

PROTECTION OF HISTORICAL AND CULTURAL ARTIFACTS  
OF MINORITIES UNDER INTERNATIONAL LAW:  
THE CASE OF TURKEY'S ALEVI CULTURAL HERITAGE

ÖZGE KULAK

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PROTECTION OF HISTORICAL AND CULTURAL ARTIFACTS OF  
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Approval of the Graduate School of Social Sciences

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## **ABSTRACT**

PROTECTION OF HISTORICAL AND CULTURAL ARTIFACTS  
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The necessity of the protection of the cultural rights of minorities has appeared as another area of international law in the last decades, separately from other fundamental rights, and these issues have become increasingly important among European countries, especially within the European Union. This has in turn made it necessary to evaluate the demands of the Alevi community, which constitutes a de facto religious minority in Turkey, not legally recognized by the state, regarding their monuments as tangible cultural heritage in light of international treaties binding on Turkey, such as the 1966 United Nations Covenant on Civil and Political Rights (ICCPR), the 1966 United Nations Covenant on Economic, Social, and Cultural Rights (ICESCR), and the 1972 UNESCO Convention Concerning the Protection of the World Cultural and Natural Heritage, as well as the EU standards on minority and cultural rights. This thesis therefore aims to contribute to the protection of the Alevi/Bektashi historical artifacts most valued by the Alevi community, constructed centuries ago in Anatolia. The thesis seeks to sketch an inventory of the main Alevi heritage sites, consisting of historical Alevi/Bektashi complexes, lodges, and tombs existing within Turkey’ borders today. The thesis also attempts to contribute to a possible legal satisfaction of the demands of the Alevi community regarding these

artifacts in terms of their protection, restoration, administration, and use by the community under the provisions of the international treaties to which Turkey is a party, which would be capable of solving at least some of the problems if the challenges of domestic application are duly addressed. The issue is explored within the context of Turkey's negotiations with the EU as a necessity for the protection of the rights of minorities in a democratic setting, particularly in light of perceptions of the rise of an authoritarian political atmosphere in Turkey in recent years, with comparisons to implementations and legal instruments in European countries regarding their ethnic, linguistic, and religious minorities.

**Keywords:** Minority and cultural rights, Alevi cultural heritage protection in Turkey, United Nations Covenant on Civil and Political Rights, United Nations Covenant on Economic, Social, and Cultural Rights, UNESCO Convention Concerning the Protection of the World Cultural and Natural Heritage

## ÖZ

### AZINLIKLARIN TARİHİ VE KÜLTÜREL ESERLERİNİN ULUSLARARASI HUKUK ALTINDA KORUNMASI: TÜRKİYE ALEVİ KÜLTÜREL MİRASI ÜZERİNE BİR DEĞERLENDİRME

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Azınlıkların kültürel haklarının korunması gerekliliği son zamanlarda diğer temel haklardan ayrı olarak, uluslararası hukukun başka bir alanı olarak ortaya çıkmaktadır, ve bu konular, Avrupa ülkeleri ve Avrupa Birliği arasında da giderek önem verilen konular haline gelmiştir. Bu durum, Türkiye'de devlet tarafından yasal olarak tanınmayan, ancak fiili olarak dini bir azınlık oluşturan Alevi toplumunun somut kültürel miras olarak görülen tarihi dergahlarına ilişkin taleplerinin, 1966 tarihli Birleşmiş Milletler Medeni ve Siyasi Haklar Sözleşmesi ve Birleşmiş Milletler Ekonomik, Sosyal ve Kültürel Haklar Sözleşmesi ile 1972 tarihli Dünya Kültürel ve Doğal Mirasın Korunmasına Dair UNESCO Sözleşmesi gibi, Türkiye'yi bağlayan uluslararası anlaşmalar ile azınlık ve kültürel haklar konusuna dair AB standartları ışığında değerlendirilmesini gerekli kılmıştır. Bu nedenle, bu tez, Anadolu'da yüzyıllar önce inşa edilmiş ve Alevi topluluğu tarafından en çok değer verilen Alevi/Bektaşî tarihi eserlerinin korunmasına, bugün Türkiye Cumhuriyeti sınırları içinde kalan değerli Alevi kültürel miras unsurlarına dair, tarihi Alevi/Bektaşî dergah, tekke ve türbelerinden oluşan taslak bir envanter listesi ile katkıda bulunmayı amaçlamaktadır. Bu çalışma ayrıca, Türk devletince imzalanan

ve iteki uygulamalardan kaynaklanan olası zorluklar ele alındığında Alevilerin ve kltrel miras alanlarının karřılařtıđı sorunları zebilecek konumdaki uluslararası anlařmaların hkmleri yanı sıra, Trk i hukuku ve kaynaklarının yeterli ve yetersiz olduđu noktalara deđinerek, Alevi toplumunun bu eserlere iliřkin onarım, idare ve kullanım konularına dair taleplerinin karřılanmasına, katkıda bulunma amacı tařımaktadır. Bu anlařmaların uygulanmasına dair muhtemel sorunlar ve Alevilerin, kltrel miraslarının korunmasına iliřkin memnuniyetsizlik de, nedenleriyle beraber ayrıca ele alınmaktadır. Bu konuların tm, azınlık haklarının korunmasının demokratik bir ortamda gerekliliđi ile zellikle son yıllarda Trkiye'de otoriter bir siyasi atmosferin ykseliř algılarıyla alakalı olarak Avrupa Birliđi ile mzakereler bađlamında, Avrupa lkelerindeki etnik, dilsel ve dini azınlıklara dair uygulama ve yasal dzenlemelere atıflar yapılarak incelenmiřtir.

**Anahtar Kelimeler:** Trkiye'de Alevi kltrel mirasının korunması, Azınlık hakları ve kltrel haklar, Birleřmiř Milletler Medeni ve Siyasi Haklar Szleřmesi, Birleřmiř Milletler Ekonomik, Sosyal ve Kltrel Haklar Szleřmesi, UNESCO Dnya Kltr ve Dođal Mirasının Korunmasına İliřkin Szleřme

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This work is dedicated to those fighting for not only the rights of the Alevis but for any ethnic, linguistic, religious, class, or gender groups feeling isolated and alienated in society.

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## LIST OF ABBREVIATIONS

AKP	Justice and Development Party (Turkish: Adalet ve Kalkınma Partisi)
ANAP	Motherland Party (Anavatan Partisi)
CHP	Republican People's Party (Cumhuriyet Halk Partisi)
CKMP	Republican Villagers Nation Party (Cumhuriyetçi Köylü Millet Partisi)
ECHR	European Convention of Human Rights
ECtHR	European Court of Human Rights
EEC	European Economic Community
EU	European Union
HDP	People's Democratic Party (Halkların Demokratik Partisi)
ICCPR	United Nations Covenant on Civil and Political Rights
ICESCR	United Nations Covenant on Economic, Social, and Cultural Rights
ICOM	International Council of Museums
ICOMOS	International Council on Monuments and Sites
MHP	Nationalist Movement Party (Milliyetçi Hareket Partisi)
MÜSİAD	Independent Industrialists' and Businessmen's Association (Müstakil Sanayici ve İş Adamları Derneği)
NGO	Non-governmental organization
NPO	Non-profit organization
OHCHR	Office of the United Nations High Commissioner for Human Rights
OSCE	Organization for Security and Cooperation in Europe
RP	Welfare Party (Refah Partisi)
SHP	Social Democratic Populist Party (Sosyaldemokrat Halkçı Parti)

TEU	Treaty on European Union
TRT	Turkish Radio and Television Corporation (Türkiye Radyo ve Televizyon Kurumu)
UN	United Nations
UNDRIP	United Nations Declaration on the Rights of Indigenous Peoples
UNESCO	United Nations Educational, Scientific, and Cultural Organization

## **CHAPTER 1**

### **INTRODUCTION**

The Alevis are a religious minority in Turkey, constituting 10 to 20 percent of the overall population, with a history of about 500 years. Not surprisingly, there are many Alevi sites in Turkey that possess historical significance and are thus cherished by the community. The Hacı Bektaş Complex in Nevşehir is arguably the most important of these. Over the years, Alevis have made various demands about the use and protection of this shrine. Regarding the protection, administration, and use of such sites, international law regulates the rights of minorities, the rights of indigenous peoples, and the protection and preservation of cultural and historical artifacts. There are a number of international conventions addressing this topic, some of which are binding on Turkey.

This study aims to outline the current status of Alevi cultural sites from the vantage point of international law and evaluate Turkish practices in relation to Alevi historical and cultural heritage, with emphasis on specific Alevi demands for possible protection measures and the satisfaction of the demands of the Alevis regarding these places. In other words, the purpose of this study is to evaluate both domestic Turkish legal instruments and procedures and the international treaties to which the Turkish state is a party in order to understand the current situation and demands regarding the preservation of the Alevi and Bektashi cultural sites, monuments, and assets, especially those still highly valued by the Alevi community. The state's willingness to meet these demands is of significance due to the relations between Turkey and the European Union (EU), spanning decades. The Alevi

demands have been among the issues presented by the EU to the Turkish state to be resolved ever since minority and cultural rights gained a place in the agenda of the EU, especially after the 1990s. This thesis attempts to contribute some much-needed legal clarity and, where possible, guidelines, particularly by drawing on international law, to the presently unresolved issue of the maintenance and management of the edifices in Turkey that form a part of the tangible cultural heritage of Alevism.

The Alevis are a large and heterogeneous faith community in the country, the beginnings of which, although controversial, are roughly traceable to the late medieval era, after the early Turkic settlements in Asia Minor from the 11th and 12th centuries. This thesis not only addresses the legal status of the Alevi historical structures formed in this span and the present-day Alevi demands about those structures, but also attempts to present a brief inventory of the main historical structures in question. These existing historical structures have usually been named after the leaders of the historical Alevism or of its various branches. The earliest and most important of such figures was Hacı Bektaş Veli, who is thought to have lived in the 13th century. Former studies of Alevism, led by Fuat Köprülü,<sup>1</sup> Irène Mélikoff,<sup>2</sup> Ahmet Yaşar Ocak,<sup>3</sup> and others, primarily focused on the historical and cultural background of the community. According to Köprülü, a noted Turkish historian of the Muslim faith communities in the newly Turkified Asia Minor/Anatolia, Hacı Bektaş and the main principles attributed to him led in time to a “pantheon” of Alevi

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<sup>1</sup> Fuat Köprülü, *Türk Edebiyatında İlk Mutasavvıflar*, 3rd ed. (Ankara: Türk Tarih Kurumu Basımevi, 1976).

<sup>2</sup> Irène Mélikoff, *Kırklar'ın Cemi'nde*, 2nd ed., trans. Turan Alptekin (İstanbul: Demos Yayınları, 2011).

<sup>3</sup> Ahmet Yaşar Ocak, *Alevi ve Bektaşî İnançlarının İslam Öncesi Temelleri: Bektaşî Menakıbnamelerinde İslam Öncesi İnanç Motifleri*, 9th ed. (İstanbul: İletişim Yayınları, 2012).

saints, who established lodges and shrines across Anatolia and the Balkans.<sup>4</sup> The Alevi tradition largely assumed a continuity between the teachings surrounding the figure of Hacı Bektaş and the religious persuasion and paths of the Turkic communities in the greater Khorasan area, where Turkic Muslim believers had received Islam with a strong Persian influence before settling in Anatolia. These “Khorasan roots” are indeed part of the collective Alevi memory to this day. Ocak reminds us that the Turks absorbed Islamic culture together with the effects of Persian and Chinese Buddhist cultures, which were already tempered with the preexisting effects of Turkic culture itself.<sup>5</sup> Mélikoff also touches upon the syncretic phase of this heterodox belief system. Having migrated to Anatolia, or present-day Turkey, the dervishes of the faith later to be called Alevism catered to the needs of the faithful through travel in the land, and, in doing so, they created various sites, marked by physical structures, for gathering and worship. Such historical places, and later the shrines of some of the dervishes, would acquire sanctity and gradually transform for Alevis into sites of pilgrimage. Ottoman documents from as early as the 14th century help to understand the historical significance and the communal role of such sites.

The Bektashis are generally known as the urban Alevis.<sup>6</sup> Yet, the differences are arguably greater. Alevism seems more to be an ethnic belonging and Bektashism a Sufi sect adherence to which takes place through choice.

In the transition of the demands of the Alevi community into international forums and in the overall public awareness of the demands of Alevis regarding cemevis, the

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<sup>4</sup> Irène Mélikoff, *Kırklar'ın Cemi'nde*, 31.

<sup>5</sup> Ocak, *Alevi ve Bektaşî İnançlarının İslam Öncesi Temelleri*, 103.

<sup>6</sup> Mélikoff, *Kırklar'ın Cemi'nde*, 55, citing Fuat Köprülü.

meeting places for communal Alevi worship, İzzettin Doğan, an Alevi leader, has played an important role, more recently with a number of cases brought before the European Court of Human Rights (ECrHR) by the CEM Foundation, which he leads. The European human rights regime is important for some of the basic rights in the case of Alevis, both communal and individual. However, more important for the present study are international legal instruments that reach beyond the fundamental rights. In this regard, while looking into Turkey's domestic law, the thesis simultaneously draws on various international treaties binding on Turkey and applicable to the protection of cultural rights, such as the United Nations Covenant on Civil and Political Rights (ICCPR), the United Nations Covenant on Economic, Social, and Cultural Rights (ICESCR), the 1972 UNESCO Convention Concerning the Protection of the World Cultural and Natural Heritage, and the evolving EU standards on minority and cultural rights. Only by examining these specialized international legal documents can we begin to understand whether domestic minority demands are being met by international standards. The monuments and foundations established for such historical preservation are generally tied to the General Directorate of Foundations (Turkish: Vakıflar Genel Müdürlüğü), but there are also some monuments listed in this study that are not under the authority of the Directorate and efforts to protect them are purely those made by associations established by local community members. Therefore, this study has relied upon both interviews with authorities and local community leaders and field observations of historical monuments. Furthermore, this study only addresses the monuments most highly valued by the Alevi community, where "commemoration days" are held for the dervishes who historically contributed their names to these monuments and ocaks, or Alevi lineages, within the borders of the Turkish Republic today. In this vein, the legal instruments explored here are Turkish domestic laws and international treaties ratified by Turkey and relating to the protection of Alevi heritage at present time.

The scope of this study is not Bektashi doctrine or Alevi history. Rather, this study begins by addressing the genesis of this heterodox belief system within the historical process that led to the appearance of countless religious lodges and shrines, not only in Anatolia but also in the Balkans. This process must be briefly explained in order to understand the nature of the Alevi community and its current situation in Turkey in regards to the advocacy of their rights. The Alevis are the largest religious minority in Turkey, but they do not have representatives or institutions at state or governmental levels. Alevis today constitute a group within Turkey trying to make their voices heard as they strongly believe that they do not share equal conditions with Sunni Muslim citizens in terms of freedom of religion. This study aims to address the demands of the Alevi community from the state, upon which the Alevis do not heavily lean due to historic clashes between the state and the Alevis from the early 16<sup>th</sup> century. In other words, the primary focus of this study is the expectations of Alevis from the state in relation to their historical sites.

There are many minorities living within the borders of the Turkish Republic today. Christians, Yezidis, Nestorians, Chaldeans, Romani, Assyrians, Circassians, families of Jewish converts to Islam known as the dōnme, Kurds, Zazas, and Lazes are among these diverse minority groups. However, the topic of this study is not ethnic minorities. Rather, Alevism is a religious identity including different ethno-linguistic minorities within itself. The present study does not aim to address different patterns of Alevism and Bektashism or any sociological and ethnological differences such as those among Zazas or Arabic-speaking Nalcis, Tahtacis, Avshars, or Arab/Nusayris, or even Turkish and Kurdish Alevis. All of these demographic groups exist within the borders of the Republic of Turkey today and will not be evaluated separately here. The main focus of this study is Anatolian Alevism as a whole, and not its social, ethnic, or geographic differences. As the number of Kurdish Alevis is significant within Alevism in Turkey, Kurdish Alevis are specifically referred to here to clarify the differences of state policies that may vary in provinces where Kurds

constitute a majority. Beyond this point, Alevism, which is religiously heterodox for the majority of Turkey, will be evaluated in this study as an important national religious minority rather than addressing the ethnic minorities that it includes. The self-determination of any of these groups within an independent state is not within the scope of this study.

The particular aims of this introductory chapter are to provide an understanding of the cultural and historical factors that have shaped both the Alevi community and the attitudes towards them in Turkey. In doing so, attention is particularly paid to the evolution of Bektashism and Alevism and the ways in which they grew to differ, as these two schools of belief have much in common but are not the same. After an overview of Alevi history in Turkey, a very brief sketch of main Alevi beliefs is provided, followed by the outline for the remainder of this study.

Every religion has its own culture. There is disagreement about whether Alevism is a culture or a religion, but the most commonly accepted view recognizes it as a belief system. While religion is a phenomenon appearing in history with orthodox rules, culture is the solid reflection of a religion or belief system. Alevism, as a different interpretation of Islam that has taken shape over centuries with the socio-political and economic conditions of the times, is a heterodox belief system. Its lack of an “interest” in universality or expansion is the reason for Alevism not being defined as a “religion.” Sunni Islam is based on five pillars: the Islamic confession of faith, praying five times a day, fasting in Ramadan, charity, and pilgrimage to Mecca. In opposition to such orthodoxy, Alevism is based on watching “the hand, the tongue, and the loins”. These are metaphors that refer to basic ethical principles in relation to others in society. In other words, worship for both Alevis and Bektashis is based on ethical behaviors and can be realized in daily processes beyond formal rituals, while Sunni Islam is primarily based on the pillars of Islam. Another perspective has defined the essence of Alevism as peace, tolerance, and love while arguing that

Sunni Islam reflects the fear of God.<sup>7</sup> Due to these differences, Alevis may hesitate to be recognized de jure despite their personal enthusiasm in recognizing the differences in these faiths. The syncretism of Central Asian tribal beliefs and traditions and shamanism in this heterodoxy distinguishes it from Sharia as adopted by the Ottomans. In other words, Alevism, which started roughly in the 16th century in Anatolia, is a reflection of traditions from Central Asia, Anatolia, and the other locations carrying factors unique to those regions. Alevism has certainly also been affected by Shia Islam, but the roots of Alevism and Bektashism cannot be solely located there. Shia Islam was only encountered by these migrant-originated groups in the 16th century; therefore, rather than Shia Islam, religious traditions pre-dating Islam play an arguably bigger role for Alevism and Bektashism.<sup>8</sup> Ocak claims that the motifs constituting these heterodox beliefs today mainly originate from Manicheism, Buddhism, and the influences of Persian religions, rather than a central role of shamanism.<sup>9</sup>

Alevism can be described as a belief system based on love, respect, tolerance, justice, and freedom, with emphasis on the human being as created by the Creator God, a love of the Caliph Ali, the spiritual absorption of the Koran, and reflection on God within creation. In this way, as İzzettin Doğan defines it, “there is no room for coercion, violence, animosity, and hate in this belief.”<sup>10</sup> It can even be recognized

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<sup>7</sup> Esra Özyürek, “‘The Light of the Alevi Fire Was Lit in Germany and then Spread to Turkey’: A Transnational Debate on the Boundaries of Islam,” *Turkish Studies* 10, no. 2 (2009): 243.

<sup>8</sup> Ocak, *Alevi ve Bektaşî İnançlarının İslam Öncesi Temelleri*, 281-282.

<sup>9</sup> Ocak, *Alevi ve Bektaşî İnançlarının İslam Öncesi Temelleri*, 281.

<sup>10</sup> İzzettin Doğan (founding chairman of the CEM Foundation, academician, and attorney-at-law), personal interview, June 5, 2018.

that the values of Alevism and Bektashism comply with the idea of “universal values” that are heavily favored today. They were even described as an “insurance for pluralism” in WikiLeaks.<sup>11</sup> Dressler states that “Alevism is a social reality referring to both a distinct social group and a communal identity.”<sup>12</sup> In this regard, it can be seen that beyond the religious aspect, Alevis, as a group, also have a political stance. Alevis today are a group of people valuing development, modernization, Westernization, and secularism over religion. Today, Alevis can be divided into two groups: traditional Alevis strictly following the traditional rituals, and Alevis identifying as atheists or deists, describing “Alevism” as simply their cultural background. Shankland explains that after migrations to urban areas in the 1950s, 1960s, and 1970s, Alevis as believers have declined, while “Aleviness” as an identity and culture has emerged.<sup>13</sup> The expansion of positivist ideologies such as Communism and Kemalism is another reason why Alevis are mainly affiliated with left-wing groups today. This has resulted in the emergence of two different groups of Alevism: “traditional Alevism” in rural areas and “modern Alevism” in urban areas. While traditional Alevism is historically fully formed, the latter is in the middle of this process in terms of theology, institutions, and identity.<sup>14</sup> According to Rıza Yıldırım, the reason for the absence of consensus among Alevis themselves is a 50-

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<sup>11</sup> Oral Çalışlar, “ABD’nin Alevi raporu: Çoğulculuk için sigorta,”*Radikal*, April 6, 2011, <http://www.radikal.com.tr/yazarlar/oral-calislari/abd-nin-alevi-raporu-cogulculuk-icin-sigorta-1045263/>.

<sup>12</sup> Markus Dressler, *Writing Religion: The Making of Turkish Alevi Islam* (New York: Oxford University Press, 2013), 17.

<sup>13</sup> David Shankland, *The Alevis in Turkey: The Emergence of a Secular Islamic Tradition* (New York: Routledge Curzon Taylor & Francis Group, 2003), 134.

<sup>14</sup> Rıza Yıldırım, *Geleneksel Alevilik: İnanç, İbadet, Kurumlar, Toplumsal Yapı, Kollektif Bellek* (İstanbul: İletişim Yayınları, 2018), 83.

year-old identity crisis and loss of memory occurring as a result of this crisis.<sup>15</sup> This division between Alevis explains the different attitudes among Alevi intellectuals and well-known members of the community interviewed in this study. Due to the fact that cemevis as legal entities are not legally possible according to Turkish domestic law and that the Turkish state exploits the division described here as an excuse for non-recognition, the associations and foundations legally established in modern cities today aim to sustain collective unity in the de jure prohibition of opening cemevis that de facto exist. It was also seen in the course of this study that rooms of structures recognized for their historical value were being used as cemevis by Alevi organizations. However, the emergence of cemevis as a modern entity following domestic migration resulted in a decrease in the attention paid to historical sites, except for commemoration festivals organized at these sites as a result of revivals initiated in the 1980s.

It cannot be expected that demographic groups will not be affected by the territories in which they have settled. The traditions of Muslim tribes that settled in different parts of Anatolia cannot be evaluated with the assumption that they developed independently from the regions in which they lived. In this vein, it is important to indicate that the historical background of the Alevi belief system is significant because, even if it is seemingly unnoticeable, it establishes the intangible and tangible heritage of the belief system. The customs and traditions of Alevis in Eastern Anatolia differ from those in the west, such as the Tahtaci and Cepni groups. For example, the Tahtacis wear costumes during ceremonies that may not be necessary for groups in other areas. The length of fasting for Muharram or Hızır varies across areas for different reasons. For example, while Hızır fasting lasts for 3 days according to many Alevis, in Tokat Alevis fast for 7 days. As another example, Nowruz is mostly observed by Kurdish tribes in Eastern Anatolia as an old Turkish-Persian New Year celebration, while Bektashism in the Balkans has internalized

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<sup>15</sup> Yıldırım, *Geleneksel Alevilik*, 25.

Christian factors. It can also be seen that Alevis in Thrace have referred to themselves as Bedrettinis. Alevis from the historic area of Dersim have more Zoroastrian beliefs<sup>16</sup> and are affected more by Armenian culture than Western Christianity<sup>17</sup>. These differences were recognized by Western missionaries in Anatolia, as well. Western missionaries, who saw Alevism as a step between Christianity and Islam, commonly attempted to prove the former roots of Alevism as Christianity and tried to convert Alevis to Protestant Christianity in the 19th century. The American missionaries focused on religious differences describing communities, while the European discourse was centered on cultural and rational differences.<sup>18</sup> This might have been one of the reasons for the Turkish state to reject the minority status of Alevis and Bektashis at the Lausanne meetings in spite of the insistence of Western countries. Although Alevis constitute a religious “minority” today, it is worth noting that they are not comfortable with this term because the term has been used for both non-Muslims and non-Turks throughout the decades.

The original lands of the Turks were called Mawara’unnahr, which also included the area called Khorasan in Eastern Iran. The appearance of Bektashism in Anatolia occurred via three waves of immigration of Turkic peoples from Central Asia to Anatolia through Khorasan in the 11th, 12th, and 13th centuries. The rate of this immigration particularly increased in the 13th century due to the increasing number of Turkic peoples who escaped the Mongols under the leadership of Genghis Khan, which also led to an increase in the number of shrines established and constructed in Anatolia. All those Turkic peoples cannot be considered as Islamicized. During the interiorization of Islam among them in the 9th and 10th centuries, a synthesis of the

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<sup>16</sup> Gürdal Aksoy, *Dersim: Alevilik, Ermenilik, Kürtlük* (İstanbul: İletişim Yayınları, 2012), 143.

<sup>17</sup> Aksoy, *Dersim*, 244.

<sup>18</sup> Dressler, *Writing Religion*, 52.

religion and shamanistic socio-political circumstances occurred among some of the tribes. Religion cannot be separated from political and other phenomena, as also claimed by Weber with the correlation between capitalism and the appearance of Protestantism.<sup>19</sup> The branch of Oghuz, the ascendants of the Ottomans and Hacı Bektaş, was one of those that was already Islamicized. Therefore, Sufism was the result of the conversion of religious elements into the current religion, customs, and traditions. Inevitably, there are also approaches ignoring the syncretic structure of the religious order, which took its form over the course of centuries. To illustrate, Hasluck claims that Bektashism is a thoroughly Turkic version of Hurufism,<sup>20</sup> which underestimates all the factors that played a role in the appearance of Bektashism. In short, Alevism and Bektashism are products of the syncretism of early Turkic customs and traditions, Shi'ism, territories ranging from Central Asia and Anatolia to Thrace and the Balkans, and the political structures in these territories over time. The belt worn by Bektashis, called a kamberiyeye, has three knots, which is related to Zoroastrianism. Today the triplet of “Ya Allah, Ya Muhammed, Ya Ali,” written on the walls of many of the sites evaluated in this study, is related to the holiness of the number three, which is perhaps akin to the Christian trinitarianism. As stated above, again, one of the most notable principles of Bektashism and Alevism is the responsibility of a person to have discipline over his or her hand, tongue, and loins. This trilogy in the culture originally comes from the traditions and religions of the Turkic tribes. Similarly, Manichaeism was based on three seals.<sup>21</sup> The Mehdi entered this culture as a result of the effects of Iranian religions. Alevism and Bektashism also include influences of pantheism, anthropomorphism, and Vahdet-i Vücut—the unity of existence and incarnation, meaning the reflection of God in humans and

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<sup>19</sup> Ali Yaman, *Alevilik'te Dedelik ve Ocaklar: Dedelik Kurumu Ekseninde Değişim Sürecinde Alevilik* (İstanbul: Karacaahmet Sultan Derneği Yayınları, 2004), 44.

<sup>20</sup> Mélikoff, *Kırklar'ın Cemi'nde*, 121.

<sup>21</sup> Mélikoff, *Kırklar'ın Cemi'nde*, 22.

nature, with reincarnation and metamorphosis, which is transfiguration. In summary, a belief system and its culture cannot be evaluated separately from their environment. Even Saint Gregory, who imposed Christianity on the Armenians, could not thoroughly destroy former religious traditions; therefore, he had to absorb them into Christianity.<sup>22</sup>

The effects of Arab Islam grew more visible from the 16th century. To understand the relationship of Turks with Islam, it is helpful to understand the way in which they first encountered it. The meeting of the Turks with Islam can be assumed to have occurred in the 8th century, when Arab armies entered Mawara'unnahr, and this invasion resulted in the expansion of Islam towards the east in both forceful and peaceful ways despite the endurance of the Western and Eastern Göktürks.<sup>23</sup> Islam made inroads among the Turks of Central Asia in the 9th and 10th centuries. In terms of the spread of Islam and the understanding of the religion among the Turkic tribes, Hoca Ahmet Yesevi's role was irrefutably important. It is believed that he lived in the 12th century, born in the late 11th century. He had an impact not only on Central Asian and Northern Turks but in every Turkic territory.<sup>24</sup> It is a commonly known sociological phenomenon that groups that had a certain culture over the centuries and engaged with another culture for various reasons would preserve their interest in their former culture in its authentic form or transform in accordance with the patterns of the new one during this process of engagement, even after long periods of time.<sup>25</sup> It is

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<sup>22</sup> Aksoy, *Dersim*, 143.

<sup>23</sup> Köprülü, *Türk Edebiyatında İlk Mutasavvıflar*, 12.

<sup>24</sup> Köprülü, *Türk Edebiyatında İlk Mutasavvıflar*, 44.

<sup>25</sup> Ocak, *Alevi ve Bektaşî İnançlarının İslam Öncesi Temelleri*, 53.

commonly advocated that the Oghuz tribes that accepted Islam, especially the Turks escaping from the Mongol invasion into Anatolia, could not internalize it easily.<sup>26</sup> During these events, Anatolia was ruled by the Selçuks, who were already hospitable to other religions and cultures thanks to their society's multicultural structure.<sup>27</sup> Sufism started to reach Anatolia in the 11th century and continued to spread with immigration waves, accelerating after 1071, from Mawara'unnahr, Khorasan, Azerbaijan, and Khwarazm. Those groups came to Anatolia under the leadership of heterodox dervishes of Sufi Islam, who belonged to different orders that had appeared as a result of Sufism, such as the Kalenderis, Yesevis, Haydaris, and Vefais. It is worth noting that they were also warriors.<sup>28</sup> These dervishes would establish Bektashism in Anatolia with lodges. Hacı Bektaş was a dervish from this Turkish tribe, coming from the from Yesevi branch. However, Bektashism is not a pure representation of Yesevism in Anatolia as Bektashism evolved to become a more philosophical version of it.<sup>29</sup> Hacı Bektaş was not sent by Yesevi directly; they lived in different centuries. A legend claims that Hacı Bektaş's hırka (a ceremonial jacket worn by dervishes) was one of the objects given to him by Yesevi as a legacy or trust,<sup>30</sup> but chronologically, this is not a logical possibility.

In spite of its ritual differences from Sunni Islam, Alevism cannot be evaluated separately from Islam. The separate evaluation of this heterodox belief system from

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<sup>26</sup> Ocak, *Alevi ve Bektaşî İnançlarının İslam Öncesi Temelleri*, 54.

<sup>27</sup> Mélikoff, *Kırklar'ın Cemi'nde*, 48.

<sup>28</sup> Ahmet Yaşar Ocak, *Babailer İsyanı: Aleviliğin Tarihsel Altyapısı Yahut Anadolu'da İslam-Türk Heterodoksisinin Teşekkülü*, 5th ed. (İstanbul, Turkey: Dergah Yayınları, 2011), 117.

<sup>29</sup> Köprülü, *Türk Edebiyatında İlk Mutasavvıflar*, 205.

<sup>30</sup> Köprülü, *Türk Edebiyatında İlk Mutasavvıflar*, 53.

Islam is not even a matter of discussion. Köprülü claims that Islamic elements were embedded into Turkish culture in early times through the Persians rather than the Arabs.<sup>31</sup> This process continued until the Samanids, who Islamicized the entire Mawara'unnahr. Mélikoff describes Bektashism as folk Sufism.<sup>32</sup> Bektashism and Alevism cannot be evaluated as different belief systems independently of Islam; however, they can be seen as a way of living that took form within the social and political structures in which they existed. Thus, both Bektashism and Alevism are products of Sufism, which appeared in accordance with the culture, habits, and former religions of the society and Islam. Bektashism and Alevism are thus understood to be shaped by shamanism, Buddhism in the time of the Uyghurs, the Manichaeism of the Uyghurs as an original religion of Turkic tribes, reincarnation, anthropomorphism, Zoroastrianism, the Paulicianism of Eastern Anatolia and Sufism, paganism and Christianity in Anatolia, and the socio-cultural products of Islam. The effects of superstition and Hurufism, which spread in Anatolia and Rumelia in the 14th century,<sup>33</sup> are also visible. In other words, Alevis and Bektashis today are the historical heirs of this syncretism.<sup>34</sup> This can be exemplified with the role of dervishes, babas, and dedes in Bektashism and Alevism, which is similar to the role of shaman leaders within society and religious mystery. Hasluck describes them as the political and religious leaders of former Turkish tribes.<sup>35</sup> The use of titles such as ahi, baba, şeyh, and abdal became more common in the 13th century and

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<sup>31</sup> Köprülü, *Türk Edebiyatında İlk Mutasavvıflar*, 21.

<sup>32</sup> Mélikoff, *Kırklar'ın Cemi'nde*, 9.

<sup>33</sup> Mélikoff, *Kırklar'ın Cemi'nde*, 90.

<sup>34</sup> Ocak, *Alevi ve Bektaşî İnançlarının İslam Öncesi Temelleri*, 111.

<sup>35</sup> Ali Yaman, *Kızılbaş Alevi Ocakları* (Ankara: Elips Kitap, 2006), 165.

onwards.<sup>36</sup> In the isolated villages of Anatolia, they had the role of both religious leader and judiciary, but these roles declined with urban migration and the rise of Marxism and scientism. This changing approach among Alevis towards their own beliefs is significant in terms of understanding the perspective they have today towards their cultural and architectural heritage. In Bektashi legends, dervishes can survive in an oven on fire, which is a common legend in both Islam and shamanism.<sup>37</sup>

The brightest era of Bektashism was the early years of the Ottomans. Due to their nomadic life, Bektashis were conditioned to settle in conquered places. Bektashi dervishes and gazis, meaning frontier warriors, and akıncıs, meaning raiders, who came from the same Turkic Oghuz tribe, played mutual roles in terms of the Turkification of Anatolia and the extension of Ottoman territories into Thrace and the Balkans. The most legendary name in that territory in the 13th century was Sarı Saltuk, who was a follower of Seyyid Gazi. Dervishes also actively participated in the conquests, besides their role of legitimizing the holiness of the wars religiously.<sup>38</sup> Their shrines were thus also a legacy of their contributions in battle, or a sword-right.<sup>39</sup> The aim of the construction of these lodges or shrines was not only to make this nomadic group settle down but also to declare the dominance of the state and its culture, religion, and architecture within the conquered regions. However, elegant features of the architecture of the shrines do not mean that they were products of the

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<sup>36</sup> Yaman, *Kızılbaş Alevi Ocakları*, 165.

<sup>37</sup> Aksoy, *Dersim*, 100.

<sup>38</sup> Rıza Yıldırım, *Aleviliğin Doğuşu: Kızılbaş Sufiliğinin Toplumsal ve Siyasal Temelleri 1300-1501*, trans. Barış Yıldırım (İstanbul: İletişim Yayınları, 2017), 94.

<sup>39</sup> Mélikoff, *Kırklar'ın Cemi'nde*, 15.

capital; rather, they were often products of raider commanders.<sup>40</sup> While the designs of the shrines reflect similarities with those of palaces, they cannot be considered as architecture of the classical age from the early Ottoman period to the late Ottoman period, also known as a time of Westernization, with continuous improvement of governmental institutions and culture.<sup>41</sup> As a form of symbolic protest against the center and centric power, and the tımar system, based on the distribution of conquered fields among soldiers to cover their salaries, keeping a central authority rather than feudalism and allowing for the continuation of conquests between the 14th and 16th centuries, the akıncıs financially supported Bektashi dervishes with the construction of new complexes for the shrines.<sup>42</sup> As a result of their role as colonizing dervishes,<sup>43</sup> the Janissary corps, based on the rearing of devshirme children and their education for the military, were bound to these shrines, which generated the exorbitant importance of Bektashism in this military order alongside the shrines' importance for the increasing number of Muslims in the Balkans and their role as guesthouses for wanderers. It can thus be stated that the Bektashi lodges and shrines were also Ottoman military sites before centralization. After the stabilization of the conquest policies of the Ottoman Empire, the role of gazıs was replaced by the Janissary corps.<sup>44</sup> This stabilization was realized with increasing centralization after the conquest of İstanbul in the 15th century and the religio-political rise of the ulama. This role of Bektashism among the Ottomans resulted in

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<sup>40</sup> Zeynep Yürekli, *Architecture and Hagiography in the Ottoman Empire: The Politics of Bektashi Shrines in the Classical Age* (Farnham: Ashgate Publishing Limited, 2012), 19.

<sup>41</sup> Yürekli, *Architecture and Hagiography in the Ottoman Empire*, 23.

<sup>42</sup> Yıldırım, *Aleviliğin Doğuşu*, 126.

<sup>43</sup> Mélikoff, *Kırklar'ın Cemi'nde*, 10.

<sup>44</sup> Mélikoff, *Kırklar'ın Cemi'nde*, 44.

their settlement in Thrace and the Balkans, while Kizilbash Alevism appeared as the new name for Turkic peoples or Turcomans who settled in Anatolia after the conflict between the Iranians and Ottomans. Until the rise of Safavid politics, the term “Turcoman” was used for Turkic tribal confederations such as the Akkoyunlus, predecessors of the Safavids, and the Dulkadirs. In addition, the adaptation to the new system was not easy for these groups; therefore, they can be described as semi-autonomous armies. While Ottoman authorities assigned dervishes to the lodges to keep them under control, this was not effective for those located in more distant areas that were not easily reachable.

Mélikoff, Ocak, and Köprülü all clarify the interests of the Ottoman state for establishing close relationships with the Bektashi order and its lodges in the late 15th and 16th centuries so as to tame the Turcomans and sever their relations with the Safavids through Bektashi dervishes.<sup>45</sup> In fact, any group desired to be tamed by the Ottomans was put into a correlation with Bektashism. In time, in the Ottoman system, abdals (wandering dervishes), Torlaks, and Işıks, with their general names of Kalenderis or Rafizis, who had a similar style to that of shamans or non-Sunni groups, were described by the Ottomans as separatist rebels and betrayers. These groups were considered as anomalous within the system and so attempts were made to tame them through Bektashism,<sup>46</sup> since these people were poets wandering from place to place to sing the legends and national issues of the time. In other words, the Bektashi role in the moderation of other heterodox groups was another reason for the Ottoman acceptance of Bektashism early on.<sup>47</sup> If the Hacı Bektaş Complex is the serçeşme today (literally: the source of flowing water; figuratively: the center of a

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<sup>45</sup> Yıldırım, *Aleviliğin Doğuşu*, 345.

<sup>46</sup> Mélikoff, *Kırklar'ın Cemi'nde*, 53.

<sup>47</sup> Mélikoff, *Kırklar'ın Cemi'nde*, 96.

belief system), the reason is simultaneously its role in the suppression of the Kizilbash in a non-military way via the abdals sent to several points of Anatolia by the central administration of the lodge and its position for the assignment of sheiks to other shrines with the approval of the kazasker, the governor of the provinces at the time. Today, those who affiliate themselves with Bektashis and the Çelebi family are more likely to be Turkish, while Kurdish Alevis feel more attached to local saints. Bektashism took its shape mainly in the 14th and 15th centuries as a cult. The one who institutionalized Bektashism was not Hacı Bektaş himself, but rather Balım Sultan. The success of Bektashism in appearing as an order was the outcome of these moderate relations. Bektashism was a bridge in the 16th century for both pro- and anti-Ottoman groups, which blurred the differences between Bektashism and Alevism.<sup>48</sup> Turkish groups also established shrines wherever they settled. The lands on which these shrines were established were officially recognized by the state and exempted from taxation.<sup>49</sup> Due to the status of the shrines as foundations (vakıf), the role of the sheiks of the shrines changed from ascendants to descendants. The increasing support of the Turcomans for the Safavids resulted in the intervention of the Ottomans in the Seyyid Gazi Shrine and the Hacı Bektaş Complex, with appointments being made to the shrines in the era of Beyazıt II and his soft power policies.<sup>50</sup> In addition, contrary to the attention given to centralization by Mehmet the Conqueror, the privatization of dervish communities by Beyazıt II resulted in the support of them by Prince Cem regarding the challenge for the throne and the appearance of the Safavids in 1501.<sup>51</sup>

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<sup>48</sup> Yürekli, *Architecture and Hagiography in the Ottoman Empire*, 29.

<sup>49</sup> Ocak, *Babailer İsyanı*, 65.

<sup>50</sup> Yürekli, *Architecture and Hagiography in the Ottoman Empire*, 30.

<sup>51</sup> Yürekli, *Architecture and Hagiography in the Ottoman Empire*, 9.

Relations between the center and Bektashis did not always remain moderate. Although Mevlana Celaleddin Rumi and Hacı Bektaş were coeval, Bektashism has been accused of irreligiousness. In particular, Selim I's era and afterwards was not a time in which there was tolerance towards belief systems other than Islam.<sup>52</sup> Although the Ottoman Empire was a multi-ethnic and multi-religious empire, the position of Muslims was hierarchically more valued than that of other religious groups. Opposed to the soft power policies enforced by his father, Selim I preferred extreme suppression of the support for Shah Ismail in Anatolia. After the defeat of Shah Ismail in 1514 at Çaldıran, Selim I initiated policies based on the prevention of the escape of those groups to the east.<sup>53</sup> Süleyman I later initiated three military campaigns against Tahmasp I, which resulted in the Amasya Peace Treaty of 1555 as the surety of extension of Islamic Sharia law in Iran.<sup>54</sup> Dersim, mentioned above, was the territory where many Kizilbashs, punished by Selim I for supporting Shah Ismail, had escaped and continued to practice the customs and traditions they had possessed since Asia.<sup>55</sup> Most of the tribes in Dersim had also come from Khorasan in the 14th century<sup>56</sup> and most of the Dersim tribes accept that they came from Khorasan.<sup>57</sup> In fact, their invocations (gölbank) are made in Turkish. To strengthen the imperial regime, the Ottomans tried to break the ties of clans (aşiret) and

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<sup>52</sup> İbrahim Yılmazçelik, *Osmanlı Devleti Döneminde Dersim Sancağı: İdari, İktisadi ve Sosyal Hayat*, 3rd ed. (Ankara, Turkey: Kripto Kitaplar, 2017), 209.

<sup>53</sup> Yürekli, *Architecture and Hagiography in the Ottoman Empire*, 30.

<sup>54</sup> Yürekli, *Architecture and Hagiography in the Ottoman Empire*, 31.

<sup>55</sup> Yılmazçelik, *Osmanlı Devleti Döneminde Dersim Sancağı*, 12.

<sup>56</sup> Yılmazçelik, *Osmanlı Devleti Döneminde Dersim Sancağı*, 46.

<sup>57</sup> Yılmazçelik, *Osmanlı Devleti Döneminde Dersim Sancağı*, 189.

aristocratic family relations and nomadic orders in the Dersim area, as well. In the Ottoman archives, in fact, “Kurd” also refers to nomadic societies.<sup>58</sup>

Today, it can be said that the differences between Alevism and Bektashism are not clear, which can be understood from the fact that there are different groups describing themselves as Alevi or Bektashi. There are four “doors” in Bektashism: şeri’at, tariqat, marifet, and hakikat, respectively meaning holy law, the Sufi path, gnosis, and truth.<sup>59</sup> While Bektashism is an order (tariqa), Alevi constitute a community. Rıza Yıldırım describes the Kizilbash as possessing rural piety based on the ocak lineage system in an isolated way after the loss of political and military potential.<sup>60</sup> Although both Bektashism and Alevism are based on heterodox Islam, a few historical and social factors created small-scale differences. Unlike the Bektashis, who had an important role in the extension of Ottoman borders, the Alevi never found a compromise with the palace, which followed a policy of Sunnification. The reasons for the alienation of the Turcomans from the Ottoman regime were political conflicts, religious antilogy, and economic clashes.<sup>61</sup> The reaction of the Kizilbash, with their nomadic and heroic warrior character, against the timar system was a serious issue for the central authority. The synthesis of heroism and religion came from the original culture of the Turks and continued in Anatolia in reaction to the Crusades.<sup>62</sup> The elimination of the Turcomans from military and political power resulted in closeness between the Safavids and Turcomans. This

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<sup>58</sup> Yılmazçelik, *Osmanlı Devleti Döneminde Dersim Sancağı*, 30.

<sup>59</sup> Yürekli, *Architecture and Hagiography in the Ottoman Empire*, 65.

<sup>60</sup> Yıldırım, *Aleviliğin Doğuşu*, 28.

<sup>61</sup> Yıldırım, *Aleviliğin Doğuşu*, 26.

<sup>62</sup> Köprülü, *Türk Edebiyatında İlk Mutasavvıflar*, 253.

isolation can be understood from the lifestyle they had in their geographically isolated villages during the Ottoman Empire until migrations starting in the 1960s. That isolation lasted until the secularization process of the country, when Alevis would be mentioned more than Bektashis.<sup>63</sup> The reason for continuing isolation even in the Republican era can be attributed to the Law on the Closure of Tombs, Shrines, and Zawiyahs, which pushed Alevis to conceive of their rituals and worship in a way based on confidentiality. However, with increasing publications appearing, especially in Europe, in the 1980s, Alevis started to identify themselves in public more commonly.

Fuat Köprülü calls Alevis “villager Bektashis.”<sup>64</sup> Since Alevis lived isolated lives in rural, mountainous areas, their dedes had an important role in education and justice. The significance of the role of dedes should be touched upon due to their crucial importance in terms of the transmission of information until the present day due to the rarity of printed literature, since being a dede is based on blood relationships rather than the presence of guiding holy books. Therefore, while Bektashism is based on the suitability of candidates (talip) for the order, Alevism depends mostly on blood ties. Yet rather than merely blood ties among family members, the relations between different families in Alevism are also based on *müsahtiplik*, which means appropriate behaviors in terms of order. Unacceptable behaviors such as robbery, slander, falsity, and unjust divorce result in the removal of the person from the order, although the new generation of dedes is less willing to take responsibility for the institution.<sup>65</sup> Alevism and Bektashism are about learning and being a part of these belief systems. The absence of a written literature already poses a danger in terms of

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<sup>63</sup> Mélikoff, *Kırklar'ın Cemi'nde*, 13.

<sup>64</sup> Mélikoff, *Kırklar'ın Cemi'nde*, 55.

<sup>65</sup> Yaman, *Kızılbaş Alevi Ocakları*, 188.

the transfer of beliefs and culture to future generations. This is also valid for the transfer of the tangible and intangible heritage of Alevism and Bektashism to the next generations.

It is also believed that these dedes are descendants of the Prophet, whose blood continued with the 12 imams. Therefore, the hierarchy in Alevism is based on dede-talip relationships, while Sunnism's hierarchy is more based on gender. Furthermore, every Alevi is connected to an ocak, which takes its name from the leader it has followed in history. For example, most of the people who describe themselves as Kurdish Alevis are members of the Kureyş Baba Ocak, who assign Kureyş Baba a position of leadership in their history. While architectural structures constitute a physical center for belief and worship, an ocak is a more abstract entity. Therefore, although almost every ocak has an important physical center, not all Alevi tombs, shrines, or zawiya's will be evaluated in this study. Focus will be maintained on those that are well known and highly valued by the community, with architectural structures of significant size. The budget of the ocaks and the salaries of dedes were historically covered by the donations of followers, called hakkullah. Today, these needs are met through the budgets of associations and foundations. The fact that the salaries for dedes are not paid from the budget of the state is a controversial issue for Alevis today as the state does pay the salaries of Sunni imams. The urban migration of Alevis, who used to call themselves "Turcomans," also resulted in an increasing need for cemevis in urban areas. This is all further support of the syncretic nature of Alevism, which became the heterodox belief system that it is today not independently of current factors. In summary, while Bektashism is related to the founders of the broader orders, Alevis are connected to a particular dede. This concept of dedes does not exist in Bektashism. Dedes today describe themselves as the descendants of the historical ocak leaders, allegedly bound by blood to the Prophet genealogically, giving their names to the structures with which they are connected.

Both Alevi and Bektashi originated from a background of nomadic Turcomans with properties of Islamicized shamanism, as Mélikoff describes.<sup>66</sup> In fact, Alevi claim that they are the representatives of Turkic culture and Islam. Opposed to the Sunnification of the center, Alevi continued to have monogamist marriages and did not establish mosques in their villages. As is known, the sema, a practice performed in Alevi religious ceremonies, is realized with the saz musical instrument without discrimination between genders, which contradicts traditional Islamic teachings. It can even be seen that women were among the shrine leaders and sheikhs. Aşıkpaşazade describes this field of operation as Bacıyan-ı Rum among 3 other fields: the Ahiyan-ı Order, Gaziyan-ı Rum, and Abdalan-ı Rum.<sup>67</sup> One of the best known of those women was Kadıncık Ana, also known as Fatma Ana or Hatun Ana, who was Hacı Bektaş's spiritual wife since it is believed that she became pregnant after drinking water in which Hacı Bektaş's blood had dropped.<sup>68</sup> There have been female bards and poets, as well.

To understand the attitude in the Republican era and that of the current government, and to clarify the nation-building process, the Ottoman policies are significant because nationalism was based on a religiously homogeneous society and this has not altered much since the late Ottoman era. More precisely, the process starting with Abdülhamid II and his Sunnification policies, unification politics, and nation-building projects was based on the assimilation of heterodox communities for homogeneity and solidarity, and this continued afterwards with the Young Turks and

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<sup>66</sup> Mélikoff, *Kırklar'ın Cemi'nde*, 20.

<sup>67</sup> Mélikoff, *Kırklar'ın Cemi'nde*, 39.

