye dahildir.

(2) Mfettilik kdemine esas sreleri aynı olanlar iin kdem; mfetti yardımcları iin yarıma sınavındaki, mfettiler iin ise yeterlik sınavındaki baarı derecelerine gre tespit edilir.

(3) Bamfettiler arasındaki kdem sırasının tespitinde bamfettilie atanma tarihi, aynı tarihte atananlar iin mfettilik kdemi, mfettilik kdemi de aynı olanlar iin ise yeterlik sınavındaki baarı derecesi esas alınır.

(4) Rehberlik ve Tefti Bakanlıı yaptıktan sonra mfettilie dnenler dnemlerinin en kdemlisi sayılırlar. Aynı dnemde bu durumda birden fazla mfetti olması halinde, mfettilik kdemi esas alınır.

(5) Aynı tarihte yapılan giri sınavı ile Bakanlıkta greve balayan mfetti yardımclarından, mfettilie ge atananların kdemleri, kendi dnemlerinden olan mfettilerden sonra gelir.

(6) Mfetti sıfatını kazandıktan sonra grevden ayrılanlardan Mfettilie dnenler kdem bakımından dnemlerinin sonuna alınırlar. Bakanlıktaki grevinden veya kamu hizmetinden ayrıldıktan sonra geri dnenlerin kdemlerinin belirlenmesinde Bakanlıktaki fiili hizmet sreleri esas alınır.

#### **Rehberlik ve Tefti Bakanlıına atanma**

**MADDE 153** – (1) Rehberlik ve Tefti Bakanı, Genel Mdrlkte en az 5 yıl Bamfetti olarak grev yapanlar arasından Genel Mdrn teklifi ile Babakan veya grevlendirdii Devlet Bakannın onayı ile atanır.

#### **Mfettilik gvencesi ve idari kademelerde geici grevlendirme**

**MADDE 154** – (1) Mfettiler, kendi istekleri olmadıka veya denetim hizmetlerinin gerekleriyle badamayan sıhhi, ahlaki veya mesleki yetersizlikleri tespit edilmedike grevlerinden alınamaz, dier idari grevlere atanamazlar. Yetersizlik halleri ancak yargı kararı, salık raporu veya biri kdemli olmak zere en az iki mfettiten oluan komisyonca hazırlanacak rapor gibi belgelerle tevsik edilir.

(2) Mfettiler, Mfettilik hakları saklı kalmak kaydıyla dier idari kademelerde geici olarak grevlendirilebilirler.

#### **Mfetti kimlik belgesi ve mhr**

**MADDE 155** – (1) Mfetti ve mfetti yardımclarına yetkilerini, unvanını, kimlik bilgilerini gsteren, Genel Mdr tarafından imzalanm bir kimlik belgesi verilir.

(2) Mfetti ve yetkili mfetti yardımcısına beratı ile birlikte mhr verilir. Bu berat ve mhrn bakalarının eline gemeyecek Őekilde muhafazası, kaybedilmesi durumunda Bakanlıa bilgi verilmesi zorunludur.

(3) Grevinden ayrılan mfetti ve mfetti yardımcları zimmetlerindeki resmi mhr ve beratı ile kimlik belgesini Bakanlıa teslim etmek zorundadır.

## ÜÇÜNCÜ BÖLÜM

### Vakıf Uzmanlığı ve Uzman Yardımcılığı

#### Uzman Yardımcılığı

**MADDE 156** – (1) Vakıf Uzmanlığına uzman yardımcısı olarak girilir. Uzman yardımcılığına atanabilmek için; KPSS’de (A) grubu kadrolar için yapılan sınavda Genel Müdürlükçe belirlenen puan türünde tespit edilen asgari puanı almış olanlar arasında yapılan yarışma sınavında başarılı olmak şarttır.

#### Yarışma sınavı

**MADDE 157** – (1) Uzman Yardımcılığı yarışma sınavları kadro ve ihtiyaç durumuna göre, Kamu Görevlerine İlk Defa Atanacaklar İçin Yapılacak Sınavlar Hakkında Genel Yönetmelik hükümleri çerçevesinde Öğrenci Seçme ve Yerleştirme Merkezi tarafından yapılan KPSS sonuçlarına göre sınav ilanında belirtilen asgari taban puan esas alınarak, atama izni alınmış kadro kontenjanının yirmi katından fazla olmamak üzere belirlenen sayıda aday arasından yazılı ve sözlü sınav yapılarak seçilir.

#### Aranılan şartlar

**MADDE 158** – (1) Yarışma sınavına katılabilmek için,

- a) Devlet Memurları Kanununun 48 inci maddesinde sayılan şartları taşımak,
  - b) KPSS puan türlerinden yarışma sınavı duyurusunda ilan edilen asgari puanı almak,
  - c) KPDS seviye tespit sınavında Genel Müdürlükçe belirlenen dillerin birinden en az (B) düzeyinde başarılı olmak,
  - ç) Sınavın yapıldığı tarihte otuz yaşını doldurmamış olmak,
  - d) En az dört yıllık eğitim veren yurt içi veya bunlara denkliği Yükseköğretim Kurulu tarafından onaylanmış yurt dışındaki fakülte veya yüksek okullardan mezun olmak,
- şartları aranır.

#### Yarışma sınavına başvuru ve başvuru belgeleri

**MADDE 159** – (1) Yarışma sınavına katılmak isteyen adaylar, Genel Müdürlükten temin edecekleri başvuru formuna aşağıdaki belgeleri eklerler:

- a) T.C. Kimlik numarası beyanı,
- b) 4 adet vesikalık fotoğraf,
- c) Mezuniyet belgesinin aslı veya Genel Müdürlükçe onaylı örneği,
- ç) KPSS sonuç belgesinin aslı veya Genel Müdürlükçe onaylı örneği,
- d) KPDS sınav sonuç belgesi aslı veya Genel Müdürlükçe onaylı örneği.

(2) Birinci fıkrada sayılan ve sınav ilanı ile istenebilecek diğer belgelerin Genel Müdürlük İnsan Kaynakları Daire Başkanlığına son başvuru tarihi mesai saati bitimine

kadar elden teslim edilmesi gerekir. Posta ile yapılan başvurularda, birinci fıkrada belirtilen belgelerin Genel Müdürlük genel evrakına en geç yarışma sınavı duyurusunda belirtilen son başvuru tarihine kadar ulaşmış olması şarttır. Postadaki gecikmeler dikkate alınmaz.

(3) Gerçeğe aykırı beyanda bulunduğu tespit edilen adaylar yarışma sınavına alınmazlar, bunlardan sınava girmiş olanların sınavları geçersiz sayılarak atamaları yapılmaz. Atamaları yapılmış olsa dahi iptal edilir. Bunlar hakkında yasal işlem yapılmak üzere Cumhuriyet Savcılığına suç duyurusunda bulunulur.

### **Sınav hazırlıkları ve sınava giriş belgesi**

**MADDE 160** – (1) İnsan Kaynakları Daire Başkanlığı, yarışma sınavı hazırlık çalışmalarını yapar, yarışma sınavı başvurularını inceler ve aranan şartların adaylarda mevcut olup olmadığını tespit eder.

(2) Gerekli şartları taşımayan adayların belgeleri istemeleri halinde iade edilir.

(3) İnsan Kaynakları Daire Başkanlığınca, sınava girme hakkı kazanan adaylara fotoğraflı sınava giriş belgesi verilir. Sınav giriş belgesinde kimlik bilgileri, sınav yeri ve tarihi yer alır. Sınav giriş belgesi olmayan aday sınava alınmaz.