<sup>68</sup> Mélikoff, *Kırklar'ın Cemi'nde*, 42.

then the newly established republican state.<sup>69</sup> In fact, Abdülhamid II adopted some specific policies to suppress the Bektashi order due to the fear of the transformation of Bektashism as an official religion in Albania.<sup>70</sup> The closure of the Janissary corps in 1826 was followed by the closure of shrines during Mahmud II's reign. The 1839 Rescript of Gülhane established the position and recognition of the Orthodox Greek and Armenian Churches as religious minorities in a state focused on Muslim Turks as the primary ethno-religious community, especially in the early 1890s, and helped to formalize the Ottoman millet system. This then continued with state policies including the construction of mosques in Alevi villages, the creation of Kizilbash imams, and the appointments of other imams to these villages as a precaution to missionaries.<sup>71</sup> These policies, the Rescript of Gülhane, and actions of missionaries led to one of the turning points in terms of the increasing self-awareness among Kizilbashes. Mélikoff claims that after the abolishment of the Janissary corps in 1826, Bektashis sought shelter under the Freemasons, including people such as Namık Kemal, to hide themselves, since they found the Freemasons to be closer to themselves.<sup>72</sup>

“Kizilbash” as a word appeared in the 15th century during the tenure of Sheikh Haydar, who was Shah Ismail's father. “Kizilbash” and “Alevism” are thus both concepts that appeared in Anatolia for tribes that were Turcoman. The support of the Kizilbashes for the Safavids was of undeniable importance as perceptions of the Kizilbashes as a threat consolidated at that time. This pro-Safavid attitude resulted in

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<sup>69</sup> Dressler, *Writing Religion*, 276.

<sup>70</sup> Mélikoff, *Kırklar'ın Cemi'nde*, 15.

<sup>71</sup> Dressler, *Writing Religion*, 69-70.

<sup>72</sup> Mélikoff, *Kırklar'ın Cemi'nde*, 23.

the Jelali Revolts of the 16th century as a result of increased hostility between the Ottomans and Safavids. Belief in the Mehdi helped gain the support of these groups since they saw Shah Ismail as the Mehdi. The belief that Shah Ismail was the reincarnation of the Caliph Ali protected his popularity until his defeat at the Battle of Çaldıran. They were called Kizilbashs (“red heads”) because of the red caps they wore to indicate their support for the Twelve Imams and the Safavids. “Seyyid” and “Sheikh” started to be used to describe those who were descendants of the Caliph Ali in the 10th century and onwards. The Safavids provided documents for tribal leaders for people sent to Anatolia by Cüneyd and his descendants, so that they could be shown as descendants of Ali and the Twelve Imams; this system was called Nakib-ul Eshraf. The aim was to put the Turcomans into an autonomous socio-political and military structure, which the Ottomans could alienate and exclude. The justification for this was the increasing immigration of descendants of the Caliph Ali to areas with mainly Turkic populations following the Umayyads and Abbasids and their interactions with the Turcoman tribes. This proves that Sufi communities were politicized in the Ottoman Empire.<sup>73</sup> In fact, Rıza Yıldırım describes the Safavid state as a parallel state of the time.<sup>74</sup> Although the number of studies regarding these documents as used by the Safavids is limited, they reveal that the genealogical trees do not show earlier times than the 16th century.<sup>75</sup> Thus, being a seyid was not about genealogy but rather about the socio-political factors of the time. This ended with the appearance of Kizilbash Sufism, with the absorption of the path of the Caliph Ali and the entrance of the term “Kizilbash” into history. Even today, it can be seen that Alevi dedes claim that their ancestors were the Twelve Imams, thanks to these Safavid policies. In fact, “Alevi” as a word in Ottoman documents started to appear

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<sup>73</sup> Yürekli, *Architecture and Hagiography in the Ottoman Empire*, 2.

<sup>74</sup> Yıldırım, *Aleviliğin Doğuşu*, 252.

<sup>75</sup> Aksoy, *Dersim*, 136-137.

in the 19th century and onwards.<sup>76</sup> Today, “Alevi” as a word has a deeper meaning than simply “those who are descendants of Ali.” Despite the respect paid to Hacı Bektaş among Alevis, the idea of “Sheikh” has importance only among Alevis, not within Bektashism. However, Alevism is a labyrinthine entity that cannot be simply explained as Turkish Shi’ism. The love of Ehl-i Beyt, the family of the Prophet, constitutes a mutual aspect between Anatolian Alevism and Persian Shi’ism. However, it should be kept in mind that this is the result of Safavid policies in Anatolia, while the core of Alevism is the heterodox absorption of Islam by Turks, similarly to Bektashis.

The Safavids were already historically and culturally based on warriors and nomadic Turcoman clans.<sup>77</sup> However, another reason for the closeness between the Safavids and Kizilbashs was the discontent regarding taxes between Turcomans and the Ottoman state.<sup>78</sup> Even today, it can be easily claimed that Alevis take their position against state policies due to their leftist ideologies. However, this may also be linked to their relation with the Ahi order, linked to humility. The Ahi order became visible in Anatolia in the 10th century for the first time, grew more prominent in the 14th century, and started to disappear over time. The Ahi order was also famous for standing against social injustice and suppression.<sup>79</sup> It is claimed that during the establishment of the Ottomans, the Ahis had an important role.<sup>80</sup> Although the Ahi

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<sup>76</sup> Mélikoff, *Kırklar’ın Cemi’nde*, 13.

<sup>77</sup> Mélikoff, *Kırklar’ın Cemi’nde*, 103.

<sup>78</sup> Ahmet Refik, *Onaltıncı Asırda Rafizilik ve Bektaşilik*, edited by Mehmet Yaman (İstanbul: Ufuk Matbaası, 1994), 24.

<sup>79</sup> Mélikoff, *Kırklar’ın Cemi’nde*, 127.

<sup>80</sup> Ocak, *Babailer İsyanı*, 172.

order is described by Köprülü as a *tariqa* rather than an artisan association,<sup>81</sup> it was an organization that had a significant role during Selçuk and Ottoman times for the development of the public regarding employment, arts, and trade. There are also shrines of Ahi leaders in Anatolia today that are still respected by Alevi. One of the best known of these shrines is that of Ahi Evran in Kırşehir, which is one of the destinations of Alevi for a commemoration of his name every year. This place will not be evaluated in this study in a detailed way as it belongs not only to Alevi but also to the Rafai order today. The reason why the Ahis faded out of existence over time was their unwillingness to accept state authority, which unavoidably resulted in them being steered towards Bektashism, like the *abdals* and *gazis*. The other reason for the disappearance of the Ahis, *Bacıyan-ı Rum*, and *abdals* was the centralization of state power, with the Bektashi order remaining as the center of opposition. Similarly, Seyyid Mahmud Hayrani is one of the most valued names for Alevi, but his tomb does not reflect the features of an Alevi edifice today. Hüseyin Taştekin states that thanks to the foundationalism in recent years, Alevi could at least start to visit this place in groups.<sup>82</sup>

Political history is important in terms of understanding the factors lying behind the satisfaction or dissatisfaction of the demands of the religious community today. The orthodoxy, flexibility, and open-mindedness of Bektashism and Alevism can also be seen from their perspective on the secularization process in Turkey and the appearance of the Young Turks in the late Ottoman era. Due to their support for freedom of thought and other exceptional values, Bektashis found themselves in organizations such as the Party of Union and Progress, the Freemasons, and the Young Turks in Ottoman times, which continued with Kemalism and its principles to

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<sup>81</sup> Köprülü, *Türk Edebiyatında İlk Mutasavvıflar*, 213.

<sup>82</sup>Hüseyin Taştekin (Vice-Chairman of Hilmi Dedebaba Research, Education, and Culture Foundation), personal interview, June 8, 2018.

such an extent that it can only be called “Stockholm syndrome” in relation to the 1938 Dersim Massacres. However, the number of not only Turkish Alevis but also Kurdish ones admiring Mustafa Kemal Atatürk is high, since they saw the system brought about by him as a guarantee of equal citizenship. In fact, unlike most Sunni Kurds, the Alevi Kurds of Dersim were sympathetic to the new political atmosphere initiated by the Young Turks.<sup>83</sup> Today, according to many Alevis, however, they are excluded from higher positions in bureaucracy. To illustrate, Hüseyin Taştekin of the Şahkulu Sultan Lodge states that Alevis are thankful to Mustafa Kemal for the provision of equal opportunity to every citizen without considering their religious or ethnic background,<sup>84</sup> although the worship of Alevis was conducted in secrecy during the Republican era. However, it should be kept in mind that the new regime did not absorb them together with their religious and social identity, but rather according to the concept of “citizenship,” purified of Alevi identity.<sup>85</sup> In addition, this pro-Kemalism is exaggerated as some claim that Mustafa Kemal was an Alevi just because he had visited the Hacı Bektaş Complex after the Sivas Congress in 1919 to receive the support of Bektashis. Since then, this visit is commemorated every year on December 22 and 23. In fact, Mustafa Kemal is even seen by some as the Mehdi or the reincarnation of the Caliph Ali. The explanation for this is that those with white lines under their eyes are descendants of the Prophet.

Throughout the Ottoman era, the ulama, or group of Islamic experts, had close relations with the state, the judiciary, and the education system. Ottoman military campaigns were sustained with the support of Ottoman religious scholars during the

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<sup>83</sup> Dressler, *Writing Religion*, 117.

<sup>84</sup> Hüseyin Taştekin, personal interview, June 8, 2018.

<sup>85</sup> Yıldırım, *Geleneksel Alevilik*, 81.

reign of Süleyman I, as well,<sup>86</sup> and the justification of holy war was supported by Turcoman dervishes in the early years of the state. The emergence of the Diyanet, or the Directorate of Religious Affairs, proved that Islam had not been just a symbolic resource in the nation-building process but also an institution, like the ulama of the Ottoman state.<sup>87</sup> In other words, religion continued to be used as a unifying factor even in the Republican era, which was supposed to be secular. The works of Baha Said Bey and Köprülü are significant in terms of their attempts to articulate the position of Alevis in the new state by focusing on the common Turkic history and their link with shamanism for the creation of nationhood. This even led to challenges against Köprülü's work for underestimating the relations between Turks and Islam, which is a hegemonic Orientalist approach.<sup>88</sup> However, the study proves the role of religion in the nation-building process due to its being at the center of it. The importance of the Kizilbash Alevi community and its ethno-religious fabrication into the nation in the formation process of Turkish nationalism, which gained importance especially after the Balkan wars, was already recognized in the 1908 Young Turk Revolution.<sup>89</sup> Baha Said Bey was an officer of the Committee of Union and Progress and attempted to establish the link between shamanism and Turkism in 1914 and 1915. The monopolization of religion by a state institution in the Republican era actually advertised a nationalist version of Sunni Islam and decreased tolerance of

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<sup>86</sup> Yürekli, *Architecture and Hagiography in the Ottoman Empire*, 31.

<sup>87</sup> Ceren Lord, "Rethinking the Justice and Development Party's 'Alevi Openings,'" *Turkish Studies* 18, no. 2 (2017): 282.

<sup>88</sup> Dressler, *Writing Religion*, 194.

<sup>89</sup> Dressler, *Writing Religion*, 98-99.

other interpretations of Islam.<sup>90</sup> While Alevis and Bektashis were legally rejected in the Ottoman era, they were accepted in the newly established state<sup>91</sup> as an issue to be resolved in the phase of the establishment of the Turkish Republic, which can be seen from the fact that, in the Lausanne Meetings, the Turkish committee had to prove them as “original Turks,” while Europe was willing to accept their classification as a religious minority. In fact, by describing them as “real Turks,” the Kurdish Alevis were claimed to be Kurdified Turkish tribes, as well. In short, the common feature of minorities according to the Lausanne Meetings is their non-Muslim identity.

The closure of tombs, shrines, and zawiyahs with Law No. 677, declared on November 30, 1925, can be considered one of the most controversial turning points for the impairment of dedeship and the status of the worship venues of Alevis and Bektashis, albeit not the only one. After 1925, the cem, the Alevi ritual with the sema, was held in secrecy, which caused criticism since cemevis do not have status as places of worship. Since Alevism promotes the ideas that all creatures and nature itself are the reflection of God and that you may find God wherever you look, an architectural structure is not needed for worship. This may be better understood from the fact that, in the past, the cemevis of the villages were simply the biggest houses of the villages for the cem, meaning “gathering,” while Bektashi shrines or lodges are symbols of the institutionalization of Bektashism. Bektashi dervish lodges are more institutionalized compared to the Alevi dede and ocak institutions in terms of education and culture.<sup>92</sup> The binding of ocaks to the Çelebi ocak of Hacı Bektaş can

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<sup>90</sup> Fethi Açıkel and Kazım Ateş, “Ambivalent Citizens: The Alevi as the ‘Authentic Self’ and the ‘Stigmatized Other’ of Turkish Nationalism,” *European Studies* 13, no. 5 (2011): 722.

<sup>91</sup> Yıldırım, *Geleneksel Alevilik*, 81.

<sup>92</sup> Ali Yaman, *Kızılbaş Alevi Dedeleri* (İstanbul: Şahkulu Sultan Külliyesi Mehmet Ali Hilmi Dedebaba Araştırma Eğitim ve Kültür Vakfı, 1998), 10.

be extended to the post-World War I era to gather allies in Anatolia for the War of Independence, with men sent to all corners of Anatolia to have the Hacı Bektaş Complex accepted as the serçeşme so that unification could be realized to aid the war process. Until their times of migration in the 1960s and 1970s, Alevi continued to live in their villages, located among mountains. The shrines located in those areas posed problems over the years as Law No. 677 was not applied in these regions, due to the difficulty of reaching them and enforcing the law there. These places thus stayed in the hands of the last tomb-keepers instead of being bound to the General Directorate of Foundations, which will be explained clearly in the Hubyar case later in this study.

Until the first multiple-party system under the rule of the Republican People's Party (Turkish abbreviation: CHP), the state's aim was to restrict relations between religion and politics. Opposed to it, in the 1950s, there was a rapid increase in the construction of mosques, the printing of Korans, the facilitation of pilgrimages, and the return of the ezan, the call to prayer, from Turkish to Arabic.<sup>93</sup> In 1943, Ruhi Su, a talented Alevi singer, was banned from the radio after he sang an Alevi song.<sup>94</sup> It is also noteworthy that Alevi literature had been banned in the 16th century, referred to then as Rafizi books.<sup>95</sup> The perception among Alevi of Sunnis as a threat and the attitude of liberal conservatives of the 1940s regarding the segregation between politics and religion resulted in the approach of the Alevi towards the CHP.<sup>96</sup> In 1950, with Amendment No. 5566/1 held on Law No. 677, tombs of some historic

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<sup>93</sup> Shankland, *The Alevi in Turkey*, 15.

<sup>94</sup> Shankland, *The Alevi in Turkey*, 166.

<sup>95</sup> Refik, *Onaltıncı Asırda Rafizilik ve Bektaşilik*, 99-100.

<sup>96</sup> Necati Polat, *Regime Change in Contemporary Turkey: Politics, Rights, Mimesis* (Edinburgh: Edinburgh University Press, 2016), 45.

Turkish figures of both spiritual and military importance were reopened with the status of museum.<sup>97</sup> However, this was a controversial issue in terms of the Kurds, who were opposed to the clarification of Alevism as being related to Turkic culture based on Yesevism, the effects of which continued in Anatolia. While this constitutes the legislative aspect of the case, socio-economic factors such as urbanization, migration after the 1950s, and secularization as experienced by Alevi and Bektashi can all be related to the decline of dedeship. Increasing polarization between leftist and rightist ideologies from the 1960s onwards and the increasing popularity of Marxist ideas made these religious traditions the object of derision.<sup>98</sup> With the modernization process for Alevi, especially in the 1970s and 1980s, and the increasing rate of migration from rural to urban areas, the religious aspect of the culture started to be criticized by these groups, who valued the human over everything else. Mélikoff explains this as the turning of “mystical pantheism” into “materialist pantheism.”<sup>99</sup> The way that pantheism is understood in Alevism and Bektashism is as the identification of Ali with God. In this sense, it can be concluded that the factor behind the decrease in attention paid to this was not only the laws but also the changing perspectives among Alevi as a result of modernization, urbanization, and secular ideas. Alevi have also had a historically “Marxist” perspective on movements such as the Babai Revolt. That Marxist perspective may also lead to the evaluation of Alevi movements throughout history as being due to reactions against exploitation.<sup>100</sup> One of the reasons for the Babai Revolt in 13th century Selçuk Anatolia was the corrupt system in Gıyaseddin Keyhüsrev’s time.

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<sup>97</sup> Official Gazette No. 243, “Law No. 677 on the Closure of Tombs, Shrines, and Zawiyahs and Abolition of Some Titles,” December 13, 1925.

<sup>98</sup> Yaman, *Alevilik’te Dedelik ve Ocaklar*, 85.

<sup>99</sup> Mélikoff, *Kırklar’ın Cemi’nde*, 99.

<sup>100</sup> Ocak, *Babailer İsyanı*, 24.

However, the Turkic peoples who joined the Babai Revolt were also used to living without paying taxes. The Babai Revolt was significant for the history of religion in Anatolia as it helped encourage the Mongols to invade and was thus also significant for the later defeat of the Anatolian Selçuks, who were weakened in the suppression of the revolt.<sup>101</sup> Similarly, the collapse of the Great Selçuks was the result of the Oghuz Revolt. A similar situation occurred under the leadership of Sheikh Bedrettin in Ottoman territories in the 15th century. These cannot be evaluated as religious movements; they must be understood as socio-politic reactions of nomadic and semi-nomadic tribes or groups against the political authorities of the time.<sup>102</sup> The Jelali Revolts between 1519 and 1658 also arose as a result of corruption among taxation officials.<sup>103</sup>

Today, in terms of the dissatisfaction of Alevi regarding the meeting of their demands by the government or attitudes towards them, the establishment of the Turkish Unity Party in the 1960s can be considered as a factor contributing to the popular classification of Alevi within a certain political perspective since a majority of the party members and founders were Alevi. The rise of Sunni Islam gradually resulted in Alevi increasing their demands against existing double standards. In 1961, the first legislative attempts for the establishment of a “Department of Denominations” under the Directorate of Religious Affairs were made with a proposal by the Republican Villagers Nation Party (Turkish: CKMP). After the rejection of that proposal the topic was brought into discussion in the Parliament several times by leftist parties and social democrats in the 1990s.

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<sup>101</sup> Ocak, *Babailer İsyamı*, 43.

<sup>102</sup> Ocak, *Babailer İsyamı*, 153.

<sup>103</sup> Refik, *Onaltıncı Asırda Rafizilik ve Bektaşilik*, 28.

The rise of an Islamic character in politics was also observed in the 1980s in Turkey, and the dominance of the shamanism factor in studies based on the roots of Alevism also lasted until the 1980s.<sup>104</sup> The 1980s were years in which a Turkish-Islamic synthesis as well as anti-communist and rightist-conservative Islamism gained power after a military coup. An obligatory course on “Culture of Religion and Knowledge of Ethics” was introduced for school children with a legal amendment. The establishment of the Turkish-Islamic Union for Religious Affairs in 1984 as a sub-branch of the Directorate of Religious Affairs in Germany was another triggering factor for the Alevi revival, as it was seen as a threat.<sup>105</sup> Attempts were being made to use Sunni Islam to create a “sacred communion” with nationality.<sup>106</sup> The steps taken by the government were thus focused on nation-building, with the imposition of a common vision and shared principles.<sup>107</sup>

After the 1980 military coup and the increase in Islamist movements, regulations regarding the obligatory educational course on religion and ethics and a rapid increase in the construction of mosques in Alevi villages, which are not used by Alevis, became noticeable. It is not surprising that, in response to these movements, demands grew for cemevis and other kinds of Alevi institutions for the realization of worship and funerals. It can even be said that the public disclosure of Alevi identity increased in response to these trends. Some Alevis also immigrated in the 1980s as political refugees to Europe due to increasing political suppression. Thanks to the

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<sup>104</sup> Ocak, *Alevi ve Bektaşi İnançlarının İslam Öncesi Temelleri*, 54.

<sup>105</sup> Bülent Keleş, “Almanya’da Alevilik Merkezli Örgütlenmeler,” in *Geçmişten Günümüze Alevilik - I. Uluslararası Sempozyumu*, ed. Mehmet Yazıcı (Bingöl: Bingöl Üniversitesi Yayınları, 2013), 652.

<sup>106</sup> Ceren Lord, “Between Islam and the Nation; Nation-Building, the Ulema and Alevi Identity in Turkey”, *Nations and Nationalism* 23, no. 1 (2016): 51.

<sup>107</sup> Lord, “Between Islam and the Nation,” 52.

political freedom in other countries, Alevi-Bektashi organizations were established all over Europe, besides those in Canada and the United States, and these have played a great role in the revival and awareness of Alevi issues in the homeland, as well, which will be explained in more detail in following chapters.

Since 1989, the Hacı Bektaş Complex officially hosts the largest Alevi festival. This step, initiated by the Motherland Party (Turkish: ANAP), could be seen as background in the search for new voters.<sup>108</sup> However, the situation in the 1990s had not changed much. Since the 1990s, as political Islam and Islamist parties continued to rise, Alevis have felt more excluded from legal rights and equality. Demands regarding recognition came to light in the 1990s as a reaction against prejudices at the societal level and discrimination at the state level.<sup>109</sup> The 1990s were thus a time of increasing visibility of religious issues in the political and public spheres. In 1992, which was a coalition year, while the Welfare Party (Turkish: RP) was proud of the number of mosques and Koran courses they had opened and still called for more budget to be allocated to the Directorate of Religious Affairs, a member of the Social Democratic Populist Party (Turkish: SHP), Şahin Ulusoy, called attention to the rights of 20 million Alevis for the first time during his speech in the Grand Assembly.<sup>110</sup> Hüseyin Taştekin, the Vice Chairman of the Hilmi Dede Baba Research, Education, and Culture Foundation, stated that with the Development Plan Law issued during the last coalition government, established in 1996 and consisting of the ANAP, the Democratic Left Party (Turkish: DSP), and the Nationalist Movement

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<sup>108</sup> Shankland, *The Alevis in Turkey*, 159.

<sup>109</sup> Polat, *Regime Change in Contemporary Turkey*, 254.

<sup>110</sup> Shankland, *The Alevis in Turkey*, 161-162.

Party (Turkish: MHP), the electricity and water bill issues of Alevi centers of worship could have been solved, but no step was taken to address this problem.<sup>111</sup>

In spite of the pro-republican attitudes of Alevis, the establishment of the Directorate of Religious Affairs was a mistake from their perspective no matter what its aim was. As is commonly known, the aim of this institution was originally to promote secularism while keeping religious affairs under control, but in time it became an institution paying the salaries of imams and spending billions of dollars on the construction of mosques. In spite of the increasing visibility of minority demands in the political sphere with legal amendments and regulations occurring as a result of dialogue between the EU and Turkey, the Directorate of Religious Affairs reached a peak of discrimination and political support in the era of the Justice and Development Party (Turkish: AKP). In fact, Mehmet Görmez, the 17th head of the Directorate of Religious Affairs, has periodically demanded autonomy by being linked to the President's Office after the 2016 military coup attempt as a way to obtain extensive power and autonomy in a manner similar to that of the Ottoman ulama.<sup>112</sup> The "Alevi Opening" initiated in 2007 by the AKP was a historically important step. The AKP referred to it as a "Democratic Opening," aiming to address the needs and demands of different ethnic and religious communities, including Kurds. However, the constant evaluation of the heterodox Alevi belief system in meetings by a group including participants with strict Sunni perspectives was one of the reasons for the failure of the policy. Also, a fear of significant loss of votes from the conservative or Sunni-Hanafi part of society may be another reason for the legal amendments that appeared only as formalities for EU membership. The crisis starting in 2011 in Syria also resulted in an increase in sectarian divisions in both the

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<sup>111</sup> Hüseyin Taştekin, personal interview, June 8, 2018.

<sup>112</sup> Ceren Lord, "The Story Behind the Rise of Turkey's Ulema," *Middle East Report Online*, February 4, 2018, <https://merip.org/2018/02/the-story-behind-the-rise-of-turkeys-ulema/>.

domestic and the foreign policy of the AKP.<sup>113</sup> In return, the AKP blamed the Alevis for the failure of the “Democratic Opening” after the Gezi riots, in which the Alevis had allegedly promoted sectarian politics.<sup>114</sup> The AKP era has also witnessed a decision in the case of the Sivas Massacre, which had resulted in the loss of lives of several intellectuals—mostly Alevis—in the Pir Sultan Abdal Commemoration Festival in 1993 due to an attack on the Madımak Hotel, starting in 2010: specifically, the collapse of the case due to a time-out. The “Alevi Opening” thus promised contradiction with Islamo-nationalist ideology.<sup>115</sup> It is worth noting that in 2016, on the night of the military coup attempt, Erdoğan invited people to the streets and started his live speech with the following words: “My Sunni citizens...”. As a result, since there is no protection of Alevi culture to create reciprocal trust, Islamo-nationalist politics have alienated Alevis as a demographic block.<sup>116</sup>

Since the attitude of the state towards this heterodox group is criticized and since Alevi cultural edifices are not only historical worship sites but also structures hosting cemevis, it is important to indicate the differences of this belief system in terms of context, main pillars, holy days, worship, and rituals. In these places, people also sacrifice animals for the realization of their wishes, which is called adak. This meat will be distributed to everyone who is there in that particular place. The doors of Bektashi lodges are open to everyone who needs them as a result of the role of these lodges as charitable foundations throughout history. The high number of these shrines can be seen from Ahmet Refik’s study of Ottoman documents in the 16th

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<sup>113</sup> Lord, “Rethinking,” 279.

<sup>114</sup> Lord, “Rethinking,” 279.

<sup>115</sup> Polat, *Regime Change in Contemporary Turkey*, 263.

<sup>116</sup> Polat, *Regime Change in Contemporary Turkey*, 79.

century. It is clear in the velayetnames, books giving information about the lives of dervishes in the lodges, that the rituals of Bektashism started to take form in the 15th century, which also affected the construction of shrines and complexes.<sup>117</sup>

In contrast to what the Alevis usually call “the Arab-Umayyad Islam”, according to Alevi views of vanity and gaudiness, paying 60,000 Turkish lira to go on pilgrimage and paying 5 dollars per stone bought there to stone the devil are not good deeds but rather a sin. However, Alevis also have fasting in the month of Muharram to commemorate Kerbela and the suffering of the descendants of Muhammed and Ali, and sacrificial festivals to distribute lokma, rice with meat, and cem gatherings. There are also special görgü cems organized annually, while there is otherwise no time limit for cems. The most important holy days are the first ten days of Muharram for the remembrance of Kerbela.

Again in contrast to “the Arab-Umayyad Islam”, in Alevism no worship can be held in a language that the followers do not know. Alevis also believe that worship in the language a person understands provides a chance to question the faith, which cannot even be discussed in orthodox Sunni Islam. The style of Bektashi poems, called nefes, sung in cems, cannot be considered independently from the language of Yunus Emre. Nefes are about the love for God, Hacı Bektaş, Muhammed, the Caliph Ali, Shah Ismail, and other important figures. Yunus Emre was adopted by Bektashis as an Alevi by virtue of his free Sufi philosophy,<sup>118</sup> reflected in his poems written in pure Anatolian Turkish. Taptuk Emre, who was a Babai<sup>119</sup> and the teacher of Yunus Emre, was one of the followers of Hacı Bektaş. According to Köprülü, Yunus Emre

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<sup>117</sup> Yürekli, *Architecture and Hagiography in the Ottoman Empire*, 19.

<sup>118</sup> Köprülü, *Türk Edebiyatında İlk Mutasavvıflar*, 282.

<sup>119</sup> Köprülü, *Türk Edebiyatında İlk Mutasavvıflar*, 266.

is the representative of Sufi literature<sup>120</sup> in Anatolia. Yunus Emre's love of God is understood to be based on worship in Turkish, not on the five pillars of Islam. Kaygusuz Abdal, a poet himself and a follower of Yunus Emre and Abdal Musa, is another important name in Alevism today in this regard. Apart from the political aspect of the position of Kizilbashs at the time, the love and respect of Alevis for Shah Ismail, who is described as an almighty leader and ozan, or bard, is worth pointing out even still today. Opposition of Alevis as a political position can be understood by their embracing of Pir Sultan Abdal, who took one of the leading positions against social pressure during the riots of Sultan Süleyman's era. Three hymns written by him about the Caliph Ali were the reason for his execution. The murder of Ali and his sons, the suppression of riots, the 1938 Dersim Massacre, the 1978 events and the 1993 Sivas Massacre, the 1995 Gazi attack in İstanbul, and red X's on Alevi walls that still exist today are all reasons for Alevis to have a unique perspective regarding injustice and suppression. Therefore, their standing in the political arena may be one of the reasons for the domestic non-recognition of Alevism.

It is also easy to see the reflections of former Turkic culture and beliefs in Alevi shrines. The holiness of Hırka Mountain close to the Hacı Bektaş Complex comes from the gigantic size of the mountain and hills and their closeness to the sky,<sup>121</sup> trees with the assumption of their relations with mankind as understood by the Uyghurs,<sup>122</sup> and representations of the growth and life of a shaman candidate,<sup>123</sup> where ribbons,

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<sup>120</sup> Köprülü, *Türk Edebiyatında İlk Mutasavvıflar*, 4.

<sup>121</sup> Ocak, *Alevi ve Bektaşî İnançlarının İslam Öncesi Temelleri*, 114.

<sup>122</sup> Ocak, *Alevi ve Bektaşî İnançlarının İslam Öncesi Temelleri*, 131.

<sup>123</sup> Ocak, *Alevi ve Bektaşî İnançlarının İslam Öncesi Temelleri*, 133.

fabrics, rocks, and stones can still be found in the yards of the shrines today. In addition, it is believed that the mulberry tree in the yard of the Hacı Bektaş Complex was dried wood before.<sup>124</sup> There are also shamanic motifs, such as the healing of patients by dervishes or the touching of stones in the gardens of tombs and shrines to decrease pain, magical stories about dervishes, and beliefs regarding their ability to fight with wooden swords. The effects of Hurufism are visible even today among both Alevis and Sunnis, which shows itself as ascribing meaning to the objects belonging to former saints, as remedies for health problems or tools to have wishes granted when visiting their tombs. It is believed that shaman leaders also had wooden swords to fight against bad souls.<sup>125</sup> The holiness of the deer is also related to the effects of Buddhism.<sup>126</sup>

This syncretism of Alevism, its relationship with Bektashism, the appearance of the lodges in history, and their role and the political and historical context within which they have existed have been explained in this chapter to set up the framework for understanding current Alevi demands and the state's non-reciprocal approach towards them. In Chapter 2, the instruments of international law binding the Turkish state will be discussed regarding the articles that may be applicable to the demands of Alevis for their monuments. These are the ICCPR, or the United Nations Covenant on Civil and Political Rights; the ICESCR, or the United Nations Covenant on Economic, Social, and Cultural Rights; and the 1972 UNESCO Convention Concerning the Protection of World Cultural and Natural Heritage. In addition, Chapter 2 also addresses the legal basis in the EU for minority and cultural rights due to the ongoing dialogue between the EU and Turkey, and the implementations of

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<sup>124</sup> Ocak, *Alevi ve Bektaşî İnançlarının İslam Öncesi Temelleri*, 271.

<sup>125</sup> Ocak, *Alevi ve Bektaşî İnançlarının İslam Öncesi Temelleri*, 179.

<sup>126</sup> Ocak, *Alevi ve Bektaşî İnançlarının İslam Öncesi Temelleri*, 217.

these legal policies in European countries. Chapter 3 sets forward the normative framework on communities and the preservation of their cultural heritage by a detailed evaluation of the Turkish Constitution and other domestic codes and regulations in relation to the demands of Alevi regarding particular monuments, highlighting the gaps in domestic Turkish law compared to international instruments, which have privilege over domestic law as indicated in Article 90 of the Turkish Constitution. Chapter 4 inventories the main Alevi/Bektashi cultural artifacts, including shrines, dervish lodges, and tombs located within the borders of the Turkish Republic today, with information about their importance for Alevi, their architectural details, and the current state of these places. This chapter also includes Alevi acts of advocacy regarding cultural assets of immovable property, referring particularly to the “Alevi Opening” held under the AKP government, in which Alevi officially indicated their demands to the state. Finally, Chapter 5 offers an evaluation of the whole study with suggestions to the community and the state for the preservation of Alevi cultural heritage.

A brief overview of the relevant terminology for the structures in question will be useful moving forward. As already stated, in Alevism, a cemevi is the house of cem, which is the worship practice that holds the community held together. Cemevis can be located in a wide range of structures, from formal lodges or association buildings to large personal homes in rural villages. The structures referred to here as “lodges” are generally known as dergah in Turkish; this word refers to large shrines that hosted the worship of particular communities and the sheiks and dervishes of particular tariqas in Anatolia, together with guesthouses for abdals and centers of learning and enlightenment for the leaders of the community. “Dergah” is commonly used among many Islamic orders to describe their centers of worship. In this thesis, the historic lodges of Hacı Bektaş and Sücaeddin Veli are referred to as “complexes” to emphasize their size and particular importance. However, it is important to keep in mind that the Hacı Bektaş Complex is specifically considered by Alevi to be “the

serçeşme” (main spring) of the faith, as was briefly alluded to above, being the center of all Alevi/Bektashi lodges constructed not only in Anatolia but also in the Balkans. Smaller structures are referred to here in English as tombs, from the Turkish türbe, meaning the grave of someone appreciated by society, and these have historically been important in Alevi belief due to the role of these dedes, dervishes, and sheiks among the Turcomans in terms of their leadership.

## CHAPTER 2

### INTERNATIONAL LAW ON CULTURAL HERITAGE

One of the new developing areas of international law is international cultural law or international cultural heritage law. The appearance of international cultural law can be dated back to the late 19th and early 20th centuries, and it has progressed since then in spite of two world wars that interrupted cultural internationalism. The 1899 and 1907 Hague Conferences codified cultural heritage in humanitarian law with conventions and regulations. The very first policies in this area were the Lieber Code of 1863, the Oxford Manual of 1880, the Hague Convention of 1907, the Hague Rules of Air Warfare of 1922, the Roerich Pact of 1935, and the Inter-Allied Declaration of 1943. In 2001, the demolition of the colossal Buddha statues of Bamiyan, Afghanistan, by the Taliban brought a renewed focus to the topic of the protection of cultural material and religious freedom.

Nafziger describes international cultural law as “a disparate legacy of law pertaining to family and social norms, folklore, folk art, religion, art, architecture, media, sports, recreation, music, language, literature, drama, dance, other performing arts and significant relations among these phenomena.”<sup>127</sup> As can be seen from this definition, “cultural heritage” includes both tangible and intangible cultural heritage of communities or belief systems. The aim of international law is thus to provide protection and sustainability for these forms of heritage, and to prevent the destruction of cultural heritage and punish crimes against it. Treaties are the main resources of international law in general, and so the main resources of international

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<sup>127</sup> James A.R. Nafziger, “The Development of International Cultural Law,” in *Proceedings of the Annual Meeting of the American Society of International Law* (2006), 317.

law on culture and cultural heritage are naturally also international treaties. Legal customs, which are other instruments of international law, do not currently have a function in this new field. In addition to international treaties, there are various international declarations and decisions aiming at the protection of the cultural heritage of ethnic, religious, and linguistic minority groups. In the late 1980s and early 1990s, minority rights began to be recognized more widely as a significant issue in relationship to human rights.<sup>128</sup> In this vein, treaties on minority rights are as important as international treaties governing cultural rights in terms of the preservation of the culture of minorities and cultural sites. However, the resources noted here are unfortunately not legally binding if states are not a party to them. For this reason, there are no practically effective resources other than international treaties regarding this issue.

In recent decades, cultural heritage and its protection have been receiving increased focus in the context of international legal resources. This is due to an increasingly common approach among academicians and professionals in response to the restriction of cultural heritage and its use by minority groups; such cultural heritage is a part of social identity and the restriction of it is a violation of human rights.<sup>129</sup> The Alevi and Bektashi artifacts indicated in this study are concrete reflections and symbols of these belief systems. Therefore, Alevis' access to artifacts that have a historic role in worship practices is necessary as a part of freedom of religion, which is a fundamental human right. Also, according to this approach, the dispossession of such structures or the prevention of their use in worship is in conflict with the consideration of certain places as sites of cultural heritage. Therefore, Alevis have rights to protect their places of worship in the event of a violation of the authentic

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<sup>128</sup> Nigar Karimova and Edward Deverell, *Occasional Paper No. 19. Minorities in Turkey* (Stockholm: Swedish Institute of International Affairs, 2001), 5.

<sup>129</sup> Bahar Aykan, "Kültürel Miras Hakkı: Kültürel Mirasa İnsan Hakları Temelli Yaklaşımlar," *Alternatif Politika* 10, no. 2 (2018): 231.

features of the monuments thanks to the cultural heritage rights and the regulation of cultural heritage via international conventions aimed at the elimination of injustice, inequality, and violation of human rights with the support of various international actors. The positive effects of the supranational judicial procedure, the embeddedness of international institutions and instruments of national legal and political systems, and the role of the European Union and the Council of Europe regarding the signature of members and candidate states on treaties related to fundamental human rights, minority rights, and cultural rights are indisputably important in this field.

The establishment of the League of Nations and its role after World War I to find solutions to the problems of minorities following the disintegration of the Austro-Hungarian, Prussian, and Ottoman Empires also started another era. The United Nations, to which Turkey has been a party since October 24, 1945, has been the leading organization for the promotion of fundamental rights and freedoms in the international human rights regime since World War II. The UN Declaration on the Elimination of All Forms of Intolerance and Discrimination Based on Religion and Belief was passed in 1981 for the promotion of freedom of religion, which is also mentioned in Article 9 of the European Convention of Human Rights (ECHR). However, the ECHR and the Universal Declaration of Human Rights both do not specifically refer to minority rights. Until the United Nations Covenant on Economic, Social, and Cultural Rights (ICESCR) and the United Nations Covenant on Civil and Political Rights of 1966 (ICCPR), the UN evaluated minority rights under the umbrella of human rights. With these two covenants, minority rights are now acknowledged in international law as a separate legal category.<sup>130</sup> The importance of both covenants here is their link to freedom of religion and minority rights.

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<sup>130</sup> Hakan Taşdemir and Murat Saraçlı, “Avrupa Birliği ve Türkiye Perspektifinden Azınlık Hakları Sorunu,” *Uluslararası Hukuk ve Politika* 2, no. 8 (2007): 27.

In international law, there is not a commonly accepted definition of “minority.” The reason for the absence of such a definition is that the will of states to apply their own definitions has generally been recognized.<sup>131</sup> According to the UN and Francesco Capotorti, Special Rapporteur of the United Nations Sub-Commission on Prevention of Discrimination and Protection of Minorities, the UN definition of “minority” since 1977 is:

...a group numerically inferior to the rest of the population of a State, in a non-dominant position, whose members - being nationals of the State - possess ethnic, religious or linguistic characteristics differing from those of the rest of the population and show, if only implicitly, a sense of solidarity, directed towards preserving their culture, traditions, religion or language.<sup>132</sup>

The Treaty of Lausanne, signed in 1923, was the main resource for the Turkish state to define “minorities” in the country until the 1990s when attention to identity issues was increased. By the Treaty of Lausanne, Armenians, Greeks, and Jews were defined as minority groups in the country, opposed to Kurds, Alevis, Assyrians, Chaldeans, and Nestorians. When Anatolian Alevism is considered without distinguishing Kurdish Alevis from Turkish ones, it can be seen that Alevism is not supposed to jeopardize Turkish nationalism by addressing ethnic diversity or the “Kurdish issue.” As addressed in the previous section, Turkish nation-building was based on religiosity within a certain order of Islam. The denial of the term “minority” is thus also a political struggle that arises not only due to Alevis but also due to the attitude of the state. If Alevis are recognized as a minority group in international standards and by the treaties to which Turkey is a party, then the state’s rejection of

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<sup>131</sup> Aziz Aydın, *AB Ülkeleri, ABD ve Türkiye Cumhuriyeti Anayasalarında Azınlıklarla İlgili Düzenlemeler* (Ankara: Türkiye Büyük Millet Meclisi Araştırma Merkezi, 2011), 3.

<sup>132</sup> Francesco Capotorti, *Study on the Rights of Persons Belonging to Ethnic, Religious and Linguistic Minorities, E/CN.4/Sub.2/384/Rev.1* (Geneva: UN Sub-Commission on the Prevention of Discrimination and Protection of Minorities, 1979), para. 568.

the term is meaningless since the rights of Alevis are protected by those international agreements ratified by Turkey.

It is seen during this study that many Alevis are not comfortable with the term “minority,” since they describe themselves as “real Turks.” The reason for this might be their suspicions about segregation, fears of being second-class citizens, or doubts about being put in the same category with the non-Muslim minorities of the country. However, it is undeniable that this rejection of “minority” creates difficulties for the protection of their fundamental rights, rights as a minority group, and their cultural heritage. Collective rights are also regulated to provide equal citizenship rights to everyone without discrimination. Since the recognition of Alevism in Turkey may not lead to a fair distribution, as can be predicted due to the situations of other belief systems and religions recognized by the Turkish state, advocacy of the Alevi belief system should be based on minority rights, which can be provided by the conventions signed by Turkey.

In terms of the preservation of the cultural heritage of groups, after the emergence of the United Nations Educational, Scientific, and Cultural Organization (UNESCO) in 1945, the 1954 Hague Convention for the Protection of Cultural Property in the Event of Armed Conflict was the first international treaty based on the protection of cultural heritage worldwide and brought a new perspective to the preservation of cultural heritage, taking the responsibility of the state to international and multicultural levels and promoting cultural pluralism with respect to the territorial integrity of the state at the same time. The UNESCO Convention on the Means of Prohibiting and Preventing the Illicit Import, Export, and Transfer of Ownership of Cultural Property was another step taken in 1970. The UNESCO Convention on the Protection and Promotion of the Diversity of Cultural Expression of 2005 states that the reason for the increasing attention paid to developments in cultural rights is not only their relationship with fundamental human rights but also increasing

“McDonaldization”<sup>133</sup> with increasing cultural homogeneity, which the Convention aimed to fight. UNESCO has significance in the protection of cultural heritage in the world today as the leading intergovernmental regime in terms of the preservation of cultural heritage. Despite the absence of deterrence power, it has significant influence on international public opinion and the acts of states that seek compatibility with the international cultural heritage regime.

The factor of the increasing attention of the global community to humanitarianism and multiculturalism must also be recognized. The protection of cultural heritage is not only a technical issue today; it is also political and ethical.<sup>134</sup> Therefore, protection cannot be accredited to only the community or to the state. The issue of the protection of cultural heritage has triggered the establishment of international NGOs such as the International Council on Monuments and Sites (ICOMOS) and the International Council of Museums (ICOM). The UN has also taken additional steps for the protection of indigenous peoples and their lifestyles, such as the Australian Aborigines, Eskimos, Lapps in Scandinavia, and Native Americans, as specified with the UN’s Declaration on the Rights of Indigenous Peoples (UNDRIP). In this era, when the natural or “underdeveloped” areas in which indigenous peoples live are being discussed in the framework of human rights and conflicts regarding these lands are addressed with instruments aiming to protect the rights and lifestyles of indigenous peoples, the return of architectural monuments to minority communities is another topic than can be discussed with hope. The UN also took steps for the protection of intangible heritage with the Convention for the Safeguarding of the Intangible Cultural Heritage in 2006. The importance of this can be clarified with the example of Alevism. Alevi structures and sites have a major tangible role in the continuation of the belief system and its culture, but Alevism also consists of its

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<sup>133</sup> Nafziger, “Development of International Cultural Law,” 320.

<sup>134</sup> Aykan, “Kültürel Miras Hakkı,” 244.

rituals, customs, and traditions. The sema ritual and cems of Alevi Bektashi heritage are already in the UNESCO Representative List of Intangible Cultural Heritage. Interestingly, the sema was also included in the Turkish National Inventory in 2010, a case in which the acceptance of the cultural heritage of the belief and the denial of recognition of the community contradict each other. The aim of the state can be claimed to be the burial of active belief in history. The consideration of the sema as folklore or a dance rather than a form of worship is a denial of theological diversity.<sup>135</sup> It should be kept in mind that Alevism is a heterodox belief system and, similarly to every belief system or religion, it has its own culture. Characterizing the sema as folklore of the Turkish state is no different from the museumification of Alevi cultural sites, which ends with the alienation of the community from its artifacts.<sup>136</sup>

Building on this brief overview, the international treaties on minority rights and cultural rights that bind Turkey in accordance with the provisions of Article 90 of the Turkish Constitution, which guarantees the position of international agreements as a part of Turkish law, will be discussed in detail below. Article 90 states that the provisions of an international treaty shall be deemed to be superior if there is conflict or incompatibility between the provisions of the international treaty and the domestic law.<sup>137</sup> The acts of the Turkish state regarding issues of cultural heritage belonging to the Alevi community will be evaluated in consideration of the ICCPR, the ICESCR, and the 1972 UNESCO Convention Concerning the Protection of the World Cultural and Natural Heritage.

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<sup>135</sup> Benjamin Weineck, “Governmentalities of Alevi Cultural Heritage: On Recognition, Surveillance and “Domesticated Diversity” in Contemporary Turkey,” *Middle East - Topics & Arguments* 3 (2014): 97.

<sup>136</sup> Weineck, “Governmentalities,” 99.

<sup>137</sup> Turkish Constitution, art. 90.

## **2.1. ICCPR: United Nations Covenant on Civil and Political Rights (1966)**

The European Convention of Human Rights and the Universal Declaration of Human Rights accepted by the UN and the Council of Europe are based on individual fundamental rights. The difference of the ICCPR, the United Nations Covenant on Civil and Political Rights, is that it guarantees the rights of minorities, especially with Article 27. Another aim of this covenant is the promotion of bottom-up participation of local residents in decision-making processes. It ensures not only the participation of minority groups but also recognizes the rights of individuals belonging to ethnic, linguistic, or religious minority communities to enjoy their culture, practice their religion, and speak their own language. This is one of the international treaties to which Turkey is a party and it was ratified by Turkey in 2003 in spite of reservations regarding Article 27.<sup>138</sup>

Article 1 of the ICCPR sets out the right to self-determination of all peoples for the pursuit of their economic, social, and cultural development.<sup>139</sup> The third paragraph of that article mandates the responsibility of the state to remove barriers and to promote the exercising of this right. It determines the responsibility of parties to “promote the realization of the right of self-determination, and [to] respect that right, in conformity with the provisions of the Charter of the United Nations.”<sup>140</sup> For the preservation of cultural heritage, not only the state or community ownership but also objective experts and NGOs are necessary in decision-making processes alongside state-local

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<sup>138</sup> Ioannis N. Grigoriadis, “On the Europeanization of Minority Rights Protection: Comparing the Cases of Greece and Turkey,” *Mediterranean Politics* 13 no. 1 (2008): 36.

<sup>139</sup> Office of the United Nations High Commissioner for Human Rights (OHCHR), *International Covenant on Civil and Political Rights* (New York: United Nations, 1966), art. 1(1).

<sup>140</sup> OHCHR, *ICCPR*, art. 1(3).

cooperation. Pluralism can also be realized in this process through the appearance of community-based property rights. Although the state shall not attempt to define the belief and shall not criticize the community for the absence of a consensus in the Alevi case in Turkey, it is undeniable that the absence of a central authority in the minority community can lead to the disappearance of the authenticity of the belief. There are already differences from region to region of Turkey in terms of Alevi rituals and legends. The system preventing the organization of Alevi institutions from integrating or playing a role in decision-making processes can be claimed as the reason for this. In relation to restoration efforts, state-centered decisions made for the restoration of Alevi monuments under the authority of the General Directorate of Foundations or the restoration of tombs by associations established specifically for the purpose of the continuation of the structures may result in technical mistakes. For example, the Hacı Bektaş Complex as the serçeşme of the community suffered many technical mistakes introducing non-authentic aspects, such as the lighting hung on the walls of the yards or the covering of the walls with materials to prevent humidity rather than emphasize the original features of the structure. In addition, as may be seen in restorations conducted by the General Directorate of Foundations, top-down applications do not give satisfactory results since they cannot be evaluated separately from a certain ideology, as is claimed by Alevis. In contrast to restoration mistakes made by state organizations, the inner walls of the Hüseyin Gazi Tomb in Ankara are covered with small mosaics by the members of the community, which is not a part of the original authentic appearance of the structure.

To illustrate the importance of local participation and the fight for rights via mechanisms besides the ECrtHR and the participation of individuals who are not themselves members of the community facing the problem, Kakadu National Park in Australia, which was placed on the UNESCO World Heritage List and contains many important Aboriginal cultural sites and rock art, can be given as an example. When the government started extracting uranium from the grounds, local citizens

attended the UNESCO World Heritage Committee in Paris in a delegation to express their concerns. After detailed research by the Committee determined the harm posed by the actions of the government, the Australian government ended the extraction activities. However, stressing bottom-up participation in decision-making processes should not necessarily mean the elimination of the state from the process. As one of the critics of community-based approaches, Hodder finds them problematic since every single community will fight only for its own heritage,<sup>141</sup> and groups whose communities have vanished will be left to their own fates. He thus advocates the importance of a social-justice-centric approach rather than approaches based on property and roots.<sup>142</sup> To illustrate, in Turkey, activists who were opposed to the construction of the Ilisu Dam brought the case to the ECtHR due to their strong beliefs that the project, submerging the 10,000-year-old town of Hasankeyf, would be destroying a source of cultural heritage. In other words, the destruction of such a historical area cannot be viewed as merely the problem of locals; it is a problem for humanity. In addition, hotel construction in Cappadocia, a site of natural heritage shaped by 60 million years of unique geological forces and a first-level natural site on the UNESCO World Heritage List, represents a problem for humanity.

The participation of Alevis in processes regarding their cultural heritage is necessary not only for better results but also for the existence of meaningful democracy. With the rise of the concept of substantive democracy in the 1990s, the meaning of “democracy” went beyond equal participation of citizens, or procedural democracy, to address the protection of human rights.<sup>143</sup> The 1990s were also years of increased self-consciousness among Alevis and a revival of Alevism, growing as a reaction to

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<sup>141</sup> Aykan, “Kültürel Miras Hakkı,” 241.

<sup>142</sup> Aykan, “Kültürel Miras Hakkı,” 241.

<sup>143</sup> Ioannis N. Grigoriadis, “Political Participation of Turkey’s Kurds and Alevis: A Challenge for Democratic Consolidation,” *Southeast European and Black Sea Studies* 6, no. 4 (2006): 447.

the rise of Islamic identity, the 1993 Sivas Massacre, and the obligatory school course on the culture of religion and knowledge of ethics introduced in the 1982 Constitution. This process ended with the increase of their visibility and their demands in the public sphere with increased publications.<sup>144</sup> The ICCPR can also be evaluated as support against the imposition of this obligatory course, as Article 18 refers to the role of parents in educating their children about their own convictions.

Article 27 sets forth the use of these rights by ethnic, religious, and linguistic minorities.<sup>145</sup> As clarified in Article 27, Alevis, as a religious minority, undeniably have the right to benefit from and to enjoy their own culture.<sup>146</sup> Article 27 also shows that the issue at stake is not merely ensuring the absence of physical violence or threats against minorities, but also ensuring the continuation of their identity and the protection of their culture.<sup>147</sup> The common perspective regarding the demands of Alevis is that they can continue to practice their rituals without any restrictions. It is undeniable that cemevis exist, de facto, in spite of the absence of worship status or the recognition of the belief. However, the absence of a legal status for cemevis signifies the absence of equality among citizens. Citizenship should not mean only passive membership in a certain national community and the rights provided by the state; it should entail engagement of individuals with the state via social practice, civic actions, and institutions of civil society.<sup>148</sup> Since citizenship rights include civil,

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<sup>144</sup> Grigoriadis, "Political Participation," 454.

<sup>145</sup> OHCHR, *ICCPR*, art. 27.

<sup>146</sup> OHCHR, *ICCPR*, art. 27.

<sup>147</sup> Taşdemir and Saraçlı, "Avrupa Birliği ve Türkiye Perspektifinden," 27.

<sup>148</sup> Patricia Ehrkamp and Helga Leitner, "Beyond National Citizenship: Turkish Immigrants and the (RE)Construction of Citizenship in Germany," *Urban Geography* 24, no. 2 (2003): 128.

social, and political rights, it can be claimed that Alevis do not even benefit from proper citizenship rights.

Article 28 of the ICCPR indicates the establishment and the presence of a Human Rights Committee including 18 members chosen from among the nationals of the member states.<sup>149</sup> While the ICCPR allows applications by states to the Committee, individual applications from member states are also accepted thanks to the 1966 Optional Protocol to the International Covenant on Civil and Political Rights, which was added to the Covenant for cases in which a remedy is not found in the domestic legal order.<sup>150</sup> Turkey is one of the parties to this Optional Protocol, as well. When this is evaluated from the perspective of Alevis, Alevi individuals and Alevi organizations such as associations, federations, and foundations are eligible to apply to the Committee for redress of the obstacles they face in protecting their cultural heritage. In the case of such an application, the Committee will contact the Turkish state for the correction of the situation. Afterwards, the state is responsible for informing the Committee within six months about how the situation has been amended, in the event that it was, or how the situation is legalized and justified in the event that it has not been amended. However, it is important to note that Alevi institutions and individuals usually bring cases unable to be remedied by the domestic judiciary to the ECtHR rather than other options that could be used thanks to the signature of the state on certain treaties.

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<sup>149</sup> OHCHR, *ICCPR*, art. 28(1&2).

<sup>150</sup> OHCHR, *Optional Protocol to the International Covenant on Civil and Political Rights* (New York: United Nations, 1966), 171, art. 5(2b).

## 2.2. ICESCR: United Nations Covenant on Economic, Social, and Cultural Rights (1966)

Similar to the ICCPR, the ICESCR is another covenant aiming to guarantee cultural rights and freedom. Turkey has been a party to this covenant since 2003. Article 1 of the ICESCR is the same as that of the ICCPR. According to the EU, states are not only responsible for the fulfillment of legal and economic obligations but also for their application in the social and political spheres.<sup>151</sup> Both the ICCPR and ICESCR address this point.

This covenant is important in terms of Article 15, indicating “the right of everyone to take part in cultural life.”<sup>152</sup> It is possible to interpret this article as generally regarding the preservation of ethnic cultures since drafts in the preparatory works of the article facilitated thinking in this direction. It is undeniable that there are cemevis established with the names of Alevi associations and foundations, due to the absence of legal recognition of cemevis, and cem rituals are performed in these places. However, events to be held in the Hacı Bektaş Complex, the serçeşme of the community, need the approval of the authorities. Therefore, the state’s claim that freedom is provided to Alevis cannot be fully accepted. In addition, due to the General Directorate of Foundations having full authority over historical monuments, these structures have been losing their historical and communal functions. Alevi intellectuals and members of Alevi organizations usually observe that restorations are conducted via projects approved by the Directorate, which does not have a branch of personnel with experts on Alevi monuments. This may eventually lead to the

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<sup>151</sup> Sertan Akbaba, “AB Sürecinde Türkiye’nin İnsan Hakları ve Milli Kimlik İkilemi,” *Gazi Akademik Barış* 10, no. 20 (2017): 97.

<sup>152</sup> OHCHR, *International Covenant on Economic, Social, and Cultural Rights* (New York, United Nations, 1966), art. 15(1a).

alienation of the community from its historical monuments and it may foster the state's assimilation policies, claimed by Alevis to exist.

### **2.3. UNESCO Convention Concerning the Protection of the World Cultural and Natural Heritage (1972)**

The 1972 UNESCO Convention Concerning the Protection of the World Cultural and Natural Heritage attempts to promote the participation of minority groups in decision-making processes. Although that is the convention's most popular application by UNESCO, it is still criticized for inadequate promotion of such participation.<sup>153</sup> However, the regime established with this convention is not limited to the expansion of different actors in decision-making. The 1972 Convention makes the state in which a specific cultural heritage is located the only country responsible for the listing and preservation of the cultural heritage in question.<sup>154</sup> Turkey is a party to this international convention, as well. The main topic of this convention is the protection of historical and ethnological architectural works as a part of local cultural heritage with universal values. Although they do not constitute prime importance in terms of "universal" history, the "ethnological" value of Alevi structures in Turkey is indisputable. Besides Bektashism's spread to the Balkans in the Ottoman era, Alevi-Bektashi beliefs reflect humanitarian values aimed to be taught to every human being today. Therefore, Alevis may initiate action and lobby in the eyes of the public and the government for the listing of certain places or monuments with cultural value belonging to Alevis. With proper application of this convention, not only the effective protection of Alevi cultural heritage as deemed suitable by the government in this regard but also the functional integration of these

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<sup>153</sup> Aykan, "Kültürel Miras Hakkı," 239.

<sup>154</sup> UNESCO, *Convention Concerning the Protection of the World Cultural and Natural Heritage* (Paris: UNESCO, 1972), art. 3.

artifacts into community life and especially into the lives of Alevi in Turkey can be realized. In brief, this international convention sets an accessible target for Alevi groups and NGOs regarding certain Alevi structures. What needs to be done by Alevi in this regard is the determination and identification of the sites eligible for such coverage and to ensure that these sites are accordingly proposed by the Turkish state for the list of world cultural heritage sites. In the event that Alevi structures are to be listed as world cultural heritage, they will then be the responsibility of not only the Turkish state, in which they are located, but also other state parties. This can be concluded due to Article 6 indicating that all states party to the convention accept that these structures, as world heritage of the international community, shall be protected in cooperation while respecting the sovereignty of the state in which the cultural heritage is located in accordance with Articles 1 and 2.<sup>155</sup>

Article 1 of this convention defines “cultural heritage” as referring to monuments, groups of buildings, and ethnological sites “which are of outstanding universal value from the point of view of history.”<sup>156</sup> Here there is no doubt that Alevi and Bektashi monuments have value as sources of cultural heritage with their construction in Anatolia and the Balkans after the immigration of Turkish tribes and their settlement in these areas after conquest by the Ottomans. Therefore, aside from the responsibility of the state for Alevi and their monuments, the state is also responsible for the protection of these places that already have an important position in the common history of the country.

Article 4 of the Convention also has importance in terms of underlining the duty and responsibility of the state party for the determination, preservation, display, and transference to the next generations of cultural heritage upon which Articles 1 and 2

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<sup>155</sup> UNESCO, *Convention Concerning*, art. 6(1).

<sup>156</sup> UNESCO, *Convention Concerning*, art. 1.

of the Convention are applicable, even if the utmost of state resources will be necessary, or with international financial, scientific, technical, and artistic assistance and cooperation where appropriate and obtainable.<sup>157</sup> The necessity of technical, legal, scientific, administrative, and financial measures for conservation, preservation, and identification is also referred to in Article 5.<sup>158</sup> As will be seen in Chapter 4, in the case of the Seyyid Veli Baba Sultan Tomb in Isparta, the bidding company left the restoration project in such a way that left the mosque vulnerable, with the excuse of an inadequate budget. As will be indicated in the following chapter on domestic law, the laws and regulations regarding such damages are not dissuasive as implemented by Turkish legal instruments. Therefore, the tender system adopted by state organs for restorations in Turkey does not give positive results in the end. Article 5 also expands on the commitment of the state party to the protection and conservation of cultural heritage in the country and the state's obligation to take effective precautions as much as possible. As indicated in this article, the state party shall organize extensive planning programs and policies based on the protection, integration, and function of cultural heritage in the life of the community.<sup>159</sup> However, restorations in Turkey are conducted by companies that do not have specific expertise on Alevi artifacts. The state party is also responsible for setting up services with appropriate staff and means for the protection and presentation of the heritage.<sup>160</sup> The prevention of factors that would threaten the cultural heritage, by utilizing all necessary scientific and technical studies and

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<sup>157</sup> UNESCO, *Convention Concerning*, art. 4.

<sup>158</sup> UNESCO, *Convention Concerning*, art. 5(d).

<sup>159</sup> UNESCO, *Convention Concerning*, art. 5(a).

<sup>160</sup> UNESCO, *Convention Concerning*, art. 5(b).

research, is also the duty of the state.<sup>161</sup> In addition, the establishment of regional and national centers based on scientific research and education regarding the protection of cultural heritage shall be realized by state parties.<sup>162</sup> However, the only cases of this seen in Turkey are Alevi attempts to protect their historical structures with the structure-based associations and foundations established by themselves. Furthermore, in the Alevi case, it is not simply the restoration of physical artifacts that is a challenge. The very representation of the belief system in textbooks for the obligatory course on education on religion and ethics is problematic, and the status of Alevi worship is still a political taboo, making politicians fear the loss of votes if it were to be addressed. In short, the Turkish state does not fulfill its obligations in regard to this article.

Due to the provisions of the convention, the state parties undertake the responsibility of assistance in identifying, protecting, conserving, and presenting cultural heritage in accordance with paragraphs 2 and 4 of Article 11 in the case of a request from the country in which said heritage is located,<sup>163</sup> and equally, they have a duty to take measures to eliminate indirect or direct damage to the cultural heritage mentioned in Articles 1 and 2 of the Convention located in the territories of other state parties.<sup>164</sup> Paragraph 1 of Article 11 says that the state party shall submit an inventory list of cultural and natural heritage sites or artifacts located in the territory to be indicated in the list explained in paragraph 2 of the article for the World Heritage Committee,

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<sup>161</sup> UNESCO, *Convention Concerning*, art. 5(c).

<sup>162</sup> UNESCO, *Convention Concerning*, art. 5(e).

<sup>163</sup> UNESCO, *Convention Concerning*, art. 6(2).

<sup>164</sup> UNESCO, *Convention Concerning*, art. 6(3).

with detailed information about the location and the significance of the heritage.<sup>165</sup> This committee shall evaluate the submitted inventory lists in accordance with Articles 1 and 2 of the convention and the exceptional universal value of the heritage and shall prepare a World Heritage List, which shall be updated at least every two years.<sup>166</sup> The main question here is whether the aim of the Turkish state is the preservation of these monuments. The addition of cultural heritage to the World Heritage List is only possible with the consent of the state.<sup>167</sup> Even if a source of heritage is located in a territory where more than one state claims sovereignty or jurisdiction, the rights of the parties to the dispute shall not be violated.<sup>168</sup> Apart from that, since the Turkish state is a party to the convention, Turkey may be supported financially by other state parties when the preservation of heritage is being seriously pursued. Additionally, the World Heritage Committee also has the duty to update, regulate, and publish a list of “World Heritage in Danger,” consisting of properties from the World Heritage List for which assistance is required.<sup>169</sup> The estimated cost of the necessary operations shall also be indicated in the list.<sup>170</sup> As for updating the list, the issues to be considered are the presence of potential danger of rapid deterioration and disappearance, urban transformation or inappropriate construction projects, abandonment of the structure, armed conflict, harms posed by change in

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<sup>165</sup> UNESCO, *Convention Concerning*, art. 11(1).

<sup>166</sup> UNESCO, *Convention Concerning*, art. 11(2).

<sup>167</sup> UNESCO, *Convention Concerning*, art. 11(3).

<sup>168</sup> UNESCO, *Convention Concerning*, art. 11(3).

<sup>169</sup> UNESCO, *Convention Concerning*, art. 11(4).

<sup>170</sup> UNESCO, *Convention Concerning*, art. 11(4).

ownership or use of the land, and any kind of natural disaster or act of nature.<sup>171</sup> The criteria for the inclusion of heritage in the lists indicated in paragraphs 2 and 4 of Article 11 shall be defined by the committee.<sup>172</sup> The committee shall also evaluate the situation after consultation with the state in which the property in question is located.<sup>173</sup> Studies and research regarding the properties shall be initiated by the committee only after an agreement is reached with the state.<sup>174</sup> As seen, this convention signed by Turkey provides many avenues to members for the preservation of cultural heritage.

However, as indicated in Article 12 of the convention, rejection of a property to be listed does not mean that property has no value or has less value than those indicated in the list.<sup>175</sup> It is necessary to change the perception and attitude towards restoration and preservation of cultural heritage in general in Turkey. Due to the historical meaning and the role of Alevi/Bektashi lodges and shrines both throughout history and today, the establishment of necessary expertise groups for both bureaucratic and technical processes is crucial regarding the restoration and protection of the heritage; otherwise, merely being a party to a convention will not be enough to ensure protection of cultural heritage, as can be seen in the Turkish case.

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<sup>171</sup> UNESCO, *Convention Concerning*, art. 11(4).

<sup>172</sup> UNESCO, *Convention Concerning*, art. 11(5).

<sup>173</sup> UNESCO, *Convention Concerning*, art. 11(6).

<sup>174</sup> UNESCO, *Convention Concerning*, art. 11(7).

<sup>175</sup> UNESCO, *Convention Concerning*, art. 12.

## **2.4. The European Union, Relations with Turkey, and Minority and Cultural Rights in the EU**

The EU is a regional integration organization pursuing the promotion of tolerance, humanity, fundamental rights, and the rule of law. The process of integration starting with the European Coal and Steel Community after World War II gave birth to a union with supranational features in the following years as the most successful example of political and economic integration today. The policies of the EU regarding human rights are based on international frameworks and agreements to prove that democracy and human rights are universal values to be supported by all states, not only the EU members or other Western countries. The inherent role of human rights in EU policies can be seen from Article 6 of the Treaty on European Union (TEU) referring to the European Convention for the protection of human rights and fundamental freedoms, to be ratified by all member and candidate states.<sup>176</sup> The Council Resolution on Indigenous Peoples within the Framework of the Development Cooperation of the Community and Member States of 1998 also signified the increasing consideration of indigenous peoples within the EU.

The European Convention on Human Rights is binding for the member states of the Council of Europe, the legislative body of the EU. The 1992 Maastricht Treaty also refers to this convention, which was the first step of the EU regarding human rights even if it did not lead to sufficient establishment of a human rights regime in the EU. The Stability Pact for Europe was also signed in 1995 to provide stability in Southeastern Europe in terms of minorities. There are also the directives of 2000, based on fighting against discrimination due to racial differences; financial aid programs supported by the EU budget to solve minority issues, such as the Phare Programme, to support projects based on solving issues regarding minorities in

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<sup>176</sup> European Union, *Consolidated Version of the Treaty on the Functioning of the European Union, Document C2010/083/01* (Brussels: EU, 2010), art. 6.

Central and Eastern Europe in the accession process; the Access Programme in candidate states in Central and Eastern Europe, with the purpose of supporting minority-focused NGOs and NPOs; the European Initiative for Democracy and Human Rights to support state officials, NGOs, and communities serving minorities; and the Creative Europe Programme to support sectors and projects based on cultural heritage. In other words, with the existence of such programs, financial obstacles could never be claimed as a reason for unresolved minority issues in a candidate state. In the Turkish case, the unmet demands of Alevis regarding financial support are mainly caused by the unfair allocation of the state budget, which works in favor of Sunni Islam and the General Directorate of Religious Affairs, not the inadequacy of it.

Despite the absence of a consensus among member states, minority and cultural rights and freedom of religion are issues emphasized in the EU. Minority rights are among the conditionalities for EU membership since minority protection has been a norm in the EU since the 1990s, despite the lack of a common policy and acquis minority rights standards among member states. Therefore, each EU member state has its own policies and implementations for minority rights. The dominance of statist approaches prevents the full entrance of the minority rights regime onto the EU agenda.<sup>177</sup> The idea of a European Constitution referring to the freedom of religion was rejected in referendums held in France and the Netherlands in 2005. However, the 2009 Lisbon Treaty has importance in terms of the introduction of the 2000 Charter of Fundamental Rights of the European Union, which guarantees the political, economic, and social rights of EU citizens and the entrance of culture onto the agenda. This charter also promotes the protection of cultural and religious

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<sup>177</sup> Taşdemir and Saraçlı, “Avrupa Birliği ve Türkiye Perspektifinden,” 28.

diversity with Article 21<sup>178</sup> and equality with Article 20.<sup>179</sup> The 1993 Copenhagen Criteria promoting democracy, human rights, and rule of law are binding conditions to become a member of the EU, which also means the realization of obligatory measurements to respect the minorities in the state. It is clearly indicated that “Membership requires that the candidate country has achieved stability of institutions guaranteeing democracy, the rule of law, human rights and respect for and protection of minorities.”<sup>180</sup> Integration of the Alevi community as a religious minority independently from the doctrines of Sunni Islam is necessary for the meaningful continuation of democracy in Turkey in the eyes of the EU, which has adopted religious equality and freedom among its principles. In relation to this, to observe the progress of candidate countries, the European Commission, the executive body of the EU, prepares reports annually to present to the Parliament and the Council. The European Commission addressed the Sunni-based approach of the Directorate of Religious Affairs, the absence of Alevism in textbooks, and the ban on Alevi institutions.<sup>181</sup> The status of Alevis in Turkey was said to have made progress, or at least was discussed more, in the 2000s thanks to the role of EU democratic norms and standards in Turkey’s integration process.<sup>182</sup> This means that the attitude of the AKP as the ruling government in the country has generally been careless regarding Alevi demands, but Alevis did succeed in gaining attention with cases brought to the ECtHR.

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<sup>178</sup> European Union, *Charter of Fundamental Rights of the European Union* (Brussels: EU, 2000), art. 21.

<sup>179</sup> EU, *Charter of Fundamental Rights*, art. 20.

<sup>180</sup> European Council, *European Council in Copenhagen, 21-22 June 1993: Conclusions of the Presidency* (Copenhagen: European Council, 1993).

<sup>181</sup> Grigoriadis, “Political Participation,” 454.

<sup>182</sup> Grigoriadis, “Political Participation,” 454.

However, it is believed that there are double standards in the EU between candidate states and member states. Eurosceptics believe that the EU applies strict rules to candidates while member states still have their own minority issues and fail to resolve constitutionally inappropriate situations.<sup>183</sup> To illustrate, the Russian-speakers in Estonia and Latvia and the Roma in Bulgaria and Slovakia still face unsettled problems. The EU is thus criticized for reform measures required from candidate states that have not been implemented by member states yet.<sup>184</sup> There is no control mechanism or monitoring body in the EU regarding this issue, either. As a result, there are different approaches in Europe regarding minority rights. The reason for the image of double standards is the absence of clear articles and instruments addressing the issue of minority rights. Furthermore, the EU cannot be named either fully unionist or a supporter of division. While it expects states to respect human rights and minority rights as internationally accepted, it also expects minorities to be respectful of the territorial integrity of the state.<sup>185</sup>

Besides minority rights, cultural rights and the protection of cultural heritage are also significant topics discussed by the EU and indicated in its instruments. Article 3 of the TEU indicates the importance of cultural heritage and the necessity of support and cooperation, and Article 167 of the Treaty on the Functioning of the European Union gives more details regarding cooperation for the protection of cultural heritage with the consideration of the diversity of member states. The instruments of the Council of Europe on cultural heritage can be summarized as the 1954 European Cultural Convention; the 1985 Convention for the Protection of the Architectural Heritage of Europe; the 1985 Council of Europe Convention on Offenses relating to

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<sup>183</sup> Şule Toktaş and Bülent Aras, “EU and Minority Rights in Turkey,” *Political Science Quarterly* 124, no. 4 (2009): 706.

<sup>184</sup> Grigoriadis, “On the Europeanization,” 38.

<sup>185</sup> Taşdemir and Saraçlı, “Avrupa Birliği ve Türkiye Perspektifinden,” 29.

Cultural Property, which is based on the prevention of illegal trafficking of cultural properties and their destruction; the 1992 Valetta Treaty; the 1992 European Convention on the Protection of the Archaeological Heritage; and the 2000 European Landscape Convention, aiming at the protection of archaeological heritage of Europe, which is legally binding. There are also organizations initiated and prizes awarded for cultural heritage activities, such as the European Capital of Culture, the European Heritage Label, and the European Year of Cultural Heritage.

In terms of cultural heritage, the Council of Europe Framework Convention on the Value of Cultural Heritage for Society, also known as the Faro Convention and signed in Faro, Portugal, in 2005, gives the right to access to cultural heritage in relation to Article 27 of the UN Declaration of Human Rights stating the right “freely to participate in the cultural life of the community.”<sup>186</sup> It has been in force since 2011, when it was ratified by only 10 of the member states in spite of its rich content and the new perspective it brought. It still has not been signed by France or Turkey. The importance of this convention is that it refers to the ICCPR and the ICESCR. It also indicates the importance of the participation of every state aiming for the protection of cultural heritage with content explaining why cultural heritage should be protected rather than how to protect it. As indicated in Article 1 of the Faro Convention, the concern of the convention is “the role of cultural heritage in the construction of a peaceful and democratic society.”<sup>187</sup> This can clearly be linked to the relationship between minority rights and cultural heritage and the access of Alevis to their monuments with roles of worship besides their historical value. Article 4 of the Faro Convention provides both individuals and groups the right to

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<sup>186</sup> United Nations General Assembly, *Universal Declaration of Human Rights* (New York: United Nations, 1948), 217 [III] A, art. 27(1).

<sup>187</sup> Council of Europe, *Council of Europe Framework Convention on the Value of Cultural Heritage for Society*, *European Treaty Series 199* (Brussels: Council of Europe, 2005), art. 1(d).

benefit from, contribute to, and exercise cultural heritage,<sup>188</sup> which provides for the active protection of the heritage even by individuals, who have the right to play a role in decision-making processes regarding restorations. This convention is the most important one in terms of cultural heritage among other EU instruments in relation to cultural rights since it prevents the alienation of both individuals and communities from the heritage. In Turkey, the preservation of Alevi cultural heritage does not entail the recognition of the belief, and preservation without recognition ends with the museumification of architectural historical structures and the alienation of the aforementioned community from their historical forms of worship. Museumification also reflects the commercial concerns of the state, such as attracting tourists and making the monuments a source of income. This governmentality of heritage dominates minority politics and diversity management in Turkey.<sup>189</sup> Eventually, according to the regime set today, monuments will lose their value without their community, and the aim of the convention is the prevention of this alienation.

Article 11 of the convention is also important in terms of the role of parties to encourage NGOs based on heritage conversation,<sup>190</sup> which would mean the assistance of the state to those associations and foundations established for the preservation of certain Alevi organizations in the Turkish case. This convention also states that parties shall consider the value attached by the community<sup>191</sup> and provide access to the heritage.<sup>192</sup> For example, the status of the Hacı Bektaş Complex as a

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<sup>188</sup> Council of Europe, *Framework Convention*, art. 4.

<sup>189</sup> Weineck, "Governmentalities," 100.

<sup>190</sup> Council of Europe, *Framework Convention*, art. 11(e).

<sup>191</sup> Council of Europe, *Framework Convention*, art. 12(b).

<sup>192</sup> Council of Europe, *Framework Convention*, art. 12(d).

museum and the rare cem rituals held there by permission of the authorities, which will be addressed in following chapters, would have no legal basis if Turkey were a party to the convention. Finally, the convention would be expected to provide the establishment of Alevi/Bektashi-based interdisciplinary research institutions as promoted by Article 13.<sup>193</sup> In the event of the establishment and the rise of experts on the belief system and its monuments, restoration results would be closer to the authentic features of the heritage. However, the current situation in Turkey entails the closure of Alevi institutes, as opposed to the provisions of this convention.

Since assumptions regarding the possible membership of Turkey in the EU in the future are discussed despite the suspension of negotiations between Turkey and the EU in 2019 with the voting in the European Parliament, it is helpful to briefly outline the history between them. Relations between the European Union and Turkey started with Turkey's application to the European Economic Community (EEC) and the 1963 Ankara Treaty, which initiated partnership between the state and the Community with the aim of improving the Turkish economy within 15 years thanks to regulations based on import and export taxes. The main reason behind the enthusiasm of the EEC for the membership of Turkey was the danger of expansion of the Soviets. Turkey's motivation, on the other hand, was Europeanization and steps taken for self-protection in an era based on the competition between liberalism and communism, although the dominant idea was still the full independence of Turkey.<sup>194</sup> In 2005, EU negotiations were officially initiated.

Until the 1990s, the EU had believed that minority issues could be solved with economic precautions. The attention of the EU had been directed towards minority

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<sup>193</sup> Council of Europe, *Framework Convention*, art. 13(c).

<sup>194</sup> İzzettin Doğan, personal interview, June 5, 2018.

rights by events including the dismantling of Roma camps by France, the demise of the Soviets and Czechoslovakia, and the war in Former Yugoslavia, which showed that ethnic differences could cause challenges. Due to the presence of minority issues in member states and their continuation in the post-accession phase, it can be stated that Europeanization in terms of minority rights, compared to the other policy spheres, progressed slower and created problems.<sup>195</sup> The EU policies are based on treaties legislated by the Council of Europe. The 1992 European Charter for Regional and Minority Languages of the Council of Europe, the 1995 Framework Convention for the Protection of National Minorities, and the 1997 European Convention on Nationality are some of those related to minority rights. France and Turkey are two members of the Council of Europe that did not sign the 1995 Framework Convention for the Protection of National Minorities, and the EU has expected the signature from Turkey during negotiations since the ratification of the Council of Europe's Framework Convention for the Protection of National Minorities as one of the EU's priorities. The European Convention's demands in the accession process include the elimination of restrictions in regard to languages, the expansion of cultural rights in the state, and the elimination of the definition of minorities based on the Treaty of Lausanne in the Turkish case, which does not include Alevis or Kurds. Although the Council of Europe's Framework Convention for the Protection of National Minorities is the first binding instrument, Turkey is not a party to it. In addition, the 1995 Framework Convention was promoted by the Council of Europe's Parliamentary Assembly as a protocol for the ECHR and for consideration by the ECtHR, but the process failed.

Although ensuring minority rights is significant to become a member of the EU and this motivates members and candidates to implement a sustainable minority regime with the Organization for Security and Cooperation in Europe (OSCE) and treaties,

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<sup>195</sup> Gözde Yılmaz, "It is Pull-and-Push that Matters for External Europeanization! Explaining Minority Policy Change in Turkey," *Mediterranean Politics* 19, no. 2 (2014): 238.

there is no commonly accepted policy for this in the EU, as indicated before. It is also important to indicate that the OSCE Helsinki Act was ratified by Turkey in 1992. The OSCE is not binding for either members or candidates, but it has a guiding role regarding minority rights. The European Commission against Racism and Intolerance also has a role as the Council of Europe's independent human rights monitoring body and the publisher of reports on Turkey in 1999, 2001, 2005, 2010, and 2016. Alevis were mentioned in these reports, but unfortunately only within the context of cases brought to the ECtHR. Minority rights issues including ethnic groups such as the Kurds, culminating with the appearance of the PKK in Southeastern Turkey in the late 1970s, have been among the biggest challenges for Turkey regarding membership in the EU. The freedom of religion for Lausanne minorities and Alevis is also a priority together with other articles of the ECHR for the EU in terms of the membership of Turkey.<sup>196</sup> Since the 1999 Helsinki EU Council Decision, which reflected the possibility of the membership of Turkey with the status of EU candidate, it can be said that significant changes have occurred in Turkish democracy.<sup>197</sup> After full candidacy was reached, Alevi leaders also began engaging in close relations with European political leaders to draw attention to the discrimination against Alevis in Turkey.<sup>198</sup> These changes can be best observed especially after 2002 and onwards. The coalition government between 1999 and 2002 consisted of the DSP, MHP, and ANAP with the domination of nationalists and Eurosceptics; therefore, it cannot be said that there were legal amendments for the resolution of minority rights issues at that time. Turkey mainly focused on the elimination of discrimination, improvement of cultural rights, and religious freedom,

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<sup>196</sup> Toktaş and Aras, "EU and Minority Rights," 714.

<sup>197</sup> Grigoriadis, "Political Participation," 457.

<sup>198</sup> Özyürek, "Light of the Alevi Fire," 244.

but it could not realize a huge improvement in minority rights.<sup>199</sup> Turkey ratified the ICCPR, the ICESCR, and the 1965 UN Convention on the Elimination of All Forms of Racial Discrimination in 2003. The reform process starting in 2002 related to the Copenhagen Criteria triggered the improvement of minority rights with the amendments of several articles of the Constitution and laws. This included the amendment of the Constitution in 2001, 2004, and 2010 for the expansion of fundamental rights including minority rights; seven reform packages for compliance with the Copenhagen Criteria; removal of the language prohibition with Articles 26 and 28 in 2001 and allowance of broadcasting in foreign languages; and some amendments on the rights of non-Muslim foundations regarding immovable properties in 2002 and regarding structures of worship in 2003. The Council of Europe and EU Commission reports have put pressure on Turkey to reform to meet European standards of enhanced minority rights,<sup>200</sup> and the number of constitutional amendments issued between 2001 and 2003, starting with Law No. 4709, was more than thirty. However, the resolution of the problems of Alevis and Bektashis is one of the unmet conditions for Turkish membership in the EU, which can be seen from the commission reports referring to the beliefs and the community. The 2004 Report of the Commission is important in terms of describing Alevis as non-Sunni Muslim minorities, but the reports cannot go beyond determining the demands of Alevis based on the well-known cases brought to the ECtHR. In more detail, the 1998, 1999, 2000, and 2001 progress reports refer to the obligatory course on religion and ethics and the absence of a financial budget provided for the Alevi community. The inadequacy of reforms, non-recognition of Alevis as a religious community, the difficulties of cemevi openings, and the necessity of provision of free electricity and water to cemevis are other issues referred to in the 2003, 2004, 2006, and 2007

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<sup>199</sup> Toktaş and Aras, "EU and Minority Rights," 712.

<sup>200</sup> Grigoriadis, "On the Europeanization," 34.

reports, respectively. The 2009, 2010, and 2011 reports explained that the dialogue initiated in the country with the “Alevi Opening” could not bring solutions. The reforms triggered some attempts but did not overhaul the illiberal system and did not result in the effective participation of minorities in the political sphere in the state,<sup>201</sup> since Europeanization contradicts with the sovereignty of the state, national identity, and perceptions of citizenship in Turkey. Today, there is no Alevi-specific political party in Parliament. One of the reasons for this is the 10% threshold that political parties must pass to enter Parliament. Also, Article 81 of the Political Party Law in Turkey forbids the establishment of any party based on a minority or claiming the existence of a minority.<sup>202</sup> Thus, even if such a party were to be created, it would probably be closed on charges of promoting discrimination. Most Alevi voters today are supporters of the CHP, whose leader, Kemal Kılıçdaroğlu, is an Alevi. As indicated in the previous chapter, the reason for the Alevi support of this party is related to their strong affiliation with Kemalism rather than Kılıçdaroğlu’s affiliation to the community. In addition, the dialogues between İzzettin Doğan and Bülent Ecevit during his political tenure are worth noting. Doğan claims that he mentioned the importance of non-discriminatory regulation in the organization of the Directorate of Religious Affairs.<sup>203</sup> However, in the end, Ecevit decided that this would actually promote discrimination and negative reactions from others; therefore, the 6 or 7 billion Turkish lira spent for the restoration of several Alevi structures including the Hacı Bektaş Complex and the Abdal Musa Tomb were issued through the Ministry of Culture with a low profile and little fanfare.<sup>204</sup> Regarding Erdoğan’s

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<sup>201</sup> Grigoriadis, “Political Participation,” 457.

<sup>202</sup> Official Gazette No. 18027, “Political Party Law,” April 24, 1983, art. 81.

<sup>203</sup> İzzettin Doğan, personal interview, June 5, 2018.

<sup>204</sup> İzzettin Doğan, personal interview, June 5, 2018.

political tenure, he adds that Alevism is a topic to be talked about behind closed doors, not in public.<sup>205</sup>

Another desire of the EU regarding Turkey's membership was increased dialogue between Turkey and the OSCE High Commissioner on National Minorities for increasing the participation of minorities in the public sphere. John Rawls had stated that the rights provided by justice are not affiliated with political bargaining or societal interests.<sup>206</sup> In the EU process, Turkey reaches certain standards at the legal level, but it fails in the provision of peace among individuals and groups at the societal level. This ends with the concept of equal citizenship being questioned by Alevi in their own country, where they also pay taxes and fulfill the obligatory military duty. In this vein, as indicated by Rawls, it can be claimed that amendments are not successful when they are not successfully implemented.<sup>207</sup> The "Alevi Opening" had occurred in Turkey in the late 2000s and early 2010s with the leading roles of Necdet Subaşı, who was Prime Ministry Advisor and Coordinator of the "Opening" at that time, and Reha Çamuroğlu. However, the "Opening" was considered unsuccessful by many observers, and this will be evaluated in more detail in Chapter 4. When the contents of the reform packages in Turkey are evaluated in terms of Alevism and Alevi demands in the country, it can be said that the reform packages could not break the bond between Sunni Islam and citizenship in the country. Thanks to the EU, the need for a response to the different groups of society has been recognized. However, since individuals are objects rather than subjects to be included in politics according to the attitude of the Turkish state in the negotiation

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<sup>205</sup> İzzettin Doğan, personal interview, June 5, 2018.

<sup>206</sup> Akbaba, "AB Sürecinde," 97.

<sup>207</sup> Akbaba, "AB Sürecinde," 106.

process with the EU, legislative amendments did not create a significant effect at societal level.<sup>208</sup>

Alevi issues are also discussed in the European Parliament and the European Parliament EU-Turkey Joint Parliamentary Committee. As an example, there is the European Parliament Resolution on the 2011 Progress Report on Turkey. In 2010, the European Alevi Unions Confederation explained the problems of Alevis in the European Parliament; in fact, one of the issues mentioned was the return of dervish lodges to their real owners,<sup>209</sup> which refers to the Alevi organizations on behalf of the community. In sum, it can be stated that the organizations in Europe concentrate on the issues of the community in Turkey rather than those in Europe.

Unfortunately, the EU does not have priority in today's Turkish foreign policy. In 2013, the AKP turned into a more visibly authoritarian regime,<sup>210</sup> and both Alevis and the state accuse each other of political sectarianism, as mentioned in the previous chapter. It can be concluded that the efforts of the "Opening" were, besides simply being a necessity of the harmonization process with the EU, an effort to place Alevism within an Islamic framework and reshape Alevi identity.<sup>211</sup>

The failure of the reforms for political and societal reconciliation and increasing suspicions against the EU in Turkey were also a result of the ambiguity and

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<sup>208</sup> Akbaba, "AB Sürecinde," 113.

<sup>209</sup> Haydar Efe, "Avrupa Birliği'nin Bir İnsan Hakları Sorunu Türkiye'deki Alevilerin ve Bektaşilerin Sorunlarına Artan İlgisi," *Alevilik-Bektaşilik Araştırmaları Dergisi* 8 (2013): 106.

<sup>210</sup> Lord, "Rethinking," 279.

<sup>211</sup> Lord, "Rethinking," 281.

uncertainty of the demands by the EU.<sup>212</sup> The EU rhetoric about a “privileged partnership” instead of the full membership of Turkey can be named as one of the reasons for Turkey’s loss of interest. While the initial AKP discourse regarding the EU was in favor of joining, tension increased with the back-and-forth changing attitudes of the state, especially regarding refugee issues. In 2017, the negotiation process was suspended by a decision made in the European Parliament in response to a constitutional amendment in Turkey undermining the rule of law. The current situation in Turkish foreign policy is based on the motto “The world is bigger than Five” (i.e. the five permanent members of the UN Security Council), which reflects a lack of focus on international law.<sup>213</sup>

It can be seen in the cases brought to the ECtHR that every belief system is accepted as a legal entity in itself. The case addressed in the Grand Chamber indicated that the Turkish state does not have the right to determine what is a belief or a religion or not, in spite of the absence of consensus among Alevis. The “Religionsgemeinschaft der Zeugen and Others vs. Austria” case decision of the Court is another example for the status of religions as legal entities. In relation to this, according to Tuncer Baş, what Alevis need is not definition but recognition.<sup>214</sup> The organizations of Alevis in Europe did not define Alevis, either; however, this did not prevent states from recognizing this heterodox group.

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<sup>212</sup> Taşdemir and Saraçlı, “Avrupa Birliği ve Türkiye Perspektifinden,” 25.

<sup>213</sup> İzzettin Doğan, personal interview, June 5, 2018.

<sup>214</sup> Tuncer Baş (Chairman of the Hacı Bektaş Veli Anatolian Culture Foundation), personal communication, May 8, 2018.

## **2.5. Alevis as Minorities in Europe, Other National Minorities in Europe, and Minority and Cultural Rights Regimes in European Countries**

There is not a common policy in the EU regarding minority rights and the cultural rights regime, as noted before. Therefore, there are differences among EU member states regarding attitudes towards different groups in society, especially in terms of minority rights and their situation in the constitutions of these states.

Due to the co-embeddedness of Islam and Turkishness throughout history, it is noteworthy that Muslim identities have gained recognition in Europe due to the size of the population there recently. Because of the agreement signed in 1961 between Germany and Turkey regarding labor immigration, the population of Turks is especially high in Germany, at an estimated 3.5 million, compared to other European countries. There is still an argument between Germany and the EU regarding the minority status of Turks; the German state still describes them as temporary “guest workers,” although Germany is a state party to the 1995 Framework Convention for the Protection of National Minorities. The problem cannot be said to stem from Christianity, the dominant religion on the continent. When the members of the Council of Europe are evaluated, there is no commonly accepted system in place for regulating relations between the state and religion; rather, three different systems can be identified in accordance with their constitutions. Although leftist liberals in Europe think that recognition promotes extreme submission to religion, which contradicts secularism in the EU,<sup>215</sup> in most EU countries, there are procedures for the recognition of groups when the relevant criteria are satisfied. In Europe, recognition is a factor affecting the distribution of material resources and this provision of finances, restoration assistance and repairs, and tax regulations differs

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<sup>215</sup> Özyürek, “Light of the Alevi Fire,” 234.

from country to country with the roles of the state. The first category includes countries where religion and state are almost totally separated. This includes Albania, Azerbaijan, France (except for Alsace-Lorraine), and some parts of Switzerland. The second category includes states with the presence of a state church, such as Denmark, Iceland, England, and some Southern and Eastern European countries. The third category is the one seen for most European countries, where agreements exist between the state and the church. Croatia, where religious communities may have an agreement with the state regarding religion courses in public schools, is an example of this group.

The progress that Alevism has achieved in Europe today is far beyond that in Turkey, with attempts to define it as a form of Islamic Orthodoxy. It can be seen that Alevis as a heterodox group have rights provided to religious communities in Europe, while the Turkish government is obsessed with the definition of the belief system before its recognition. To expand on the situation of Alevis in different European countries, the Danish state recognized the main Alevi federation as a religious community separately from Islam in 2007, while Alevis in Turkey are still struggling. The rights provided to Alevis in Denmark afterwards were work permission for clergy abroad, the conduction of official marriages, and the supply of graves in cemeteries.<sup>216</sup> Both Germany and Switzerland, where there is a separate church or religion tax, allow religious groups to obtain an independent legal status in the event of the fulfillment of certain criteria. In Switzerland, where the first Alevi organization in the country appeared in 1992 in Basel, Alevism is recognized as a separate religion from Islam as well. Since a large number of immigrants in Switzerland are political exiles, Alevi organizations there mainly concentrate on the humanitarian and democratic attitude

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<sup>216</sup> Elise Massicard, "Alevi Communities in Western Europe: Identity and Religious Strategies," in *Yearbook of Muslims in Europe*, eds. Jørgen S. Nielsen, Samim Akgönül, Brigitte Maréchal, Ahmet Alibasic, and Christian Moe (Leiden: Brill Publishers, 2010), 584.

of Alevism.<sup>217</sup> As is commonly known, one of the problematic issues for Alevi children in the Turkish education system is the inadequate and misleading content of the course on education of religion and ethics, as highlighted by the Eylem Zengin case brought to the ECtHR. While freedom of educational organization in public schools was adopted in Germany, the system in England is structured on the incorporation of religious subjects with contributions from different religious communities to the decision-making process regarding the program and the curriculum found acceptable by each community. In 2002, the recognition of Alevism as an official religious community by the local government in Berlin resulted in Alevism being taught in the schools there in elective courses by teachers whose salaries are partially paid by the German government and partially by Alevi organizations, which could even lead to an increase in Alevi literature with an increasing number of intellectuals in the area.<sup>218</sup> In the Turkish case, it is seen that Alevi experts and especially Alevi dedes are typically isolated from decision-making processes regarding both the content of textbooks about religion or restoration and conservation projects for historical monuments and sites. The isolation of any party, be it the state, modern Alevis, or traditional Alevis, results in the failure of these decision-making processes. However, according to researchers, decision-making, determination, registration, and inventory processes in France and England regarding cultural heritage are all conducted within multiple organizational structures among the central government, local authorities, and expert committees despite the

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<sup>217</sup> Massicard, "Alevi Communities," 585.

<sup>218</sup> Özyürek, "Light of the Alevi Fire," 240-241.

dominance of state organs, while the determination/registration and inventory processes may be the responsibility of NGOs in Germany and England.<sup>219</sup>

In Germany, Alevism is recognized as a separate belief system independently of Islam thanks to the legal rights and freedom of speech in Europe. The 1949 Basic Law for the Federal Republic of Germany sets out in Article 140 the appointment of officers of the community without the cooperation of the state, the legal autonomy of a public religion after recognition, and the collection of taxes from the members of the community to be distributed by the state to the officials of the community.<sup>220</sup> However, none of these provisions exist in the Turkish Constitution, as will be explained in the next chapter. The 1989 Alevi Manifesto prepared in Hamburg played a role in the improvement of the conditions for Alevis in Germany and a revival in Turkey. This manifesto even led to the establishment of the European Alevi Unions Federations, with the conversion of the Germany Alevi Union Federation in 1994 in Cologne to organize institutions related to Alevism and Bektashism under the same roof across Europe. Today, the Federation comprises about 200 affiliated organizations to discuss Alevi politics and politics, democracy, and their rights in an atmosphere providing this opportunity compared to that in Turkey.<sup>221</sup> The unification of Alevi associations under federations in the countries in which those associations exist and the affiliation of these federations with the

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<sup>219</sup> Meral Oğuz, M. Zühre Sözeri Yıldırım, and Fulya Polat, “Tarihi Eserlerin Korunması ve Geleceğe Güvenle Aktarılmasında Yaşanan Sorunlara Çözümçül Yaklaşımlar,” in *Tarihi Eserlerin Güçlendirilmesi ve Geleceğe Güvenle Devredilmesi Sempozyumu Kongre Sempozyum Bildiriler Kitabı*, ed. TMMOB İnşaat Mühendisleri Odası (Erzurum: TMMOB İnşaat Mühendisleri Odası - Erzurum Şubesi, 2015), 204.

<sup>220</sup> Deutscher Bundestag, *Basic Law for the Federal Republic of Germany, 23 May 1949, Last Amended on 13 July 2017* (Berlin: Deutscher Bundestag, 2018), art. 140.

<sup>221</sup> Özyürek, “Light of the Alevi Fire,” 240.

European Alevi Confederation has been the outcome of the evolution processes following the establishment of the first Alevi organization, the Union of Alevi of Turkey, in Southern Germany in 1970. This is significant in terms of the discussions on the needs and demands of Alevism at the EU level. In 2012, the Equal Rights Treaty (Staatsvertrag) was signed between the German government and Alevi in Hamburg. In 2016, the first Alevi cemetery was assigned to the community in Hamburg.<sup>222</sup> The status of cemevis as places of worship just like mosques, churches, and synagogues is obvious. There are other factors affecting the positive situation of Alevi in Germany, such as the perception of Alevi in relation to their differences from the members of other Muslim communities. Though Alevi constitute a different ethnic group in Germany and there is no regulation in the German Constitution regarding minorities, they benefit from the advantages provided by the German Constitution to religious communities. In other words, Germany pays attention to civic institutions and organizations. Although the Alevi community in Germany also has a Turkish identity, from an Alevi perspective Germany can be seen as a champion of minority rights and democracy in spite of the arguments regarding the position of Turks as guest workers. The inclusion of different ethnic groups in Anatolian Alevism should thus not be seen as the reason for the absence of freedom of religion in Turkey. Germany is also respectful of cultural and religious issues as long as organizations do not create political discussions, such as by supporting the PKK. Groups are allowed to enjoy multiple identities and loyalties in Germany,<sup>223</sup> since there is a deeper meaning of “citizenship.”<sup>224</sup> Due to the parity between the Protestant and Catholic Christian churches, an equal distance of the state from all

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<sup>222</sup> “Avrupa’nın İlk Alevi Mezarlığı Hamburg’ta,” *Deutsche Welle*, April 10, 2016, <https://www.dw.com/tr/avrupanın-ilk-alevi-mezarligi-hamburgta/a-19176970>.

<sup>223</sup> Ehrkamp and Leitner, “Beyond National Citizenship,” 142.

<sup>224</sup> Ehrkamp and Leitner, “Beyond National Citizenship,” 145.

religious communities, religions, and denominations has been adopted by the German state.<sup>225</sup>

However, the status of minority rights in European countries cannot be praised without reservation. France and Greece are countries that are unionist, since minorities are perceived as threat to their national integrity. The ICCPR was finally ratified by Greece in 1997 after movements to postpone it for 30 years. The 1975 Greek Constitution was a controversial one, with articles allowing the easy withdrawal of Greek citizenship from minorities. Article 27 of the convention, giving a collective character to the protection of minority rights, can be considered as one of the main reasons for long-term Greek resistance to it.<sup>226</sup> Although there have been developments, Greece is one of the states in the EU lacking smooth minority rights. There are several other examples reflecting the fear of countries regarding minorities. Slovakia is also afraid of its Hungarian minorities, similarly to Greece's feelings regarding the Turkish minorities in Thrace, which may lead to irredentism. Furthermore, there is no minority regulation in the French Constitution. Therefore, in contrast to the organizations in Germany and Denmark, the Federation of Alevi Communities of France particularly focuses on the philosophy and the culture of Alevism rather than its religious aspects, due to the role of secular and former leftist militants in the Federation and secularism being immensely valued in France.<sup>227</sup> In contrast to assimilative states such as Greece and France, there are also states providing rights to minorities in their domestic laws. The protection of the culture of minorities has varying levels of constitutional protection in Poland, Lithuania,

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<sup>225</sup> Massicard, "Alevi Communities," 578.

<sup>226</sup> Grigoriadis, "On the Europeanization," 26.

<sup>227</sup> Massicard, "Alevi Communities," 584.

Slovakia, Slovenia, Sweden, Latvia, Hungary, Bulgaria, Austria, and the Czech Republic. For example, while the German Constitution does not have amendments regarding minorities, in the Austrian Constitution, Article 8 refers to the presence of mainly ethnic and linguistic minorities, which illustrates the acceptance of the presence of minorities in the country. Different languages as a form of cultural heritage are under the protection of the constitutions of Spain, Belgium, and Italy. Sweden also adopted its Law on the National Minorities in 1999, while the Act on National and Ethnic Minorities was adopted in Poland in 2005. Article 61 of the Slovenian Constitution refers to cultural rights, stating the right “to foster and give expression to his culture.”<sup>228</sup> Minorities also have the right to establish associations in the Czech Republic, Poland, Lithuania, Estonia, Slovakia, and Romania, while the names of Alevi and Bektashi associations and foundations in Turkey mainly represent the specific protection of certain historical monuments, without an emphasis on any broader divisions of minority identity. It is undeniable that these acts and many of the subsequent policies in Europe in terms of state constitutions are the result of the EU’s decisions regarding the solving of the issues in countries that were former Eastern Bloc member before gaining EU membership.<sup>229</sup> While most examples are based on ethnic and linguistic differences, the importance given to the minority and cultural rights in Europe is still worth indicating. Although Alevi and Bektashi communities are not recognized by the Turkish state attempting to describe the communities in accordance with mainstream Islam, they are considered as religious minorities in Europe with the provision of all the rights supplied by these states to the communities. While other groups may pose more problems for nationhood, it is irrational to limit the rights of Alevis in Turkey, who describe themselves as real Turks, when only Turkish Alevis are considered, and who make no claims for independence.

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<sup>228</sup> Constitution of Slovenia, art. 61.

<sup>229</sup> Aydın, *AB Ülkeleri*, 31.

In summary, the visibility and acceptance of Alevism in Europe is the result of both freedom of speech in European countries, which respect differences and are mainly focused on a deeper meaning of citizenship beyond different religions or sects, and the works of Alevi organizations in Europe, which benefit from this environment. The organization and coordination of Alevi activities in Europe started thanks to the 1986 decision of the European Parliament on the protection of cultures and identities of minorities throughout Europe.<sup>230</sup> The Alevi organizations founded in Europe have also affected the revival of Alevi identity in Turkey as these organizations have the potential to draw attention towards cultural issues, which is just as significant as the acceptance of Alevism independently from Sunni Islam as a different interpretation of Islam. Aside from the socio-political environment in Europe, the openness of Alevis to Europeanization and modernization might also have a role in the acceptance of this group.