### **Sınav kurulu**

**MADDE 161** – (1) Sınav kurulu Genel Müdür onayı ile İnsan Kaynakları Daire Başkanlığının bağlı bulunduğu Genel Müdür Yardımcısının başkanlığında, daire başkanları, birim müdürleri, vakıf uzmanları veya konusunda uzman kurum personeli arasından belirlenecek, başkan dahil beş asil ve üç yedek üyeden oluşur. İhtiyaç duyulması halinde üniversite öğretim üyeleri arasından en fazla iki kişi sınav kurulu asil üyesi olarak görevlendirilebilir.

### **Yarışma sınavı duyurusu**

**MADDE 162** – (1) Açıktan atama izni alınmış kadro sayısı, sınıf, unvan ve dereceleri, öğrenim dalları ve kontenjanları, yarışma sınavına katılma şartları, KPSS puan türleri ve asgari puanları ile puan sıralamasına göre çağırılacak aday sayısı, son başvuru tarihi ve başvuru yeri, başvuruda istenilecek belgeler, sınavın yeri, zamanı, içeriği ve değerlendirme yöntemi ile atama sırasında istenecek belgeler, başvuru süresinin bitiminden en az 15 gün önce Resmî Gazete’de, Türkiye genelinde yayın yapan tirajı en yüksek ilk beş gazetenin birinde en az bir kez olmak üzere ilan vermek suretiyle ve Genel Müdürlük resmi internet sitesinde duyurulur.

(2) Yeterlik sınavında, Osmanlıca el yazması ve matbu belgeleri okuyup günümüz Türkçesine çevirebilecek düzeyde yeterliliğe sahip olup olmadıklarına yönelik değerlendirmeye tabi tutulacak uzman yardımcıları, sınav ilanında açıkça belirtilir.

(3) Yarışma sınavına öğrenim dallarının herbiri itibarıyla alınacak uzman yardımcısı kadro kontenjanı için Genel Müdürlükçe öngörülen sayıda başvurunun olmaması halinde kadro ve ihtiyaç durumuna göre öğrenim dallarında Genel Müdürlükçe değişiklik yapılabilir.

(4) Sınav konuları, yazılı ve sözlü sınavın yapılış şekli ve değerlendirilmesine ilişkin hususlar sınavdan önce duyurulur. Sınavı kazanan adaylardan aşağıdaki belgeler istenir.

- a) Mezuniyet belgesi veya Genel Müdürlükçe onaylı sureti,
- b) Sabıka kaydı olmadığına dair belge,
- c) Askerlikle ilişkisi olmadığına dair belge,
- ç) Görevini devamlı olarak yapmaya engel bir durumu olmadığına dair beyan,
- d) 4 adet fotoğraf.

#### **Yarışma sınav notu ve sonucun duyurulması**

**MADDE 163** – (1) Yarışma sınavı başarı notu, her biri 100 üzerinden 65 puan alınması kaydıyla yazılı ve sözlü sınav notunun aritmetik ortalamasından oluşur.

(2) Sınav kurulu, öğrenim dalları itibariyle yarışma sınavı başarı listesini ve uzman yardımcısı aday listesini sözlü sınavın bittiği tarihi takip eden 5 iş günü içinde Genel Müdürlüğe teslim eder. Kazanan adaylara yazılı tebligat yapılır. Ayrıca kazananların listesi Genel Müdürlüğün resmi internet sitesinde de duyurulur.

#### **Uzman Yardımcılığı süresi, atama ve görevlendirilme**

**MADDE 164** – (1) Adayların uzman yardımcılığına atanmaları başarı derecesine göre yapılır. Uzman yardımcılığı süresi en az üç yıldır.

#### **Tez konusunun belirlenmesi**

**MADDE 165** – (1) Uzman yardımcısı; olumlu sicil almak kaydıyla adaylıkta geçen iki yıllık süreyi tamamladıktan sonra Genel Müdürlüğün görev alanı ile ilgili bir tez konusunu 1 ay içerisinde belirleyerek İnsan Kaynakları Daire Başkanlığına bildirir. Tez konusu Genel Müdürlük onayı ile kesinleşir ve ilgiliye duyurulur.