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<sup>230</sup> Özyürek, "Light of the Alevi Fire," 239.

## **CHAPTER 3**

### **DOMESTIC LAW**

This chapter explores Turkish domestic law, the Constitution, and regulations and directives in terms of the Alevi demands regarding the possession, control, use, and care of historical Alevi structures in Turkey. One observation on the historical and cultural assets in the country is that state involvement in their management and upkeep has been steadily increasing. In practice, however, this increase in the superintendence by the public authority does not appear to have necessarily led to tangible improvement in the maintenance of the artifacts or in greater public enjoyment of the assets. This is especially true for those, as in the case of historical Alevi edifices, that are expected to continue to function in the cultural spirit in which they were erected historically. More specifically, the structures in question obviously require specialist care in preservation, and it is doubtful that the public authority has been sufficiently sensitive in organizing and supplying the needed attention and care. Therefore, the following text provides a basic account of the applicable norms in domestic law and highlights both potential instruments for legal action and various issues remaining in the normative order in relation to Alevi demands.

#### **3.1. The Constitution**

Article 5 of the Turkish Constitution, on “the fundamental aims and duties of the state,” makes the public authority responsible, among a number of objectives, for “provid[ing] the conditions required for the development of the individual’s material

and spiritual existence.”<sup>231</sup> In the context of the Alevi demands concerning the historical Alevi structures in the country, which are inseparable from the spiritual life of Alevis given that practically all of these structures are historically related to Alevi worship, this may be understood as an obligation on the part of the state to meet the Alevi demands to some extent. This goal set for the state in the Constitution is only meaningful, however, in the presence of some more concrete norms under the Constitution, holding the state accountable and enabling action. As such, the lofty goal seems to lend itself only to rhetorical use, the value of which is highly limited.

Arguably more significant is Article 10 of the Constitution, which sets forth the freedom of religion and which Alevis have routinely drawn on in legal cases, including those few that eventually found their way to the ECtHR in Strasbourg. Relying on this article, Alevis have pointed out the gap in the practice of the country between the Sunni majority and Alevis in terms of religious autonomy, manifesting one’s religion, and remaining free of state religious indoctrination. A lack of recognition to be extended to Alevis as members of a distinct faith is, of course, the real issue. The state has consistently declined to bestow such autonomy on the faith community on the pretext that Alevis do not form a homogeneous community, with some arguing for Alevism as an entirely distinct faith while others view it strictly under Islam. This, however, is a debate that occurs at a purely conceptual level. It does not alter the fact that Alevis differ little among themselves in the matter of Alevi religious practices and that, in the final analysis, these practices are hardly compatible with the majority Sunni practices.

The domestic law under the Constitution, to be discussed below, makes cultural assets in the country public property, placing them under state control and supervision. Article 63 of the Constitution also declares the state’s responsibility regarding their protection, mentioning that the protection of the historical, cultural,

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<sup>231</sup> Turkish Constitution, art. 5.

and natural assets and their wealth shall be ensured by the state and that supportive and promoting measures towards this goal shall be taken.<sup>232</sup> However, it is seen that after the closure of shrines with the declaration of Law 677, all of the shrines and zawiya's are not linked to the General Directorate of Foundations. Today, due to this situation, legal cases regarding property ownership can be observed, as in the Hubyar case, which will be discussed in detail in the next chapter. In addition, due to this imbalance regarding the action of the state, some artifacts are restored by protection associations established specifically for a particular structure. Besides being under the umbrella of an association, there are also cases in which restoration has been initiated by private people, as will be described for Hüseyin Gazi Tomb, whose restoration was held in 1973 by a person who had dreamed about the place. This means that in these cases the expenses of renovations are met by these associations, although the state is responsible for it according to the law. The state should also conduct these restorations with experts on the restoration of historical sites. It can also be advocated in the Turkish case that the state should also consider the views of associations and foundations regarding the restorations since most of these institutions have devoted themselves to the preservation of these places. However, as can be seen for the Hüseyin Gazi Tomb in Ankara, the inner walls of which are covered with small mosaics, the association might be as unsuccessful as the state in preserving the original nature of the site. It can thus be concluded that the preservation of cultural heritage necessitates multidisciplinary principles, which requires the work of many different disciplines addressing both the physical and the cultural environment.<sup>233</sup> However, there is no rule indicating that Alevi associations and foundations are allowed to attend meetings of regional councils on decisions made for preservation, and their participation does not mean that the results of restorations will be better than in the current situation with restorations being

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<sup>232</sup> Turkish Constitution, art. 63.

<sup>233</sup> Hakan Melih Aygün, "Kültürel Mirası Korumada Katılımcılık," *Vakıflar Dergisi* 35 (2011): 196.

overseen by state authorities, but it is undeniable that compared to the current situation, lacking specific expert organizations on Alevi artifacts, this may contribute to the improvement of restoration results.

Article 90 of the Constitution states that international agreements signed by the state take precedence over domestic law even if they contradict domestic law.<sup>234</sup> Not only fundamental human rights but also the decisions made by the ECtHR are binding since Turkey is a party to the European Convention of Human Rights. Cases have been brought to this actor not only by individual Alevis regarding the section on the national identity card that states one's religion or on the obligatory course on education of religion and ethics. Cases have also been brought under the leadership of the CEM Foundation regarding the current situation of Alevism as a belief system and the electricity bills of cemevis, which must be categorized as places of worship.

### **3.2. Turkish Civil Code**

The Turkish Civil Code with Law No. 4721 accepted in 2001 is still in use in spite of some amendments introduced by Law No. 4722. The Civil Code is important for the evaluation of the current situation due to the articles it includes about foundations, which are vital for the continuation of the Alevi belief system in Turkey today.

Since Alevism and Bektashism do not have status as legal entities, they maintain their formal existence under the names of associations and foundations. Therefore, cemevis cannot go beyond the scope of the legal entities to which they belong. According to the Grand Chamber of the ECtHR, the absence of a consensus among Alevis is not a reason for Alevism to not be a legal entity. In other words, it can be stated that cemevis are de jure not centers for worship, but they exist de facto and

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<sup>234</sup> Turkish Constitution, art. 90, para. 5.

continue their activities. Therefore, the regulations and laws regarding these institutions are important. Article 101 of the Turkish Civil Code states that “foundations are groups of property with a legal personality, formed by private or legal persons, which dedicate adequate amounts of their property and [attendant] rights to a specific and continuing function.”<sup>235</sup> It can be concluded that, contrary to Sunni Islam, financially supported by the state and the Directorate of Religious Affairs, Alevi need capital for the preservation and continuation of their artifacts, rituals, and culture. Foundations are exempt from taxes; however, some Alevi associations do not have enough capital to apply for this status. To illustrate, the guesthouse constructed with contributions from the Culture, Solidarity, and Shrine Restoration Association of Karacaahmet Sultan in Nevşehir is subject to tax payments.<sup>236</sup>

It can also be concluded from the 3rd paragraph of Article 101 that there can be no foundation established contrary to the characteristics of the Republic as defined by the Constitution, against the constitutional principles, laws, ethics, national integrity, and national interest or with the aim of supporting the members of a specific race or community.<sup>237</sup> The reason why Alevi foundations were established was to ensure the continuation of Alevism and worship in a situation in which the shrines were closed by Law No. 677. The state clearly knows that this group continues its activities, justifying the situation in the cases appearing in the ECtHR. What is indicated here is not the necessity of closing these foundations and associations but rather the necessity of regulations in the law to bring equality to the Alevi belief system and justice among different groups in society.

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<sup>235</sup> Official Gazette No. 24607, “Turkish Civil Code,” December 8, 2001, art. 101.

<sup>236</sup> Hüseyin Özgöz (retired trainer, Alevi dede, and member of the Karacaahmet Sultan Association), personal communication, June 8, 2018.

<sup>237</sup> Official Gazette No. 24607, “Turkish Civil Code,” art. 101, para. 3.

### 3.3. The Foundations Law

Foundations Law No. 5737 has importance in terms of mazbut foundations (foundations set up before the Civil Code and managed by the General Directorate), minority community foundations, the establishment of new foundations, their activities and control, the movable and immovable properties belonging to them, their registration, the preservation of ancient artifacts, economic assets of foundations, and the responsibilities of the Directorate.

In the EU harmonization process, Law on Foundations No. 2762 from 1935 was exposed to changes over time to attempt to meet the demands, but since this was not adequate, Law No. 5737 was put into force in 2008. However, a legal case was initiated by the CHP afterwards, claiming that some of the articles of the law are still contrary to some of the international agreements to which Turkey is a party. Most of the amendments to this new law were based on the rights of community foundations belonging to the foreigners described as minorities in the Treaty of Lausanne.

Article 28 of the law indicates that the General Directorate of Foundations shall have the sole authority in identification, inventory, registration, and safeguarding of the immovable and movable cultural assets owned by foundations at home and abroad.<sup>238</sup> The General Directorate shall also execute the expropriation, use, repair, restoration, and reconstruction, when needed, of the works of the cultural assets that belong to either the General Directorate or to the mazbut foundations.<sup>239</sup> In the first years of the Republic, it can be seen that responsibility for old monuments was

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<sup>238</sup> Official Gazette No. 26800, "Foundations Law No. 5737," February 27, 2008, art. 28, para. 1.

<sup>239</sup> Official Gazette No. 26800, "Foundations Law," art. 28, para. 1.

shared among various ministries due to the absence of a steady state organization.<sup>240</sup> However, even today this state organization has not been settled yet. As indicated, there are legal cases among private persons and foundations regarding authority over Alevi structures, which can be exemplified by the Hubyar case. The General Directorate's authority and ownership of Alevi and Bektashi structures also imposes limitations on the actions of Alevis regarding their artifacts. Most of the time, the restorations and renovations overseen by the General Directorate for these artifacts are not found satisfactory when they are evaluated by Alevi experts. Paragraph 2 of the same article also indicates that the Council of Foundations created in this law "shall be authorized to conserve and maintain immovable cultural assets owned by mazbut foundations which do not have sufficient revenues through revenues generated by [other] mazbut foundations with similar objectives."<sup>241</sup> In the current order, it is known that the General Directorate is responsible for restoration. However, the needs of the artifacts are not simply met with these restorations. Since the restorations are not satisfying in terms of results, the need for another restoration arises quickly. In these cases, the foundations are trying to solve the problems with their own budgets.

Article 29 mentions that the General Directorate, the relevant public authority, and their de facto users shall preserve immovable and movable cultural and natural assets in the hands of foundations.<sup>242</sup> However, according to the representatives of associations and foundations, they are not allowed to hold restorations and repair processes without the permission of the General Directorate. When cultural assets are state property, it is reasonable to say that such historical assets cannot be left

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<sup>240</sup> Halit Çal, "Türkiye'de Cumhuriyet Devri Taşınmaz Eski Eser Tahribatı ve Sebepleri," *Ankara Üniversitesi Dil ve Tarih-Coğrafya Fakültesi Dergisi* 34, no. 1-2 (1990): 367.

<sup>241</sup> Official Gazette No. 26800, "Foundations Law," art. 28, para. 2.

<sup>242</sup> Official Gazette No. 26800, "Foundations Law," art. 29.

randomly to the hands of associations and foundations. However, when the Hacı Bektaş Complex, which is both spiritually and physically the largest Alevi artifact existing today with its status as a museum under the Ministry of Culture and Tourism, is considered, the lamps hung on the walls of the first yard are disappointing. The same mistake can also be observed in the Sücaeddin Veli Complex in Eskişehir, the restoration of which was conducted by state organs.

Article 30 mentions that cultural assets under the ownership of the State Treasury, the municipalities, provincial administrations, or village legal entities, which used to belong to foundations, shall be delivered to mazbut foundations.<sup>243</sup> However, it is seen that after the closure of shrines, some of the historical assets were brought to museums, while some others were sold randomly, as indicated for the Hüseyin Gazi Tomb's properties, which is irremediable.

As indicated in Article 77, since immovable properties under the General Directorate or the mazbut foundations are government property, they shall have privileges as being exempt from sequester, pledge, and levy. They also shall be exempt from taxes and charges.<sup>244</sup> When associations are transferred to foundations, these foundations are exempt from taxes. However, Alevi associations established for the protection of some of the Alevi/Bektashi structures do pay taxes, while already spending some sums of money for the continuation of the presence of these places.

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<sup>243</sup> Official Gazette No. 26800, "Foundations Law," art. 30.

<sup>244</sup> Official Gazette No. 26800, "Foundations Law," art. 77, para. 1.

### 3.4. The Law on the Conservation of Cultural and Natural Property

Law No. 2863 on the Conservation of Cultural and Natural Property, dated 1983, had some amendments made with Law No. 6498. This law is one of the core resources in terms of defining movable and immovable cultural and natural properties and setting out the duties of different agencies that play roles in this conservation in accordance with the procedures indicated in this law.<sup>245</sup> The acquisition and protection of cultural and natural assets, the regulation of the operations and activities to be carried out in this respect, and the general principles and implementation decisions are provisions of this law.<sup>246</sup>

However, the law cannot be seen as adequate in terms of provision of detailed information regarding the application process, although it is supposed to stipulate sustainability principles of cultural and natural assets, the aims of protection, strategic principles and protection decisions, and implementation and participatory field management. Since, in the experience of urban transformation in Turkey, plans and programs, current situation-specific strategies, and interventions are the results of small-group specific-gain programs, negative results today are unavoidable. Monopolization of power results in tragedy in restorations and in urban transformation affecting historical artifacts, as can be seen in Karacaahmet in İstanbul. As will be addressed in more detail in the next chapter, historical gravestones that had been a particular distance from the Karacaahmet Sultan Lodge were thrown into its garden randomly, with the belief that they would be better protected there; however, this contradicts the responsibility and ownership of the

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<sup>245</sup> Official Gazette No. 18113, “Law on the Conservation of Cultural and National Property,” July 23, 1983, art. 1.

<sup>246</sup> Teoman Duman and Aziz Gökhan Özkoç, “Müzelerde Sergilenen Eserlerin Elde Edilmesi ve Korunmasına Yönelik Müze Yöneticilerinin Görüşleri,” *Anatolia: Turizm Araştırmaları Dergisi* 19, no. 2 (2008): 159.

state regarding the protection of historical assets. Fields that used to belong to foundations can even be sold to particular groups if it is known that after urbanization the fields would have more value. As claimed in the case of the Karacaahmet Sultan Lodge, the fields present benefits to particular groups. Similar situations are also seen for the fields donated by Mihrimah Sultan for their appropriate use in accordance with the aims of the Şahkulu Sultan Lodge, which were privatized under AKP rule,<sup>247</sup> and the lands historically belonging to the Ali Baba Sultan Foundation in Sivas. The Susamışlar Mansion, which was originally a part of the Ali Baba Sultan Shrine, was also privatized, and Tahir Aslandaş continues to struggle with this situation through legal processes to regain the place. To prevent outcomes like these, the activation of an independent control mechanism is necessary. In addition, Law No. 5366 on the Protection and Sustenance of Historical and Cultural Immovable Properties is not very different from other such laws in the country. It can be considered as a document legalizing public ownership of cultural properties that have been protected by individuals for years. In the decision issued by the Supreme Court with Application No. 2013/252, the applicant is to complain about the amount of money offered by the authorities for purchase of a publicized place.<sup>248</sup> Furthermore, the law does not reflect the criteria that are necessary for determining a particular structure to be “age-worn.” Therefore, renovation and restoration projects can remain open to corruption. Although this law is closely related to the Law on the Protection of Cultural and Natural Heritage, the fact that it does not refer to it at all shows the absence of a holistic legal planning approach.<sup>249</sup>

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<sup>247</sup> Hüseyin Taştekin, personal interview, June 8, 2018.

<sup>248</sup> Turkish Supreme Court, Decision No. 2013/252, June 26, 2014.

<sup>249</sup> Halil İbrahim Aydın and Hilal Turan, “Kuramsal ve Yasal Çerçeve Türkiye’de Kentsel Dönüşüm,” *Selçuk Üniversitesi Sosyal Bilimler Enstitüsü Dergisi* 28 (2012): 67.

Article 3, regarding definitions, states that “cultural property” includes movable and immovable property on the ground, under the ground, or under water historically belonging to science, culture, religion, and fine arts or representing sui generis value for science and social life historically.<sup>250</sup> Paragraph 3 of the same article defines a “conservation site” as cities and the remains of cities and products of historic civilizations reflecting the social, economic, architectural, and other features of a particular period, which require protection in terms of documenting the historical events and natural characteristics of the period.<sup>251</sup> Paragraph 5 also states that areas whose protection is mandatory due to their importance in terms of the conservation of their cultural properties are “conservation zones.”<sup>252</sup> There can be no doubt that Alevi/Bektashi artifacts are historical zones that must be protected due to their huge importance in terms of giving information regarding the social and cultural situations of their times. In this case, being surrounded by four different mosques, as is the situation of the Karacaahmet Sultan Lodge, or the mosque next to the garden walls of the Şahkulu Sultan Lodge is in contradiction with the terms of this article. Furthermore, alleged assimilation projects conducted through restorations are also unacceptable since these artifacts and the affiliated belief system have historical identity and importance.

Paragraph 1 of Article 5 points out that movable or immovable cultural and natural assets, which are either already known or become known in the future, and which require preservation, are to be treated as state property, regardless of whether such assets are immovable property belonging to the state, public institutions, and

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<sup>250</sup> Official Gazette No. 18113, “Conservation of Cultural and National Property,” art. 3, para. 1.

<sup>251</sup> Official Gazette No. 18113, “Conservation of Cultural and National Property,” art. 3, para. 3.

<sup>252</sup> Official Gazette No. 18113, “Conservation of Cultural and National Property,” art. 3, para. 5.

organizations or to legal and private persons under civil law.<sup>253</sup> However, in the Turkish case, it is seen that while the restoration issue is generally a disaster, the results of restorations conducted for Alevi artifacts are even worse when the claims of Alevis regarding the state's focus on assimilation during these restorations are considered. For example, the Seyyid Battal Gazi Complex, which was a former Bektashi lodge, no longer reflects any features of this order. Paragraph 2 of the same article clarifies that the property of mazbut and mülhak (annexed) foundations, which are subject to a separate status due to their special qualities, are not covered by this provision.<sup>254</sup> As is indicated, after the closure of shrines with Law No. 677, most assets with historical value were moved to museums, while others were sold randomly, as was the case for the Hüseyin Gazi Tomb case, whose assets were sold in Samanpazarı in Ankara. Similarly, in the 40 or 50 years following Law No. 677, the Şahkulu Sultan Lodge was exposed to the plundering of treasure hunters.

Article 6 of the law indicates that immovable property built until the end of the 19th century is described as immovable cultural property to be protected.<sup>255</sup> The historical background of these artifacts has been clarified in Chapter 1 of this study and there is no doubt that these places have historical value in terms of reflecting the historical flow of the immigration of Turcomans from Central Asia to Anatolia and the sociological and religious structure of society in the Ottoman era.

Most of the associations and foundations established specifically for the preservation of certain Alevi and Bektashi structures indicate that they are not allowed to make decisions regarding the physical appearance of the place. In addition, those places

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<sup>253</sup> Official Gazette No. 18113, "Conservation of Cultural and National Property," art. 5, para. 1.

<sup>254</sup> Official Gazette No. 18113, "Conservation of Cultural and National Property," art. 5, para. 2.

<sup>255</sup> Official Gazette No. 18113, "Conservation of Cultural and National Property," art. 6, item a.

with associated foundations are bound to the General Directorate of Foundations, while places affiliated with associations established for the preservation of other artifacts not labeled as the cultural property of the state are left to those associations alone. The responsibility of the state for restoration and protection projects can be considered as a positive act in terms of the limited budget of Alevi institutions aiming at the protection of Alevi artifacts—if the state conducts such acts correctly. Article 7 states that the Ministry of Culture and Tourism shall coordinate the determination of immovable cultural properties with the consideration of the opinions of some institutions and organizations correlated to the final effects.<sup>256</sup> When the results of many restorations in Turkey are considered, it can easily be seen that the state does not conduct these projects with appropriately qualified personnel. This is especially the case for the restoration of many structures in Turkey, where the existence of a qualified group of personnel whose expertise area is solely Alevi artifacts could only be a dream. The same article goes on to indicate the importance of the consideration of the history, features of the region, unique types of art on certain structures, and the other characteristics of the cultural property for the protection of assets, but only to the extent of the means of the state.<sup>257</sup> The limited means of the state for restoration of these artifacts, which should be considered as assets belonging not only to Alevis but to all of society in terms of reflecting the historical reality of these areas, should not be an excuse for disastrous restorations. However, it is seen that not only Alevi structures but also most of the historical sites of the country in general are restored in ways not much different from the restoration of ordinary buildings. The state should be responsible for setting up teams with expertise in the restoration of structures belonging to a specific historical context. To minimize mistakes, the state should also cooperate with Alevi institutions and consider their thoughts during these restorations. Paragraph 9 of Article 10 of this

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<sup>256</sup> Official Gazette No. 18113, “Conservation of Cultural and National Property,” art. 7, para. 1.

<sup>257</sup> Official Gazette No. 18113, “Conservation of Cultural and National Property,” art. 7, para. 2.

law, which was added in 2004, states that certified training units and expert offices shall be established under the municipalities, special provincial administrations, and governorships with the oversight of the Ministry of Culture and Tourism regarding art, history, architecture, engineering, city planning, and other related areas for inspection, implementation, and conservation so that these offices can play important roles throughout the restoration processes.<sup>258</sup> Certificate programs for the education of technical staff provide training via high schools, vocational high schools, and the state's Department of Protection and Repair of Movable Cultural Heritage.<sup>259</sup> However, whether these certificated workers are simply intended as cheap labor for the municipalities will be revealed in time.<sup>260</sup> As Article 10 of this law itself states, the conservation of immovable cultural properties and measures to be taken for them are primarily the responsibility of the Ministry of Culture and Tourism in spite of the presence of other owners or de facto rights of management; therefore, public institutions, organizations, municipalities, and governorships carrying out the control of these assets are to be monitored by the Ministry.<sup>261</sup> This article again raises the topic of the contradictions of the state regarding the absorption of Alevi artifacts as state property. Besides the restoration mistakes of the General Directorate of Foundations, the restorations conducted by Alevis also reflect many mistakes inappropriate for historical structures, such as the covering of the inner walls of the Hüseyin Gazi Tomb in Ankara with small mosaic stones.<sup>262</sup>

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<sup>258</sup> Official Gazette No. 18113, "Conservation of Cultural and National Property," art. 10, para. 9.

<sup>259</sup> Uğur Alanyurt, "Türkiye'de Koruma ve Onarım Üzerine Analiz," *Masrop e-Dergi* 4 (2009): 34.

<sup>260</sup> Alanyurt, "Türkiye'de Koruma," 34.

<sup>261</sup> Official Gazette No. 18113, "Conservation of Cultural and National Property," art. 10, para. 1.

<sup>262</sup> Official Gazette No. 18113, "Conservation of Cultural and National Property," art. 10, para. 1.

Article 14 points out the possibility for periodic use of immovable cultural properties and the transfer of usufruct rights to real or legal persons serving the public interest with the permission of the Ministry of Culture and Tourism.<sup>263</sup> In the case of Alevi structures, the presence of a foundation as a legal entity for the use of the place according to its historical purpose is mandatory. Alevi institutions are also apparently obliged to be able to determine their historical sites and to afford the rent of the places. Article 2 of the law further states the necessity of the establishment of a specific board for any monument that can be considered immovable cultural property, whose members should include academicians from related study areas, professionals, representatives of civil society organizations and local administrations, and those who provide financial support for the conservation with the approval of the Ministry of Culture and Tourism, a representative of the administration with power over the monument, and representatives of these institutions.<sup>264</sup> The board is responsible for the development, conservation, and exhibition of the monument with projects and annual or 5-year development plans with collected donations and honorary rewards.<sup>265</sup> The relevant administrations are obliged to attach importance to the reports generated by these boards.<sup>266</sup> However, these articles are seen to not be applied properly when the results are considered. The presence of local administrations would provide more efficient results since the local municipalities are more familiar with the demands of Alevis. However, it must be indicated that, as claimed by Hüseyin Öz, the dede of the Hüseyin Gazi Tomb in Ankara, a request for

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<sup>263</sup> Official Gazette No. 18113, “Conservation of Cultural and National Property,” art. 14, para. 1.

<sup>264</sup> Official Gazette No. 18113, “Conservation of Cultural and National Property,” additional art. 2, item c, para. 1.

<sup>265</sup> Official Gazette No. 18113, “Conservation of Cultural and National Property,” additional art. 2, item c, para. 2.

<sup>266</sup> Official Gazette No. 18113, “Conservation of Cultural and National Property,” additional art. 2, item c, para. 2.

a meeting with Mustafa Tuna, then the mayor of the city, did not receive a reply. There is yet another issue that is supposed to be resolved by the municipalities. The roads providing access to these cultural sites of historic importance for Alevis are unsatisfactory most of the time, making visitation difficult. Since most of the sites are located among mountains and hills, expectations of the roads might be kept low; however, the same problems can be observed on the roads of the municipality in which the Hacı Bektaş Complex is located, which is the most important historical Alevi destination as being its center of faith, and this area possesses a simpler terrain compared to more mountainous and hilly areas.

### **3.5. Law No. 677 on the Closure of Tombs, Shrines, and Zawiyahs and on the Abolition of the Status of Shrine-Keeper and of Various Religious Titles**

Law No. 677 brought to a close a whole era for various religious orders in Turkey. The law, enacted at the end of 1925, closed the places of worship that used to belong to Sufi orders other than mosques (cami) and small mosques (mescit). These allowed places of worship would in turn be placed under the direct authority of the state, to be manned by a prayer leader (imam) and assistants (müezzin) and grounds keepers to be appointed and paid exclusively by the state.

Following the closure of madrasas and the abolition of the caliphate, Law No. 677 on the Closure of Tombs, Shrines, and Zawiyahs can be described as one of the steps of the new Republican regime aiming at a modern, secular, science-centric, non-discriminatory state since the high number of different religious orders had been seen as a threat to the national unity desired for this new nation-building process. Religious orders were seen as being potential opposition to the political authority

rather than evaluated according to their religious functions.<sup>267</sup> To illustrate, the Naqshbandi tariqa could be seen as opposition to the government in the early Republican era, while today Alevis can be considered as strong opposition against the right-wing government due to the socialist and Marxist values adopted by Alevis. The Sheikh Said Riot in 1925, led by those supporting the continuation of the caliphate and opposing central political authority, also played a role in the declaration of this law, although it remains debatable whether that event was about the preservation of the Naqshbandis, of which Sheikh Said was one of the leaders, or a Kurdish uprising. Thus, Bektashism was not the only order abolished with this law and Bektashi shrines were not the only ones closed. Shrines and zawiyaahs had been at the center of these orders. Since shrines were valued by society, the state in the Ottoman era tried to control them, sometimes through donations and sometimes with penalties. This bond between shrines and society sometimes ended with uprisings against the state. In this vein, in the 19th century, in order to prevent divergence between the actions of the orders and the aims of the state, the Ottomans had bound them to Şeyh-ül Islam, the highest state religious authority of Ottoman times.

After the closure, most of the shrines were bound to the General Directorate of Foundations. The division of artifacts between state institutions led to an environment of uncertainty. For example, some of the shrines were transferred to the General Directorate of Monuments and Museums, while others remained in the hands of the General Directorate of Foundations.<sup>268</sup> The establishment of the High Council of Real Estate Antiquities and Monuments did not stop the destruction of historical sites. Between 1950 and 1957, some municipalities continued to destroy

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<sup>267</sup> Cem Apaydın, “Belgeler Işığında Tekke, Zaviye ve Türbelerin Kapatılması Üzerine Bir Değerlendirme,” *Yakın Dönem Türkiye Araştırmaları* 16, no. 2 (2017): 155.

<sup>268</sup> Çal, “Türkiye’de Cumhuriyet Devri,” 368.

historical structures with the help of some deputies.<sup>269</sup> As claimed by Özgöz, the dede of the Karacaahmet Sultan Lodge, a similar situation was observed during Erdoğan's years as the İstanbul Metropolitan Municipality Mayor, when the fields of the lodge were distributed for the benefit of those involved in the reconstruction projects. The Hüseyin Gazi Tomb is also thought to have been devastated after the closure of shrines, and the movable assets of shrines with historical value were often moved to museums. In addition, shrines without historical value or those in ruins were sold.<sup>270</sup>

Shrine-keepers were given new roles as mosque caretakers, imaret (public soup-kitchen) staff, and müezzins by the Directorate of Religious Affairs, and they were paid for these duties after their duty as shrine-keepers had ended.<sup>271</sup> In other words, shrine-keepers were not unjustly treated after the declaration of the law and attempts were made to integrate them into the new system for national unity rather than remaining divided among religious orders. In fact, it cannot be claimed that there was huge opposition to the law in the beginning, since most of the orders affected by it perceived the universe itself as a place of worship,<sup>272</sup> as opposed to orthodox Islam, which identifies mosques as the location for worship. In fact, even the leader (postnişin) of the Mevlana Lodge in Konya in those times, Veled Çelebi, did not express opposition as he was aware of the deterioration or rebellion among the orders.<sup>273</sup> Today, since services conducted for Alevi beliefs are not recognized as

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<sup>269</sup> Çal, "Türkiye'de Cumhuriyet Devri," 366.

<sup>270</sup> Apaydın, "Belgeler Işığında," 157.

<sup>271</sup> Apaydın, "Belgeler Işığında," 154.

<sup>272</sup> Apaydın, "Belgeler Işığında," 158.

<sup>273</sup> Apaydın, "Belgeler Işığında," 159.

public service, dedes are do not have a status as clerks, unlike imams. Since there is nothing relevant to them in the Constitution and the laws, there is no financial allotment for Alevism and Bektashism in comparison to the budget for the Directorate of Religious Affairs. Therefore, besides dealing with the scandalous restorations of Alevi and Bektashi historical structures by the General Directorate, Alevis try to sustain the continuity of the belief system by their own efforts.

The time when the law was issued was an extraordinary time in early Republican Turkey, and later some laxity would be introduced in practice, especially from the 1950s. Accordingly, Sunni orders would flourish, mostly in the form of Sufi associations and virtually unhindered. Alevi cemevis, not mentioned in the law, would follow suit from the 1990s because historically no such places of worship existed de jure at that time. It is dubious that this law is presently a constraint on the possible Alevi uses of historical Alevi shrines, sanctuaries, and temples. In the face of this law, both international law and domestic law starting with the Constitution guarantee the faithful the right to hold religious beliefs of any kind and to engage in rites with others. Arguably, this right must also include the right to have such congregations in the historical sites of the faithful (here, the Alevis) and even to control and manage those sites.

In short, this historical law from late 1925 cannot be claimed to “block” the present-day Alevi demands of some autonomy in worship and of the use of historical Alevi shrines, sanctuaries, and temples for this purpose. However, due to this law, the opening of cemevis and the use of historical structures when they want to hold their ritual there are controversial. When authorities do not want to permit the construction of a cemevi, they use this law as an excuse.

Article 1 of the law indicates that the use of titles such as dervish, disciple, dede, seyyid, çelebi, or baba is strictly forbidden.<sup>274</sup> However, it is commonly known that dedes are still the leaders of Alevi groups and that they use this title. The difference between a dede and an imam is that the salary of the imam is paid out of the governmental budget since their duty is considered as public service, while the financial gain of dedes is determined by followers who pay the hakkullah unofficially. The same article also states that those who try to establish shrines and zawiyahs shall be punished with a minimum of 3 months of imprisonment.<sup>275</sup> Today, these structures continue their rituals with cemevis established within the structure or in add-on structures near the historical one. As indicated by the state during the case initiated by İzzettin Doğan and the CEM Foundation to the Grand Chamber of the ECrtHR, although this law exists de jure, it does not de facto prevent the continuation of the presence of the orders or their rituals. The state is aware of the situation, as it rents sites to Alevi foundations that can afford them. It could thus be claimed that the state sees Alevi culture and its structures as something that will disappear in time with obstacles set against it, or something that should not have the freedom and rights provided to Sunni Islam.

An additional article added to the law in 1950 regarding the reopening of these places associated with important figures of Turkish history by the Ministry of Culture if they have artistic value<sup>276</sup> is problematic for Kurdish Alevis. Turkish and Kurdish Alevism reflect some differences. While Turkish Alevism's background is based on Bektashism with its system of lodges, Kurdish Alevism was set up under the leadership of particular sheiks, which led to the establishment of the ocak system.

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<sup>274</sup> Official Gazette No. 243, "Law No. 677," art. 1.

<sup>275</sup> Official Gazette No. 243, "Law No. 677," art. 1.

<sup>276</sup> Official Gazette No. 243, "Law No. 677," additional art. 1.

Resisting the recognition of cemevis today and justifying the condemnation of historical Alevi and Bektashi artifacts, in contrast to the status of historical mosques that are still in use, the government always relies on this law as an excuse for its passiveness towards Alevi demands. With its status as a museum, the Hacı Bektaş Complex had an entrance fee charged for visitors until a few years ago, which drew negative reactions from Alevi and Bektashis due to its being the central lodge of the belief.

### **3.6. Law No. 633 on the Establishment and Duties of the Directorate of Religious Affairs**

Law No. 633 put Sunni places of worship under the authority of the Directorate of Religious Affairs. As such, the law effectively ignores the Alevi faith, although its role was to provide the integration of society under national values without discriminating against any groups when it was established with Law No. 429 on March 3, 1924. Besides this law, Article 136 of the Constitution also indicates the responsibility of the Directorate of Religious Affairs for all places of worship. When it is considered that the Directorate is also responsible for the freedom of religion and conscience, the situation clearly contradicts the demands of Alevi. Year by year, the increasing budget allocated for the Directorate grows more controversial. Allegedly, the budget for the Directorate of Religious Affairs in 2015 was 5.7 billion Turkish lira, which was higher than the budgets reserved for any ministry.<sup>277</sup> The main problems for statist Alevi are the non-recognition of cemevis as places of worship and the closure of shrines with Law No. 677, with the conversion of these structures into historical sites that are not in use in accordance with their historical role as opposed to historical mosques, which are still in use today. Additionally, from the perspective of statist Alevi, the state is responsible for the provision of the

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<sup>277</sup> Selin Girit, "Cemevleri: İbadethane mi Kırmızı Çizgi mi?," *BBC News*, January 8, 2016, [https://www.bbc.com/turkce/haberler/2016/01/160107\\_alevi\\_cemevi\\_selingirit](https://www.bbc.com/turkce/haberler/2016/01/160107_alevi_cemevi_selingirit).

advantages provided to Sunni Islam also for Alevis. Article 1 of the law explains the reason for the establishment of the Directorate of Religious Affairs as carrying out works related to the beliefs of the religion of Islam, worship and morality, enlightenment, and managing places of worship.<sup>278</sup> In other words, it states that the Directorate is responsible for all faiths in relation to Islam. The main aim with the establishment of the Directorate was the provision of secularism, which can also be seen from the fact that the article of the Constitution indicating the religion of the state to be Islam was abolished on April 10, 1928, and that the principle of secularism was added to it on February 5, 1937. This is the reason for the absence of a consensus among Alevis regarding the role of state; according to secularist Alevis, the budget required by Alevis is as unacceptable as the budget being given to the Directorate of Religious Affairs.

As indicated in Article 5, one of the duties of the High Council of the Directorate of Religious Affairs is to examine and evaluate traditional religious-cultural formations and different religious interpretation circles in the country and abroad.<sup>279</sup> Alevism and Bektashism are thus two realities of Turkish history that should not be denied. However, the nation-building system followed in the Republican era did not reflect differences from that of the Ottomans in terms of using one type of Islam for unification. What is stated here is not to see Alevism as an order within Islam, but it is commonly accepted that the evaluation of Alevism and Bektashism independently of Islam will not provide a sound foundation.

Article 7 also clarifies one of the duties of the Directorate General of Religious Services, a unit within the Directorate of Religious Affairs, as conducting relevant

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<sup>278</sup> Official Gazette No. 12038, “Law No. 633 on the Establishment and Duties of the Directorate of Religious Affairs,” July 2, 1965, art. 1.

<sup>279</sup> Official Gazette No. 12038, “Law No. 633,” art. 5, item c.

studies related to different religious interpretations of Islam, religious-social organizations, and traditional religious-cultural formations.<sup>280</sup> As was seen during interviews with chairmen of some Alevi foundations and associations, there are groups of students from divinity schools (ilahiyat) studying Alevism. However, their attitudes towards this belief system are not free of prejudices. In addition, the tomb-keeping documents from 1644 from the Shah Kalender Tomb were translated thanks to the cooperation of Gazi University and the Çubuk Municipality, not any organs of the state.

As the position of imams as clerks in the official system was mentioned, Article 35 implies that such personnel shall be allocated by the Directorate of Religious Affairs.<sup>281</sup> This article is another one guaranteeing the position of imams as the only paid workers for religious public services. Besides the dedes of Alevism, who are the spiritual leaders of the believers, shrine-keepers, who inherit the duty from their ancestors, are not paid for their efforts to protect historical places. Therefore, most of the time, the money they spend for the needs of the artifacts comes from their personal budgets, as will be seen with Necmettin Dulkara at the Koyunbaba Tomb, Arif Kalender at the Shah Kalender Tomb, and the Demirtaş family at the Sücaeddin Veli Complex in Eskişehir. The salaries of security, funeral staff, cooks, and cleaning personnel are paid through the budgets of Alevi associations and foundations most of the time. One of the rare situations contradicting this general rule is that two of three personnel at the Sücaeddin Veli Complex receive their salaries from the Seyitgazi Municipality; this only further supports the claim that this kind of support from municipalities is thoroughly based on the arbitrary attitude of the authorities. The role of the Kadıköy Municipality under CHP leadership for the Şahkulu Sultan Convent will also be examined in this context in the next chapter.

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<sup>280</sup> Official Gazette No. 12038, “Law No. 633,” art. 7, item a/10.

<sup>281</sup> Official Gazette No. 12038, “Law No. 633,” art. 35.

### 3.7. Law 6446 on the Electricity Market

The Law on the Electricity Market, issued in 2013, must be addressed here due to its articles determining the regulations regarding the payment of electricity expenses of places of worship.

Paragraph 3 of Provisional Article 6 states that the expenses for the illumination of places of worship that are open to the public and where entry is free of charge are to be covered by an allowance made from the budget of the Directorate of Religious Affairs.<sup>282</sup> This article does not specifically indicate that the electricity expenses of mosques are covered by the budget of the Directorate. In addition, with a cabinet decree declared in 2002, places of worship including mosques, mescits, churches, and synagogues were exempt from electricity bills.<sup>283</sup> In the opinion of Alevi, there is no doubt that cemevis are places of worship. However, the problem here is the non-recognition of cemevis as places of worship legally; therefore, they are not subject to the rights provided to these other places. The issue of the status of cemevis is a topic promised to be addressed by the authorities for years as election propaganda. For the elections of November 1, 2015, it was promised that cemevis would be given free electricity and water, similarly to other places of worship, and that dedes would be recognized as clerks receiving payments.<sup>284</sup> It is incredible that even in 2019, political figures still use Alevi topics and their demands as points in election campaigns, as seen during a speech by Binali Yıldırım asking for the votes of Alevi before municipal elections: “Alevi have expectations, there are problems

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<sup>282</sup> Official Gazette No. 28603, “Law No. 6446 on the Electricity Market,” March 30, 2013, additional art. 6, para 3.

<sup>283</sup> Official Gazette No. 24763, “Cabinet Decree No. 2002/4100,” May 23, 2002.

<sup>284</sup> Girit, “Cemevleri: İbadethane mi Kırmızı Çizgi mi?”

in their cemevis. We are not going to leave these issues to the grandchildren, we are going to solve them by meeting and speaking all together.”<sup>285</sup>

In Turkish legal sources, while the phrase “worship” is used, there is no definition regarding what exactly a place of worship is except for the indication that these places satisfy the necessities of a religion. In the end, the understanding of mosques as the places of worship of Islam brings about the construction of unnecessary mosques in Alevi villages as well. Public figures from the AKP have stated many times that if Alevis are Muslims, the place of worship for Islam is the mosque. However, as indicated in decisions made by the ECtHR, the state does not have the right to determine where worship is or is not based. In fact, differently from this law, Article 3 of the Law on the Prohibition of Certain Garments states that sanctuaries are closed spaces that have been approved for each religious worship and procedure.<sup>286</sup>

### **3.8. Law No. 5225 on the Encouragement of Cultural Investments and Initiatives**

The scope of this law, issued in 2004, is to meet the cultural needs of individuals and society, to preserve cultural heritage and intangible cultural heritage and make them an element of sustainable culture, cultural communication and interaction, and the creation of artistic and cultural values, in order to ensure that the country’s cultural properties are kept alive and evaluated as a contributing factor to the national economy and to promote cultural investment and cultural initiatives for the

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<sup>285</sup> “Binali Yıldırım’dan Alevilere: Adımda Ali Var,” *Birgun.net*, March 10, 2019, <https://www.birgun.net/haber-detay/binali-yildirimdan-alevilere-adimda-ali-var.html>.

<sup>286</sup> Official Gazette No. 2933, “Law on the Prohibition of Certain Garments,” February 18, 1935, art. 3.

construction and operation of cultural centers. Article 4 of the law promotes the use of immovable cultural properties within the scope of Law No. 2863, the Law on the Conservation of Cultural and Natural Property, for the purpose of this law.<sup>287</sup>

As indicated in Article 1 of the law, this law aims to meet the cultural needs of individuals and society, to preserve cultural heritage and intangible cultural heritage, making them an element of sustainable culture and enabling cultural communication and interaction and the generating of artistic and cultural values, to ensure the creation and development of such values within society so that the country's cultural properties are kept alive and evaluated as a contributing factor to national economy, and to promote cultural investment and cultural initiatives for the construction and operation of cultural centers.<sup>288</sup> Setting aside the issue of the establishment of cultural centers for Alevis by the state, even the consideration of these places as a source of national history is problematic, which can be seen from the approach of the state to Alevi artifacts. As indicated before, after the closure of shrines with Law No. 677, most of these shrines were abandoned to their fates. Even the reopening of them with a regulation in Law No. 677 in the early 1950s did not help regain the status of these places as historical sites. Additionally, today, the state does not have enough expert personnel to determine the sites and hold restorations that are loyal to the original version of the structures.

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<sup>287</sup> Official Gazette No. 25529, "Law No. 5225 on the Encouragement of Cultural Investments and Initiatives," July 21, 2004, art. 4, item c.

<sup>288</sup> Official Gazette No. 25529, "Law No. 5225," art. 1.

### **3.9. Directive on Museums by the General Directorate of Foundations (2007)**

Museology in Turkey is a concept that entered the country as a result of Westernization. There are several mistakes being made regarding museology in the country in terms of inconsistency and insecurity regarding Alevi and Bektashi assets. This directive is important in terms of the clarification of the current situation of cultural assets that used to belong to Bektashi orders. In Article 7 of the regulation, property belonging to shrines is also indicated in terms of which items should be exhibited in museums.<sup>289</sup> However, there is uncertainty as to whether all of this property is treated equally. In other words, governmental institutions do not conduct all necessary work for such artifacts, which are therefore exposed to the risk of robbery when they are left in local shrines whose security is provided by individuals who have devoted themselves to the place. As indicated in Articles 23 and 31, in museums, such artifacts are under the surveillance of security personnel. When the Hacı Bektaş Complex is considered, this security precaution is to be expected. However, there are other artifacts exhibited in other tombs and shrines, such as the sacred relics of the Abdal Musa Tomb, and since these places do not have museum status, they do not have security personnel. While such sacred assets remain in the Abdal Musa Tomb, the historical wooden door of the Koyunbaba Tomb in Çorum is exhibited in the Çorum Museum, illustrating the inconsistency in the management of such historical artifacts. In the best-case scenario, there are security surveillance systems or personnel supported by associations or foundations undertaking the protection of such sites.

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<sup>289</sup> Official Gazette No. 26426, “General Directorate of Foundations Regulation on Museums,” February 6, 2007, art. 7, para. 1, item b.

### **3.10. Directive on Tender of Cultural Properties (2013)**

The aim of this directive is to regulate the procedures and principles to be applied in the procurement and restoration of cultural properties regarding goods and services related to environmental regulation. This directive covers the restitution, restoration, landscaping, and physical or structural improvement of properties and their applications, conservation, and procurement of goods and services for them. The properties under these applications are those indicated in Law No. 2863 on the Conservation of Cultural and Natural Property.

As indicated in Article 4, “repairing” means interventions in design made considering the original material, structure, and architectural elements for the survival of cultural properties.<sup>290</sup> However, in most cases involving the repair or restoration of Alevi structures, the materials or stones used for repairs do not fit with the historical features of the structure. Most of the time, these Alevi artifacts originally consisted of cut stones, but today most of the tombs are covered with plaster and whitewash. In the Hacı Bektaş Complex, the walls have been painted to deal with humidity, but this does not reflect the original version of the place. Rather than restoration, repairs should be the main focus, because a restoration is only an imitation of the original. However, efforts should still be made to conduct restorations in loyalty to the detailed information about the historical background of the place. While the absence of an expert group specifically on Alevi artifacts is a main problem, the evaluation of restorations of Alevi artifacts does not have consensus among Alevis, either. To illustrate, regarding the restoration of the Sücaeddin Veli Complex, Dede Demirtaş was satisfied with the results, advocating that the restoration was held after a strict evaluation of historical photos, while Hüseyin Taştekin from Şahkulu Sultan Lodge found the renovation to be full of

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<sup>290</sup> Official Gazette No. 28718, “Directive on Tender of Cultural Properties,” July 25, 2013, art. 4, item a.

mistakes. Even for the most central artifacts of Alevism and Bektashism, the situation is not different. As claimed by Mithat Bektaş, the stones used on the floor of the yards of the Hacı Bektaş Complex are not correct, since it is possible for them to be moved due to the roots of the trees.<sup>291</sup>

Article 4 also refers to environmental regulations in order to solve problems posed by the environment.<sup>292</sup> This contradicts with the beginning of marble extraction in a field near the Abdal Musa Tomb in Antalya and the Seyyid Veli Baba Sultan Tomb in Isparta. Even Article 5 in Osman Hamdi Bey's *Asar-ı Atıka* Regulation, dated 1884, stated that a quarry could not be run near ancient artifacts.<sup>293</sup> It is thus incredible that in today's conditions there is a marble quarry opened near the Abdal Musa Tomb, which may cause the destruction of the historical structure as a result of vibrations from the ground. The opening of another marble quarry was realized in 2017 near the Seyyid Veli Baba Sultan Tomb in Isparta in spite of reactions from Alevis and locals. In addition, the front side of the Karacaahmet Sultan Lodge in İstanbul is a road without any parking places for visitors, as discussed in detail in the next chapter. Similarly, the marble sculptures near the garden of the Hasan Dede Tomb in Kırıkkale, near Ankara, have no relation with the spirit of the structure. Conservation is also defined in Article 4 as restoration procedures aiming at extending the life of a cultural property by using materials and methods that are reversible without causing physical, chemical, or biological changes and being in keeping with the original characteristics of said cultural assets.<sup>294</sup> Similarly, as

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<sup>291</sup> Mithat Bektaş (volunteer at Hünkar Hacı Bektaş Veli Foundation, former painting teacher and art historian), personal interview, July 15, 2018.

<sup>292</sup> Official Gazette No. 28718, "Tender of Cultural Properties," art. 4, item c.

<sup>293</sup> Çal, "Türkiye'de Cumhuriyet Devri," 353-354.

<sup>294</sup> Official Gazette No. 28718, "Tender of Cultural Properties," art. 4, item g.

restitution and restoration projects are mentioned, the consideration of the original form of the properties is supposed to be significant. Therefore, the lamps hung on the walls of the Sücaeddin Veli Complex and the first garden of the Hacı Bektaş Complex are inappropriate in terms of the historical concepts of these places and the survival of the walls without holes caused by nails.

Article 5 states that restorations are to be held by contractors whose professional and technical competence and economic and financial powers are accepted by the administration.<sup>295</sup> The contractor is to be paid according to the principles and rules stated in the contract.<sup>296</sup> The contractor may have experience related to the restoration of other cultural properties; however, as indicated in the Law on the Conservation of Cultural and Natural Property, the unique features, history, art, and background of every single historical property should be evaluated with the establishment of an expert board. The ancient monuments have no specific tender system. Even if a tender company has experience in restoration, it should be kept in mind that the artifacts of the country differ from each other in terms of different aspects such as period, endurance, material, and culture. While the importance of the consideration of these factors is indicated by the law, Article 5 of the Directive on Tender of Cultural Properties is toneless. In other words, the Directive on Tender of Cultural Properties does not go beyond being a directive regulating the restoration of an ordinary structure. The repair or restoration of a historical site should not be designed based on levels of limited budget or time. During the preparation of projects and restorations, the contractor shall prepare everything in accordance with the preliminary reports, professional experience, and legislation principles including

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<sup>295</sup> Official Gazette No. 28718, “Tender of Cultural Properties,” art. 5, item a.

<sup>296</sup> Official Gazette No. 28718, “Tender of Cultural Properties,” art. 5, item b.

the intervention techniques determined by the contracting authority.<sup>297</sup> The contractor submits the projects of the work for the approval of the Regional Boards for the Preservation of Cultural and Natural Heritage.<sup>298</sup> Still, the restorations of many cultural properties have been failures, regardless of whether they are Alevi artifacts or not, which is clearly incompatible with the legal procedures. The same article indicates that the restoration of artifacts abroad is to be overseen by the General Directorate. However, the Directorate cannot be considered as a separate body from the current ideology of the government. In most cases, Alevis believe that the state undertakes these substandard repair, conservation, and restoration processes in order to suppress both the belief system and the importance of Bektashism and Alevism both domestically and abroad.

Article 8 of the directive indicates that the approximate cost of the procurement of goods and services and the cost of implementation are to be determined by the contracting authority before the tender is made, and the approximate cost is to be determined on the basis of detailed quantity and price research and shown with a calculation chart.<sup>299</sup> Article 9 also states that administrations shall prepare a detailed preliminary restoration report explaining places and spaces with work items or groups and application techniques. They will determine the cost of the work according to these reports.<sup>300</sup> Articles 10 and 20 also provide some detailed explanations regarding the calculation of expenses. Article 66, amended in 2013, states that during the implementation of the contract, in cases where an unpredictable

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<sup>297</sup> Official Gazette No. 28718, “Tender of Cultural Properties,” art. 5, item ç.

<sup>298</sup> Official Gazette No. 28718, “Tender of Cultural Properties,” art. 5, item ç.

<sup>299</sup> Official Gazette No. 28718, “Tender of Cultural Properties,” art. 8, para. 1 & 2.

<sup>300</sup> Official Gazette No. 28718, “Tender of Cultural Properties,” art. 9, para. 3.

situation arises, the material, the details, and the type or the quantities of the production are to be evaluated.<sup>301</sup> In cases where revision is required, which would lead to the increase or decrease in the value of the work, if it is not technically or economically possible to abandon the work and the work is expected to be completed, an increase of up to 50% of the contract price can be made.<sup>302</sup> The third paragraph of the same article indicates that in the case when the increase is more than 50% of the contract price and if it is not approved by the General Directorate and not submitted for the approval of the Deputy Prime Minister, the calculations of the work shall be liquidated in accordance with the general provisions.<sup>303</sup> The same article continues by clarifying that all products corresponding to the first contract price provision shall be fulfilled in accordance with the tender document and the provisions of the contract.<sup>304</sup> Paragraph 6 of Article 72 states that in the case of termination of the contract, damages shall be compensated by the contractor.<sup>305</sup> The use of fraudulent materials, tools, or procedures during the work or delivery of the contract to provide a product that is incomplete or defective by the rules of science and art is forbidden by Article 78.<sup>306</sup> The same article also states that not fulfilling the commitment in accordance with the provisions of the tender document and contract,

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<sup>301</sup> Official Gazette No. 28718, “Tender of Cultural Properties,” art. 66, para. 1.

<sup>302</sup> Official Gazette No. 28718, “Tender of Cultural Properties,” art. 66, para. 1.

<sup>303</sup> Official Gazette No. 28718, “Tender of Cultural Properties,” art. 66, para. 3.

<sup>304</sup> Official Gazette No. 28718, “Tender of Cultural Properties,” art. 66.

<sup>305</sup> Official Gazette No. 28718, “Tender of Cultural Properties,” art. 72.

<sup>306</sup> Official Gazette No. 28718, “Tender of Cultural Properties,” art. 78, para. 1, item c.

except for force majeure, is forbidden.<sup>307</sup> However, it does not seem that authorities have serious deterrence power over possible inappropriate attitudes on the part of the contractor during the process of the contract. Another disadvantage is that the deterrence power of the protection board has limited and indirect effects, such as fines of small amounts after the completion of the project. As will be explained in detail for the Seyyid Veli Baba Sultan Tomb in Isparta, the contractor company abandoned the restoration in the middle of the process since they found that 220,000 lira was not enough, which left the place in danger of being thoroughly destroyed in the middle of winter due to the structure's weak columns.

### **3.11. Directive on the Procedures and Principles Concerning the Lease of Cultural Properties in Return for Restoration and Repair (2008)**

The Directive on the Procedures and Principles Concerning the Lease of Cultural Properties in Return for Restoration and Repair was prepared in 2008 with the purpose of preserving and developing the cultural properties belonging to the General Directorate of Foundations, and to regulate the procedures and principles to be applied in the lease transactions for restoration or repair in order to convert and operate economically in accordance with the conditions of the day.<sup>308</sup>

In return for the restoration or repair of cultural properties belonging to the General Directorate of Foundations and the foundations it represents, the renting of the

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<sup>307</sup> Official Gazette No. 28718, "Tender of Cultural Properties," art. 78, para. 1, item e.

<sup>308</sup> Official Gazette No. 26993, "Directive on the Procedures and Principles Concerning the Lease of Cultural Properties in Return for Restoration and Repair," September 10, 2008, art. 1.

properties is possible.<sup>309</sup> As indicated many times before, Alevi still continue their rituals in modern cemevis established in metropolitan cities or in historical Alevi structures rented by some Alevi foundations with enough financial power to afford the rent. The issue of the high price of rent will be mentioned in Chapter 4 among the problems of the Karacaahmet Sultan and Şahkulu Sultan Lodges located in İstanbul. The issue of whether a belief system is a legal entity itself is a topic argued many times in the cases held in front of the ECtHR, which are not only cases against the Turkish government. In the Turkish case, it is known that Alevism continues under the legal entity gained through the establishment of foundations in accordance with the Turkish Civil Code, as was indicated.

### **3.12. Directive on Foundations (2008)**

The Directive on Foundations was prepared in 2008 with the aim of organizing the duties, authorities, and responsibilities related to the establishment of new foundations, the management of the foundations, activities and audits, guidance, and expertise. Some amendments were made to some articles of this directive in 2013. The issue of the obligatory presence of a legal entity through foundations for Alevism will continue with this directive, as well, which can be seen with Article 11 of the directive indicating that the ownership and rights of property-specific goods will belong to the foundation with the acquisition of legal entity status.<sup>310</sup>

Article 27 states that one of the duties of the directors of foundations is the observation and repair of cultural properties.<sup>311</sup> In spite of this, there is nothing

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<sup>309</sup> Official Gazette No. 26993, “Lease of Cultural Properties,” art. 4, para. 1.

<sup>310</sup> Official Gazette No. 27010, “Directive on Foundations,” September 27, 2008, art. 11, para. 1.

<sup>311</sup> Official Gazette No. 27010, “Directive on Foundations,” art. 27, item a.

wrong about repairing or caring for these properties with particular Alevi organizations since they also seek the delivery of their monuments to themselves as their real owners in the current system. However, this constitutes a source of inequality between different belief groups in the country if Sunni Muslim groups do not have such responsibilities for their places of worship due to the positive discrimination of the state towards mosques.

According to Article 59, an assembly is authorized to allocate immovable properties.<sup>312</sup> The second paragraph of the same article continues by mentioning that the allocation is realized in accordance with the function of the properties.<sup>313</sup> However, this contradicts the fact that many Alevi and Bektashi artifacts today are in the hands of different orders. Of course, this situation cannot be blamed solely on the current state. The problem dates back to the closure of Bektashi shrines by Mahmud II or their transfer to different orders. However, the privatization of the Susamışlar Mansion in Sivas, which was supposed to be a part of the Ali Baba Sultan Shrine, was realized in the Republican era. In addition, as mentioned before, the Şahkulu Sultan and Karacaahmet Sultan Lodges in İstanbul are rented by Alevi associations and foundations today. It is unknown what the situation of these places would be today if they were left untended by Alevi institutions.

In Article 111, the conversion of the immovable belongings of community foundations that are not used in part or in full to another foundation of the community in the case of the request of foundation executives is mentioned.<sup>314</sup> When the fields donated to Bektashi lodges throughout history are considered, the transfer

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<sup>312</sup> Official Gazette No. 27010, "Directive on Foundations," art. 59, para. 1.

<sup>313</sup> Official Gazette No. 27010, "Directive on Foundations," art. 59, para. 2.

<sup>314</sup> Official Gazette No. 27010, "Directive on Foundations," art. 111, para. 1, item ç.

of these lands to other foundations does not seem literally possible since in reality even the real owners of these fields are not able to make use of them. As previously mentioned, the fields of the Şahkulu Sultan and Karacaahmet Sultan Lodges were opened to the benefit of supporters of high authorities, while Alevi associations and foundations today must be able to afford such lands with their own budgets if they want to establish a cemevi or guesthouse in a particular area with permission from the authorities, as the opening of a cemevi is allegedly based on the arbitrary consent of municipalities. In such cases, they are also responsible for the taxes of these properties.

### **3.13. Directive on the Care, Repair, Cleaning, and Environmental Design of Mosques (1985)**

The aim of the Directive on the Care, Repair, Cleaning, and Environmental Design of Mosques is to regulate and coordinate the principles and duties for the maintenance, repair, cleaning, environmental design, and security services of mosques and mescits, especially those with historical and touristic features. The reason why this directive is mentioned in this study is not that it includes articles for the good of Alevi and Bektashi monuments; however, it would meet most of the demands of Alevis indicated here if it were also to be applied for other belief systems. In this directive, besides the duties of the General Directorate of Foundations, the obligations of the Ministry of Culture and Tourism, the Directorate of Religious Affairs, and the Turkish Electricity Authority Headquarters regarding services to be supplied to mosques are explained. While Article 4, which explains services to mosques, addresses the water supply,<sup>315</sup> Article 5 explains the provision

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<sup>315</sup> Official Gazette No. 18763, "Directive on the Care, Repair, Cleaning, and Environmental Design of Mosques," May 24, 1985, art. 4, item f.

of lighting expenses of mosques by state organs.<sup>316</sup> The Hüseyin Gazi Tomb in Ankara has problems regarding the supply of water to the place, as will be explained in the next chapter. The electricity demands of Alevi and Bektashi shrines is the most common problem of such places. The main issue here is that only mosques have the status of being places of worship. When this is the case, the problem does not come to an end with the simple addressing of the electricity or water issues; attempts to transform these places into Sunni Islam sanctuaries are also on the agenda. As indicated for the Koyunbaba Tomb in Çorum, petitions delivered by the branch of the Hacı Bektaş Anatolian Culture Association in Çorum regarding demands such as repair, cleaning, and security have been ignored without any response. Afterwards, the assignment of an imam to the mescit established next to the tomb received negative reactions from Alevis. The same situation is also seen for the Keçeci Baba Tomb in Tokat, where the demands indicated by Alevis are ignored by authorities.

### **3.14. Presidential Decree No. 4 on Organization of Institutions and Organizations Related to Ministries**

This decree has importance since its 49th section was organized to complete Law No. 5737 regarding the responsibilities of the General Directorate and its provincial organizations.

As indicated in Article 708 of the decree, the responsibility for the construction, repair, and tender operations of the properties belonging to the General Directorate and other foundations or the realization of these by others is assigned to the

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<sup>316</sup> Official Gazette No. 18763, “Care, Repair, Cleaning, and Environmental Design of Mosques,” art. 5.

Department of Art and Structural Works.<sup>317</sup> It cannot be denied that the General Directorate conducts repair projects and restorations for Alevi and Bektashi structures. However, one of the main worries of Alevis is whether the contractors consider the sui generis features of these structures during any of these actions and when the next action for the place will occur. Although the Sücaeddin Veli Complex in Eskişehir was restored less than five years ago, with 4.5 million Turkish lira being spent there in 2015 by the International Organization of Turkic Culture after Eskişehir was declared as a capital of Turkish world culture, it already has problems on the walls due to humidity.

Article 711 regarding the duties of the Department of Culture and Registration determines one of the duties of the department as ensuring the opening, operation, and security of museums, libraries, and cultural centers.<sup>318</sup> Among the Alevi artifacts indicated in this study, the only cultural center exists near the Hacı Bektaş Complex. Particularly in metropolitan cities, it is known that in these kinds of centers, one of the rooms is used as a cemevi. However, most of the time, these are established with the donations of individual people or foundations with large budgets, such as the CEM Foundation, which plays a leading role in Alevi issues with the cases it has brought to the ECtHR regardless of whether they are controversial even among Alevis or not. To illustrate, the museum opened in the center of Kemaliye in Erzincan in relation to the Hıdır Abdal Lodge is the result of the personal contributions of educationist Mustafa Gürer. The library of the Şahkulu Sultan Lodge is also the result of the works of the Foundation for the Continuation of Alevism and Bektashism, which does not have many written resources. Apart from these, most of

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<sup>317</sup> Official Gazette No. 30479, “Presidential Decree No. 4 on Organization of Institutions and Organizations Related to Ministries,” July 15, 2018, art. 708, item b.

<sup>318</sup> Official Gazette No. 30479, “Presidential Decree No. 4,” art. 711, item g.

the time, the activities held in historical structures, associations, and foundations are realized thanks to the financial support of Alevis or the members of a particular ocak whose center is one of these historical sites, as will be described in detail for the Hıdır Abdal Lodge. The article also determines another duty of the department as being the organizing of scientific, cultural, and social activities in cooperation with the foundations in organizations and projects.<sup>319</sup> The Department of Foreign Affairs is responsible for following and complying with international legislation on foundations.<sup>320</sup> While it is indicated in this way in domestic law, it is worth mentioning the demands of Alevis regarding a channel connected to TRT, the national public broadcaster, which was rejected, while the Directorate of Religious Affairs has a channel allocated to itself as “TRT Diyanet.” It cannot be claimed that the state organs do not oversee any organizations for Alevis. As indicated for the situation of Alevi and Bektashi shrines outside of the Turkish borders today, especially in the Balkans, organizations initiated by governments have ended up with the attendance of the singer Yavuz Bingöl, who cannot be directly linked to Alevi songs. Thus, for the government to be successful in organizations held for Alevis, the main criteria are to be purified of prejudices and to not evaluate Alevism in comparison with Sunni Islam, and to cooperate with experts on this belief system and to provide enough assistance for the true realization of rituals and activities.

According to Article 711, the Department of Culture and Registration is responsible for following and returning stolen cultural assets that have been removed from the country.<sup>321</sup> As will be discussed in the next chapter, the manuscripts of Hamza Baba, whose tomb is in İzmir, are in a library in London today. Aside from the assets taken

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<sup>319</sup> Official Gazette No. 30479, “Presidential Decree No. 4,” art. 711, item ğ.

<sup>320</sup> Official Gazette No. 30479, “Presidential Decree No. 4,” art. 712, item b.

<sup>321</sup> Official Gazette No. 30479, “Presidential Decree No. 4,” art. 711, item i.

abroad illegally, small Alevi tombs are exposed to robbery even in broad daylight since they have no security surveillance, as was seen at the Seyyid Cemal Sultan Tomb in Afyonkarahisar in 2010. The surveillance issue has generally been solved by the efforts of associations and foundations, except for the Hacı Bektaş Complex, with its status as a museum. Similarly, when the donation box of the Shah Kalender Tomb was stolen, the historical assets had luckily already been hidden by the tomb-keeper and the head of the village, Arif Kalender, although this place had been labeled by the Protection Commission under the Ministry of Culture and Tourism in 1994 as a first-degree historical monument.

### **3.15. Circular Letter 2016/1 No. 67723701-010.06-1283 on Transactions Regarding New, Appendant, Tradesmen, and Community Foundations**

The Circular Letter on Transactions Regarding New, Appendant, Tradesmen, and Community Foundations is significant in terms of the consideration of difficulties that Alevi foundations face when they want to rent Alevi properties.

To establish a foundation, private individuals are obliged to present 6% of the rent for one year as assurance when the property is leased. A foundation also has to provide surety, except for cases when the rent indicated in the contract is thoroughly paid, when there is a guarantee letter received from the banks, or when the economic situation is approved by the Regional Directorate.<sup>322</sup> To summarize, the presence of a financial power is always needed for the continuation of this belief system or for the temporary delivery of properties to their real owners. As indicated in Article 14,

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<sup>322</sup> Circular Letter 2016/1, No. 67723701-010.06-1283. “On Transactions Regarding New, Appendant, Tradesmen, and Community Foundations, January 18, 2016, art. 11.

there is no need to state the cancellation of a lease contract in the case of a possible delay in payment.<sup>323</sup> The closure of a mosque just because its community does not have some institutions fighting for the continuation of its activities would not even be a question here. In the case of Alevi, efforts are made to protect the belief system through associations and foundations, and it can be said that foundations have better circles of finance compared to associations. Hüseyin Özgöz from the Karacaahmet Sultan Lodge, the rent for which is paid by the Culture, Solidarity, and Shrine Restoration Association of Karacaahmet Sultan, stated that they could not become a foundation due to a budget deficit.<sup>324</sup> Article 9 states that foundation rents are under the insurance of the General Directorate; however, when the amount of money offered by the authorities to cover the damages caused by natural disasters is insufficient, the foundation is obliged to cover the deficit.<sup>325</sup> There is no problem indicated in the next chapter regarding this. However, this article also reflects the interest of the authorities and the burden left on the shoulders of Alevi for the preservation of places. After the contract of a lease, foundations are obliged to officially register for the bills for electricity, water, and natural gas.<sup>326</sup> Again, when historical Alevi and Bektashi properties are rented to foundations or associations, differently from mosques, whose expenses are covered by the state budget, the contract institution is obliged to take responsibility for electricity, natural gas, and water. Although most Alevi historical structures have the status of state property with their links to the General Directorate of Foundations, their expenses are left to be shouldered by associations and foundations. As indicated in this study, the only

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<sup>323</sup> Circular Letter 2016/1, “On Transactions,” art. 14.

<sup>324</sup> Hüseyin Özgöz, personal interview, June 8, 2018.

<sup>325</sup> Circular Letter 2016/1, “On Transactions,” art. 9.

<sup>326</sup> Circular Letter 2016/1, “On Transactions,” art. 7.

exception here is seen for the Sücaeddin Veli Complex in Eskişehir thanks to current Municipality Mayor Hasan Kalın.

Article 8 of this circular letter indicates that foundations are obliged to take precautions as necessary in terms of the prevention of environmental pollution.<sup>327</sup> However, as indicated among the problems of the Hüseyin Gazi Tomb in Ankara, municipality personnel only come once a week to collect the trash, making the prevention of environmental pollution quite difficult. Application of disinfectant to the area is also only performed when the demand is indicated.

### **3.16. Regulation No. 5018 on Assistance from the Budgets of Public Administrations to Associations, Foundations, Unions, Institutions, and Similar Entities**

Regulation No. 5018 on Assistance from the Budgets of Public Administrations to Associations, Foundations, Unions, Institutions, and Similar Entities is based on procedures regarding financial assistance to some associations, foundations, unions, institutions, and similar entities overseeing the public interest. Article 5 of the regulation indicates that, to be able to receive such assistance, one of the conditions is that these bodies should aim to contribute to public interest.<sup>328</sup> However, this is a subjective evaluation in accordance with the ideology or perspective of a particular government. These associations and foundations do not only oversee public interest by providing services to those Alevis living in metropolitan cities and trying to continue their worship or trying only to protect historical Alevi artifacts. As will be indicated in the next chapter, the public kitchens of these associations and

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<sup>327</sup> Circular Letter 2016/1, “On Transactions,” art. 8.

<sup>328</sup> Official Gazette No. 26231, “Regulation No. 5018 on Assistance from the Budgets of Public Administrations to Associations, Foundations, Unions, Institutions, and Similar Entities,” July 17, 2006, art. 5, para. 1, item b.

foundations are open to everyone. There is also a Directive on Assistance to Associations from the Ministry of Interior, dated 2017, indicating the necessity of meeting particular requirements, and this cannot be considered helpful in the case of Alevis in the country as being based on a single order.

### **3.17. Legal Cases**

#### **3.17.1. The Governorship vs. Ankara Cemevi Construction Association**

The Ankara Cemevi Construction Association included an article in their charter indicating that the association is responsible for the construction of cemevis, namely Alevi places of worship, and they delivered the charter to the Ankara Governorship, which is a legally obligatory action for every association in order to acquire status as a legal entity.<sup>329</sup> Afterwards, the governorship applied to the Ministry of the Interior to determine the acceptability of this article, and, irrelevantly, the Ministry applied to the Directorate of Religious Affairs to find the answer to the same question. After the reply from the Directorate regarding the fact that cemevis cannot be considered places of worship, the governorship brought a suit to the 16th Court of First Instance for the closure of this association.<sup>330</sup> Due to the resistance of the governorship, the case reached the Court of Cassation. However, the Court of Cassation decided in favor of the association. At the end, the Court of Cassation declared that the government does not have discretionary power regarding the validity of a particular

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<sup>329</sup> Ekin Karaca, “Yargıtay Hükümete Cemevlerini Düzenleme Kararı Verdi,” *Bianet*, March 17, 2015, <https://m.bianet.org/bianet/yasam/163081-yargitay-hukumete-cemevlerini-duzenleme-gorevi-verdi>.

<sup>330</sup> Ekin Karaca, “Yargıtay Hükümete Cemevlerini Düzenleme Kararı Verdi.”

place of worship and cannot prevent the establishment of associations aimed at the realization of necessities of Alevism.<sup>331</sup> This decision was made in accordance with Article 90 of the Turkish Constitution, promoting the validity of international treaties signed by the country over national law, which means promotion of human rights over Law No. 677 on the Closure of Tombs, Shrines, and Zawiyahs.

### **3.17.2. BEDAŞ vs. CEM Foundation**

Boğaziçi Electricity Distribution Inc. (BEDAŞ) commenced execution proceedings towards the CEM Foundation in 2007 due to ten electricity bills that were not paid. After the objection of the foundation, the situation was brought by BEDAŞ to the Bakırköy 5th Court of First Instance for the cancellation of objection. The decision made here against the CEM Foundation was canceled by the 3rd Civil Chamber of the Court of Cassation. The justification of the foundation for not paying the bills was that since there is a cemevi in the structure, which is a place of worship, the electricity expenses of the place should be covered through the budget of the Directorate of Religious Affairs.<sup>332</sup> In the end, the decision was in favor of the CEM Foundation.

As described by the CEM Foundation's lawyer, Erhan Aslaner, the decision was revolutionary in terms of legalizing the payment of electricity expenses by the state and the permission from municipalities for the establishment and construction of

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<sup>331</sup> Ekin Karaca, "Yargıtay Hükümete Cemevlerini Düzenleme Kararı Verdi."

<sup>332</sup>"Yargıtay'dan cemevi kararı," *Hürriyet*, August 17, 2015, <http://www.hurriyet.com.tr/gundem/yargitaydan-cemevi-karari-29834823>.

cemevis.<sup>333</sup> This decision also declared cemevis as places of worship. In spite of this decision made by the Court of Cassation in 2015, the demands of foundations and associations regarding the covering of electricity by the state still continue. The problem is that there is still no legal regulation regarding the consideration of cemevis as places of worship apart from this decision. Alevis also have to purchase the land on which the construction of a cemevi is planned in the event that construction is allowed according to the arbitrary decisions of authorities in municipalities.

### **3.18. Comparing and Contrasting Turkish Domestic Law and International Treaties**

The issues raised by Alevis and their demands are something that could be resolved through renovations of domestic law. Currently, there is no resource able to satisfy the demands of Alevis, but public resources allocated for the repair and restoration of Alevi cultural assets and areas are also very limited. However, when the needs of Sunni Islam are considered, it can be seen that its dominance still continues today. The Turkish government should uphold necessary regulations to improve the rights of this heterodox group in a legal way that does not contradict with secularism and the rule of law. Since the society is not homogeneous and an Alevi-specific regulation may end up increasing the demands of other minority groups, this issue is problematic at state level.

The place of Alevism and Bektashism in Turkish history is undeniable. Therefore, rather than focusing on the assimilation of the belief system, as alleged by Alevis, the state should focus on the continuation of artifacts belonging not only to Bektashism and Alevism, but also to society as a whole. However, apart from the attitude taken

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<sup>333</sup> Kemal Göktaş, “Cemevi İbadethanedir,” *Milliyet*, August 17, 2015, <http://www.milliyet.com.tr/cemevi-ibadethanedir-gundem-2103124/>.

towards restorations of Alevi and Bektashi artifacts, the issue of restoration is overall a problem for all historical properties in the country. As long as these projects are based on limited budgets and time, the subpar results occurring today are unavoidable. There is no detailed information regarding the process, as well. The perception seeing these restorations as projects for personal gain (rant projeleri) will not ensure the transfer of such properties to the next generations. The process should include a detailed evaluation of the structures. Most of the time, restoration projects bring structures to the threshold of total destruction. This can be illustrated with the restoration left uncompleted by the contractor company at the Seyyid Veli Baba Sultan Tomb in Isparta. Additionally, this case also showed that there is no balance between projects and application since there is no control mechanism. However, it is doubtful whether the authorities would be able to recognize and determine such criteria and establish a real organ of expertise, although this is mentioned in the Law on the Conservation of Cultural and Natural Property. It is also a disadvantage for the boards that protection boards are attached to the Ministry of Culture, the Ministry to the government, and the government to its own political interests and projects for personal gain.<sup>334</sup>

Today, the problem leading to such uncertainty is not the amount of demands of Alevis but rather the inadequacy of legal arrangements. Most of the demands of Alevis are related to the situation of mosques today, which have their own regulations and directives. A permanent and ideal upper-scale cultural heritage policy is also required. While the development of innovative, situation-specific, rational models for the protection of cultural heritage in the world is in progress, it is considered as a matter of question to what extent the processes related to the protection of cultural assets in Turkey are left to the known structure of the

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<sup>334</sup> Alanyurt, "Türkiye'de Koruma," 30.

bureaucracy compared to universal protection principles.<sup>335</sup> Resolution may be initiated with the elimination of imposing a certain doctrine and unequal approaches towards different groups of the society.

When Turkish domestic law and the international treaties signed by the Turkish state are compared, the differences in application are too numerous to be ignored. It is seen that according to the definitions in both domestic law and international law, there is no doubt that the Alevi and Bektashi lodges, shrines, and tombs referred to in this study constitute cultural heritage to be protected.

The concept of cultural heritage has only recently entered the context of international law. However, the issue here is that cultural artifacts are categorized as cultural property in Turkish domestic law. According to international law, communities are the real owners of their cultural artifacts. In Turkey, the state is the legal owner of cultural properties. While cultural heritage means a manifestation of human life that belongs to a certain time and way of living,<sup>336</sup> property is based on the rights of owners. Since the concept of property is adopted and since the state is the owner in the Turkish case and in legal domestic law resources, this situation limits the rights of the community over the physical structures. This approach is not different from advocating personal ownership of a Picasso painting after enough payment, but this approach is not satisfactory when structural assets with historical value are considered.

In both domestic law and international law, it is seen that the state has responsibilities for the protection of cultural heritage. In practice, however, the

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<sup>335</sup> Aygün, “Kültürel Mirası,” 195.

<sup>336</sup> Lyndel V. Prott and Patrick J. O’Keefe, “‘Cultural Heritage’ or ‘Cultural Property’?,” *International Journal of Cultural Property* 1, no. 2 (July 1992): 307.

Turkish government does not realize this for the monuments or tombs that are not under the authority of the General Directorate of Foundations due to the locations of some monuments in geographical conditions that hindered the access of governmental authorities after the declaration of Law No. 677. Furthermore, the perspective of the state regarding the protection of these sites is only based on restorations held under tender competition by companies that restore them in ways not different from the restoration of an ordinary structure. Turkish domestic law is based on the property ownership of the state and the dominance of the General Directorate of Foundations regarding the decisions made about certain monuments. Alevi institutions and organizations usually do not have the legal right to say anything about these decisions. Although restoration is an undertaking that necessitates detailed attention, the Turkish legal instruments are not satisfactory in terms of techniques and the presentation of techniques in tender documents. Unlike in EU countries, there is no Department on Repairing of Works of Art in fine arts faculties of Turkish universities, while EU instruments promote the establishment of institutions in these study areas. It can be summarized that top-down application of restorations and renovations is the current situation in Turkey. However, international instruments, especially the ICCPR, give rights not only to groups but also to individuals of different communities to determine the developments that affect them, their beliefs, and their heritage. International law has recently focused on cultural heritage compared to Turkish domestic law based on state ownership. The international instruments indicated in this study show that the protection of heritage is not only the issue of states but also of individuals of certain communities and even individuals who are not members of the community whose heritage is in danger. The increasing attention paid to the role of individuals and their participation in cases related to the protection of cultural heritage in international instruments may also be seen in the instruments of the European Union. The most significant and revolutionary one is the Faro Convention, as was explained in detail in the previous chapter due to provisions for individuals to participate in decision-making processes

regarding heritage. The 1972 UNESCO Convention Concerning the Protection of the World Cultural and Natural Heritage also took responsibility from the state in which the heritage is located and gave equal responsibility to state parties.

Due to the preeminence of international treaties over domestic law instruments in the case of a conflict, as foreseen in Article 90 of the Constitution, international law including the conventions and covenants signed by the Turkish state prevails over the domestic legal instruments.<sup>337</sup> In other words, international treaties are also a part of Turkish domestic law. Furthermore, as documented in this thesis, there are several differences between these instruments in terms of concept, responsibility, and application. In international law, it is seen that minority rights and cultural rights are recently considered as inseparable, while there is no specific legal instrument regarding the rights of minorities in Turkish domestic law.

In terms of active citizenship, which enables the active participation of citizens of ethnic, religious, and linguistic minorities in decision-making processes for issues related to the protection of their culture and taking advantage of their culture, Article 1 of the ICCPR gives the right of self-determination to every individual for their cultural and social development<sup>338</sup> and refers to the responsibility of the state regarding the realization of this right.<sup>339</sup> Article 5 of the Turkish Constitution, setting up the role of the state for the supplementation of the conditions necessary for the material and spiritual development of individuals, is based on the passive presence of citizens expecting the realization of the duties by the state, contrary to the right of

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<sup>337</sup> Turkish Constitution, art. 90.

<sup>338</sup> OHCHR, *ICCPR*, art. 1(1).

<sup>339</sup> OHCHR, *ICCPR*, art. 1(3).

self-determination provided by the ICCPR. The self-determination mentioned here does not necessarily mean national sovereignty, which the League of Nations institutionalized to accelerate decolonization.<sup>340</sup> Cardenas and Canas distinguish “external” self-determination, or the secession of a particular community from the current state, from “internal” self-determination, or the right of people to require the realization of their will.<sup>341</sup> Koskenniemi describes the former one as “freedom from” and the latter as “freedom to.”<sup>342</sup> It is claimed that inner self-determination is a factor decreasing state sovereignty.<sup>343</sup> If sovereignty does not mean coercive power, the collective rights of religious minorities can be considered as less dangerous compared to those of ethnic minorities. As mentioned before, many Alevis, and especially Turkish ones, are strict Kemalist nationalists strongly opposed to the term “minority” with their roots reaching back to the Central Asian Turks. For Kurdish Alevis, the right of self-determination regarding issues in relation to their Alevi identity is different from their Kurdish identity. In other words, the freedom of Kurdish Alevis to determine issues in relation to their faith and the culture of the faith is a different topic than their possible desire for external self-determination based on their Kurdish ethnicity. The national community in Turkey has mainly been based on racial similarities and religion. Ignorance of collective identities such as Alevi or Kurdish during the early Republican era resulted in the isolation of Alevis in their rural villages, where they held their rituals secretly until migration processes

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<sup>340</sup> Matthias Koenig, “Institutional Change in the World Polity: International Human Rights and the Construction of Collective Identities,” *International Sociology* 23, no. 1 (2008): 102.

<sup>341</sup> Emilio Cardenas and Maria Fernanda Canas, “The Limits of Self-Determination,” in *The Self-Determination of Peoples: Community, Nation and State in an Independent World*, edited by Wolfgang F. Danspeckgruber (Boulder: Lynne Rienner Publishers), 102.

<sup>342</sup> Martti Koskenniemi, “National Self-Determination Today: Problems of Legal Theory and Practice,” *International and Comparative Law Quarterly* 43, no. 2 (1994): 250.

<sup>343</sup> Cardenas and Canas, “Limits of Self-Determination,” 102.

and revival in the 1980s and 1990s. Thus, nation-building based on particular standards may eventually affect the presence and the continuation of a culture, but it cannot erase it in the short or middle term, and this results in a national community whose members may feel isolated or marginalized as long as they are deprived of their collective rights aiming at equality among the members of a state so as to provide these communities access to anything that makes them a minority, no matter what their linguistic, ethnic, or religious background is. In the process of internal self-determination, the state is still the necessary actor for the rights of the community due to the necessity of the presence of the signature of the state. However, this notion of self-determination delegitimizes the classical nation-state perspective and institutionalized multicultural citizenship.<sup>344</sup> Global institutionalism in the area of human rights has resulted in change in nation-statehood and citizenship concepts and new models of relations between individuals and states.<sup>345</sup> To summarize, when Alevi identity is evaluated as a religious minority group in Turkey, it can be stated that the right to self-determination does not necessarily mean the secession of a particular ethnic, linguistic, or religious minority group, or in other words national sovereignty, but also their active engagement in the issues related to their lives and access to collective rights.

In terms of Alevism and the continuation of the belief, the abolishment of some titles, including dede as the most popular one today, as clarified in Article 1 of Law No. 677,<sup>346</sup> can be deemed inappropriate in consideration of Article 1 of the ICCPR. The knowledge of dedes is the main source for this faith and it is reasonable to conclude that they may need to fulfill their requirements for economic subsistence

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<sup>344</sup> Koenig, "Institutional Change," 103.

<sup>345</sup> Koenig, "Institutional Change," 98-99.

<sup>346</sup> Official Gazette No. 243, "Law No. 677," art. 1.

with the knowledge that they have. Meanwhile, the imams of Sunni Islam are called “imam” only in public, not in official documents, as the aim of Article 1 of Law No. 677 was the prevention of privilege with these kinds of titles. Therefore, it can be claimed that dedes have the right to continue fulfilling their duties in the faith as clerks just as imams do. In other words, what is advocated here is not the necessity of government payments for dedes, but the logical possibility of this situation on the legal basis of this covenant, the ICCPR, signed by the Turkish state. The same article of the ICCPR also indicates the duty of the state regarding the abolishment of obstacles for religious minority groups with the support of Article 27.<sup>347</sup>

Article 28 of the Foundations Law also names the Directorate of Foundations as the one and only authority for the determination, restoration, and use of cultural assets<sup>348</sup> just as it declares the Directorate the owner of these properties,<sup>349</sup> which means that community members have no right to engage in those processes. Of course, while there are community members claiming that restorations of their heritage sites were conducted with consideration of historical information regarding the site or the authentic form of the architectural structure, and while Article 7 of the Law on the Conservation of Cultural and Natural Property promotes the consideration of such ideas by some organizations,<sup>350</sup> according to the claims of some Alevis, the state usually does not take the opinion of Alevi organizations into consideration. To illustrate, Taştekin from the Şahkulu Sultan Lodge states that ideas offered by the

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<sup>347</sup> OHCHR, *ICCPR*, art. 27.

<sup>348</sup> Official Gazette No. 26800, “Foundations Law,” art. 28, para. 1.

<sup>349</sup> Official Gazette No. 26800, “Foundations Law,” art. 28, para. 1.

<sup>350</sup> Official Gazette No. 18113, “Conservation of Cultural and National Property,” art. 7, para. 1.

community were considered during the restoration of the place.<sup>351</sup> However, on a legal basis, it can be seen that community foundations and individuals have no right to engage in decision-making processes apart from providing opinions when asked by the legally appointed authorities.

Paragraph 1 of Article 5 of the Law on the Conservation of Cultural and Natural Property points out the only possible way for the use of these monuments, which are legal entities owned by organizations and institutions,<sup>352</sup> not by Alevism itself as a belief system. Article 14 of the law also regulates the periodic use of these immovable properties by those legal entities<sup>353</sup> with detailed procedures provided by Article 11 of the Directive on Foundations<sup>354</sup> based on the property ownership approach rather than seeing the heritage as a part of the community, while Article 59 of the Directive on Foundations authorizes an assembly for the allocation of properties<sup>355</sup> with an attitude again defining the heritage as property to be owned or to be rented, which alienates the community from its heritage, opposed to the ICCPR's attempts to integrate the heritage and the community.

Article 27 of the ICCPR also aims to prevent passive citizenship of the members of any linguistic, ethnic, or religious minorities in relation with Article 1 based on self-determination. According to this article, minorities have the right to enjoy their

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<sup>351</sup> Hüseyin Taştekin, personal interview, June 8, 2018.

<sup>352</sup> Official Gazette No. 18113, "Conservation of Cultural and National Property," art. 5, para. 1.

<sup>353</sup> Official Gazette No. 18113, "Conservation of Cultural and National Property," art. 14, para. 1.

<sup>354</sup> Official Gazette No. 27010, "Directive on Foundations," art. 11, para. 1.

<sup>355</sup> Official Gazette No. 27010, "Directive on Foundations," art. 59, para. 1.

culture and realize the necessities of their faith.<sup>356</sup> When this article is compared with the 3rd paragraph of Article 101 of the Turkish Civil Code, clarifying the standards for the establishment of foundations, such as being in keeping with national integrity and not being based on a particular community,<sup>357</sup> it can be concluded that those minorities of Turkey that have not been recognized since the Treaty of Lausanne still face legal obstacles in terms of organizationalism. It is known that even if Alevi community organizations cannot use terms such as “cemevi” or “Alevi” in their legal names, they practice their rituals and organize cem gatherings via these legal entities based on the particular community of Alevism, although this is illegal in the Civil Code. There is no doubt that this clashes with Law No. 677 as well. As the Turkish state repeatedly clarifies that there is no restriction on the community regarding the realization of its worship practices, there is a conflict between the acts of the state and the legal instruments. This being the case, the main question is why the state declines to implement the necessary regulations in domestic law to satisfy the demands of the community.

When the ICESCR is compared with the provisions of Turkish domestic law, it can be seen that Article 15 of the Covenant is another international and binding article that necessitates some regulations for domestic instruments. While the 1st paragraph of the article presents the right of everyone to participate in cultural life,<sup>358</sup> Article 101 of the Turkish Civil Code refers to the necessity of gaining the status of legal entity through foundations initiated by legal persons with a certain amount of

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<sup>356</sup> OHCHR, *ICCPR*, art. 27.

<sup>357</sup> Official Gazette No. 24607, “Turkish Civil Code,” art. 101, para. 3.

<sup>358</sup> OHCHR, *ICESCR*, art. 15(1a).

property.<sup>359</sup> This article of the Turkish Civil Code can be evaluated as an obstacle to the personal or individual participation of people in the cultural issues related to them. Article 11 of Circular Letter 2016/1 on Transactions Regarding New, Appendant, Tradesmen, and Community Foundations indicating the assurance ratio for the rent of properties under the management of the General Directorate of Foundations<sup>360</sup> and Article 14 clarifying the cancellation of contracts in the case of inconsistent payments<sup>361</sup> prove the financial aspect of the difficulties faced by a religious community in Turkey when it is not recognized by the state like Sunni Islam. To illustrate, as indicated before, Alevi monuments and the buildings of associations and foundations include rooms used as cemevis, which are incorporated or even newly constructed near historical sites with the financial support of particular people. It is seen that there are adequate numbers of cemevis in Turkey today. However, the illegal situation present in the Civil Code is that the participation of individuals in cultural life is not possible if there are not Alevis providing finances for the rituals of the community. In addition to the contrasting legal content in the domestic law compared to the ICESCR, Article 1 of Law No. 633 on the Establishment and Duties of the Directorate of Religious Affairs explains the aim of the Directorate as the handling of works related to Islam.<sup>362</sup> The presence of the term “Islam” here specifically shows that institutionalization at the state level is based on a particular faith. There is no other regulation in Turkish domestic law specifically based on another faith. The Directive on the Care, Repair, Cleaning, and

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<sup>359</sup> Official Gazette No. 24607, “Turkish Civil Code,” art. 101.

<sup>360</sup> Circular Letter 2016/1, “On Transactions,” art. 11.

<sup>361</sup> Circular Letter 2016/1, “On Transactions,” art. 14.

<sup>362</sup> Official Gazette No. 12038, “Law No. 633,” art. 1.

Environmental Design of Mosques and Law No. 6446 on the Electricity Market, which refers to the free supply of electricity for public places of worship,<sup>363</sup> are other instruments in domestic law supporting this situation. However, it should be clarified again that both covenants signed by the Turkish state focus on the application of equality towards each member or citizen of the state regardless of linguistic, ethnic, or religious background. What is advocated here is not the necessity of the provisions made to Sunni Islam, imams, or mosques but rather the necessity of the elimination of sectarianism in Turkish domestic law or the necessity of legal provisions for equality in a country that is supposed to be democratic.

The UNESCO Convention Concerning the Protection of the World Cultural and Natural Heritage (1972) is one of the most important international instruments regulating the protection of universal cultural heritage sites or those with ethnological value. Article 3 of the Convention clarifies the responsibility of the state<sup>364</sup> in whose territory such heritage is located. Article 63 of the Constitution also refers to the state's responsibility for measures necessary for the preservation of cultural assets.<sup>365</sup> However, the regime set by this convention entails the active integration of the heritage into the life of the community. The exhibition of the properties of shrines in museums is also referred to in Article 7 of the Directive on Museums by the General Directorate of Foundations, where the properties belonging to shrines are indicated as those that should be exhibited in museums.<sup>366</sup> What is seen in Turkish domestic law is that not only movable cultural heritage assets but also

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<sup>363</sup> Official Gazette No. 28603, "Law No. 6446," additional art. 6, para 3.

<sup>364</sup> UNESCO, *Convention Concerning*, art. 3.

<sup>365</sup> Turkish Constitution, Art. 63.

<sup>366</sup> Official Gazette No. 26426, "Regulation on Museums," art. 7, para. 1, item b.

immovable cultural properties are aimed to be protected by museumology, which may result in the presentation of a cultural phenomenon as a historic process that has already ended. However, the convention gives the right to the community of the heritage to determine what is worth protecting. As indicated before, and as will be seen in Chapter 4 with its inventory of key Alevi monuments today, the number of those sites not bound to the General Directorate of Foundations after Law No. 677 but highly valued by the Alevi community is considerable. The participation of the community in decision-making processes is thus an aim of this convention, as well. It also prevents the imbalance coming from Law No. 677, which has not been ended with the binding of all valued monuments to the General Directorate of Foundations and has resulted in the fact that some valued places are protected by Alevis and Alevi associations. The convention gives the right to the community to determine what exactly their heritage is, where they want to practice their heritage, and which sites are so valued as to be protected. An additional article added to Law No. 677 in 1950 for the reopening of places associated with historic Turkish figures with artistic value<sup>367</sup> is further proof of the difference between the standards of the state and the international instruments mentioned in this study. These international treaties mainly call attention to the question of what is valued by the community rather than the fancy architectural features of a structure.

If Article 1 of this UNESCO Convention defining monuments, groups of buildings, and sites to be protected<sup>368</sup> is compared with Article 3 of the Law on the Conservation of Cultural and Natural Property defining cultural property, conservation sites, and conservation zones,<sup>369</sup> it can be seen there is no doubt that

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<sup>367</sup> Official Gazette No. 243, “Law No. 677,” additional art. 1.

<sup>368</sup> UNESCO, *Convention Concerning*, art. 1.

<sup>369</sup> Official Gazette No. 18113, “Conservation of Cultural and National Property,” art. 3.

Alevi artifacts are eligible to be labeled as structures or sites to be protected although the convention mainly focuses on those with universal value. The difference between these two articles is that the article in the convention signals the importance of the desires of the community, referring to a more general period of time, while Turkish domestic law tries to define a more precise historical period. This can be seen in Article 6 of the Law on the Conservation of Cultural and Natural Property, stating that sites built until the end of the 19th century are immovable cultural properties subject to protection.<sup>370</sup>

Article 3 of the UNESCO Convention assigns responsibility to the state for the identification and delineation of cultural properties.<sup>371</sup> In fact, in Article 4, this convention gives more details about how far the state should go in terms of devotion of resources for the sake of the protection or identification of cultural heritage while it also has the right to request international assistance.<sup>372</sup> In addition, Article 5 of the UNESCO Convention clarifies the state's responsibility for policies based on the integration of heritage into the life of the community.<sup>373</sup> Opposed to these, Article 1 of Law 5225 on the Promotion of Cultural Investments and Initiatives, explaining the aim of the law,<sup>374</sup> is mostly based on a perspective related to the contribution to the state economy, investment, and sustainable integration of cultural properties into society. Article 5 of the UNESCO Convention continues with other duties such as

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<sup>370</sup> Official Gazette No. 18113, "Conservation of Cultural and National Property," art. 6, item a.

<sup>371</sup> UNESCO, *Convention Concerning*, art. 3.

<sup>372</sup> UNESCO, *Convention Concerning*, art. 4.

<sup>373</sup> UNESCO, *Convention Concerning*, art. 5(a).

<sup>374</sup> Official Gazette No. 25529, "Law No. 5225," Art. 1.

the determination of appropriate staff, promotion of scientific and technical development and studies for these, and the establishment of centers at national and regional levels for training and scientific research. In theory, as seen in paragraph 9 of Article 10 of the Law on the Conservation of Cultural and Natural Property, topics such as training units and expert departments<sup>375</sup> are also mentioned in Turkish domestic law.

While the UNESCO Convention gives responsibility to parties to the convention for the protection of heritage and refers to the existence of a list including those heritage sites in danger and in need of urgent protection or assistance,<sup>376</sup> in practice, restorations are left in the hands of contractor companies, allegedly those whose technical, professional, economic, and financial eligibility has been proven, as claimed by Article 5 of the Directive on Tender of Cultural Properties.<sup>377</sup> The Directive on the Procedures and Principles Concerning the Lease of Cultural Properties in Return for Restoration and Repair of 2008 aims to establish procedures regarding the tenders obtained by companies offering restoration of cultural properties,<sup>378</sup> which means that in the absence of a governmental organ specifically based on properties of Alevi immovable heritage sites and their restoration, even bidder companies have more to say about the restorations than the individuals and organizations of the community.

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<sup>375</sup> Official Gazette No. 18113, “Conservation of Cultural and National Property,” art. 10, para. 9.

<sup>376</sup> UNESCO, *Convention Concerning*, art. 11(4).

<sup>377</sup> Official Gazette No. 28718, “Tender of Cultural Properties,” art. 5, item a.

<sup>378</sup> Official Gazette No. 26993, “Lease of Cultural Properties,” art. 1.

To summarize, according to Laurajane Smith, protection needs to move beyond being only a policy in top-down applications.<sup>379</sup> The pull-and-push model can be applied to the progress of Turkey in negotiation processes. While external EU conditionality brings the push, domestic dissatisfaction influences the factors causing the pull.<sup>380</sup> In other words, a top-down perspective based on the influence of EU conditionality on the behavior of the state, considering domestic factors as only obstacles rather than factors for change as advocated by Schimmelfennig and Sedelmeier, did not work in Turkey in terms of minority rights. While legal amendments come from the EU's push, failure in implementation comes from domestic factors' pull.<sup>381</sup> These domestic factors include other political parties, some societal movements, and voters. Besides the question of whether Turkey's legal amendments were simply for the sake of EU membership, when the rights of Alevis and Kurds are referred to in the speeches of politicians, it eventually results in some loss of votes among conservatives and nationalists. Since nationalism is the unifying factor in Turkish politics, any kind of minority is prone to be a sensitive point both politically and socially.<sup>382</sup> However, democracy in a state is not measured by how it treats the majority, but rather its treatment of minorities.<sup>383</sup> In conclusion, the Turkish state has failed to properly internalize and apply international treaties based on minority rights and the preservation of cultural heritage.

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<sup>379</sup> Bahar Aykan, "Kültürel Miras Hakkı: Kültürel Mirasa İnsan Hakları Temelli Yaklaşımlar," *Alternatif Politika* 10, no. 2 (2018): 236.

<sup>380</sup> Gözde Yılmaz, "It is Pull-and-Push that Matters for External Europeanization! Explaining Minority Policy Change in Turkey," *Mediterranean Politics* 19, no. 2 (2014): 239.

<sup>381</sup> Yılmaz, "Pull-and-Push," 242.

<sup>382</sup> Karimova and Deverell, *Occasional Paper No. 19*, 18.

<sup>383</sup> Taşdemir and Saraçlı, "Avrupa Birliği ve Türkiye Perspektifinden," 35.

## CHAPTER 4

### AN INVENTORY OF THE MOST SIGNIFICANT ALEVI CULTURAL ASSETS OF IMMOVABLE PROPERTY

#### 4.1. Common Features of Alevi Cultural Heritage Sites

In this chapter, the main cultural assets of Alevism existing today in Turkey will be evaluated individually in terms of their current state and related needs, problems, and demands. Before this evaluation, however, the common features of these places should be touched upon.

These historical sites receive their names from their historical leaders, who were followers of Hacı Bektaş and adopted his principles. Köprülü describes this as the “Bektashi Pantheon,” meaning an umbrella including saints who established their lodges in different places of Anatolia and the Balkans.<sup>384</sup> These dervishes are those who had come from Khorasan as followers of Ahmet Yesevi and Hacı Bektaş. With the lodges they established in the regions where they settled, they created their own immortality for their followers. Today, their tombs are destinations for Alevis to show their respect.

Ottoman documents from the 14th to 20th centuries help to understand the role of these shrines. These places cannot be described as only Sufi pilgrimage sites because of the facilities they had. These sites, registered as foundations in the Ottoman era, were also public kitchens and guesthouses. Not all of the structural artifacts here are

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<sup>384</sup> Yürekli, *Architecture and Hagiography in the Ottoman Empire*, 38-39.

shrines of Bektashi saints. To illustrate, the Hüseyin Gazi Tomb located in Ankara was constructed as a military site for a border warrior in the past. These shrines on Byzantine borders were also based on agriculture.<sup>385</sup> It can be seen that the number of these cultural heritage sites increases between Sivas and Erzincan, where Paulician beliefs affected the territory in the Byzantine period.<sup>386</sup> In Bektashi literature, the velayetnames, a type of writing including Sufi hagiographies and stories of legendary gazis,<sup>387</sup> also have importance in terms of giving the important names of Bektashism. Most of the babas, dedes, and seyyids giving their names to these lodges and shrines are also mentioned in Hacı Bektaş's velayetname. Velayetnames explain the correlation between border warriors and saints through the visits they paid to each other, narrating the phenomena and the roles of saints for the success of the warriors, especially Osman Gazi.<sup>388</sup>

Today, Bektashi structural artifacts are destinations for Alevi visits for commemorations of the leaders of the shrines, although these shrines historically used to be their places for collective worship. Thanks to the cemevis established close to the monuments, and the associations and foundations taking responsibility of them, these sites host commemoration events, sema ceremonies and the Cem of Forty, sacrifices, the sticking of stones to the walls, and the lighting of candles.