(2) İki yıllık süreye ücretsiz izin süresiyle askerlikte geçen süreler dahil değildir.

#### **Tezin hazırlanmasına ilişkin esaslar**

**MADDE 166** – (1) Uzmanlık tezi, tez konusunun ilgiliye tebliğ tarihini takip eden bir yıl içinde hazırlanır. Bu sürenin son üç ayında uzman yardımcılara başka görev verilmemesi esastır. Tezde yabancı dilde hazırlanmış özet bölümünün bulunması şarttır.

(2) Tezin hazırlanmasında, konunun başka bir kurum ve kuruluşta uzmanlık, yüksek lisans, doktora tezi veya başka bir ad altında içerik ve sonuçları açısından aynı şekilde incelenip savunulmamış olması esastır. Uzman yardımcısının hazırlayacağı tezin kendi görüş ve değerlendirmelerini içermesi ve bilimsel çalışma etiğine uygun olması gereklidir.

(3) Genel Müdürlük tarafından uzman yardımcılara, vakıf uzmanı veya 158 inci maddenin birinci fıkrasının (d) bendinde belirtilen nitelikleri taşıyan bir tez danışmanı belirlenir. Tez danışmanı, uzman yardımcısına tez çalışmalarında nezaret eder.

#### **Yeterlik sınav komisyonu**



**MADDE 167** – (1) Yeterlik Sınav Komisyonu, İnsan Kaynakları Daire Başkanlığının bağlı olduğu Genel Müdür Yardımcısı başkanlığında, beş asil ve üç yedek üyeden Genel Müdür onayı ile oluşur. Gerekğinde üniversite öğretim üyelerinden iki kişi komisyona dahil edilebilir.

(2) Komisyon üye tam sayısı ile toplanır, kararlar oy çokluğu ile alınır ve çekimser oy kullanılamaz.

#### **Tezin teslimi**

**MADDE 168** – (1) Uzman yardımcısı hazırladığı tezi İnsan Kaynakları Daire Başkanlığına teslim eder. İlgili daire tezin bir örneğini tez danışmanına verir. Tez danışmanı on beş gün içinde tez ile ilgili raporunu hazırlar ve ilgili daireye gönderir. İnsan Kaynakları Daire Başkanlığı tezi, raporla birlikte değerlendirilmek üzere komisyon üyelerine dağıtır.

(2) Mazereti sebebiyle tezini zamanında teslim edemeyen uzman yardımcısına, talebi üzerine Genel Müdürlük onayı ile zorunlu halin gerektirdiği kadar ek süre verilebilir.

#### **Tezin değerlendirilmesi**

**MADDE 169** – (1) Genel Müdürlükçe tespit edilecek değerlendirme gününde, uzman yardımcısı tezini sözlü olarak savunur ve üyelerin sorularını cevaplandırır. Değerlendirme günü uzman yardımcısına en az bir ay önceden İnsan Kaynakları Daire Başkanlığınca bildirilir.

(2) Komisyon, tezi değerlendirerek, tezin başarılı veya başarısız olduğuna oy çokluğu ile karar verir. Başarısız kabul edilen tezlerin eksiklikleri, nedenleri ile birlikte gerekçede belirtilir.

(3) Tezi başarısız görülen uzman yardımcısına komisyonca bir hak daha tanınır. Uzman yardımcısı ikinci hakkını, sonuçların ilanından itibaren üç ay içinde, daha önceden hazırlamış olduğu tezi düzelterek kullanır, düzeltilen tez aynı usulle yeniden değerlendirilir.

(4) Tezi ikinci defa başarısız görülen uzman yardımcısı, yeterlik sınavına girme hakkını tamamen kaybeder. Genel Müdürlükte öğrenim durumları ve kadro derecelerine uygun başka bir göreve atanırlar.