A common feature of these places regarding their names is the inclusion of "baba" and "dede," which come from Turkic traditions. The best known example is that of Dede Korkut. In the 14th century and onwards, it can be seen that the meaning of the

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<sup>385</sup> Ocak, *Babailer İsyanı*, 40.

<sup>386</sup> Mélikoff, *Kırklar'ın Cemi'nde*, 192.

<sup>387</sup> Yürekli, *Architecture and Hagiography in the Ottoman Empire*, 6.

<sup>388</sup> Yürekli, *Architecture and Hagiography in the Ottoman Empire*, 7.

word “dede,” or Alevi religious leader, expands to overlap with other meanings such as ahi, baba, sheikh, abdal, pir, and mürşit.<sup>389</sup> Aksoy claims that seyyids were not warriors, as opposed to former Turkish babas.<sup>390</sup> With the influence of Hurufism, there are still common beliefs among people related to the ability of these dedes to heal. In fact, expectations of miracles still continue from those who are dead, with meaning attributed to their graves and to stones and floors stepped on by these saints or their horses.

There are some important shrines today that are not located within the borders of the Turkish Republic. Some of these are the Akyazılı Sultan Zawayah and Otman Baba in Bulgaria, while the Kıdemli Baba Shrine, Demir Baba, and Kızıl Deli are other representatives of the Bektashi order in the Balkans. The reason for their presence in the Balkans has already been indicated. In this chapter, the current situation there will be summarized, although the main focus of this study is the shrines currently within the borders of the Turkish Republic today.

A common feature of these sites is the presence of pictures of Mustafa Kemal Atatürk, Shah Ismail, and the Caliph Ali side by side, which comes from the belief in reincarnation and anthropomorphism in Bektashism and Alevism. Generally, stepping on the threshold is believed to bring bad luck, or it represents a sinful life. In most of these complexes, a sacred stick is exhibited. The presence of the sacred stick stems from a syncretism of Christianity, Persian culture, and shamanism. It was used for trances by shaman leaders, as symbol of thunder in Persian culture, and in relation to Zeus in the Western world.<sup>391</sup> The lion also represents the Caliph Ali,

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<sup>389</sup> Yaman, *Alevilik'te Dedelik ve Ocaklar*, 82.

<sup>390</sup> Aksoy, *Dersim*, 75.

<sup>391</sup> Aksoy, *Dersim*, 125.

since he is referred to as the Lion of God, as well as the belief that Hacı Bektaş and his companions were able to transform into lions.<sup>392</sup> Doors are low and small, to make people bend while entering to show respect. The important numbers of these show that Alevism and Bektashism are also a result of the syncretism of different beliefs. The Bektashi belt called the *kamberiye* has three knots, which is related to Zoroastrianism. Today, the triple phrase of “Ya Allah, Ya Muhammed, Ya Ali,” written on the walls of many of the cultural structures evaluated in this study, is also related to it.

Today, *cemevis* in big cities, besides the associations and foundations, try to take responsibility for worship in today’s socio-economic situation. It is commonly seen that the associations and foundations established near historical structures include *cemevis* as well, and the Şahkulu, Karacaahmet, Garip Dede, and Erikli Baba structures all have the status of *cem* culture centers today rather than their historical roles in worship as in the cities of the past. A *cemevi* includes a hall able to host hundreds of people for rituals. Generally, walls have pictures of the members of the Ehl-i Beyt, including the Caliph Ali and his sons Hasan and Hüseyin, Hacı Bektaş, and Mustafa Kemal. They also have a public kitchen for the distribution of *lokma* to anyone who needs it.

Naming a particular area as a *cemevi* under the auspices of foundations and associations is the only way to do it, since a *cemevi* is described as a place of worship by Alevis but is not recognized by the state via regulations. In the 1990s, the number of these associations and foundations increased; however, the rate of the increase slowed later as they started to focus on institutionalization.<sup>393</sup> Today, some of these sites have the status of museum and some have the status of association or

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<sup>392</sup> Mélikoff, *Kırklar’ın Cemi’nde*, 115.

<sup>393</sup> Yaman, *Alevilik’te Dedelik ve Ocaklar*, 290.

foundation since they are rented to these institutions. While foundations are exempt from tax, this is not the case for associations.

## **4.2. Inventory of Cultural Assets**

### **4.2.1. Afyonkarahisar**

#### **4.2.1.1. Seyyid Cemal Sultan Tomb/Çakırlar Shrine**

The 700-year-old Seyyid Cemal Sultan Tomb, located in İhsaniye in Afyonkarahisar Province, hosts a commemoration of him every year in May since 2014 with the attendance of Alevi associations, researchers, spiritual leaders, and individual Alevis from all around Turkey. Compared to other cultural sites, this place can be considered primarily a local destination for Alevis. As displayed on a board on the wall of the tomb, Seyyid Cemal Sultan was one of the followers of Bektashism who lived between 1280 and 1365 in the lands of the Germiyanids. His importance in the eyes of Alevis comes from the belief that Seyyid Cemal Sultan, who is also called Kemal Sultan by locals, was a beloved companion of Hacı Bektaş, with Hacı Bektaş repeatedly calling “my Cemal, my Cemal, my Cemal...” and the presence of his name in Hacı Bektaş’s opus “Velayetname” together with the names of Turcomans such as Sarı Saltuk, Koluaçık Hacım Sultan, and Karadonlu Can Baba.

Although it did not survive to the present day, it can be guessed that he established a zawiya when he came to the area in the 13th century by virtue of a village between Altıntaş and Aslanapa called “Şeyhler,” as mentioned in 16th century cadastral record books.<sup>394</sup> The remaining structure comprises the tombs of people whose

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<sup>394</sup> İsmail Çiftçioğlu, “Germiyanogulları Topraklarında Hacı Bektaş Veli Kültürünün Temsilcileri,” *Dumlupınar Üniversitesi Sosyal Bilimler Dergisi* 53 (2017): 186.

names were Ahmet and Mehmet on one side and that of Seyyid Cemal Sultan on the other. There are also eight graves in open air in the garden. The tomb is rectangular in shape with classic cut stones.

As indicated by the local news portal, the tomb was exposed to robbery in broad daylight in front of visitors in 2010.<sup>395</sup> In addition, after copper covering on the roof of the tomb was stolen three times, the demands of Alevi regarding the increase of security precautions has risen.<sup>396</sup> The restoration of the tomb was initiated by the General Directorate of Foundations in 2011 with the aims of increasing the strength of the walls and constructing garden borders using local stones in order to maintain the original version, preventing damp and water leakage with a drainage system, covering the dome with lead, and renovating visual historic fabric with hand-drawn work.<sup>397</sup> Regarding the restoration, Akbayır states that a violation of rights occurred here,<sup>398</sup> while Hüseyin Taştekin claims that this place was ravaged.<sup>399</sup>

The previous demands regarding the place were the construction of roads and organization of commemorative events. Such problems no longer exist today. Journalist Ayhan Aydın, who also worked for different Alevi associations for decades, indicates that people had to pass through a field to reach this tomb in

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<sup>395</sup> “Seyyid Cemal Sultan Türbesi’ni de Kazdılar,” *Döğer Haber*, November 22, 2010, <http://www.dogerhaber.com/haberdetay.asp?ID=50>.

<sup>396</sup> “Seyyid Cemal Sultan Türbesi’ni de Kazdılar.”

<sup>397</sup> “Seyyid Cemal Sultan Türbesi’nde Restorasyon Çalışmaları Başladı,” *Haberler.com*, December 14, 2011, <https://www.haberler.com/seyyid-cemal-sultan-turbesi-nde-restorasyon-3191840-haberi/>.

<sup>398</sup> Hıdır Akbayır (General Manager of CEM Foundation and retired academician), personal interview, June 4, 2018.

<sup>399</sup> Hüseyin Taştekin, personal interview, June 8, 2018.

2002;<sup>400</sup> however, today there are roads with signs indicating the direction to the tomb thanks to the hard work of protection associations. Today, the Seyyid Cemal Sultan Protection Association, whose center is in İstanbul, is responsible for the place. It was established by individuals with appropriate financial resources.<sup>401</sup> Since the restoration, the tomb is open for visiting not only in May for the festival but also throughout the year for daily visits, so the place has become an undeniably popular venue for Alevis in terms of belief tourism. The most recent demand regarding the place is the construction of a cemevi near the tomb. Aydın stated that this is unnecessary since there is not a huge settlement near the tomb.<sup>402</sup>

## **4.2.2. Amasya**

### **4.2.2.1. Merzifon Piri Baba Tomb**

The Tomb of Merzifon Piri Baba, also known as Seyyid Mehmet Piri Baba, is located in Merzifon, Amasya Province, where Alevi culture is strongly reflected. A 20th commemoration ceremony was organized by the Culture and Solidarity Association of Piri Baba in 2017.

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<sup>400</sup> Ayhan Aydın, “Seyyid Cemal Sultan Anması’na Büyük Katılım,” *Erenlerin İnsanlık Yolunda*, January 30, 2014, <http://ayhanaydin.info/yazilar/etkinlik-haber-yorum/322-seyyid-cemal-sultan-anmas-na-bueyuek-kat-l-m>.

<sup>401</sup> Ayhan Aydın (writer and former Editorial Director of *CEM Journal*), Skype interview, August 7, 2018.

<sup>402</sup> Ayhan Aydın, Skype interview, August 7, 2018.

Evliya Çelebi claimed that Merzifon Piri Baba was one of the followers of Ahmet Yesevi.<sup>403</sup> Alevi and Bektashis also believe that he is one of the saints who came from Khorasan upon the invitation of Hacı Bektaş and settled in Merzifon on Hacı Bektaş's order. The superstition related to him is that he was incredibly successful in repairing the water system of the old public bath of Merzifon, which had had just a couple of drops of water.<sup>404</sup> According to an Ottoman decree in 1558 AD, it can be seen that a small-scale riot occurred in Merzifon.<sup>405</sup>

In the travelogue of Evliya Çelebi, his lodge is described as so big that two hundred people could be hosted there, with a fancy dome, a kitchen, and small retreat rooms for dervishes;<sup>406</sup> however, the parts of the structure that have survived to these days are the tomb, mosque, and fountain. Although there is not clear proof, Doğanbaş claims that the structure might have been constructed in the 15th century due to its architectural features, which reflect early Ottoman architecture.<sup>407</sup>

In this duplex structure, the grave of Piri Baba, whose coffin under a green cover is made of wood, is located on the upper floor. The walls of this single-dome structure are covered with decorations including the Zülfikar image, or the Caliph Ali's sword, as a work of art by Nakkash Ibrahim, whose signature is on the door of the tomb. According to Doğanbaş, these motifs are the result of the intense renovation that the

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<sup>403</sup> Köprülü, *Türk Edebiyatı'nda İlk Mutasavvıflar*, 46.

<sup>404</sup> Harun Yıldız, "Amasya Yöresi Alevi Ocakları," *Uluslararası Sosyal Araştırmalar Dergisi* 4, no. 19 (2011): 231.

<sup>405</sup> Refik, *Onaltıncı Asırda Rafizilik ve Bektaşilik*, 43.

<sup>406</sup> Yıldız, "Amasya Yöresi Alevi Ocakları," 231.

<sup>407</sup> Muzaffer Doğanbaş, "Amasya Yöresi Alevi Ziyaretgahları," *Hacı Bektaş Veli Araştırma Dergisi* 17 (2001): 109.

tomb underwent in the 20th century.<sup>408</sup> The kitchen is located in the garden with many trees, and the first floor is reserved for funeral ceremonies. In 1977, the General Directorate of Foundations restored the place.<sup>409</sup> Today, it is under the protection of the Cultural and Natural Heritage Preservation Board of the Ministry of Culture and Tourism. It was taken over by the Hacı Bektaş Veli Anatolian Culture Foundation with a private agreement for tomb-keeping and other kinds of responsibilities. Tuncer Baş, the chairman of that foundation, states that there may be another restoration soon.<sup>410</sup> Today, it can be stated that this place is well organized. There is also a cemevi recently constructed near the tomb.<sup>411</sup>

### **4.2.3. Ankara and Its Surroundings**

#### **4.2.3.1. Hüseyin Gazi Tomb**

The Hüseyin Gazi Tomb is one of the more active locations for Alevis since it is the only major Alevi artifact in the center of Ankara. Especially between 2007 and 2012, the place hosted thousands of people with a festival organized once a year but following some political turmoil and the Soma mining disaster, these are not held anymore.<sup>412</sup>

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<sup>408</sup> Doğanbaş, “Amasya Yöresi Alevi Ziyaretgahları,” 109.

<sup>409</sup> Doğanbaş, “Amasya Yöresi Alevi Ziyaretgahları,” 109-110.

<sup>410</sup> Tuncer Baş (Chairman of the Hacı Bektaş Veli Anatolian Culture Foundation), personal interview, May 8, 2018.

<sup>411</sup> Ayhan Aydın, Skype interview, August 7, 2018.

<sup>412</sup> Hüseyin Durukalp (Chairman of the Abdallar Association), personal interview, August 27, 2018.

Seyyid Hüseyin Gazi is known as the Commander in Chief of Malatya and he was a border warrior, similarly to Battal Gazi in Eskişehir. Allegedly, he was the descendant of Imam Zeynel Abidin. It is believed that he lost his life during a battle at this location. This explains the location of the tomb, necessitating a drive to the top of a high hill in Ankara, which also provided a view of the city for the battles.

Historically, this cultural site had a shrine whose construction date is assumed to have been the 13th century. The shrine was closed in the eras of Süleyman and Mahmud II but was reopened by Sultan Abdulaziz. It is believed that the place was devastated in the Republican era as a result of the Law on the Closure of Tombs, Shrines, and Zawiyahs. Documents from the 17th century prove the continuation of the presence of a foundation here.<sup>413</sup> Evliya Çelebi describes the place as a big shrine organizing a dinner once a year with the participation of more than 40,000 people.<sup>414</sup> Also according to Evliya Çelebi, the number of dervishes at the shrine was 100.<sup>415</sup> The tomb is the only part still existing today (see Figure 1). Inside the tomb, there is only the coffin of Hüseyin Gazi in gigantic size, symbolizing his power (see Figure 2). The walls inside do not reflect any historical aspects, while the walls outside are still of stone. When the inside is evaluated in terms of the walls and the lighting hung on the walls with nails, it can be said that these restorations were conducted by people who were not particularly knowledgeable about the place or its historical image. Valuable artifacts from the tomb were sold in Samanpazarı in

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<sup>413</sup> Ahmet Köç, “İdari ve Mali Açılardan XVII. Yüzyılda Seyyid Hüseyin Gazi Tekkesi,” *Türk Kültürü ve Hacı Bektaş Veli Araştırma Dergisi* 72 (2014): 16.

<sup>414</sup> Köç, “İdari ve Mali Açılardan,” 20.

<sup>415</sup> Köç, “İdari ve Mali Açılardan,” 20.

Ankara with Law No. 677.<sup>416</sup> A restoration of the tomb was held in 1973 by a person who saw the place in his dreams while he was preparing to go on pilgrimage.<sup>417</sup> Besides the tomb, there is also a structure, obviously added later without historic value, including a public kitchen, slaughterhouse, and dede room. Especially on the weekends, the tomb is visited by more than 1000 people. However, a cem is only organized once a week in the event of high demand. The cemevi was constructed in 1947 thanks to a volunteer, Hüseyin Yakışıklı, who financed the structure. Unlike many other Alevi structures, it is located on higher ground due to the historical border warrior role of Hüseyin Gazi. The roads towards the tomb on the hill are not safe because of the absence of guardrails. The responsible institutions for the place are the Hüseyin Gazi Foundation and Association and the Abdallar Association. All actions, such as repairs, cleaning, provision of income, and administrative affairs, are supported by these institutions. The main demand of the representatives of the tomb is support from the municipalities. In the area, there are benches on which Mamak, Altındağ, or Çankaya Municipality is written. These were brought in response to a request.



Figure 1. Cemevi on the left side and Hüseyin Gazi Tomb on the right side.

<sup>416</sup> Hüseyin Öz (Dede of the Hüseyin Gazi Tomb from the Hıdır Abdal Lineage, Chairman of the Çankaya Cemevi Construction Association), personal interview, August 27, 2018.

<sup>417</sup> Hüseyin Durukalp, personal interview, August 27, 2018.



Figure 2. The coffin of Seyyid Hüseyin Gazi.

The Mamak Municipality collects the garbage once a week and applies disinfectant on the grounds when requested. Hüseyin Öz, originally a dede from the Hıdır Abdal lineage in Erzincan and the dede at Hüseyin Gazi Tomb for the last eight years, claimed that their request regarding a meeting with the Metropolitan Municipality Mayor at that time, Mustafa Tuna, who had taken the position after İsmail Melih Gökçek, had not received any reply for some months.<sup>418</sup> Another demand regarding the place is related to the well-known electricity and water bill issues. Öz indicated that although they have paid the bills regularly for years as a 21-year-old foundation, they wanted to stop after the ECrtHR decision regarding the electricity bills of Alevi places of worship; the result was a power blackout.<sup>419</sup> He also adds that he applied to the relevant utility companies but their answer was that the government should solve

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<sup>418</sup> Hüseyin Öz, personal interview, August 27, 2018.

<sup>419</sup> Hüseyin Öz, personal interview, August 27, 2018.

the problem; otherwise, there is nothing they can do.<sup>420</sup> Another problem this place faces is water. Although they have applied many times for access to the municipal water infrastructure, the requests have never been taken seriously. As a solution, fresh water is used; it comes from a military site and this costs 1500 lira per month.<sup>421</sup>

In addition, Öz discussed the need to add personnel, including security staff, but their budget, consisting of only donations, is not enough to cover that.<sup>422</sup> Öz also claims that in 2016, the tomb's wishing tree was set on fire by two people believing that such traditions are against Islam.<sup>423</sup> As a solution to all these problems, they believe that the ECtHR decisions should be put into force. They also request signage in a more central location showing the road to the tomb.<sup>424</sup>

#### **4.2.3.2. Hasan Dede Shrine**

The Hasan Dede Shrine, whose poems have importance in Turkish folk literature, is located in Hasandede between Ankara and Kırıkkale in an area famous for its wine. Today the tomb is one of the better known Alevi destinations since Hasan Dede represents one of the deeply rooted Alevi lineages, especially in Kırıkkale, Çankırı, and Ankara. Needless to say, collective trips are organized by associations and foundations to the region.

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<sup>420</sup> Hüseyin Öz, personal interview, August 27, 2018.

<sup>421</sup> Hüseyin Öz, personal interview, August 27, 2018.

<sup>422</sup> Hüseyin Öz, personal interview, August 27, 2018.

<sup>423</sup> Hüseyin Öz, personal interview, August 27, 2018.

<sup>424</sup> Hüseyin Öz, personal interview, August 27, 2018.

It is believed that Hasan Dede was one of the saints who came to Anatolia through Khorasan in the early 16th century with eight dervishes and that he was a descendant of the Ninth of the Twelve Imams, Muhammed Taki. After his arrival in Anatolia, his first destination before participating in the first siege of Vienna was the Hacı Bektaş Complex where he received Balım Sultan's legacy, a wooden sword of the Prophet.<sup>425</sup> In 1579, he came to the zaviyah at the site of today's Hasan Dede Shrine, which was exempt from tax on the order of the Sultan of the time.

In terms of the current state of the place, at the entrance of the garden, there is a sculpture of Hasan Dede surrounded by lion figures (see Figure 3), which are important symbols for Alevism as indicated above. There is a green garden with roses, inside which the mosque, two tombs, and a fountain for ritual ablution are located. The tombs, with octagonal walls of cut stone, are the only original parts existing today besides the mosque. They are next to the Mosque of Hasan Dede, which was constructed by Mimar Sinan. The bigger tomb hosts the grave of Hasan Dede, while the other contains the graves of his sons, Halil İbrahim and Mustafa, and his daughter, Ümmühani (see Figure 4). As stated at the entrance of the tomb, it was restored in 1894. The structure existing today is authentic in terms of reflecting classical architectural features of Anatolia. A cemevi constructed in the late 1990s is 100 meters away from the tomb.

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<sup>425</sup> Güler Özden Gökbulut, "Hasan Dede ve Hasan Dede Türbesi," *Türk Kültürü ve Hacı Bektaş Veli Araştırma Dergisi* 9 (1999): 1.



Figure 3. Hasan Dede and lion sculptures.



Figure 4. From left to right: the mosque and Hasan Dede Tomb.<sup>426</sup>

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<sup>426</sup> Hamit Küçükarslan (@isigezmek), “Photograph of Hasan Dede Tomb by Hamit Küçükarslan,” Instagram photo, June 13, 2015, <https://www.instagram.com/p/33h6EnqOkp/>.

On the way to cemevi, there are a few marble works with unclear figures, which have no historical reflection related to the spirit of the place (see Figure 5). The structure including the cemevi and kitchen also does not reflect any historical aspects. It is a simple structure and does not even have whitewash on the walls. The cem room is thoroughly covered with pictures of Ali and Atatürk and those of similar figures with importance for Alevism. The most important demand regarding this place is the restoration of the cemevi (see Figure 6).



Figure 5. Random marble sculptures on the way to cemevi.

Gülay Demirhan. He indicates that they do not feel discomfort due to the presence of the mosque.<sup>427</sup> They take care of the garden and the tomb; however, there are also two personnel coming to the place for cleaning on a regular basis.<sup>428</sup> These two individuals, whose salaries are paid by the Turkish Employment Agency, were

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<sup>427</sup> Haşim Demirhan (dede and the tomb-keeper), personal interview, July 15, 2018.

<sup>428</sup> Haşim Demirhan, personal interview, July 15, 2018.

assigned although they did not hold any application process.<sup>429</sup> It should be kept in mind that the mosque here is an active site for praying, so this may be the reason for this assignment being made without any requests. There are no other personnel to help the Demirhans. Financially, they have no claims regarding personal expenditures for the place. Haşim Demirhan states that he addresses the needs of the tomb by relying on a donation box inside.<sup>430</sup> He also claims that they have 40,000 TL, since they are also bound to the Turkey Monuments Association in Ankara; therefore, he does not have any other financial expectations for the tomb.<sup>431</sup> His only request is support for the cemevi, which resembles a slum building, and the renovation of the stones on the grounds of the garden.<sup>432</sup>



Figure 6. The walls of the structure housing the cemevi and kitchen.

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<sup>429</sup> Haşim Demirhan, personal interview, July 15, 2018.

<sup>430</sup> Haşim Demirhan, personal interview, July 15, 2018.

<sup>431</sup> Haşim Demirhan, personal interview, July 15, 2018.

<sup>432</sup> Haşim Demirhan, personal interview, July 15, 2018.

#### 4.2.3.3. Shah Kalender Tomb

Shah Kalender, who is known as a follower of Ahmet Yesevi in Anatolia, was the son of Seyyid Siyami, who settled in Çubuk in Ankara. His name is also associated with the Jelali Revolts of the 16th and 17th centuries.

Today, Shah Kalender Tomb in the village of Sele is one of the Alevi destinations for commemoration days and for those looking for remedies for mental illnesses, since it is accepted that both Kalender Veli and his father worked miracles related to the healing of such problems. Allegedly, Seyyid Siyami was one of the saints who came to Anatolia with Hacı Bektaş. It is believed that Hacı Bektaş offered him a sultanate both in this life and the afterlife, but he only desired that of afterlife. However, considering the role of Shah Kalender in the time of the Jelali Revolts, it cannot be rationally claimed that his father and Hacı Bektaş were coeval.

Although the tomb of Shah Kalender is located in the Hacı Bektaş Complex in Nevşehir, some people believe that this location is the real tomb of Shah Kalender. Either way, this place is one of the important destinations for Alevis. It is believed that the tomb here was constructed in the 14th century with stones brought by deer. The place is significant due to the problems it has experienced. In 2009, the tomb's donation box was stolen twice after historical pieces from the tomb were fortunately brought to a safer place, as indicated by the head of the village of Sele at the time, Arif Kalender.<sup>433</sup> Arif Kalender is not only the headman of the village (muhtar) but also the individual protector of the tomb by his own means for the last 45 years, as a continuation of a 500-year-long tradition due to the fact that the Kalender family are

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<sup>433</sup> “Şah Kalender Türbesi Soyuldu,” *Çubuk Haber*, December 17, 2009, <http://www.cubukhaber.com/sah-kalender-turbesi-soyuldu-3846h.htm>.

descendants of Shah Kalender Veli.<sup>434</sup> Thanks to the cooperation of Gazi University and the Çubuk Municipality, a stemma from the year 1644 and a document with the approval of Abdülhamid II regarding tomb-keeping were translated into Turkish and printed as a booklet in 2014, which brought hearsay understandings to light.<sup>435</sup> As indicated by Kalender, the tomb, which had been approved as a first-degree historical monument with the decision of the Protection Commission in 1994, was renovated by the Ministry of Culture and Tourism in 1999.<sup>436</sup> The original and translated documents have been on the walls of the tomb since the 2014 renovation. However, the place needs assistance beyond the personal efforts of Arif Kalender.

#### **4.2.4. Antalya**

##### **4.2.4.1. Abdal Musa Tomb**

Abdal Musa was a companion of Orhan Gazi and the founder of the Hacı Bektaş Complex as a dervish lodge. Köprülü describes him as also a follower of Ahmet Yesevi.<sup>437</sup> Allegedly, he assisted Orhan Gazi during the conquest of Bursa.<sup>438</sup>

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<sup>434</sup> “45 Yıldır Devam Ediyor,” *Hürriyet*, December 17, 2016, <http://www.hurriyet.com.tr/45-yildir-devam-ediyor-40309725>.

<sup>435</sup> “Çubuk’ta ‘Kalender Veli Hazretlerini Anma ve Anlama Etkinliği’ Düzenlendi,” *Milliyet*, December 2, 2014, <http://www.milliyet.com.tr/cubuk-ta-kalender-veli-hazretlerini-ankara-yerelhaber-501986/>.

<sup>436</sup> “45 Yıldır Devam Ediyor.”

<sup>437</sup> Köprülü, *Türk Edebiyatında İlk Mutasavvıflar*, 46.

<sup>438</sup> Ocak, *Babailer İsyanı*, 215.

The Abdal Musa Tomb is located in the Tekke village in Elmalı, Antalya Province. This is one of the most important destinations for meetings of big groups of Alevis. The Union Cem held every year hosts many Alevis sacrificing and distributing lokma, or cracked wheat with meat, since it is believed that visiting and sacrificing here prevents misdeeds and famine. Kaygusuz Abdal, who is one of the well-known poets of Alevism and Bektashism from the 15th century, was also a follower of Abdal Musa. His grave is also located in Elmalı.

The parts still existing today are the Abdal Musa Tomb (see Figures 7 and 8), the yard, and historical graves. The tomb has a green-covered roof and a square-shaped additional structure. Half of the structure is made of cut stone (see Figure 9). Inside the tomb, besides Abdal Musa's, there are also the graves of his father Hasan Gazi, his mother Ümmügülsüm Ana, his sister Zeynep Ana, Kaygusuz Abdal, and three dervishes. Besides the graves, there are an original wooden door and sacred relics such as a wooden sword, his battle ax, black rocks, and an allegiance stick.



Figure 7. The entrance of the yard of Abdal Musa Tomb.



Figure 8. Abdal Musa Tomb.

Close to the tomb, there is a multi-floored structure used as the center of the Abdal Musa Cultural Research and Sustenance Association. The construction of this building lasted 10 years, between 1992 and 2002, during Fikri Sağlar's tenure as the Minister of Culture. The association also has a public kitchen behind the building in open air. In total, the size of the area under the responsibility of the association is approximately 5 hectares. Ali Eriş states that in the eyes of the General Directorate of Foundations, this place consists of only the tomb and the garden in which the tomb is



Figure 9. Cut stone part of the tomb.

located.<sup>439</sup> The last restoration of the tomb was held in 1963. Unlike many sites exposed to Sunnification policies at different times, there is no mosque at this site today. However, there is a mosque in this Alevi village.

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<sup>439</sup> Ali Eriş (Chairman of the Abdal Musa Cultural Research and Sustenance Association), personal interview, May 18, 2018.

The most sensational phenomenon regarding the place was the opening of a nearby marble quarry in 2010, which triggered a collective reaction from Alevi groups. The only progress regarding the marble quarry has been the prevention of the visibility of the quarry from the village and no passing of the quarry's vehicles through the village today, which was realized when the governor of Antalya was Ahmet Altıparmak.<sup>440</sup> Eriş quotes the words of Altıparmak regarding the case: "We are unable to close it!"<sup>441</sup> However, the role of Alevi organizations protesting the opening of the quarry should be considered here. Tuncer Baş comments that the marble quarry reflects the state's failure to protect the place as a whole since the quarry's explosions and vibrations of the ground may speed the aging of this historical structure.<sup>442</sup>

The Abdal Musa Cultural Research and Sustenance Association provides services such as festivals for Alevis. Ali Eriş, the chairman of the association since 2007, states that they have held these services on a limited budget dependent on the discretion of officials of the municipality and their relations with them.<sup>443</sup> Eriş claims that thanks to the new governor of Antalya, Münir Karaloğlu, who is personally interested in the preservation of this place and the continuation of its culture, instructions were given to the General Directorate of Foundations for a restoration to be held here.<sup>444</sup> However, while Ali Eriş seems excited about the restoration, Hüseyin Eriş, the dede of this site, indicates that he is suspicious about it due to the

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<sup>440</sup> Ali Eriş, personal interview, May 18, 2018.

<sup>441</sup> Ali Eriş, personal interview, May 18, 2018.

<sup>442</sup> Tuncer Baş, personal interview, May 8, 2018.

<sup>443</sup> Ali Eriş, personal interview, May 18, 2018.

<sup>444</sup> Ali Eriş, personal interview, May 18, 2018.

fear of assimilation and incorrect restoration.<sup>445</sup> He also adds that a few years ago, the opening of a dede school here was on the agenda, but at the end, it was understood to be a Gülenist project for the education of those who would support their ideologies.<sup>446</sup>

Apart from that, there is no support coming from the government for the tomb or the association in recent years. Ali Eriş claims that 3 years ago, there was financial support, even if it came in laughably small amounts of money such as 2,000, 5,000, or 10,000 lira.<sup>447</sup> The needs for this site are funding for audio systems, vocal artists, and other kinds of necessary instruments. Another demand regarding the place is related to the fact that there are personnel whose salaries are paid via the limited funds of the association. According to Ali Eriş, the municipalities should undertake the payment of the salaries and insurance costs of at least three of five personnel.<sup>448</sup> Besides those staff members, Mr. Mustafa works at this site as a volunteer tomb-keeper. What Ali Eriş requires here is not the assignment of some staff by the local government but rather financial support for the payment of staff hired by the association itself. The reason for this may be the fear of assimilation if employees are directly assigned by the local government. Regarding the importance of the place, Ali Eriş complains about the fact that this place is not considered as valued as Mevlana's tomb and artifacts in Konya.<sup>449</sup>

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<sup>445</sup> Hüseyin Eriş (dede of the Abdal Musa Cultural Research and Sustenance Association), personal interview, May 18, 2018.

<sup>446</sup> Hüseyin Eriş, personal interview, May 18, 2018.

<sup>447</sup> Ali Eriş, personal interview, May 18, 2018.

<sup>448</sup> Ali Eriş, personal interview, May 18, 2018.

<sup>449</sup> Ali Eriş, personal interview, May 18, 2018.

Just as electricity bills are problematic for most Alevi heritage sites, the same problem exists here, too. Ali Eriş indicates that since they could not pay 40,000 lira for an electricity bill, he was actually sentenced to prison.<sup>450</sup> He also mentions personal bank loans that they withdrew to meet the expenses of this site.<sup>451</sup> As the tomb is under the legislation of the General Directorate of Foundations, it should seem inappropriate to cut off the electricity of this historic structure.

In summary, the main demand regarding Abdal Musa Tomb is the continuation of the protection of the place through the association with the expected financial support in the event that the decision of the ECtHR regarding the case brought by İzzettin Doğan and the CEM Foundation is promulgated. According to Ali Eriş, this is within the rights of Alevis just as much as for the Sunnis and their imams.<sup>452</sup>

#### **4.2.5. Çorum**

##### **4.2.5.1. Osmancık Koyunbaba Tomb**

The tomb of another Khorasan saint, Koyunbaba, also known as Seyyid Ali, is located in Osmancık, Çorum, and is another destination for Alevis, hosting commemoration ceremonies with the attendance of Alevis from nearby cities and many Alevi associations. As is commonly known, Çorum is one of the provinces of the country with a large Alevi population, and a massacre of Alevis was experienced here in 1980.

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<sup>450</sup> Ali Eriş, personal interview, May 18, 2018.

<sup>451</sup> Ali Eriş, personal interview, May 18, 2018.

<sup>452</sup> Ali Eriş, personal interview, May 18, 2018.

It is believed that the reason why he is called Koyunbaba, meaning “Father Sheep,” is because he bleated once a day as he was coming from Khorasan with Hacı Bektaş. He was also a descendant of Imam Rıza. Koyunbaba is an important name in the history of this territory, which can be understood from the fact that the tomb had wide lands and property in the past as much as it created its own lineage. The presence of a tomb in Romania with the same name proves that the glory of Koyunbaba reached the Balkans, thanks to followers who were educated by him. At the beginning, while he was a shepherd in Bursa near a rich man named Abdullah, he decided to migrate to Osmancık after the number of sheep reached forty. In addition, features of Hurufism are also seen here. It is believed that Evliya Çelebi’s eyes, which were damaged after he barely escaped drowning in the Black Sea, were healed next to the tomb of Koyunbaba.<sup>453</sup>

Thanks to the travelogues of Evliya Çelebi, it can be determined that the tomb of Koyunbaba, a small mosque, a public kitchen, and the lodge for dervishes had been constructed on the order of Beyazıt II.<sup>454</sup> Opposed to this, there are also claims regarding the beginning of the activities of the shrine stating that the shrine was in function in the 13th century.<sup>455</sup> In Evliya Çelebi’s book, the shrine is described as a sparkling structure with lead-plated walls and golden domes.<sup>456</sup> It can be seen in Ottoman documents that the shrine still existed in the 20th century. Seyyid Dervish Ahmed was assigned as a follower of Hacı Bektaş to the shrine after the passing of

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<sup>453</sup> Fahri Maden, “Evliya Çelebi’nin Seyahatnamesi’nde Bektaşî Tekke ve Türbeleri,” *Türk Kültürü ve Hacı Bektaş Veli Araştırma Dergisi* 68 (2013): 98.

<sup>454</sup> Maden, “Evliya Çelebi’nin,” 98.

<sup>455</sup> Ahmed Cahid Haksever, “Çorum’da Bektaşî Zaviyeleri: Tarihi Süreçler ve Fonksiyonları,” *EKEV Akademi Dergisi* 12, no. 36 (2008): 67.

<sup>456</sup> Maden, “Evliya Çelebi’nin,” 98.

Seyyid Ahmed in 1760 and Sheikh Suleiman was assigned in 1791 after Seyyid Ahmed.<sup>457</sup> More importantly, the official transfer of the duty to Sheikh Ahmed Hilmi on September 23, 1908, reflects the presence of the shrine at that time.<sup>458</sup>

It is claimed that this shrine preserved its presence with limited damage during the abolition of the Janissary corps in 1826 until the closure of tombs, shrines, and zawiya's in 1925 thanks to the observance of the followers.<sup>459</sup> Interestingly, dedeship was abolished at the shrine during the Sultanate of Abdülmecit, when the institution would actually have been expected to be supported as a result of the Rescript of Gülhane, which might have been done only for the Shrine of Koyunbaba for unknown reasons.<sup>460</sup>

However, the tomb is the only structure existing today, at the disposal of the General Directorate of Foundations. The deeply curved double-leaf wooden door of the tomb is preserved in the Çorum Museum. The tomb was restored by the General Directorate of Foundations in 1989. The environmental renovation of the tomb was completed by the Osmancık District Municipality in 2016.<sup>461</sup>

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<sup>457</sup> Fahri Maden, "Sandıklı'da Bektaşilik, Baktaşı Tekke ve Türbeleri," *Türk Kültürü ve Hacı Bektaş Veli Araştırma Dergisi* 66 (2013): 132.

<sup>458</sup> Haksever, "Çorum'da Bektaşı Zaviyeleri," 81.

<sup>459</sup> Maden, "Sandıklı'da Bektaşilik," 129.

<sup>460</sup> Haksever, "Çorum'da Bektaşı Zaviyeleri," 67-86.

<sup>461</sup> "Osmancık'ta Koyunbaba Türbesi'nin çevre düzenlemesi tamamlandı," *Hürriyet*, April 22, 2016, <http://www.hurriyet.com.tr/osmancikta-koyunbaba-turbesinin-cevre-duzenlemesi-tamamlandi-37272929>.

In 2016, the assignment of an imam along with the construction of a mescit next to the tomb drew reactions from Alevi organizations, which identified this as an occupation of their cultural site, a violation of human rights, and an example of assimilation policies.<sup>462</sup> This case was brought to the Çorum Administrative Court by the branch of the Hacı Bektaş Anatolian Culture Association in Çorum not only because of these reactions but also due to two separate petitions regarding the needs of the tomb, such as repairs, cleaning, and security, which were submitted by the same association in January 2013 and June 2014 and received neither positive nor negative response from the same authorities who built a mosque on the request of a citizen and the headman of the village.<sup>463</sup> In fact, besides this issue, in 2014, the Regional Directorate of the General Directorate of Foundations in Tokat had officially abalienated the site to the Mufti's Office by a document dated June 5, 2014, Number 2014/20, so that the venue could be used for Koran courses.<sup>464</sup> This case brought to the Court was discontinued. As Tuncer Baş indicates, the representatives of Alevi demands regarding this site are preparing to bring the case to the ECrtHR.<sup>465</sup> However, this only means another compensation case for the government.

Works on the Tomb of Koyunbaba have been maintained by a resident of Osmancık, Necmettin Dulkara, who took over the duty from his father 23 years ago, as he covers expenditures with his retirement payments since he is not paid for his duties,

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<sup>462</sup> "Alevilerin türbesine mescit yapıp imam atadılar," *Oda TV*, March 29, 2016, <https://odatv.com/alevilerin-turbesine-mescit-yapip-imam-atadilar-2903161200.html>.

<sup>463</sup> "Alevilerin türbesine mescit yapıp imam atadılar."

<sup>464</sup> "Çorum'daki Alevi Dergahı Kuran Kursu İçin Müftülüğe Verildi," *Dersimnews.com*, July 6, 2014, <http://dersimnews.com/alevilik/2014-07-06/corumdaki-alevi-dergahi-kuran-kursu-icin-muftuluge-verildi>.

<sup>465</sup> Tuncer Baş, personal interview, May 8, 2018.

similarly to his father, whose duty was in fact approved by the General Directorate of Foundations in 1974.<sup>466</sup>

## 4.2.6. Erzincan

### 4.2.6.1. Hıdır Abdal Lodge

The Hıdır Abdal Lodge in the village of Ocak of the Kemaliye district in Erzincan is one of the most significant locations for Alevis, especially in August every year, for the commemoration of Hıdır Abdal. Being an Alevi area, Kemaliye obtained its name due to the popularity of Kemal Atatürk in the early Republican period.

It is written as an epitaph in the tomb that Hıdır Abdal was the son of Karaca Ahmet, whose shrine is in İstanbul. According to legend, Hıdır Abdal found a remedy for a scar on the hand of the Sultan of the time so he was awarded with this field for his shrine, where he was going to be exempt from taxes, and which would be determined by the distance of a stone thrown by him from İstanbul to Kemaliye.<sup>467</sup>

The lodge has specific importance in terms of the determination of “düşkün,” which means a person who will be removed from the order if he or she steals, commits adultery, or acts in any way not accepted by another person or Bektashism and Alevism, which are based on ethics rather than orthodox rules of religion. The judgement of such a person is to be held in the Lodge of Hıdır Abdal or in the Hacı Bektaş Complex. Since there is a relative relationship between the members of a

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<sup>466</sup> “23 yıldır Koyunbaba Türbesi’nin gönüllü bakımını yapıyor,” *Çorum Haber*, November 18, 2016, <http://www.corumhaber.net/osmancik/23-yildir-koyunbaba-turbesinin-gonullu-bakimini-yapiyor-h60991.html>.

<sup>467</sup> Ali Yaman, “Kızılbaş Alevilerinin Düşkün Ocağı Hıdır Abdal Sultan ve Ocak Köyü,” *Türk Kültürü ve Hacı Bektaş Veli Araştırma Dergisi* 8 (1998): 27-34.

lineage without blood ties, the removal of a person from the order might be more detrimental than financial punishment. This can be likened to anathema in Christianity. Particularly in terms of the mistakes of dedes, this place has a role for judgement.

Being another representative of Ottoman and Selçuk architecture with cut stone walls, the Lodge of Hıdır Abdal, which was built in 1277 AD, has survived to this day, unlike many Alevi artifacts that can only be seen in Ottoman documents. The role of the renovation in 1879 by Seyyid Ali Effendi, which is indicated in an epitaph in the tomb, should not be underestimated. Today, besides the tomb of Hıdır Abdal, a peculiar museum, a historic mosque, a modern guesthouse, two public kitchens, a stone oven, and a park exist, as well. There is even a helicopter aerodrome in the village, which is under 24/7 camera surveillance, proving the popularity of the place as a destination. There are also three Turkish baths in the village, one of which is still active today. There is also a library in the village established by Ali Yaman in the name of his father, Mehmet Kemal Dede. The museum located here is the consequence of the contributions of the educationist Mustafa Gürer in 1994.<sup>468</sup> This village also has a cemetery reserved only for dedes. Both the lodge and the museum have paid staff members. Since this place is not under the protection of a foundation, it has no relations with the General Directorate of Foundations. The last restoration was held thanks to the Şimşek family from the village. The place is run by the village muhtar and the Hıdır Abdal Sultan Ocak Culture and Solidarity Association, which was established in 1955. Essentially, everything regarding this place is held together by the members of the ocak. Only the water infrastructure is organized by the state, since it comes from a far-off place.<sup>469</sup> There is also a minaret constructed over a

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<sup>468</sup> Coşkun Menek, “Erzincan’ın Ocak köyünde yok yok,” *Evrensel*, September 10, 2017, <https://www.evrensel.net/haber/331984/erzincanin-ocak-koyunde-yok-yok>.

<sup>469</sup> Ali Yaman (academician and writer), Skype interview, August 8, 2018.

place called the “village room.” Today, no one prays there; therefore, the reconstruction of the minaret after it fell over and the assignment of an imam here was a waste.<sup>470</sup>

The place is well cared for and beliefs are still actively practiced here. The construction of a huge cemevi was initiated here and lasted until 2018, although there is more than one cemevi. The field on which the new cemevi was constructed was bought with donations from the villagers. Although the role of contributions from the village was undeniably important for this construction, assistance was received from the Kemaliye Municipality as well.<sup>471</sup> According to Ayhan Aydın, the size of the structure is unnecessary since this place, after all, is located in a village.<sup>472</sup>

## **4.2.7. Eskişehir**

### **4.2.7.1. Sücaeddin Veli Complex**

The Sücaeddin Veli Complex is located in Arslanbeyli village, also known as Sücaa village, which is 7 km away from the Seyitgazi Municipality of Eskişehir. This area has been the home of an intense concentration of dedes and followers with great significance both in history and today.<sup>473</sup> Sücaeddin Veli is commemorated here with events organized annually. He was one of the abdals living in the 15th century on the

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<sup>470</sup> Ali Yaman, Skype interview, August 8, 2018.

<sup>471</sup> Ayhan Aydın, Skype interview, August 7, 2018.

<sup>472</sup> Ayhan Aydın, Skype interview, August 7, 2018.

<sup>473</sup> Mehmet Ersal, “Şücaeddin Veli Ocağı: Balkan Aleviliğindeki Yeri, Rolü ve Önemi,” *Türk Kültürü ve Hacı Bektaş Veli Araştırma Dergisi* 63 (2012): 211.

borders of the Ottoman Empire.<sup>474</sup> Allegedly, he was a descendant of Imam Rıza. The complex was constructed in the time of Selim I.

The Sücaeddin Veli lineage is one of the largest with members in Eskişehir, Bursa, Bilecik, Çankırı, Çorum, Ankara, Kırıkkale, Tokat, Amasya, Manisa, Kütahya, Bolu, and Karabük.<sup>475</sup> The lineage also has members in the Balkans, especially in Bulgaria.<sup>476</sup> This lineage is also one of the lineages that has the authority to assign dedes and babas.<sup>477</sup>

Architecturally, the place was protected thanks to the individual efforts of the Demirtaş family as the descendants of Sücaeddin Veli since the closure of tombs, shrines, and zawiya's until the restoration held by the General Directorate of Foundations in 1957.<sup>478</sup> The complex today consists of two parts. The first part, located on the west side, includes the mosque of Arslanbeyli village; the tomb of Sücaeddin Veli; the tomb of Mürvet Ali Paşa, a follower of Sücaeddin Veli; the graves of former dedes of the seven lineages related to the village; and the graves of the Demirtaş family, the ancestors of Mehmet Demirtaş, the current dede of the lineage. There is also a water tank with a fountain. Demirtaş states that in order to fix

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<sup>474</sup> Yürekli, *Architecture and Hagiography*, 71.

<sup>475</sup> Ersal, "Şücaeddin Veli," 213.

<sup>476</sup> Mehmet Demirtaş (dede and postniş/leader of the Sücaeddin Veli Complex, and member of the Sheikh Sücaeddin Veli Culture and Tourism Association), personal interview, September 15, 2018.

<sup>477</sup> Mehmet Demirtaş, personal interview, September 15, 2018.

<sup>478</sup> Mehmet Demirtaş, personal interview, September 15, 2018.

it, they laid small marble pieces, filling it with marble powder.<sup>479</sup> This part is located behind an arched door called Üçler Kapısı or the Door of the Three, symbolizing the triplet of “Ya Allah, Ya Muhammed, Ya Ali”<sup>480</sup> (see Figure 10). Both of the tombs are octagonal in shape with quadrangular entrance halls. Motifs on the white walls inside both tombs include flowers and writings (see Figure 13). Similar to those of many Alevi sites, the mosque was constructed in the time of Mahmud II.<sup>481</sup> In front of the structure, there are benches obviously provided by the municipalities.



Figure 10. Üçler Kapısı: the Door of the Three.

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<sup>479</sup> Mehmet Demirtaş, personal interview, September 15, 2018.

<sup>480</sup> Mehmet Demirtaş, personal interview, September 15, 2018.

<sup>481</sup> “Beş Asırlık Külliye Kardeşliğe Kucak Açıyor,” *Milliyet*, July 21, 2018, <http://www.milliyet.com.tr/bes-asirlik-kulliye-kardeslige-kucak-eskisehir-yerelhaber-2935091/>.



Figure 11. From left to right: the mosque, the tomb of Sücaeddin Veli, and the tomb of Mürvet Ali Paşa.

Behind this part, there is also a newly constructed cemevi and guesthouse, not yet active. There are thus three cemevis around this site in total: the one in the historical structure, the newly constructed one, and one in Mehmet Demirtaş's personal home. The second historical part is in an L-shape with chimneys on the roof (see Figure 12). The biggest chimney symbolizes Sücaeddin Veli.<sup>482</sup> It consists of a cemevi, a public kitchen, a dervishes' house, and areas for supplies and an oven. Demirtaş states that they will organize the public kitchen, which was actively used until the restoration, as a place where they can host people for meals, thanks to a friend of his who will be donating some tables and chairs for the place.<sup>483</sup> The lighting of the

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<sup>482</sup> Mehmet Demirtaş, personal interview, September 15, 2018.

<sup>483</sup> Mehmet Demirtaş, personal interview, September 15, 2018.

dervishes' house is done with lamps nailed to the walls, which is historically inappropriate, as also indicated in the case of the Hacı Bektaş Complex. Demirtaş indicates that the areas for supplies and the oven will be used as an office in the future.<sup>484</sup>



Figure 12. The L-shaped structure.

The site was restored by the International Organization of Turkic Culture in 2015 as a result of the selection of Eskişehir as a capital of Turkic world culture in 2013, with a budget of 4.5 million Turkish lira being spent.<sup>485</sup> A structure was also constructed here in 2015 to be used as a public kitchen, slaughterhouse, and funeral home.

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<sup>484</sup> Mehmet Demirtaş, personal interview, September 15, 2018.

<sup>485</sup> “Beş Asırlık Külliye Kardeşliğe Kucak Açıyor.”

The walls of the tomb of Sücaeddin Veli have already experienced spalling due to dampness (see Figure 13). Demirtaş thinks there will be no restoration after this point; therefore, the place is dependent on personal interest.<sup>486</sup> Secondly, parts of the L-shaped structure were restored, but restorations were not done to museum standards. It is not suggested that these artifacts should be kept in museum form or that they should be delivered to Alevis; however, the restoration conducted here, in a city chosen as a representative of the UNESCO temporary list of cultural heritage, does not reflect a feeling of completion.



Figure 13. Spalling on the wall of the tomb of Sücaeddin Veli.

On a daily basis, this site is the responsibility of Mehmet Demirtaş, the dede and the leader of the lineage, and the Sücaeddin Veli Culture and Tourism Association.

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<sup>486</sup> Mehmet Demirtaş, personal interview, September 15, 2018.

According to Demirtaş, one of the positive aspects of the association is that it puts emphasis on the thoughts and ideas of the leader of the complex for taking care of the cleaning, organization, and needs of the place.<sup>487</sup> The site has three employees. The salaries of two of them are covered by the Seyitgazi Municipality, while that of the third is covered by the association.<sup>488</sup> Contrary to many Alevi sites experiencing problems with electricity bills, for this site, the electricity is provided by the Seyitgazi Municipality. This situation, which is specific to this venue, is the result of the personal interest of the current Municipality Mayor, Hasan Kalın.

Demirtaş indicates his satisfaction regarding their relations with the municipalities. He states that they provide for the site's needs whenever they request physical items for cleaning; this excludes financial support.<sup>489</sup> At the time of the interview, there was also an event being organized with the assistance of the Seyitgazi Municipality for the weeks to come, hosting Sebahat Akkiraz as a singer, and singers for former events had been sponsored by the Turkish Cooperation and Coordination Agency (Turkish: TİKA).<sup>490</sup> Demirtaş states that everything regarding the restoration was accomplished after detailed observation of historical photos related to the place; therefore, he is satisfied with the results.<sup>491</sup> Çilehanes, or very small rooms for spiritual retreat, were also found during the restoration but could not be opened for exhibition as they were filled with concrete. Demirtaş believes that this could also be

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<sup>487</sup> Mehmet Demirtaş, personal interview, September 15, 2018.