#### **Yeterlik sınav duyurusu**

**MADDE 170** – (1) Yeterlik sınav tarihi, sınav komisyonunca belirlenerek sınavın yapılmasından bir ay önce duyurulur.

(2) Yeterlik sınavı, tezin başarılı bulunmasının tebliğinden itibaren en geç bir ay içerisinde Genel Müdürlükçe yapılır.

#### **Yeterlik sınavına girebilme şartları**

**MADDE 171** – (1) Yeterlik sınavına girebilmek için, uzman yardımcısının üç yıl çalışmış olması, tezinin başarılı kabul edilmesi ve sicil notunun olumlu olması şarttır.

#### **Yeterlik sınavı ve değerlendirme**

**MADDE 172 – (1)** Tezi yeterli görülen uzman yardımcısı;

a) Mesleki bilgi,

b) Genel Müdürlüğün görev alanına giren mevzuat,

konularında sözlü sınava tabi tutulur.

(2) Sözlü sınavda; her adaya sınav kurulu üyelerince 100 tam puan üzerinden ayrı ayrı not verilir ve bunların aritmetik ortalaması sınav notunu belirler.

(3) Sözlü sınavda başarılı sayılmak için notun en az 70 olması gerekir.

(4) Ayrıca, 162 nci maddenin ikinci fıkrası kapsamında alınan uzman yardımcıları için Osmanlıcılarının yeterli düzeyde olup olmadığının ölçülmesine yönelik ayrı bir oturumda yazılı sınav yapılır. Yapılacak sınavda 100 tam puan üzerinden en az 70 alınması gerekir.

#### **Yeterlik sınav sonucunun tebliği**

**MADDE 173 – (1)** Komisyon tarafından sonuç listesi sözlü sınavın bittiği tarihi takip eden 5 iş günü içinde Genel Müdürlük onayına sunulur, sonuç ilgililere tebliğ edilir.

#### **Uzmanlığa atama**

**MADDE 174 – (1)** Yeterlik sınavında başarılı bulunan Uzman Yardımcısı, uzmanlık için aranan diğer şartları da taşıması kaydıyla Genel Müdürlük tarafından Vakıf Uzmanı olarak atanır. Ataması yapılanlar birden fazla ise aralarındaki başarı sıralaması, uzman yardımcılığı dönemindeki çalışmaları ve tez değerlendirme sonuçları birlikte değerlendirilerek Genel Müdürlükçe belirlenir.

#### **Sınava girmeyenler ile başarı gösteremeyenler**

**MADDE 175 – (1)** Uzman yardımcılığı yeterlik sınavında başarı gösteremeyenlere sınavdan itibaren altı ay içinde bir hak daha verilir.

(2) Bu süre sonunda da yeterlik sınavında başarı gösteremeyenler ile belgelenmiş veya geçerli nedeni bulunmaksızın sınava girmeyenler, Genel Müdürlükte öğrenim durumları ve kadro derecelerine uygun başka bir göreve atanırlar.

#### **Uzman yardımcılarının görevleri**

**MADDE 176 – (1)** Vakıf Uzman yardımcıları;

a) İlgili mevzuatta belirtilen görevleri yapmak,

b) Vakıf uzmanları ile birlikte Genel Müdürlüğün görev alanlarında araştırma ve inceleme yapmak,

c) Genel Müdürlükçe verilen diğer görevleri yerine getirmekle görevli ve yükümlüdürler.

#### **Uzmanların görevleri**

**MADDE 177 – (1)** Vakıf Uzmanları;

- a) İlgili mevzuatta belirtilen görevleri yapmak,
- b) Genel Müdürlüğün görev ve amaçları kapsamında, araştırma ve inceleme yapmak, proje üretmek ve geliştirmek,
- c) Genel Müdürlüğün faaliyet alanına giren konulardaki mevzuat çalışmalarına yardımcı olmak,
- ç) Genel Müdürlükçe verilen diğer görevleri yerine getirmekle görevli ve yükümlüdürler.

## **DÖRDÜNCÜ BÖLÜM**

### **Çeşitli ve Son Hükümler**

#### **Vakıf kültür varlıklarının devri**

**MADDE 178 – (1)** Vakıf yoluyla meydana gelip de her ne suretle olursa olsun Hazine, belediye, özel idarelerin veya köy tüzel kişiliğinin mülkiyetine geçmiş vakıf kültür varlıkları tapu sicil müdürlüğünce mazbut vakıfları adına tescil edilir.

(2) Vakıf yolu ile meydana gelen kültür varlıklarının tespiti; vakfiyeler, vakıf veya tapu kütüklerindeki kayıtlar, kadastro tespit evrakı, fermanlar, beratlar, atik senetler, yoklama kayıtları, kitabeler, tarihi kayıtlar, müze kayıtları, tescil kayıtları ile mülkname, temessük, tefviz, hazine-i hassa, müteveli, mültezim, sipahi senetleri gibi belgelerden biri veya birkaçı ile yapılır.

(3) Eserin vakıf yoluyla meydana gelmiş vakıf kültür varlığı olduğunun ikinci fıkrada belirtilen belgelerle tespiti halinde bölge müdürlüğünün talebi üzerine mazbut vakıfları adına tescili yapılır.

#### **Vakıf kültür varlığının tahliyesi**

**MADDE 179 – (1)** Devralınan vakıf kültür varlığı herhangi bir suretle kiralanmışsa veya işgal edilmiş ise kiracılar veya işgalciler bu yerleri mütemmim cüz'ü ve teferruatı ile birlikte ve hiçbir değişikliğe tabi tutulmadan talep tarihinden itibaren otuz gün içerisinde tahliye ederek, Genel Müdürlüğe teslim etmek mecburiyetindedirler.

(2) Bu süre içinde boşaltılmadığı takdirde, bölge müdürlüğünün talebi üzerine bulunduğu yer mülki amirince en geç 15 gün içinde taşınmazın tahliyesi sağlanır.

#### **Vakıf kültür varlıklarının korunması ve imar uygulamalarının bildirilmesi**

**MADDE 180 – (1)** Kamu kurum ve kuruluşları, koruma imar planlarını düzenlerken vakıf kültür varlıklarıyla ilgili hususlarda Genel Müdürlüğün olumlu görüşünü almak zorundadırlar.

(2) Koruma imar planı, uygulama imar planı ve parselasyon planı çalışmaları bölge müdürlüklerince düzenli olarak takip edilir.

(3) Mazbut vakıflara ait taşınmazlarda akar niteliğini koruyacak şekilde imar düzenlemesi yapılır. Akar nitelikli vakıf taşınmazlara, imar planlarında yol, meydan, park, otopark, çocuk bahçesi, yeşil saha, cami, karakol, okul, resmi hizmet alanı, belediye hizmet alanı gibi akar niteliği olmayan fonksiyonlar verilemez. Bu taşınmazlarda akar niteliğini koruyacak şekilde imar düzenlemesi yapılmadığının tespit edilmesi halinde, taşınmazın akar niteliğine uygun imar planı tadilatının yapılması ilgili kurumdan istenir. İlgili kurum talep doğrultusunda gerekli düzeltmeleri yapar. İmar tadilatı sonuçlanıncaya kadar işlemler bölge müdürlüğüne takip edilir.

### **Taviz bedeli**

**MADDE 181** – (1) Vakıf şerhi bulunan taşınmazlara dair işlemler bölge müdürlüklerince yürütülür.

(2) Vakıf şerhi bulunan taşınmazların, miri arazilerden mukataalı hayrata tahsis edilmeyenleri ile aşar ve rüsumu vakfedilen taşınmazlardan olup olmadığı tespit edilir. Bu tespit çalışması Kültür ve Tescil Daire Başkanlığı bünyesinde oluşturulan uzman kişilerin görev alacağı bir komisyon marifetiyle yürütülür.