<sup>488</sup> Mehmet Demirtaş, personal interview, September 15, 2018.

<sup>489</sup> Mehmet Demirtaş, personal interview, September 15, 2018.

<sup>490</sup> Mehmet Demirtaş, personal interview, September 15, 2018.

<sup>491</sup> Mehmet Demirtaş, personal interview, September 15, 2018.

fixed with the attention and respect of the authorities.<sup>492</sup> It is interesting that while many Alevis complain about the attitude of the current government and TİKA's activities in the Balkans, satisfaction is expressed here at the Sücaeddin Veli Complex. According to Hüseyin Taştekin, however, motifs at the Sücaeddin Veli Complex were not renovated correctly.<sup>493</sup>

One of the former Bektashi sites located in this region is the Seyyid Battal Gazi Complex. Since this site does not reflect the features of an Alevi artifact today, it will not be evaluated in this study in detail. Briefly, Seyyid Battal Gazi was an Islamic warrior who lost his life in 715 against Byzantium.<sup>494</sup> A shrine in his name was built over his tomb in the early 13th century. Remodeling was completed towards the end of the reign of Beyazıt II.<sup>495</sup> It is believed that the mother of the Sultan of the Selçuks dreamed of him and decided to commission the construction of the shrine and a mosque over his grave. Today the place cannot be considered as an Alevi venue, with the motifs on the walls and the general aura of the place upon passing through the door. Demirtaş states that the reason for this is that the foundation responsible for the place is run by Sunnis rather than Alevis.<sup>496</sup>

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<sup>492</sup> Mehmet Demirtaş, personal interview, September 15, 2018.

<sup>493</sup> Hüseyin Taştekin, personal interview, June 8, 2018.

<sup>494</sup> Yürekli, *Architecture and Hagiography*, 4.

<sup>495</sup> Yürekli, *Architecture and Hagiography*, 79.

<sup>496</sup> Mehmet Demirtaş, personal interview, 15 September 2018.

## 4.2.8. Isparta

### 4.2.8.1. Seyyid Veli Baba Sultan Tomb

The Uluğbey village in Senirkent, Isparta, has hosted an uncounted number of Alevis for the Rice Festival and the Commemoration of Veli Baba, who lived here in the 16th or 17th century, every year since 1971. The tomb is named for Veli Baba, who is also known as Hüseyin Veli, as it was constructed in his times. Veli Baba, who was a relative of Seyyid Battal Gazi and Hüseyin Gazi, is a Bektashi saint, although predecessors such as his grandfather Veliyittin Gazi, his father Hüseyin Veli, and his mother Hatice, whose graves are also in the tomb, came to this territory earlier. The tomb also includes the graves of other family members and ancestors of Veli Baba.

The tomb over the open graves and the mosque were constructed in 1610 as a sign of the respect of Murtaza Zor Pasha for Veli Baba.<sup>497</sup> It is believed that Veli Baba provided abundant meals for the army of Murtaza Zor Pasha, similar to the belief that he miraculously fed the army of Kılıç Arslan II with limited food during the Battle of Myriocephalum, which does not seem logical due to the centuries between the era in which Veli Baba lived and the time of that battle.

Today, the tomb is affiliated with the Council of Monuments. The tomb and mosque are monuments made of adobe, rubble stones, cut stones, and gathered Byzantine stones. Similarly to the tomb of Hacı Bektaş, there is a green threshold, and it is believed that it should not be stepped on since it is a stone from the Kaaba. The restoration of the mosque and the tomb that started in 2013 was discontinued by the bidding company in 2014 on the excuse of the inadequacy of the tender price, which

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<sup>497</sup> İsmail Tosun Saral, "Anadolulu Gül Babalar," *Türk Kültürü ve Hacı Bektaş Veli Araştırma Dergisi* 32 (2004): 335-336.

was 220,000 lira, while the company had also spent 200,000 lira of its own budget.<sup>498</sup> Although the restoration is complete now, the structure was at serious risk of collapse because of weak columns that were left in the middle of winter for months in spite of warnings by the village to official authorities such as the Provincial Directorate of Culture and Tourism, the Governorship of Isparta, and even the Ministry.<sup>499</sup>

In 2017, the planned opening of a marble quarry under the management of an İstanbul-based company, Özdönmezler Construction and Architecture Industry and Trade Co., with the approval of the Isparta Provincial Directorate of Environment and Urbanization in a spot 900 meters away from Uluğbey resulted in reactions from not only Alevis but also from all locals because of the expected environmental pollution created by this project for such stone yielding 30 dollars per ton.<sup>500</sup> It is worth noting that besides being a regional Alevi center, the village is also famous for large and abundant fields with many agricultural products, such as cherries, apples, and apricots; however, recently, the quarry has started to operate.

#### **4.2.9. İstanbul**

In İstanbul, the number of the lodges in the Ottoman era is assumed to have been between 16 and 20. However, due to its being the capital in the past, it can be assumed that the lodges in İstanbul were those most affected during the reign of Mahmud II. The Erikli Baba Lodge in Zeytinburnu faced devastating destruction as a

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<sup>498</sup> “Cami ve Türbe Kaderine Terk Edildi,” *Demokrat Ajans* 32, November 26, 2014, <http://www.ajans32.com/cami-ve-turbe-kaderine-terk-edildi-24978h.htm?interstitial=true>.

<sup>499</sup> “Cami ve Türbe Kaderine Terk Edildi.”

<sup>500</sup> “Alevilerin İnanç Merkezine Taş Ocağı,” *Isparta Bomba* 32, June 24, 2017, <http://www.bomba32.com/haber/isparta/alevilerin-inanc-merkezine-tas-ocagi/20960.html>.

result of Mahmud II's policies; therefore, like most lodges, it did not survive to the present day. The tombs of Garip Baba and Ađlamıř Dede, also known as the İstıranca Lodge, are some of the former leaders' tombs that were harshly impacted by Mahmud II's policies. İstanbul can already be considered as the main location of the Janissary corps; therefore, the Lodge of Erikli Baba was one of the main sites impacted by the disbandment of the Janissary corps in 1826 by Mahmud II, which can be seen from the fact that we can only see the grave of Erikli Baba today together with the Alevi Association that has been established behind the tomb. The Karaađaç Shrine, located in İstanbul, was one of the most important centers in history with a role in the training of babas and dedes. Today it is a total ruin, with various constructions and activities occurring on the fields that used to belong to the shrine in the past. The best known one receiving the strongest reactions is the presence of the AKP Provincial Presidency on these fields. řahan claims that apart from this, most of the fields were provided to party supporters for beneficial personal use.<sup>501</sup> Today, only a small part of it remains, which is a ruin. There are also a couple of cemetery stones. However, as active Alevi sites in İstanbul, the Karacaahmet Sultan and řahkulu Sultan Lodges will be evaluated here in a detailed way.

#### **4.2.9.1. Karacaahmet Sultan Lodge**

The Karacaahmet Sultan Lodge is historically one of the central Alevi shrines; therefore, it is worth explaining it here although it does not reflect any aspects of a historical artifact today except for the tomb located inside the structure. It is believed that Karacaahmet was a descendant of Imam Musa. He is also called Gözcü (watchman) due to his role in the Hacı Bektaş Complex. He received the title of Karaca, meaning deer, because it was believed that he was always wandering with

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<sup>501</sup> Zeynel řahan (Chairman of the Hacı Bektaş Education and Culture Association Nurtepe Cemevi in İstanbul and Chairman of the Federation of Alevi Associations in Turkey), personal interview, June 5, 2018.

them. The fact that his name is also mentioned in Hacı Bektaş's velayetname proves his importance in terms of Bektashism.

Historically, this foundation was located in the district from Haydarpaşa to Altunizade. This place was not only a health center but also a place where social problems were discussed. Historically, this place was described as a medical and psychotherapy center. It is believed that this place was peaceful, with the sounds of music and water. Allegedly, everything began with Karacaahmet's healing of the daughter of the grand vizier at the time. It is believed that no practitioner but Karacaahmet could find a cure for her problems. The grand vizier wanted to reward him for saving his daughter's life and stated that wherever Karacaahmet's beautiful horse stepped, that area would be officially given to Karacaahmet so that he could continue to serve humanity with his foundation, which would also be registered among pious foundations.

Today, there is a multi-floored structure on the site, but it does not reflect any historical aspects. This place belongs to the Culture, Solidarity, and Shrine Restoration Association of Karacaahmet Sultan as a result of the rent they pay to the government. Directly opposite the entrance to the building is the tomb of Karacaahmet. Unlike the tombs seen in Anatolia, the entrance to this room is not a low door designed to force people to bend sharply to show respect. The tomb part is thoroughly covered with one color of whitewash (see Figure 15). The rest of the building includes a public kitchen, cemevi (see Figure 16), offices, and rooms for other kinds of social activities such as programs for primary school children, sema courses for youth, and a women's branch. Today, the Karacaahmet Cemetery is the second largest one in the world, comprising 1.5 million graves, following the Wadi Al-Salaam (Valley of Peace) in Iraq with 5 million.



Figure 14. The Culture, Solidarity, and Shrine Restoration Association of Karacaahmet Sultan.

The Karacaahmet Lodge can be considered one of the cultural sites most heavily affected by the results of reconstruction policies. For those arriving by car, there is no place to park around the lodge. In fact, the only reason why this place is still called a “lodge” is its important role in history. Today, a tomb of 30 m<sup>2</sup> is the only original structure still surviving (see Figure 15). Unfortunately, the rest is an artificial structure and the outside walls of the tomb are covered with ordinary plaster. Hüseyin Özgöz, a retired trainer, Alevi dede, and member of the Karacaahmet Sultan Association, claims that efforts were made during Recep Tayyip Erdoğan’s tenure as the İstanbul Metropolitan Municipality Mayor starting in 1994 to accelerate the reconstruction policies that had begun 22 years ago.<sup>502</sup>

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<sup>502</sup> Hüseyin Özgöz (retired trainer, Karacaahmet Sultan Alevi dede, and member of the Culture, Solidarity, and Shrine Restoration Association of Karacaahmet Sultan), personal interview, June 8, 2018.



Figure 15. The Karacaahmet Tomb (30 m<sup>2</sup>).



Figure 16. Cemevi of the Karacaahmet Sultan Lodge today.



Figure 17. The grave of the horse.

In the garden, there is also the grave of his horse, the historic and mythological importance of which was indicated above, surrounded by iron bars (see Figure 17). One of the columns is used as a place to stick small stones; it is believed that if a stone is stuck there, the wish of the person will come true. Next to this area, surrounded by iron bars, are historical gravestones that were put next to a tree randomly. Özgöz states that these were brought from their original location after a reconstruction project was initiated there.<sup>503</sup> Representatives stated that these stones would be better protected here and they left the stones in the garden<sup>504</sup> (see Figure 18).

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<sup>503</sup> Hüseyin Özgöz, personal interview, June 8, 2018.

<sup>504</sup> Hüseyin Özgöz, personal interview, June 8, 2018.



Figure 18. Historical gravestones randomly put in the garden.

Hüseyin Özgöz states that the rent they pay here is financially a huge burden for them since they have the status of an association, not a foundation, which might have better financial resources.<sup>505</sup> They previously initiated an attempt to become a foundation but their income level was not deemed appropriate for such a status. He also adds that they are responsible for payments regarding the salaries of 22 personnel, including dedes, a cook, mentors (mürşit), a funeral undertaker, and so on, together with electricity and water bills.<sup>506</sup>

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<sup>505</sup> Hüseyin Özgöz, personal interview, June 8, 2018.

<sup>506</sup> Hüseyin Özgöz, personal interview, June 8, 2018.

In this place, lokma distribution is held 3 days a week, on Thursdays, Saturdays, and Sundays. In this vein, Özgöz says that if they had financial support from the government or attained the status of foundation, they would do this more often than 3 days a week.<sup>507</sup> It should be kept in mind that due to the positions of such lodges in history, there is no discrimination in such places regarding the belief systems of any visitors, which means the doors are open and the lokma is available for everyone. The security costs, including one staff member and a video surveillance system, are also covered by the Karacaahmet Sultan Association. In summary, although these sites are public places with historical value, the government receives rent from both Karacaahmet and Şahkulu. According to Özgöz, if the state continues to do this in spite of the ECtHR decision in the Grand Chamber, then the state is clearly not acting in correlation with the rule of law.<sup>508</sup>

Hüseyin Özgöz states that although they have a limited income as an association, on the lands they purchased at Hacı Bektaş, they operate a guesthouse with 400 beds, a public kitchen, and a cemevi.<sup>509</sup> Apart from the expenses of Karacaahmet itself, they also pay tax on the structure constructed at Hacı Bektaş. At Karacaahmet, the women's branch, sema courses, private courses for pupils, a small amount of scholarships, and other similar offerings are free of charge.

Due to various construction policies, the place is surrounded by four different mosques. According to Özgöz, the call to prayer creates inappropriate situations during their worship in cem rituals, due to the high volumes, especially the ezan from

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<sup>507</sup> Hüseyin Özgöz, personal interview, June 8, 2018.

<sup>508</sup> Hüseyin Özgöz, personal interview, June 8, 2018.

<sup>509</sup> Hüseyin Özgöz, personal interview, June 8, 2018.

the Üsküdar side.<sup>510</sup> It is not that Alevis object to hearing the call to prayer at all; however, there is nothing inappropriate regarding their own rituals and they feel like the state is trying to suppress the quieter voices of their instruments in this way although they themselves do nothing to disturb the surrounding area.

According to Özgöz, the solution is the urgent application of the ECrtHR decision made by the Grand Chamber regarding the case initiated by the CEM Foundation under the leadership of İzzettin Doğan.<sup>511</sup> He adds that the state should abandon its attempts to define Alevism as a sect or branch of Islam, since it is not a sect but rather a way of life, and dedes should become state officials within an institution created for Alevis.<sup>512</sup>

#### **4.2.9.2. Şahkulu Sultan Lodge/Merdivenköy Shrine**

The Şahkulu Sultan Lodge, also known as the Merdivenköy Shrine, is one of the largest remaining Alevi/Bektashi sites in Göztepe, İstanbul, with a historical atmosphere and dedicated followers. It is believed that Şahkulu Sultan was one of the dervishes who came from Khorasan in the late 14th century and established a center of enlightenment and discussion in Merdivenköy. Before Şahkulu Sultan, this place was one of the Ahi lodges that were turned into Bektashi lodges during the reign of Beyazıt I. Like many of these dervishes, Şahkulu Sultan also stayed at the Hacı Bektaş Complex before he settled here.

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<sup>510</sup> Hüseyin Özgöz, personal interview, June 8, 2018.

<sup>511</sup> Hüseyin Özgöz, personal interview, June 8, 2018.

<sup>512</sup> Hüseyin Özgöz, personal interview, June 8, 2018.

Historically, the Şahkulu Revolt, supporting the Safavids against Beyazıt II, had an important role in terms of being the very first division between Sunnis and Alevis. During the closure of Bektashi orders in 1834, this place was converted into a Naqshbandi lodge. During Abdulaziz's time, an engineer from the Naqshbandi tariqa whose name was Hilmi, the son of the imam of the Sultan Ahmed Mosque, was assigned to oversee the destruction of what had remained since 1834,<sup>513</sup> but today his name is borne by the foundation responsible for the lodge due to the fact that he devoted his heart to Bektashism and did many useful things for it.

With the Law on the Closure of Tombs, Shrines, and Zawiyahs, this place was consigned to oblivion for the next 40 or 50 years and its ruins were a destination for treasure hunters until the 1980s. The reason for the continuation of this process was an intent to convert this place into an imam hatip school, for the education of imams, after the 1980 military coup. This resulted in an awakening among Balkan Bektashis who wanted to preserve this historical lodge. As a result of a 6-month-long restoration in 1983, the place started to get back into shape again thanks to the efforts of the foundation that would be named the Mehmet Ali Hilmi Dedebara Research, Education, and Culture Foundation, responsible for this place for approximately 25 years. The foundation was established during the 49th government of the Turkish Republic. Hüseyin Taştekin indicates that this result was obtained thanks to the personal efforts of Yıldırım Aktuna, who was Minister of Health at the time.<sup>514</sup> The Şahkulu Sultan Lodge is located on an area of 8,240 m<sup>2</sup> surrounded by walls, including its garden and park. Historically, this place also had an important role for education. On the right side, after passing through the main entrance, there is a single-story construction, which was added later and is used as a public kitchen, eating hall, and souvenir shop today. At the opposite side of this new public kitchen,

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<sup>513</sup> Hüseyin Taştekin, personal interview, June 8, 2018.

<sup>514</sup> Hüseyin Taştekin, personal interview, June 8, 2018.

there is a mansion-like structure called the Hilmi Dede Baba Mansion, which was moved here within the garden with the permission obtained from the General Directorate of Monuments and Museums. Taştekin states that this was known in history as Constantine's Mansion<sup>515</sup> (see Figure 19).



Figure 19. Hilmi Dede Baba Mansion.

From the left of the entrance, the first structure, which is green-painted and has two floors, is the former dervish house, used as a library today (see Figure 20). This library was set up with the individual efforts of the members of the foundation since there are not enough written sources on Alevism and Alevi identity. Behind the library, historical graves, including that of Şahkulu Sultan,

are surrounded by iron bars. Unlike most such tombs in Anatolia, the graves of dervishes in İstanbul are mostly located in the gardens.

The structure used as a cemevi was constructed in the 1980s with the stones of the former public kitchen and Turkish bath, which are 700 years old (see Figures 21 and 22). This place was also a social complex (külliye) in the past. According to Taştekin, the dome of this structure could be lower, but apart from that, the restoration was faithfully held to the original historical version. In the continuation of this structure, there are water gauges and water tanks, and two 550-year-old vats.

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<sup>515</sup> Hüseyin Taştekin, personal interview, June 8, 2018.

Taştekin states that they do not leak any water in spite of their age, which proves the important role of the place in terms of farming, husbandry, and viticulture.<sup>516</sup>

In the garden of the lodge, benches on which Kadıköy or Maltepe Municipality are written prove that additional support to the place is dependent on the benevolence of authorities in the municipalities. Taştekin states that the Kadıköy Municipality should be praised for its interest in the place regarding the garden, the park, cleaning services, and the enrichment of the library.<sup>517</sup> In the park, there is also an area for concerts and similar activities. However, it should be kept in mind that Kadıköy has been a CHP municipality for decades.



Figure 20. Former dervish house and current library.

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<sup>516</sup> Hüseyin Taştekin, personal interview, June 8, 2018.

<sup>517</sup> Hüseyin Taştekin, personal interview, June 8, 2018.



Figure 21. Recently constructed cemevi and former Turkish bath on the right side.



Figure 22. Former public kitchen.

Hüseyin Taştekin claims that the fields donated by Mihrimah Sultan to the lodge with the aim of suitable use for the purposes of the place were transferred to the



Ministry of Social Services and privatized in AKP times.<sup>518</sup> Similarly to many Alevi places recently adorned with mosques, the mosque next to the garden walls of the foundation was constructed in the mid-1980s (see Figure 23). According to Taştekin, the aim of this assimilation project will not work, since this does not make Alevis go to mosques for worship, but this still represents a lack of their confidence in their own religion.<sup>519</sup>

Figure 23. The mosque next to the garden.

In 2011, a restoration of the cemevi was held with the budget received from the İstanbul Special Provincial Administration<sup>520</sup> (see Figure 24), but apart from that, all restoration works have always been funded by volunteers of the place. Thanks to Burhan Güvenkaya, master architect, this renovation was conducted with minimal mistakes, except for the dome, which should be lower than it currently is.<sup>521</sup>

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<sup>518</sup> Hüseyin Taştekin, personal interview, June 8, 2018.

<sup>519</sup> Hüseyin Taştekin, personal interview, June 8, 2018.

<sup>520</sup> “500 Yıllık Işık Yuvası Yenileniyor,” *Gazete Kadıköy*, November 2, 2011, <http://www.gazetekadikoy.com.tr/genel/500-yillik-isik-yuvasi-yenileniyor-h1705.html>.

<sup>521</sup> Hüseyin Taştekin, personal interview, June 8, 2018.

Today, the responsible institution for this site is the Hilmi Dede Baba Research, Education, and Culture Foundation. According to Hüseyin Taştekin, who is the Vice-Chairman of the foundation and a member of the board since 1996, the solution is compassion from the government towards this group that has been suffering for more than 1000 years.<sup>522</sup>



Figure 24. Cemevi after restoration.

Taştekin states that they applied to the General Directorate of Monuments and Museums for renovation of the new public kitchen due to their need for a more appropriate structure and a conference hall beneath it.<sup>523</sup> In the current situation of this site, only the cemevi was renewed with a small amount of governmental funding, but the rest of the financing came from volunteers. Although this place was

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<sup>522</sup> Hüseyin Taştekin, personal interview, June 8, 2018.

<sup>523</sup> Hüseyin Taştekin, personal interview, June 8, 2018.

reconstructed by individuals devoted to it, today they pay rent for the site. As of 2018, the foundation was paying 8,225 lira per month, or 98,700 lira per year, to the General Directorate of Foundations as the rent price, which can be seen on a piece of paper stuck to the wall of the lodge as soon as one passes through the door. Taştekin claims that they have paid an increased amount every year since 2004. What is required in this place is not financial support from the government, since the foundation's income is powerful compared to most others, such that they have even been able to provide scholarships to researchers and university students since 1996. Rather, what is desired is the delivery of the place to its real owners. Taştekin adds that there should be a regulation regarding electricity and water bills in the current system.<sup>524</sup> In short, he advocates that in a secular country the state should not intervene in any religious affairs, because if the Şahkulu Sultan Lodge can survive on the donations of its own community, which can be described as a minority compared to Sunnis, then mosques can do this more easily; instead of funding mosques, the state should invest in education and health.<sup>525</sup> However, since Alevis are the real owners of this place, it should be legally returned to them and the state should not take any rent.

#### **4.2.10. İzmir**

##### **4.2.10.1. Hamza Baba Tomb**

The Tomb of Hamza Baba in the village of the same name in Kemalpaşa, İzmir, is a central destination especially for Alevis of nearby cities. This area was a part of the Saruhan Province of Ottoman times. The location is geographically hard to reach,

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<sup>524</sup> Hüseyin Taştekin, personal interview, June 8, 2018.

<sup>525</sup> Hüseyin Taştekin, personal interview, June 8, 2018.

since it is located in a deep valley, and the tomb is not even near the village.<sup>526</sup> According to a rumor, a German, who was also the owner of the land, fell in love with this place and ordered that he be buried here after he passed away; however, this could not be realized, as he lost his life in Germany.<sup>527</sup> This person was the painter of the pictures found on the walls of some houses in the village.

It is believed that Hamza Baba was one of the 360 followers of Hacı Bektaş in Suluca-Karahöyük between 1240 and 1273 before he settled in Kemalpaşa, where his lodge became an educational institution for both Muslims and Christians as a result of the affection he won from them.<sup>528</sup> Another belief regarding him is that the tomb and shrine here were constructed on the orders of Murat II due to his respect for Hamza Baba.<sup>529</sup> However, the chronological discrepancy between these two beliefs is too large to be ignored. According to Ottoman foundation registrations in 1521-1522 and 1566-1567, an Islamic tith of 150 akçe or lucre in value was bestowed on Hamza Baba and his zawiya by Beyazıt II, proving that Hamza Baba and the establishment of his zawiya cannot be coeval with Murat II.<sup>530</sup>

In the Tanzimat reform era, income registrations regarding assets, patrimony, and the wealth of people (temettuat) were conducted. Thanks to a registration in 1845

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<sup>526</sup> Ayhan Aydın, Skype interview, August 7, 2018.

<sup>527</sup> Ayhan Aydın, Skype interview, August 7, 2018.

<sup>528</sup> İsmail Onarlı, "Saruhanogulları Beyliği'nin Ulu Evliyası: Hamza Baba," *Türk Kültürü ve Hacı Bektaş Veli Araştırma Dergisi* 21 (2002): 163-196.

<sup>529</sup> Nejdett Bilgi, "Hamza Baba Köyü'nün XIX. Yüzyılın Ortalarındaki Sosyal ve Ekonomik Yapısı (2444 Numaralı Temettuat Defteri'ne Göre)," *Türk Kültürü ve Hacı Bektaş Veli Araştırma Dergisi* 69 (2014): 43.

<sup>530</sup> Bilgi, "Hamza Baba," 43-44.

indicating the ownership of Ahmed Efendi, it can be assumed that the shrine was still operating then without any effect of the abolition of the Janissary corps in 1826.<sup>531</sup> Today, an octagonal tomb made of cut stone is the only part that still exists. There is also a rock against which people with back pain lean, since it is believed that Hamza Baba leaned here in the past. Manuscripts that belonged to Hamza Baba are in a library in London since they were given to the governor of the time in İzmir, Kazım Dirik, who had come to the tomb due to the Law on the Closure of Tombs, Shrines, and Zawiya's in the Republican era, as an attempt to convince him to spare the tomb and prevent the enforcement of law. They were then given to the British Consul by his son as a gift afterwards.<sup>532</sup>

After a restoration that was held in 1998 with the contributions of Polat Holding, as indicated on a panel on the wall of the tomb, Engin Polat being the Chairman of the Şahkulu Board in those times,<sup>533</sup> another one was initiated by governmental offices. The aims of that restoration, which was held by the İzmir Council of Monuments in 2012, were to restore enclosure walls and to determine the owners of unnamed graves.<sup>534</sup> A wide area for activities, sitting areas, and increased security precautions

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<sup>531</sup> Bilgi, "Hamza Baba," 44.

<sup>532</sup> Onarlı, "Saruhanoğulları Beyliği'nin Ulu Evliyası," 163-196.

<sup>533</sup> Ayhan Aydın, Skype interview, August 7, 2018.

<sup>534</sup> "Hamza Baba Türbesinin Restorasyon Projesi Tamamlandı," *Haberler.com*, July 2, 2012, <https://www.haberler.com/hamzababa-turbesinin-restorasyon-projesi-3752509-haberi/>.

were other demands of locals.<sup>535</sup> Aydın states that problems regarding the organization of the environment and the construction of roads still exist.<sup>536</sup>

## **4.2.11. Nevşehir**

### **4.2.11.1. Hacı Bektaş Veli Complex**

The Hacı Bektaş Complex is the largest and most central Alevi site within the borders of the Turkish Republic. As is known, Bektashism is an order focused on following the path of Hacı Bektaş.

Hacı Bektaş was one of the dervishes who came to Anatolia in the 13th century as a result of the Mongol invasions. It is believed that Hacı Bektaş was a descendant of Imam Musa Kazım. Allegedly, he appeared in Suluca-Karahöyük, where Bektashism was established, after he succeeded in surviving the suppression of the Babai Revolt. According to popular belief, he is called Hacı because he visited Mecca in a trance. Although Hacı Bektaş lived in the 13th century, Bektashism started after his death with regulations issued by Balım Sultan in the 16th century, which can be considered as the beginning of the shape that the order has today. Due to the Kalender Çelebi rebellion, the Hacı Bektaş Complex was closed in 1526 and reopened in the 1550s.<sup>537</sup> Hacı Bektaş was not the founder of the order; rather, he was the inspiration for Bektashism in Thrace, the Balkans, and Albania. The construction of the lodge occurred in the 15th and 16th centuries. Today, this complex, located between Kırşehir and Nevşehir, is the largest such lodge within the borders of the Turkish

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<sup>535</sup> “Hamza Baba Türbesinin Restorasyon Projesi Tamamlandı.”

<sup>536</sup> Ayhan Aydın, Skype interview, August 7, 2018.

<sup>537</sup> Yürekli, *Architecture and Hagiography*, 79.

Republic. The historical size of the lodge can also be understood from Ottoman records. According to a 1584 registration, there were 81 servants in the lodge.<sup>538</sup>

The village is located 15 km from Hirka Mountain. It is believed that Hacı Bektaş visited this mountain with abdals from time to time to hold a sema around a fire set with the branches of juniper trees.<sup>539</sup> The name of the mountain comes from a legend that Hacı Bektaş threw his ceremonial jacket, or *hırka*, into the fire so that the ashes would hide the holiness of the place.<sup>540</sup>

As is indicated, this complex is the largest Alevi site, both physically and spiritually. The place consists of three different yards. Before the entrance to the first yard, there is a Culture Center established during Ecevit's tenure. The first yard only includes some grass and trees, of no special interest. The minaret of the mosque is visible here. The shrine's mosque was constructed in 1834 on the orders of Mahmud II and the Bektashi lodge was closed. It cannot be claimed that this is a popular destination for Sunnis who want to pray in a mosque. This is one of the issues leading Alevis to argue that "double standards" are at play in the country. In the primary cultural and historical site for Alevis, Sunnis can pray in the mosque five times a day; however, Alevis cannot worship here since the site has the status of museum. To organize an event in their *serçeşme*, Alevis must obtain permission from the Ministry of Culture. In fact, until 2 years ago, there was an entrance fee for this site. That fee was repealed thanks to the collective reaction of Alevi organizations, not due to the goodwill or independent inspiration of the state.<sup>541</sup> Alevis find it ironic that a person coming to the mosque here is allowed to enter the place at any time, but Alevis can

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<sup>538</sup> Yürekli, *Architecture and Hagiography*, 137.

<sup>539</sup> Mélikoff, *Kırklar'ın Cemi'nde*, 116.

<sup>540</sup> Mélikoff, *Kırklar'ın Cemi'nde*, 116.

<sup>541</sup> Tuncer Baş, personal interview, May 8, 2018.

only visit the site of the pioneer of their belief system within the business hours of 9 AM to 5 PM. There have been a few cems held in the complex since it was reopened in 1964 as an ethnography museum. Entry fees are now only applied for tour companies. The income of the place is delivered to the Ministry of Culture.

There is a fountain with a lion figure on the right side after passing through the entrance of the second yard (see Figure 25). This yard is the one with the entrances of the kitchen, with gigantic cauldrons, a bakery, and a mosque on one side and the ritual hall, guesthouse, cellar, and offices on the other.

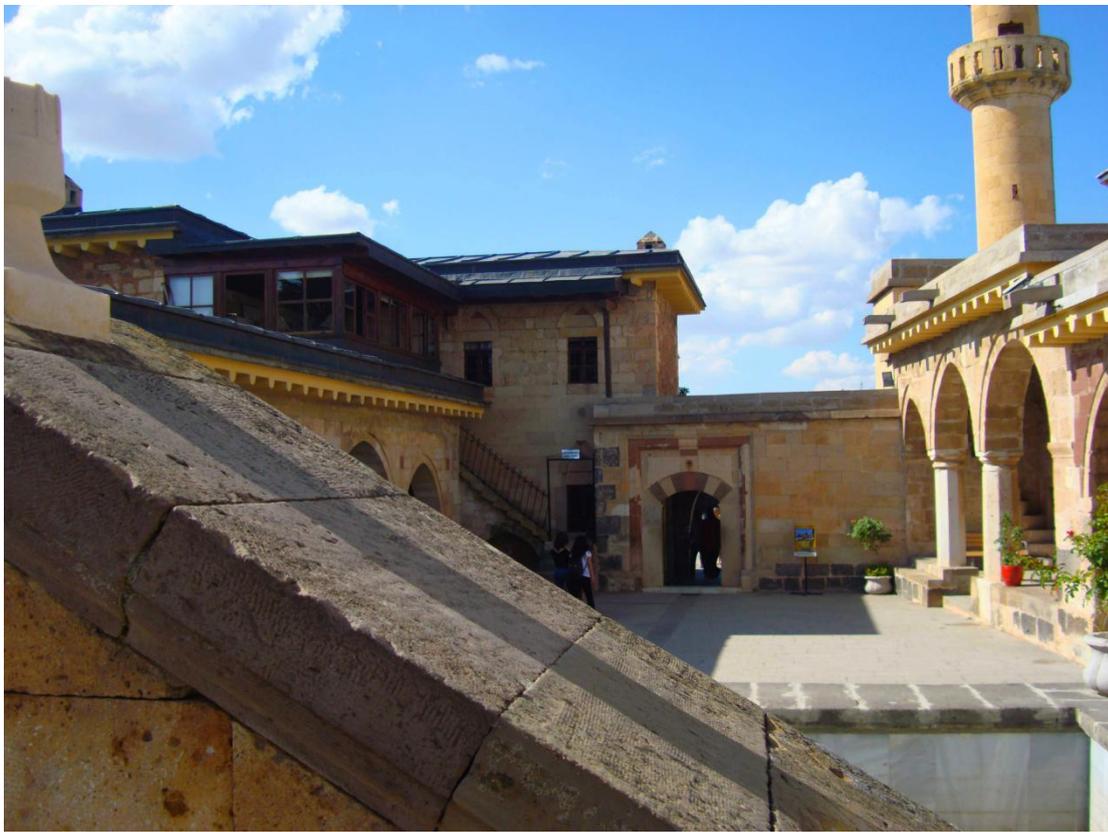


Figure 25. The second yard of the Hacı Bektaş Complex.

Passing from the second yard to the third yard, there is an embossed Atatürk sculpture on the right side to symbolize Atatürk's visit in the past (see Figure 26).

This was initiated by the Ministry of Culture in 2009 and the sculptor of the piece was Filinta Önal.



Figure 26. Sculpture of Mustafa Kemal Atatürk.

In the third yard, there were apple trees in the past, but these trees are stumps today. On the area belonging to them in the past, there are historical gravestones, which have been moved from the left of the yard to the right side (see Figure 27). Mithat Bektaş states that these stones were not damaged during this transfer.<sup>542</sup>

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<sup>542</sup> Mithat Bektaş (volunteer at Hünkar Hacı Bektaş Veli Foundation, former painting teacher and art historian), personal interview, July 15, 2018.



Figure 27. Historical gravestones moved from the left of the yard to the right side.

The third yard includes the tombs of important people from the lodge's history, from Güvenç Abdal to Balım Sultan. At the opposite side of the entrance of the third yard, there is structure including the tomb of Çelebis, believed to be the descendants of Hacı Bektaş from Kadıncık Ana, and Güvenç Abdal and Hacı Bektaş. Çelebi descendants were the only ones entombed here after Law No. 677. The entrance of this place includes stairs going down. Because of an earthquake in 1955, this place was submerged, and water was removed with the help of local residents.

After the stairs, as soon as you enter the structure, the right side symbolizes a çilehane. The wax sculpture exhibited here does not reflect the real Bektashi code of dressing since the beard of the figure is cut and the shirt is black (see Figure 28). In reality, Bektashi dervishes do not cut their beards and their clothing is mostly in

white or creamy colors. This sculpture is also under the responsibility of the Ministry of Culture.



Figure 28. Wrong representation of the dervishes.

Going straight, the next destination is the Kırklar Meydanı, the Hall of the Forty, represented with circular motifs on the carpet. The Hall of the Forty has the aura of a mescit since it is a result of a campaign by Süleyman against the Safavids in the mid-1500s.<sup>543</sup> On the right side, the graves of Çelebi ancestors are exhibited. In front of them, a candelabra with 40 branches exists. This is not exhibited behind glass. Cleaning is done every Monday, so it cannot be said that insufficient attention is given in terms of cleaning. The other pieces exhibited here are a Janissary pennant on

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<sup>543</sup> Yürekli, *Architecture and Hagiography*, 113.

which the words of the Janissary oath are written, Ali's manuscript written on gazelle skin with a burnt corner, and necklaces of dedes and babas, reflecting their statuses. Most of the manuscripts were brought to the National Library after 1925, but when the place was reopened in 1950, some were brought back here for exhibition. On the right side, there is a low door, whose portal is in crown gate style. In Hacı Bektaş's tomb, the walls are partly flaked due to the humidity. It can be said that efforts are made to create a mystical feeling with the lighting.

To the left side is the tomb of Güvenç Abdal and his spouse; he was one of the best known followers of Hacı Bektaş. In the legends, Güvenç Abdal was a sailor whose life was saved by Hacı Bektaş during a hurricane. Afterwards, Hacı Bektaş gave him the duty of receiving the gold dedicated to Hacı Bektaş in Egypt. However, on duty, Güvenç Abdal forgets his responsibility and spends the gold to see the face of a girl famous for her beauty. After they fall in love, Hacı Bektaş's hands with green spots wake him up to remind him of his responsibility. They return back to the lodge to live there together and their graves are next to each other today. In contrast to Hacı Bektaş's tomb, this room is less mystical since it receives more natural light through the window. There is also a stone next to Güvenç Abdal's grave, which belongs to a church that had existed here in the past.

The protection of this place is overseen by those assigned by the Ministry of Culture, such as archeologists, a museum manager, a watchman, and so on. However, due to the poor quality of the area's roads, it can be claimed that the municipality responsible for the region does not give proper attention to the place.

Most of the restorations are held by the Ministry of Culture, but according to Mithat Bektaş, they are not thoroughly successful or adequate. Therefore, the Hünkar Hacı Bektaş Foundation requests the transfer of the place to itself due to its historical value. Mithat Bektaş also relays the desire of the Federation of Alevi Unions in

Germany to take over responsibility of the place, since they are a federation.<sup>544</sup> According to Bektaş, several mistakes were made in the restoration conducted by the Ministry. He thinks that the stone used on the floor of the yards is not correct, since the roots of the trees make them move.<sup>545</sup> He also thinks that the lighting of the place at night is not organized well for a place with such historical importance. He states that the lights should reflect a mystical spirit in a way shining upwards in a yellow color instead of white fluorescent light.<sup>546</sup> Recently, lights were hung on the walls, as can be seen in the first yard (see Figure 29). Since this is a historical structure, they should not be nailed.<sup>547</sup> In the lodge, the floor is artificial and thus does not reflect the original one. The walls of Hacı Bektaş's tomb are also painted, as the renovators could not find a solution for humidity. Bektaş claims that the artistic details of the walls of the tomb today do not reflect the original version since the plaster was used incorrectly.<sup>548</sup> In summary, although the place is under the oversight of the Ministry of Culture, there are mistakes related to the restoration and management of such an important place.

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<sup>544</sup> Mithat Bektaş, personal interview, July 15, 2018.

<sup>545</sup> Mithat Bektaş, personal interview, July 15, 2018.

<sup>546</sup> Mithat Bektaş, personal interview, July 15, 2018.

<sup>547</sup> Mithat Bektaş, personal interview, July 15, 2018.

<sup>548</sup> Mithat Bektaş, personal interview, July 15, 2018.



Figure 29. Lamp nailed onto the wall of the first yard.

## 4.2.12. Sivas

### 4.2.12.1. Ali Baba Sultan Foundation

It is believed that Ali Baba was one of Khorasan saints who lived in the late 15th or early 16th century. It is presumed that the Shrine of Ali Baba in Sivas was established as a foundation in the first half of the 16th century on fields bestowed by Sultan Süleyman I.<sup>549</sup> In Ottoman documents, the presence of a Grand and a Little Shrine of Ali Baba does not refer to two different shrines but rather the descendance

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<sup>549</sup> Ali Sinan Bilgili, "Sivas Alibaba Zaviyesi Vakfı Belgeleri," *Türk Kültürü ve Hacı Bektaş Veli Araştırma Dergisi* 51 (2009): 2.

of Ali Baba.<sup>550</sup> The property has been transferred from descendant to descendant after Ali Baba, as is the case for all shrines. After Ali Baba, the shrine was in the hands of his sons, but then it kept passing among the descendants of Fatma and Ümmihani, who were Ali Baba's daughters.<sup>551</sup>

In the past this shrine was not only a place of worship but also an educational institution and a rest stop, which can be expected because of the location of Sivas on trade routes during Selçuk times and its importance for the Danishmends as a center before the Selçuks. In detail, in the past, the site of the shrine included a mosque, dervish lodges, two barns, a kitchen, and a guesthouse.<sup>552</sup> However, today the only parts still existing are the tomb, the mosque, and Susamışlar Mansion. Susamışlar Mansion is a 200-year-old structure full of classical Sivas carpets and handwritten manuscripts. The name, which means "thirsty people," comes from the legend that those working on the structure's construction became very thirsty, and Ali Baba created the water source running in the garden of the shrine today.

Although Susamışlar Mansion represents a part of the Shrine of Ali Baba, the building was sold to the Sivas Municipality by the General Directorate of Foundations as indicated by the Chairman of the Association for the Protection and Heritage of the Tomb of Ali Baba Sultan, Dede Tahir Aslandaş.<sup>553</sup> Furthermore, it can be seen in Document Number 38 of the Turkish Parliamentary Speaker's Office, dated March 5, 1998, that the house was sold to Mehmet Susamış in 1937 and today

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<sup>550</sup> Bilgili, "Sivas Alibaba Zaviyesi Vakfı Belgeleri," 8.

<sup>551</sup> Bilgili, "Sivas Alibaba Zaviyesi Vakfı Belgeleri," 2.

<sup>552</sup> Bilgili, "Sivas Alibaba Zaviyesi Vakfı Belgeleri," 31.

<sup>553</sup> Gökhan Kara, "Sit Alanı Olsun," *Hadiselerle Hakikat*, May 31, 2017, <http://www.sivashakikat.com/haber/-tekke-adi-verilsin-sit-alani-olsun-2362.html>.

the house is not convenient for use as a museum.<sup>554</sup> Tahir Aslandaş has initiated a legal case, but according to Ali Yaman, it is almost impossible for him to win the case since the state successfully privatized the former foundation properties.<sup>555</sup>

Today, the tombs exist in an area that also includes a mosque, but the graves are neglected by the General Directorate of Cultural and Natural Heritage. By the same token, Alevis request the change of the name of the Ali Baba Mosque to the Shrine of Ali Baba.<sup>556</sup>

In 2016, the Alevi Association for the Protection and Heritage of the Tomb of Ali Baba Sultan, whose center is in Pendik, advocated that the lands owned by the foundation are its properties; therefore, they cannot be sold or owned by anyone else, including the General Directorate of Foundations or any other institution of the state.<sup>557</sup> The legal framework for this opposition comes from the definition of the foundation, which means the utilization of private properties by everyone as pro-bono work with the consent of the owner. As the chairman of the association, Dede Tahir Aslandaş, states, the situation starting with Law No. 677 resulted in the preparation of invalid documents in illegal ways, while the real owners of these properties can only be the legal inheritors of them.<sup>558</sup> Related to this, it should be noted that the shrine had salt marshes, the income from which was also given to the

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<sup>554</sup> Bilgili, “Sivas Alibaba Zaviyesi Vakfı Belgeleri,” 21.

<sup>555</sup> Ali Yaman, Skype interview, August 8, 2018.

<sup>556</sup> Kara, “Sit Alanı Olsun.”

<sup>557</sup> “Ali Baba Sultan Vakfı Malları Yapılaşma ile Yok Ediliyor,” *Yerel Gazete*, June 23, 2016, <http://www.yerelgazete.com.tr/ali-baba-sultan-vakfi-mallari-yapilasma-ile-yok-ediliyor/>.

<sup>558</sup> “Ali Baba Sultan Vakfı Malları Yapılaşma ile Yok Ediliyor.”

shrine as indicated in Ottoman documents.<sup>559</sup> In 1835-1836, the properties were indicated in the Evkaf registration, which means that they were not private property any longer.<sup>560</sup> However, there are also deeds of real estate indicating the ownership of some fields by the foundation in 1909.<sup>561</sup> In brief, historical areas that should be protected here are in use as urban areas. There are documents such as deeds of real estate, shrine-keeping, and income of the shrine ranging from the 17th to the 20th century, which have been protected by the descendants of Ali Baba. All traces of Alevism have been removed from this place. The mosque is active.

## **4.2.13. Tokat**

### **4.2.13.1. Hubyar Sultan Dede Shrine**

The 500-year-old shrine of Hubyar Sultan, located in the village of Hubyar in Tokat Province, is a popular destination in terms of faith tourism with commemoration ceremonies held every year. The shrine also constitutes the center of one of the largest Alevi lineages although it was not established so long ago compared to others.

It is believed that Hubyar Sultan lived in the 16th century in this territory, where he settled after the Jelali Revolts. The place was donated to Hubyar Sultan officially in 1562 so that it could operate as a foundation.

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<sup>559</sup> Bilgili, "Sivas Alibaba Zaviyesi Vakfi Belgeleri," 12.

<sup>560</sup> Bilgili, "Sivas Alibaba Zaviyesi Vakfi Belgeleri," 1-34.

<sup>561</sup> Bilgili, "Sivas Alibaba Zaviyesi Vakfi Belgeleri," 1-34.

Today, this site consists of a tomb, a shrine, and a cemevi. Similarly to many other Alevi tombs, the tomb here is made of cut stone with an octagonal plan. It can be seen that the structure has undergone restorations many times, which did not remain faithful to the original version, while the mosaics covering most of the walls have sustained its authenticity.

As is commonly known, with the law declared in 1925 regarding the closure of tombs, shrines, and zawiyahs, the properties of these historical foundations were transferred to the General Directorate of Foundations and the state budget; however, those places that were hard to reach, located between mountains and hills or at high altitudes, which has historically been the case for most Alevi villages, were largely abandoned to their fates. As a result, these places remained in the hands of the last tomb-keeping families like private property, and the Temel family was the last such tomb-keeping family for this site. This point marks the beginning of problems between Ali Kenanoğlu, a deputy of the People's Democratic Party (Turkish: HDP) and the founder of the Hubyar Culture Foundation, and the Temel family, who are both Hubyar Sultan's descendants. Kenanoğlu claims that similar problems can be observed for the Yalıncağ Baba Tomb located in Sivas,<sup>562</sup> but this is not reflected in the news. In addition, with the amendment issued for Law No. 677 related to reopening those places associated with historic Turkish figures, the seal on the door of the Hubyar Shrine was opened and the site was renewed by its own people.

Regarding authority over the shrine, the situation was evaluated in court for almost 12 years. This case was reflected in the press quite sensationally with opposing arguments. The local newspaper, whose owner is former MHP district head Mehmet Aktürk, reflects the news as the drama of the İstanbul Deputy of the HDP, Ali Kenanoğlu, who is also the founder of the Hubyar Culture Foundation. According to

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<sup>562</sup> Ali Kenanoğlu, (deputy of the People's Democratic Party/HDP and founder of the Hubyar Culture Foundation), personal interview, June 6, 2018.

Ali Kenanoğlu, the newspaper's reflection of the case, like its treatment of the Hubyar Culture Foundation, is provocation for the case initiated by Mustafa Temel. According to the local newspaper, the situation started with the complaints of private citizens applying to the Presidency, the Office of the Commander in Chief, the Prime Ministry, the Ministry of Internal Affairs, some deputies, the Tokat Governorship, the Tokat Municipality, and the District Governorship of Almus, the district where the shrine is located, to complain about the occupation of the place by a person who called himself "Sheikh" and took an unearned income, which is against Law No. 677.<sup>563</sup> However, although Mustafa Temel litigated to end the acquisitions and the sentence of the court was officially to the detriment of Temel, practically, he continues to be the legal owner of the shrine as private property thanks to a certificate of ownership.<sup>564</sup> From the perspective of the other side, the local newspaper argues that Mustafa Temel is innocent. The paper advocates that Mustafa Temel tried to establish personal ownership of the shrine; upon failing to do that, he established the Hubyar Education Foundation with his sons.<sup>565</sup> Following the application of the Hubyar muhtar in 2005, the shrine was pronounced a monument by the governorship in 2006.<sup>566</sup> However, Temel claims that the shrine was given by Sultan Abdulaziz to his ancestor Sheikh Hıdır in 1872, while the muhtar states that

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<sup>563</sup> "Hubyar'da Ne Yapılmak İsteniyor?," *Güneş Medya*, March 16, 2017, <http://tokatgunesmedya.com/hubyarda-ne-yapilmak-isteniyo/>.

<sup>564</sup> "Hubyar'da Ne Yapılmak İsteniyor?"

<sup>565</sup> "Hubyar Vakfı'ndan Tokat Güneş Medya gazetesine sert tepki," *Alevinet*, March 19, 2017, <https://www.alevinet.com/2017/03/19/hubyar-vakfindan-tokat-gunes-medya-gazetesine-sert-tepki/>.

<sup>566</sup> "Yılan hikayesi'ne dönen süreçte 'şimdilik' son: Hubyar Sultan Tekkesi'nin mülkiyeti devlete geçti," *Diken.com.tr*, May 8, 2017, <http://www.diken.com.tr/yilan-hikayesine-donen-surecte-simdilik-son-hubyar-sultan-tekkesinin-mulkiyeti-devlete-gecti/>.

the shrine was closed during the reign of Mahmud II.<sup>567</sup> At the end of the 12-year-long case, the court concluded that the shrine is under the village's authority, which represents a legal entity, but the General Directorate of Foundations sent a document indicating that the document of title should be registered on behalf of the Hubyar Education Foundation, which means the Temel family.<sup>568</sup> Tuncer Baş comments that the involvement of the state in this issue is unpleasant, since it is an Alevi issue.<sup>569</sup>

As justification for his position, Ali Kenanoğlu draws attention to the role of such historical places, which are donated to the leader of the tomb or shrine for the use of income in accordance with the purpose of the place, and the role of the tomb-keeper as transmitted from father to child. He also clarifies his desire regarding the place: to take the site back from the members of the Temel family, who are dividing the fields among themselves, with deprivatization of the place as a foundation as it comes with historical importance, together with the withdrawal of fields and sacred relics from the hands of the Temels.<sup>570</sup> He adds that the board of the foundation should consist of residents of the village and all descendent families of Hubyar Dede, including the Temel family, who were invited to join but did not accept.<sup>571</sup> Due to the negative attitude of the Temel family towards this situation, with a meeting held in Ankara with the attendance of well-known leading Alevi individuals, the legal dimensions of

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<sup>567</sup> “Yılan hikayesi’ne dönen süreçte ‘şimdilik’ son: Hubyar Sultan Tekkesi’nin mülkiyeti devlete geçti.”