(3) Komisyonca tespiti yapılan bu taşınmazlar taviz bedeli alınmaksızın serbest tasarrufa terk edilir.

### **Genel Müdürlüğü temsil**

**MADDE 182** – (1) Bölge müdürü; mahkemelerde, diğer kurul ve makamlarda Genel Müdürlüğü temsil edebileceği gibi bu sıfatla başka memurları da vekil tayin edebilir. Bölge müdürü veya vekil tayin edilen memur inşa, tamir, kiralama, kiraya verme, alım, satım, şerh ve ihale işlerinde de aynı suretle Genel Müdürlük namına hareket eder.

### **Yürürlükten kaldırılan yönetmelikler**

**MADDE 183** – (1) 28/12/1989 tarihli ve 20386 sayılı Resmî Gazete’de yayımlanan Başbakanlık Vakıflar Genel Müdürlüğü Muhtaç Aylığı ve Vakıf İmaret Yönetmeliği, 5/9/1993 tarihli ve 21689 sayılı Resmî Gazete’de yayımlanan Vakıflar Genel Müdürlüğü Teftiş Kurulu Yönetmeliği, 4/6/1998 tarihli ve 23362 sayılı Resmî Gazete’de yayımlanan Vakıf Hayrat Taşınmazların Tahsisi Hakkında Yönetmelik, 20/3/2001 tarihli ve 24348 sayılı Resmî Gazete’de yayımlanan Başbakanlık Vakıflar Genel Müdürlüğü Bezm-i Âlem Valide Sultan Vakıf Gureba Hastanesi Fakir ve Garip Hastaların Teşhis ve Tedavisinde Uygulanacak Usul ve Esaslara Ait Yönetmelik, 28/7/2001 tarihli ve 24476 sayılı Resmî Gazete’de yayımlanan Yeni Vakıflar Birim Yönetmeliği, 24/1/2003 tarihli ve 25003 sayılı Resmî Gazete’de yayımlanan Cemaat Vakıflarının Taşınmaz Mal Edinmeleri, Bunlar Üzerinde Tasarrufla Bulunmaları ve Tasarrufları Altında Bulunan Taşınmaz Malların Bu Vakıflar Adına Tescil Edilmesi Hakkında Yönetmelik, 8/9/2006 tarihli ve 26283 sayılı Resmî Gazete’de yayımlanan Vakıflar Genel Müdürlüğü Burs Yönetmeliği yürürlükten kaldırılmıştır.

### **Meclis Üyeliği için yapılacak ilk seçim**

**GEÇİCİ MADDE 1** – (1) Bu Yönetmeliğin yürürlüğe girdiği tarihten itibaren en geç bir ay içerisinde Kanun ve bu Yönetmelikte belirtilen usul ve esaslara uygun olarak Meclis üyeliği için yapılacak seçim süreci başlar.

### **Mevcut yönetim kurulu üyeleri**

**GEÇİCİ MADDE 2 –** (1) Bu Yönetmeliğin yürürlüğe girdiği tarihte görevde bulunan cemaat vakfı yönetim kurulu üyelerinden Kanunun 9 uncu maddesine aykırı olmayanların görevleri yeni seçimlere kadar devam eder.

### **İç denetim raporları**

**GEÇİCİ MADDE 3 –** (1) Vakıflara ait 2008 yılı iç denetim raporlarının sertifikalı denetçiler tarafından düzenlenmesi zorunlu değildir. Ancak söz konusu raporların bu Yönetmelikte yer alan usul ve esaslara göre düzenlenmesi ve gönderilmesi zorunludur.

### **Yürürlük**

**MADDE 184 –** (1) Bu Yönetmelik yayımı tarihinde yürürlüğe girer.

### **Yürütme**

**MADDE 185 –** (1) Bu Yönetmelik hükümlerini Vakıflar Genel Müdürlüğünün bağlı bulunduğu Bakan yürütür.

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