<sup>568</sup> “Yılan hikayesi’ne dönen süreçte ‘şimdilik’ son: Hubyar Sultan Tekkesi’nin mülkiyeti devlete geçti.”

<sup>569</sup> Tuncer Baş, personal interview, May 8, 2018.

<sup>570</sup> Ali Kenanoğlu, personal interview, June 6, 2018.

<sup>571</sup> Ali Kenanoğlu, personal interview, June 6, 2018.

the case expanded. Kenanoğlu states that since there are no cadastral records, the place is legally bound to the muhtar of the village; therefore, they applied to the Tokat Governorship for the binding of the place to the foundation.<sup>572</sup> While these actions were occurring on the Kenanoğlu side, the Temels filed a suit for creation of a title deed for the area, except for the tomb and the garden. Due to the reaction they received among Alevis, they established the Hubyar Education Foundation, but it should be kept in mind that only the tomb and its garden can belong to the foundation established by themselves. After Kenanoğlu applied to the General Directorate of Cultural and Natural Heritage in Sivas and the Directorate decided that this place is a cultural heritage site to be protected, the 7 or 8 legal cases lasting for 12 years resulted in the delivery of the place to the muhtar as supported by Kenanoğlu's side or the Hubyar Culture Foundation in 2016. Kenanoğlu thinks the owner of the place in today's legal circumstances must be the muhtar of the village, as cemeteries, mosques, foundations, and historical sites are registered to muhtars.<sup>573</sup>

After this decision, the Temel family reached out to İbrahim Kalın, the presidential spokesperson, via İbrahim Sağ, a well-known singer of folk songs, so that he could seize the shrine and deliver it to the family illegally.<sup>574</sup> After this corrupt effort, the muhtar applied to the court again and won the case easily.

In addition to these points, Kenanoğlu indicates that for the first time in Turkish history, they developed a regulation regarding how a shrine should be run under a foundation in the event that it can be rented from the muhtar; however, it should be

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<sup>572</sup> Ali Kenanoğlu, personal interview, June 6, 2018.

<sup>573</sup> Official Gazette No. 68 (duplicated), "Köy Kanunu," March 18, 1924, <http://www.mevzuat.gov.tr/MevzuatMetin/1.3.442.pdf>.

<sup>574</sup> Ali Kenanoğlu, personal interview, June 6, 2018.

kept in mind that the muhtar cannot be the real owner of the place, only the members of that lineage<sup>575</sup> and the community. In other words, Kenanoğlu sees this as being a solution within the current system; otherwise, he believes that in a truly secular system, the government would provide financial support to neither members of Sunni Islam nor to Alevis. He believes that such places should ideally be run as foundations, with their roles already coming from history and with the donations of the members of the lineage or the community since belief is a matter of personal conscience. He also states that they have already planned restoration projects for the realization of worship in this shrine in a mystical environment.<sup>576</sup>

#### **4.2.13.2. Keçeci Baba Tomb**

The Tomb of Keçeci Baba in the village of Keçeci in Tokat's Erbaa district takes its name from Keçeci Baba, who is believed to have come from Khorasan in the 13th century. He was the uncle of Hacı Bektaş. Keçeci Baba is also called Ahi Mahmud Veli, Gül Ahi Baba, and Sheikh Mahmud Veli. Keçeci Baba is a saint from the Ahi order.

On the last Sunday of August every year, the tomb hosts the Keçeci Baba Culture Festival with the visits of many Alevis. In the village, the residents do not construct any structure higher than the tomb in order to show their respect.

In 2014, the structure experienced a scandal. It was converted to a mosque with the assignment of an imam in spite of the demands of Alevis in the village for support

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<sup>575</sup> Ali Kenanoğlu, personal interview, June 6, 2018.

<sup>576</sup> Ali Kenanoğlu, personal interview, June 6, 2018.

for the restoration of the tomb and establishment of a cemevi.<sup>577</sup> Although the villagers had requested the restoration of the place as a madrasa and tomb from the General Directorate of Foundations in 2000, the request was rejected with the explanation that the site was registered in the system as a mosque.<sup>578</sup> Furthermore, the residents of the village indicate that they gathered money to restore the place themselves before this assignment of the imam.<sup>579</sup> Aydın claims that the villagers fell into a trap by giving their signatures to indicate their request for service to the village, in this case ending up with a mosque.<sup>580</sup>

## **4.2.14. Tunceli**

### **4.2.14.1. Ađuiçen Tomb**

Ađuiçen Tomb, which is also the center for one of the largest lineages of Kurdish Alevis, is located in Karabakır village in Hozat, Tunceli. It is believed that Ađuiçen was the descendant of Imam Zeynel Abidin. The birth and death dates of Ađuiçen, whose real name was Seyyid Temiz, are unknown. Allegedly, he drank ađu, meaning poison, but released it back into the cup through his finger. In this way, he was named Ađuiçen, or “drinker of poison.” They actually lived in Sün village in Elazığ, and his grave is there. However, his son, Seyyid Mençek, moved to Hozat. Today,

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<sup>577</sup> Neslihan Görücü, “Alevi köyündeki türbe camiye dönüştürüldü,” *Evrensel*, July 20, 2014, <https://www.evrensel.net/haber/88605/alevi-koyundeki-turbe-camiye-donusturuldu>.

<sup>578</sup> Görücü, “Alevi köyündeki türbe camiye dönüştürüldü.”

<sup>579</sup> Görücü, “Alevi köyündeki türbe camiye dönüştürüldü.”

<sup>580</sup> Ayhan Aydın, Skype interview, August 7, 2018.

the tomb of his son is accepted as the center of the Ađuiçen lineage.<sup>581</sup> The Quraysh lineage also constitutes one of the rooted lineages of Alevism, especially in Southeastern and Eastern Anatolia, but since it has several tombs in different places, it will not be evaluated in this study. However, related to Tunceli, the Ađuiçen Tomb, which is not the tomb of Seyyid Temiz, is worth evaluating since Ađuiçen is also an Alevi lineage, which is related especially to Tunceli and Elazığ.

Architecturally, the walls of the place are not covered with whitewash but reflect stone wall features. When the place is compared to the Hıdır Abdal Lodge in Erzincan, which remains active today with the contributions of the members of the lineage and the village, the situation of Ađuiçen is estimated to be five times better due to the size of its lineage.<sup>582</sup> A restoration of the place was held in 2014 with a tender initiated with a project prepared by the Provincial Directorate of Environment and Urbanization in Tunceli and approved by the Directorate of Cultural Heritage in Erzurum.<sup>583</sup> The general demands regarding the place before 2015 were environmental regulation, construction of roads to ease access to the region, adequate areas for sacrifices, toilets, and vehicle parking areas. The geographical conditions of the territory always prevented the Ottomans from exerting dominance here.<sup>584</sup> The significance of the place as a destination for Alevi can be understood from the trip organized by the Seyyid Cemal Sultan Foundation in 2017. In 2015, as indicated by former Tunceli Governor Osman Kaymak, with the support of the Provincial Special

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<sup>581</sup> Veli Saltık, "Tunceli'de Alevi Ocakları," *Türk Kültürü ve Hacı Bektaş Veli Araştırma Dergisi* 52 (2009): 146.

<sup>582</sup> Ali Yaman, Skype interview, August 8, 2018.

<sup>583</sup> "Ađuiçen Türbesi onarımı," 2014, *Özgür Dersim*, August 5, 2014, <http://www.ozgurdersim.com/haber/aguicen-turbesi-onarimi-8222.htm>.

<sup>584</sup> Yılmazçelik, *Osmanlı Devleti Döneminde Dersim Sancağı*, 12.

Administration, a project valued at 13 million lira was initiated and roads were constructed to ease the arrival to this place of faith tourism.<sup>585</sup>

#### **4.2.15. Current State of Alevi Artifacts in the Balkans**

The presence of Bektashi shrines in the Balkans was already explained in this study. In brief, nomadic tribes played a role in the conquest of the Balkans in early Ottoman times. Afterwards, they were settled in the region and were allowed to establish lodges and shrines. Although the main focus of this study is the situation of Alevi/Bektashi shrines and tombs in Turkey, it is worth noting the situation of those in the Balkans to understand the policies held regarding these historical sites located in Romania, Albania, Bulgaria, Greece, Kosovo, Macedonia, and Bosnia and Herzegovina. It can be claimed that Bektashism is still alive in the Balkans, while it vanished within Alevism in Anatolia. Similarly to those in Turkey, there are also festivals and commemorations organized at these sites in the Balkans. The best known historical Bektashi sites in the Balkans are Harabati Baba in Macedonia, Akyazılı Baba in Varna in Bulgaria, Otman Baba in Haskovo in Bulgaria, and many others. In the Republican era, it cannot be said that these places in the Balkans or their culture were well protected.<sup>586</sup> Today, similarly to the situation in Turkey, the shrines and lodges in the Balkans have experienced organization based on institutionalization through associations and foundations, while they were organized based on the classical lodge system in the past.<sup>587</sup>

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<sup>585</sup> "Tunceli'de İnanç Merkezlerinin Sorunları Çözülüyor," *Haberler.com*, December 10, 2015, <https://www.haberler.com/inanc-merkezlerinin-sorunlari-cozuluyor-7956494-haberi/>.

<sup>586</sup> Ayhan Aydın, "Balkanlar'da Yaşayan Alevilik Bektaşilik: Bulgaristan," *Alevinet*, March 25, 2017, <https://www.alevinet.com/2017/03/25/balkanlarda-yasayan-alevilik-bektasilik-bulgaristan/>.

<sup>587</sup> Ayhan Aydın, Skype interview, August 7, 2018.

It is believed that while TİKA should take the responsibility for the restoration of historical places, it has become an institution spreading Islam on the orders of the current Turkish government. The assimilation projects of the state were accelerated thanks to academicians with close ties to governmental power.<sup>588</sup> Ayhan Aydın claims that these projects in keeping with AKP policies today are held systematically in the Balkans through TİKA, the Yunus Emre Institution, and other Turkish institutions in the region such as the Macedonian Islam Union in cooperation with the Directorate of Religious Affairs.<sup>589</sup> To illustrate, it is believed that six organizations administered by TİKA at the Sarı Saltuk Tomb in Romania created a structure here to connect the combatants (alperenler) of the Ottoman era to the Islamic structure.<sup>590</sup> Although the Seyyid Ali Sultan site located in Greece is one of the rare places where the Turkish state did not succeed in intervening, Turkish representatives criticize the dedes here, stating that lighting candles is a Christian tradition.<sup>591</sup> Another policy regarding the Balkans is the division of villagers between Bektashi and Sunni culture. Yaman states that while Bektashis tried to bring Sebahat Akkiraz as the singer for their events, the state ridiculously tried to organize a concert with Yavuz Bingöl, who has no connection to Alevi folk songs.<sup>592</sup> In the Yabonovo village in Bulgaria, whose residents are Bektashis, a mosque has been

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<sup>588</sup> Ayhan Aydın, Skype interview, August 7, 2018.

<sup>589</sup> Ayhan Aydın, Skype interview, August 7, 2018.

<sup>590</sup> Ayhan Aydın, Skype interview, August 7, 2018.

<sup>591</sup> Ayhan Aydın, Skype interview, August 7, 2018.

<sup>592</sup> Ali Yaman, Skype interview, August 8, 2018.

constructed with Iran's support.<sup>593</sup> However, in spite of all the policies being applied in this territory, Bulgarian Bektashis still keep their beliefs and culture alive.<sup>594</sup>

### **4.3. What Do Alevis Demand?**

The most important and best known Alevi cultural sites, their problems, and related demands and suggestions have been evaluated above. It can be said that the problems facing these sites are generally common for most of the places. While some representatives of these sites distinguish them from each other in terms of the role of the state for resolutions, there are also common perspectives regarding the issues at hand. Below, the demands of Alevis related to these cultural sites and the core solutions in their opinions will be summarized.

#### **4.3.1. Recognition of Alevism as a Belief System with Its Forms of Worship**

Alevi demands regarding recognition are among the mutual requirements regardless of whether they expect financial support from the state or pure secularism. According to them, this recognition of Alevism as a belief system with its dedes as their leading religious men and cemevis and lodges as places of worship should be based on equality without downplaying the belief system or stereotyping it in a state whose nation-building was based on Sunni Islam. Unfortunately, the Republican system adapted the Ottoman millet system based on the inseparability of ethnicity and religion.<sup>595</sup> In this new system, "Turkish" meant "Muslim" without consideration of

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<sup>593</sup> Ayhan Aydın, Skype interview, August 7, 2018.

<sup>594</sup> Aydın, "Balkanlar'da Yaşayan Alevilik Bektaşilik: Bulgaristan."

<sup>595</sup> Polat, *Regime Change in Contemporary Turkey*, 54.

heterodox groups.<sup>596</sup> Throughout the Ottoman era, Bektashis and Kizilbashs were described as groups without religion just as often as they were called rafizi, meaning someone who does not comply with the five pillars of Sunni Islam. Therefore, even recognition is problematic and dubious from the perspective of Alevis, since they do not know whether they will be recognized within or outside of the context of Islam. In this vein, the demand of Alevis is recognition as a belief system and a religious community rather than an immoral group. The fact that recognition of this heterodox group may end up with Alevis becoming a lower-ranking class is another fear. In other words, Alevi distrust of the state is not even a matter of discussion. When workshops and the “Alevi Opening” are considered, this is understandable. Two main results came from these events. The first one was the abolishment of an entrance fee to the Hacı Bektaş Complex, which has museum status, and the second was the renaming of Nevşehir University as Nevşehir Hacı Bektaş University. Ayhan Aydın as an Alevi describes these outcomes as tragicomic.<sup>597</sup>

Alevis do not want to be recognized as a marginalized group, which may result in further isolation. In society, the presence of prejudice against Alevis is already undeniable. There are already people believing that food prepared by Alevis is dirty or haram, religiously forbidden. Inter-marriage between Alevis and Sunnis is also still not common. Therefore, Alevis want to be heard by society through channels owned by the state. As is commonly known, Alevis request changes be made to the contents of the obligatory school course on education of religion and ethics, but this remains inconclusive. Another request of Alevis was TV programs to be aired by TRT, the Turkish Radio and Television Corporation, for the introduction of their belief system and its culture and lodges, but this ended with some music programs with illusionist effects. Additionally, the broadcasting of CEM TV was ended by TÜRKSAT Inc.,

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<sup>596</sup> Polat, *Regime Change in Contemporary Turkey*, 254.

<sup>597</sup> Ayhan Aydın, Skype interview, August 7, 2018.

which is the satellite operator of the country, with the acquisition of the channel by the authorities for political suppression and discrimination in the media sector, while TÜRKSAT claims that the channel did not renew the contract.

The absence of the recognition of the Alevi community and Alevism within the borders of the country makes this group feel like second-class citizens who do not share equal opportunities with Sunnis, who can practice their worship freely. According to Alevis, the state does not have the right to say where people should go for worship. However, a column written in *Yeni Şafak*, a newspaper known for its closeness to the government, summarized how far Alevis are from recognition. This column was written by Hayrettin Karaman, entitled “A religion cannot have two sanctuaries.”<sup>598</sup>

In 2013, Recep Tayyip Erdoğan stated that if Alevism is to love Ali, nobody can be more Alevi than him.<sup>599</sup> For Alevis, their belief cannot be understood by outsiders. As a deputy of the CHP in Malatya, Veli Ağbaba commented on the matter of a fast-breaking meal for Muharram fasting, which was organized by the National Assembly in 2012, stating that Alevism is not a topic as simple as fast-breaking prepared with meals without meat and onion.<sup>600</sup> Since the description of Alevism as a religion, order, culture, or belief is controversial, the sema ritual has also been described as a

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<sup>598</sup> Hayrettin Karaman, “Bir dinin iki mabedi olmaz,” *Yeni Şafak*, September 13, 2013, <https://www.yenisafak.com/yazarlar/hayrettinkaraman/bir-dinin-iki-mabedi-olmaz-39529>.

<sup>599</sup> “Erdoğan: Alevilik Hz. Ali’yi sevmekse ben dört dörtlük bir Alevi’yim,” *Milliyet*, July 17, 2013, <http://www.milliyet.com.tr/erdogan-alevilik-hz-ali-yi-siyaset-1738091/>.

<sup>600</sup> “Ağbaba İmam Zeynel Abidin Türbesi’ni ziyaret etti,” *Ağbaba*, November 25, 2012, <http://www.veliagbaba.com/index.php?s=hdk&tip=1&hid=918>.

folk dance. According to Murtaza Demir, this description of the sema, which is very insulting, is no different from describing the prayers of Sunni Islam as gymnastics.<sup>601</sup>

However, the state has made the determination of its official religion since Ottoman times for nation-building. State representatives do not even attend funerals of Alevi martyrs organized at cemevis.<sup>602</sup> Today, cemevis are opened under the names of foundations or associations, although Law No. 677 does not include the word “cemevi.” When the worship practices of Alevis and Bektashis are considered, most sites for worship have the status of a historical site or museum, or they are under the protection of some associations and foundations run by Alevis. Besides these historical sites, cemevis have appeared as a need in metropolitan cities as a result of migration from rural areas to cities. However, these cemevis are also run under the auspices of other Alevi organizations.

#### **4.3.2. ECrtHR Decisions and Financial Support by the State**

The issue of financial support is not a topic on which Alevis express a consensus. Ali Kenanoğlu states that although the closure of the Directorate of Religious Affairs is in the charter of the HDP, ironically some Alevis have objected to this article.<sup>603</sup> Several cases have been brought by the CEM Foundation to the ECrtHR regarding the status of cemevis and electricity bills, as has already been discussed.

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<sup>601</sup> Murtaza Demir, “Bugün Semah’a oyun diyen yarın namaza jimnastik der,” *Oda TV*, September 30, 2017, <https://odatv.com/bugun-semaha-oyun-diyen-yarin-namaza-jimnastik-der-3009171200.html>.

<sup>602</sup> “Şehit cenazelerine mezhep ayrımı,” *Sözcü*, August 27, 2015, [www.sozcu.com.tr/2015/gundem/sehit-cenazelerine-mezhep-ayrimi-920542/](http://www.sozcu.com.tr/2015/gundem/sehit-cenazelerine-mezhep-ayrimi-920542/).

<sup>603</sup> Ali Kenanoğlu, personal interview, June 6, 2018.

Those Alevis expecting financial support from the state, who may be called statist Alevis, are very proud of the case brought to the ECtHR by the CEM Foundation and İzzettin Doğan regarding, among other points, the status of cemevis and their electricity and water bills as proof of the fact that they always stand up for their rights in peaceful ways. However, the Turkish government has still not put the decision into force, although it has been 2 years since the decision was made in the Grand Chamber. It can be concluded that while associations supporting the establishment of an autonomous structure for Alevis would rejoice in the financial support of the state, secular Alevis advocate the necessity of the withdrawal of the state's hand from religion under any conditions. The reason for this may be the differences among financial situations of Alevi organizations, including associations and foundations. Other factors affecting support for the ECtHR cases is whether one is a traditionalist Alevi, seeing it as a religion, sect, or belief, and especially a belief under Islam, or an Alevi seeing it rather as one's cultural background or way of living. These latter Alevis believe that the establishment of an autonomous structure bound to the state is unnecessary in terms of the equality of Alevi and Sunni citizens. The most powerful justification for Alevis regarding this case is the taxes they pay, just as Sunni citizens do. They also indicate that they fought for the country during the Independence War, and they still perform the obligatory military service. Therefore, this is an inequality issue that should matter to everyone.<sup>604</sup> In this vein, Alevis want to be recognized with their forms of worship. However, nation-building is generally based on cultural homogeneity.

As is known, mosques have the status of state property. Therefore, unlike holy Alevi sites, there is no institute, foundation, or association paying rent for any particular mosque. As has been explained, for the historic structure of the Şahkulu Lodge, the Hilmi Dedebaba Foundation pays rent, and the rent payment issue appears for Karacaahmet Sultan as well. There is also a problem here regarding the construction

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<sup>604</sup> Zeynel Şahan, personal interview, June 5, 2018.

of needed cemevis in metropolitan cities. For the construction of a cemevi, a private entity should purchase the land on which the structure for Alevi worship will be constructed, or they have to pay rent for a preexisting structure that will be used as a cemevi. For Alevis, this is a shame in a country following double standards for different belief systems. To provide the recognition of cemevis as places of worship, since its establishment in 1995, the main aim of the CEM Foundation has been the peaceful resolution of the problem with cases brought to international judicial bodies. Hıdır Akbayır, the General Manager of the CEM Foundation, explains that their aim is to demand justice in the ways it should be done in a democratic country.<sup>605</sup>

Other payments made by Alevis related to sites of worship and pilgrimage are for the electricity and water bills. Şahan claims that the cemevi at Nurtepe also has a legal case pending regarding bills that they have not paid.<sup>606</sup> In other words, cases related to this issue are not limited to those launched on a global scale thanks to the CEM Foundation. The payment of personnel at these sites is another demand, which can be seen in the case of the Abdal Musa Tomb. However, it should be assumed that if there is a policy of assimilation in place, as claimed by Alevis in the current system, this assimilation would be easier with personnel being assigned to Alevi sites by the local government. Normally, a dede is given money called hakkullah by the members of a particular lineage. However, being bound to a state institution as paid personnel could result in their alienation from their own orders. As a result, the common belief among Alevis is that cemevis and mosques should remain separate from each other. In general, the main problem for these cultural sites, associations, and foundations is financial inadequacy. This has increased the chance of assimilation of this belief and its culture. In fact, according to Hüseyn Eriş, Fethullah Gülen was behind the

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<sup>605</sup> Hıdır Akbayır, personal interview, June 4, 2018.

<sup>606</sup> Zeynel Şahan, personal interview, June 5, 2018.

controversial mosque-cemevi project in Tuzluçayır, Ankara, in 2013,<sup>607</sup> which came to an end with Gülenist investigations. From a secularist perspective, the relationships among money, state, and religion may ruin the freedom of religion, which can be seen from the new image of mosques becoming a realm of propaganda for a particular party today.<sup>608</sup>

For the systematization of payments to Alevis, the presence of an autonomous institution is also crucial.<sup>609</sup> Most Alevis supportive of the establishment of such an autonomous institution believe that this would be the solution to their problems. However, opponents of this idea believe that making dedes civil servants of the state could be a path to easy assimilation.<sup>610</sup> From a strictly secularist perspective, these sites should be delivered to their true owners and the state should neither intervene nor request any financial compensation in the form of rent or utility bills. In fact, it can be claimed that most Alevis would find the construction of health and educational institutions to be more logical than any kind of buildings for worship. Hüseyin Taştekin states the case brought by İzzettin Doğan is not acceptable in a secular state based on separation of religious affairs and politics; however, such cases are also important in terms of the declaration of the problems Alevis face in Turkey to influence global public opinion and raise awareness.<sup>611</sup>

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<sup>607</sup> Hüseyin Eriş, personal interview, May 18, 2018.

<sup>608</sup> Murtaza Demir (journalist and Chairman of the Pir Sultan Abdal 2 Temmuz Culture and Education Foundation), personal interview, May 5, 2018.

<sup>609</sup> Zeynel Şahan, personal interview, June 5, 2018.

<sup>610</sup> Ayhan Aydın, Skype interview, August 7, 2018.

<sup>611</sup> Hüseyin Taştekin, personal interview, June 8, 2018.

According to secularists, the institutionalization of religion by the establishment of the Directorate of Religious Affairs was a total mistake, which has led to discrimination between different orders, beliefs, and religions. Since religion is a matter of conscience, they should have the right to act independently of politics as long as they do not constitute any danger in terms of social order. According to Kenanoğlu, there should be only one topic regarding religions, cults, beliefs, or orders under the responsibility of the state, which is the prevention of the humiliation of a particular one by another. In fact, this is against Article 10 of the Turkish Constitution, but discrimination can be seen even from the infrastructural differences between Alevi and Sunni villages. Of course, according to Shankland, Alevi villages may mostly be poorer than Sunni ones, but this is not valid for all villages.<sup>612</sup>

Ayhan Aydın is among the Alevis who face a dilemma here. He does not deny the importance of Alevi organizations in terms of the continuation of the sustenance of Alevism and the protection of artifacts; however, there are also Alevi organizations and individuals who put personal gain over belief, with selfishness and failures regarding the running of important projects.<sup>613</sup> To illustrate, Alevis always talk about the importance of youth, but most of the organizations do not have Alevi youth outreach or research institutes today although they have received budgets from different agents for years.<sup>614</sup> In fact, says Aydın, even most of the dedes are not what they used to be, becoming people who just do the job for a salary.<sup>615</sup> On the other

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<sup>612</sup> Shankland, *The Alevis in Turkey*, 183.

<sup>613</sup> Ayhan Aydın, Skype interview, August 7, 2018.

<sup>614</sup> Ayhan Aydın, Skype interview, August 7, 2018.

<sup>615</sup> Ayhan Aydın, Skype interview, August 7, 2018.

hand, he also believes that institutionalization under state power would end with a rapid assimilation and the loss of traditions of Alevism.<sup>616</sup>

Today, most historical Alevi cultural sites succeed in organizing commemoration events and festivals. However, even this poses a danger of assimilation since the state tries to intervene.<sup>617</sup> Apart from the state as an alleged assimilator of the culture and beliefs, the restorations conducted by Alevi institutions themselves cannot be taken to represent successful examples. This is the result of Law No. 677 regarding the Closure of Tombs, Shrines, and Zawiyahs. In the application of this law, Alevi resources were extinguished.<sup>618</sup> After the seizure of these places, they were then rented to their real owners by the state. The most important examples of this are the Karacaahmet and Şahkulu Sultan Lodges. While the state could reach some of these shrines, those less accessible locations stayed in the hands of individuals, which can be seen in the Hubyar case. Apart from the failure of the application of the law, this point raises the necessity of the state to stand equal distances from all beliefs.

As has been clarified before, there are differences between Sunni Islam and Alevism. According to Alevis, the establishment of an institution directly linked to the Directorate of Religious Affairs would end with the dilution or disappearance of their belief system. According to Şahan, the chairman of the Federation of Alevi Associations, that institution may be directly linked to the Directorate of Religious Affairs.<sup>619</sup> After this, it is believed that Alevis will organize their own hierarchical structure themselves for the distribution of the budget, from the top down in such a

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<sup>616</sup> Ayhan Aydın, Skype interview, August 7, 2018.

<sup>617</sup> Ayhan Aydın, Skype interview, August 7, 2018.

<sup>618</sup> Zeynel Şahan, personal interview, June 5, 2018.

<sup>619</sup> Zeynel Şahan, personal interview, June 5, 2018.

way as to even reach the tomb-keepers. In addition, many laws affecting the order in different areas, such as development plan laws, should be reevaluated and reorganized. However, these regulations should be realized with the participation of Alevi.<sup>620</sup> It can be concluded that the state is also aware of the fact that the Alevi demands are not a problem that can presently be solved. According to Şahan, if today's Turkey is considered, regulations regarding the satisfaction of demands of Alevi could even be made with a statutory decree.<sup>621</sup> However, the state requires a definition of Alevism; lacking a definition, it does not recognize the community. According to Alevi, the duty of the state is not to define a belief, but to approach all citizens in equal ways. Allowing for construction or providing financial support to foundations and especially to associations is discretionary. This can be understood from the fact that Ali Eriş and Hüseyin Eriş visit the Antalya Municipality often.<sup>622</sup>

To sum up, it can easily be suggested that the state should adopt a system similar to that in Germany, such as a belief tax. In this system, the payment of a particular person is transmitted to the place where he or she conducts worship. In other words, this system is similar to that of labor unions. This would also protect the rights of non-believers as well. The role of the state is not to define the religion of citizens, but rather the provision of social and economic rights and security. As Hüseyin Eriş states, "the state cannot have a religion, it has to stand an equal distance from all."<sup>623</sup> While Eriş advocates equal distance of the state as a supporter of the idea of financial support of Alevi sites from the state, Murtaza Demir, unlike traditionalist Alevi, advocates that the state should also not be responsible for the expenses of mosques,

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<sup>620</sup> Zeynel Şahan, personal interview, June 5, 2018.

<sup>621</sup> Zeynel Şahan, personal interview, June 5, 2018.

<sup>622</sup> Hüseyin Eriş, personal interview, May 18, 2018.

<sup>623</sup> Hüseyin Eriş, personal interview, May 18, 2018.

since this is against secularism.<sup>624</sup> In the event that the separation of religion and politics is not provided, the religious feelings of people can be abused for political purposes. To illustrate, a commonly known criticism of the AKP is the common belief regarding their use of Sunni Islam and focus on the abolishment of the headscarf in public enterprises throughout the Republican era. However, it should be kept in mind that the rights of Alevis are another topic used by this party right before elections. Another issue is that no one has the right to criticize or attempt to change the beliefs of others. Similarly, those who believe in science have no right to judge religious believers. It should not be forgotten that religious issues were suppressed by the Soviets, but after the disintegration of the Soviet Union, that suppression did not last.

### **4.3.3. Cessation of Assimilation Policies**

For the realization of a restoration by the General Directorate of Foundations, the historical site must be incorporated with the Directorate. However, restorations to be held by the Directorate for a particular place could be determined as a political decision since the Directorate was under the Prime Ministry. With an enactment in 2018, the Directorate, TİKA, and the Presidency for Turks Abroad and Related Communities are now linked to the Ministry of Culture and Tourism.<sup>625</sup>

According to Alevis, assimilation policies are mostly evidenced in restorations. As has been stated by Şahan, these restorations of cultural assets are not different from

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<sup>624</sup> Murtaza Demir, personal interview, May 5, 2018.

<sup>625</sup> “Kültür ve Turizm Bakanlığı’na üç yeni kuruluş bağlandı,” *TRT Haber*, July 15, 2018, <https://www.trthaber.com/haber/gundem/kultur-ve-turizm-bakanligina-uc-yeni-kurulus-baglandi-375391.html>.

those held for ordinary buildings.<sup>626</sup> Furthermore, Ayhan Aydın claims that the state is aware of the fact that the best efforts for assimilation of Alevi sites can be made through their own cultural sites.<sup>627</sup> Because of this fear, some lodges, especially smaller ones, prefer to remain as associations. For example, the rent issues of the Şahkulu Sultan Lodge arose after they interacted with the General Directorate of Foundations.<sup>628</sup> According to Murtaza Demir, the state conducts restorations in a way that could cause historical memory loss with the assignment of imams to Alevi sites that are not commonly known due to their locations, as can be seen from the Osmancık Koyunbaba case in Çorum.<sup>629</sup>

Alevi sites indicate that their only request is equality; otherwise, they have no hostility towards mosques or Sunni Islam. Rather, the construction of schools and health institutions in the eastern parts of the country would be more logical than the construction of the mosque on Çamlıca Hill, whose miniature, made of gold and silver in 2016, cost 32 million lira, while the mosque itself had an estimated cost of 150 million lira.<sup>630</sup> To consider this extravagant, there is no need to be an Alevi.

TİKA oversees projects in Eastern Europe regarding Bektashi lodges. Kenanoğlu claims that the Directorate of Religious Affairs follows assimilation projects not only in Turkey but also in the Balkans with TİKA, which essentially became a branch of

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<sup>626</sup> Zeynel Şahan, personal interview, June 5, 2018.

<sup>627</sup> Ayhan Aydın, Skype interview, August 7, 2018.

<sup>628</sup> Yaman, Ali. Academician and Writer. (2018, August 08). Skype interview.

<sup>629</sup> Murtaza Demir, personal interview, May 5, 2018.

<sup>630</sup> “Çamlıca’daki caminin altın maketi yapıldı: Maliyeti 32 milyon lira,” *Diken*, October 14, 2016, <http://www.diken.com.tr/camlicadaki-caminin-altin-heykeli-yapildi-maliyeti-32-milyon-lira/>.

Religious Affairs abroad by purchasing the fields in Alevi villages to build mosques there and renovating shrines in an assimilating way.<sup>631</sup> Tuncer Baş sarcastically says: “Everyone in the world understood that Alevis do not want a mosque in their village but the government did not! Plus, if you are searching for an Alevi village, it is the one with a mosque without a road or any other infrastructure!”<sup>632</sup> According to Alevis, assimilation is not only conducted through architecture, but also through the suppression of their worship or the labeling of the cem as a folk dance. According to Zeynel Şahan, this group has been experiencing suppression for 1500 years.<sup>633</sup> Assimilation to Sunni Islam is also openly done through the conversion of such sites into locations for Koran courses with the assignment of imams and the construction of mosques in Alevi villages. This assignment of imams to Alevi villages was also a policy followed by the Ottomans in order to discipline rafizis in the 17th century.<sup>634</sup> Just as religion was used by the Ottomans for authority over the public, similar patterns continue today, as can be seen with the obligatory school course on religious culture and moral knowledge.<sup>635</sup> The content of this course is known to be controversial. It is thought that the textbooks are denominationally skewed towards Sunni Islam in spite of regulations passed three different times, in 2005, 2008, and 2011.<sup>636</sup>

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<sup>631</sup> Ali Kenanoğlu, personal interview, June 6, 2018.

<sup>632</sup> Tuncer Baş, personal interview, May 8, 2018.

<sup>633</sup> Zeynel Şahan, personal interview, June 5, 2018.

<sup>634</sup> Refik, *Onaltıncı Asırda Rafizilik ve Bektaşilik*, 34.

<sup>635</sup> Polat, *Regime Change in Contemporary Turkey*, 57.

<sup>636</sup> Ali Yaman, Skype interview, August 8, 2018.

In summary, Alevi can be divided into two categories in terms of their perspective towards financial support by the state. According to secularists, budgets should be formed by the donations of Alevi and Bektashi, while traditional Alevi focus on the necessity of a budget being delivered by the state to Alevi just as for the salaries of imams, water, and electricity in Sunni Islam. The problems of assimilation and incorrect restorations are commonly noted among Alevi. According to them, the restoration issue is already problematic in Turkey, but it is further used at Alevi sites for systematic assimilation.

#### **4.4. Alevi Acts of Advocacy for Cultural Assets of Immovable Property**

The role of Alevi organizations in Turkey and in Europe is undeniable in terms of the preservation and continuation of the belief system and its historical monuments as reflections of the belief's culture. Thanks to those in Europe, the continuation of both intangible and tangible cultural heritage of Alevism and Bektashism has become a topic discussed by European institutions. The publications and movements initiated by those in Europe have led to the revival of the community, advocating for their equal citizenship rights in Turkey in the late 1980s and early 1990s. Thanks to cases brought to the ECtHR by individuals or the CEM Foundation, international awareness regarding the violation of the rights of Alevi has increased.

The decision made by the Grand Chamber regarding the provision of rights to Alevi and cemevis, their places of worship, equal to those provided to mosques with Turkish legal instruments and recognition of the belief system and cemevis as the place of worship can be named as the most significant act brought by Alevi and their organizations against the Turkish state. Akbayır states that their aim is the

democratic absorption of international norms.<sup>637</sup> However, it seems that Alevism cannot escape beyond the consideration of Alevism in comparison to Sunni Islam and the advantages provided to Sunni Islam. Even the steps taken by Alevi organizations in Germany were taken immediately after the recognition of Sunni Islam as a religious community in Berlin,<sup>638</sup> which proves the attitude of Alevi leaders and organizations regarding the fight for their rights. Akbayır states that they requested a proportion of the budget provided to the Directorate of Religious Affairs and imam hatip schools for the elimination of discrimination among citizens.<sup>639</sup> They also want to establish their own autonomous governmental organ in connection with the state, which would establish its own hierarchical structure in time with dedes and other experts on Alevism and which would oversee the distribution of budget among Alevi sites, associations, and foundations.<sup>640</sup> He also believes that the problems facing these cultural sites will be solved in terms of finances when the state accepts their request.<sup>641</sup> Doğan states that the autonomous structure they want to see established should be bound to the Directorate of Religious Affairs, since he believes the Directorate is a commercial organization today that has also put political power into play.<sup>642</sup> The establishment of an autonomous structure under the Directorate or independently of it appears as the main purpose, but it should be kept in mind that any state institution will end up with the assignment of personnel from outside of the

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<sup>637</sup> Hıdır Akbayır, personal interview, June 4, 2018.

<sup>638</sup> Massicard, "Alevi Communities in Western Europe," 577-578.

<sup>639</sup> Hıdır Akbayır, personal interview, June 4, 2018.

<sup>640</sup> Hıdır Akbayır, personal interview, June 4, 2018.

<sup>641</sup> Hıdır Akbayır, personal interview, June 4, 2018.

<sup>642</sup> İzzettin Doğan, personal interview, June 5, 2017.

belief system of this community, strengthening complaints and fears of an assimilating approach to their historical monuments. Also, in a society including many different religions, different groups may air their demands and issues. The concern of the state is not the rising demands of these groups, but the necessity and also the impossibility of regulations based on group-specific needs. The representation of all sects, cults, or orders in the Directorate of Religious Affairs would lead to the transformation of the institution into the Directorate of Sects, Orders, and Cults, which contradicts with the social project of the Republican system,<sup>643</sup> strongly supported by both Turkish and Kurdish Alevis. Therefore, in terms of the equality of rights provided to different religious communities, the appropriate application of secularism may be the most outstanding resolution in this country. In the case of statist Alevis, their demands regarding financial support contradict with the democracy and secularism in which Alevism has been anchored. Institutionalization of a certain religious order in society will lead to more heterodoxy and underpin Turkey as a “zone of conflict,”<sup>644</sup> with polarization and the manipulation of “Alevi identity” in politics. Instead of group-specific reforms, sweeping reforms covering the needs of all the citizens would be more successful in a country with many religious and ethnic groups. Reform should also be implemented in society with education about human rights at both governmental levels, including officers, and societal levels, including individual citizens and the private sector. Only the provision of equal rights to every religious, ethnic, and linguistic community in society will provide the realization of democracy in Anatolia, which has hosted considerable diversity throughout the centuries.

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<sup>643</sup> Yahya Mustafa Keskin, “Alevi-Bektaşilerin Diyanet İşleri Başkanlığı’nda Temsil Önerisine İlişkin Alevilerin Tutumları Üzerine Bir Alan Araştırması (Elazığ Örneği),” *EKEV Akademi Dergisi* 14, no. 42 (2010): 6.

<sup>644</sup> Lord, “Between Islam and the Nation,” 64.

#### **4.5. Evaluation of Alevi Workshops in Terms of Alevi Demands on Tangible Cultural Heritage**

The seven workshops of the “Alevi Opening” were held with the attendance of chairmen and representatives of Alevi organizations and individual Alevis in the first workshop, academicians in the second, ilahiyat or divinity school experts in the third, representatives of NGOs in the fourth, journalists in the fifth, and current and former deputies and state and governmental figures in the sixth. The seventh workshop meeting brought together members of these different groups. Necdet Subaşı states that the state had never listened to Alevis much before this and it was important since the state addressed remarks to Alevis even if it did not recognize the community within a legal framework; sadly, however, this was not reflected seriously in the press.<sup>645</sup> Among the demands brought to the “Opening” workshops in 2009 and 2010 with Necdet Subaşı as moderator and reporter at the end, the status of cemevis and financial support for Alevi worship are the best known demands, although these were not advocated by everyone. In addition to this, Alevi representatives also called attention to their demands regarding their historical monuments and shrines as tangible cultural heritage, which currently have museum status. Discussion of this issue is necessary for the preservation of the belief system and it shows Alevis broadening their agendas regarding the preservation of their cultural heritage, which is also significant as Alevis seeing cemevis as their place of worship still did not forget their historical lodges and continue to fight to regain the historical monuments that belong to them. Regarding the status of the Hacı Bektaş Complex as a museum, Alevis referred to this issue often during the workshops. Fevzi Gümüş, the chairman of the Pir Sultan Abdal Culture Association in Ankara, stated his complaints about

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<sup>645</sup> Necdet Subaşı (moderator and reporter of the “Alevi Opening,” academician, writer, and current principal consultant to the Minister at the Ministry of National Education), personal interview, July 22, 2019.

the necessity of the delivery of that place to its real owners, namely Alevis.<sup>646</sup> Cengiz Güleç, a member of Parliament from the 21st government of the Republic of Turkey, also advocated the necessity of the delivery of these properties to the community and the abolishment of the museum status of the Hacı Bektaş Complex.<sup>647</sup> Ali Rıza Gülçiçek, a parliamentarian from the 22nd government, likewise referred to the delivery of heritage sites to their owners in relation to the topic of electricity bills.<sup>648</sup> Kurtcebe Noyan, a participant from İzmir, explained the autonomy of Bektashi shrines in the Balkans, specifically referring to the situation of those shrines located in Albania and other Balkan countries, and added that he finds the well-being of them and the freedom of the belief there ironic compared to the situation in Turkey today.<sup>649</sup> Hüsniye Korkmaz of the Alevi Bektashi Education and Culture Foundation in İstanbul talked about the payment of rent at Şahkulu and Karacaahmet<sup>650</sup> and the historical and spiritual importance of these places as centers of the community and the belief system. It should be noted here that the room given to Alevis in the Karaağaç Shrine today is thanks to Korkmaz. She also referred to Karaağaç in terms of the status of the place as a first-degree historical monument, as also approved by the General Directorate of Protection of Natural Assets.<sup>651</sup> Sabahat Akkiraz, a singer, referred to the destruction of lodges and tombs after being zoned for construction

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<sup>646</sup> Necdet Subaşı, ed., *1. Alevi Çalıştayı Raporu, 03-04 Haziran 2009, Ankara* (Ankara: Başak Matbaa, 2009), 85.

<sup>647</sup> Necdet Subaşı, ed., *6. Alevi Çalıştayı Raporu, 17 Aralık 2009, Ankara* (Ankara: Başak Matbaa, 2009), 163.

<sup>648</sup> Subaşı, *6. Alevi Çalıştayı Raporu*, 205.

<sup>649</sup> Subaşı, *1. Alevi Çalıştayı Raporu*, 108.

<sup>650</sup> Subaşı, *1. Alevi Çalıştayı Raporu*, 119.

<sup>651</sup> Subaşı, *1. Alevi Çalıştayı Raporu*, 120.

projects even though they were sites of cultural heritage for all humanity that should be protected.<sup>652</sup> When Alevi representatives mentioned their requests for the delivery of these historical sites to the “real owners” in these meetings, they were referring to the Alevi organizations, including foundations and associations, that have a leading role today for the preservation and continuation of the culture. While some participants indicated the necessity of regulations regarding the rights of historical Alevi monuments, there were also representatives advocating the protection of the current status of the Hacı Bektaş Complex as a museum and the linkage between other Alevi monuments and the General Directorate of Foundations. Veliyettin Ulusoy, the postnişin of the Hacı Bektaş Complex, indicated that the establishment of a culture house or cemevi near the Hacı Bektaş Complex by the state is necessary as a gesture of goodwill from the state while protecting the museum status of that site, while other monuments should be delivered to their real owners.<sup>653</sup> However, it is worth noting that focusing on financial support for cemevis while advocating the preservation of historical places via museumification with the alienation of the community from those sites is in contradiction to the intense loyalty of Alevis to secularism and the criticisms they express against the increasing rise of Islam in Turkish politics in recent decades and the role of the Directorate of Religious Affairs today. In relation to those Alevis in favor of the provision of facilities provided to Sunni Islam, another controversial demand that does not have consensus among Alevis must also be discussed here. Demands regarding the payment of salaries of dedes by the state in the case of the institutionalization of Alevism in Turkey is the other controversial issue among Alevis. While imams are ilahiyat graduates and must take official examinations held by the government to obtain a position of employment, the idea of applying these same procedures to dedes, whose holiness

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<sup>652</sup> Necdet Subaşı, ed., *4. Alevi Çalıştayı Raporu*, 30 Eylül 2009, Ankara (Ankara: Başak Matbaa, 2009), 66.

<sup>653</sup> Subaşı, *1. Alevi Çalıştayı Raporu*, 240.

cannot be debated due to the genealogical transfer of their duties, would never be accepted, not even by the dedes themselves.<sup>654</sup> The main issue regarding it is not whether Alevi dedes should also be clerks who are paid from the state budget, but rather the payments extended to imams. On the topic of religion, one of the main factors affecting the spiritual well-being of individuals, imams should also be evaluated and accepted by the community rather than official exams. There are also many Sunnis who are not satisfied with the imams in their neighborhoods due to political propaganda being spread by the imams. In light of this, the fear among Alevis regarding the ties that would be established between the state and dedes in the event of their becoming clerks may be more easily understood.

Apart from the discussion about the status of the Hacı Bektaş Complex and other shrines, the workshop participants also discussed the historical role of these places to prove their significance for the community, referring to their historical roles in opposition to those advocating the idea that the concept of cemevis only appeared in modern cities after migration. While the appearance of cemevis in modern cities certainly is the result of migration and the increasing need among members of the community for a place to hold their communal cem, this does not mean that the concept of cemevis did not exist before. Since most Alevis were living in isolated villages before those waves of migration began, the biggest house of the village was generally used for cem gatherings. In addition, cem rituals could be held in the yards of the historical monuments located in cities and towns in those times. Regarding this point, Binali Doğan from the Erikli Baba Lodge explained the 800-year-old history of the cemevi located in the Sücaeddin Veli Complex.<sup>655</sup> Additionally, Cemal Şener, a participant from İstanbul, explained that the meydanlar (yards) of these lodges and complexes, existing in Anatolia for over 700 years, have hosted countless cem

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<sup>654</sup> Necdet Subaşı, personal interview, July 22, 2019.

<sup>655</sup> Subaşı, *1. Alevi Çalıştayı Raporu*, 250.

rituals; therefore, the novelty of the idea of cemevis cannot even be suggested as their centuries-old presence in Anatolia is clearly established in the historic writings of velayetnames.<sup>656</sup> Fermani Altun, the chairman of the Ehl-i Beyt Foundation, also reminded fellow workshop participants that the collective rituals that used to be held in historical shrines were only moved into houses after the introduction of Law No. 677.<sup>657</sup> Namık Kemal Zeybek, former Minister of Culture, focused on the history of cemevis<sup>658</sup> and advocated the establishment of an institution based on the Alevi/Bektashi community at state level and delivery by the authorities of Alevi historical structures and properties to this institution.<sup>659</sup> However, Zeybek's speech was interrupted by the moderator asking "What did you do during your tenure in the Ministry of Culture?"<sup>660</sup> The moderator's desire there was to draw a line between making requests and fighting for them. Regardless of the actions that the former minister did or did not take during his time in that office, what needs to be clarified in the attitude of the moderator is that the goal is not simply to make the state consider the demands of the community; rather, the goal is to convince Alevis that they are responsible for the current situation in which Alevi demands are not satisfied.

Due to the diversity among the participants in the workshops, besides Alevis there were also opponents to the demands being outlined by Alevis. Hüseyin Hatemi, a

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<sup>656</sup> Necdet Subaşı, ed., 5. *Alevi Çalıştayı Raporu, 11 Kasım 2009, İstanbul* (Ankara: Başak Matbaa, 2009), 117-118.

<sup>657</sup> Necdet Subaşı, ed., 7. *Alevi Çalıştayı Raporu, 28-29-30 Ocak 2010, Kızılcahamam-Ankara* (Ankara: Başak Matbaa, 2010), 152.

<sup>658</sup> Subaşı, 6. *Alevi Çalıştayı Raporu*, 24.

<sup>659</sup> Subaşı, 6. *Alevi Çalıştayı Raporu*, 27.

<sup>660</sup> Subaşı, 6. *Alevi Çalıştayı Raporu*, 25.

former academician, stated that Alevism is a branch of Islam and the worship of Islam is to be done in a mosque.<sup>661</sup> The point of view of this opponent can be understood since, in cases of marginalization, it is expected that one of the parties from two groups always expects the other one to act within the “normal” borders,<sup>662</sup> which are drawn according to the perceptions of the dominant group. Interestingly, some participants tried to support Hatemi’s idea by calling attention to the presence of Alevi lodges and Sunni mosques together in historical sites.<sup>663</sup> However, this claim is thoroughly counteracted by a historical fact: the construction of these mosques in Ottoman times was the result of the assimilating policies of Mahmud II in the Alevi/Bektashi community. Similarly, as can be seen from the report from the third workshop, the ilahiyat experts mainly compared Alevism/Bektashism with Shia Islam and claimed “these” are being used as political instruments. Using the word “these” when referring to the community<sup>664</sup> reflects the prejudice and marginalization of the community and the attitudes towards Alevism among ilahiyat scholars. It is undeniable that many important ilahiyat scholars have made valuable contributions to the Alevi literature, but historically disproven facts should not be discussed in such workshops. According to Mehmet Alacacı, the chairman of the Birlik Foundation, the failure of different schools of Islam to understand each other is a result of the closure of these shrines with Law No. 677 and the end of the role that these places played in public education.<sup>665</sup> Another opponent of Alevi demands

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<sup>661</sup> Subaşı, 5. *Alevi Çalıştayı Raporu*, 120-121.

<sup>662</sup> Yavuz Çobanoğlu and Murat Cem Demir, “Tunceli’de “Öteki” Olmak: “Öteki”nin “Ötekisi”ne Bakışı Üzerine Bir Alan Araştırması,” *Turkish Studies* 13, no. 18 (2018): 514.

<sup>663</sup> Necdet Subaşı, ed., 3. *Alevi Çalıştayı Raporu, 19 Ağustos 2009, Ankara* (Ankara: Başak Matbaa, 2009), 81.

<sup>664</sup> Subaşı, 3. *Alevi Çalıştayı Raporu*, 81.

<sup>665</sup> Subaşı, 4. *Alevi Çalıştayı Raporu*, 35.

regarding the status of cemevis was Ahmet Şişman, the chairman of the Ensar Foundation, which has recently been involved with scandals regarding the abuse of countless children. He focused on the status of cemevis rather than shrines due to the possible revival of other communities such as Mevlevi and Kadiris in the country, which would be problematic again in terms of Law No. 677.<sup>666</sup> Şişman's point here about Law No. 677 is not the only moment when that law was used against the demands of Alevis, who are generally strictly Kemalist and secular. As is known, Law No. 677 was a devrim kanunu or a "reform law," and according to Article 174 of the Constitution the appropriateness of these reform laws is not constitutionally debatable; specifically, no other legal provisions can be interpreted as negating the constitutionality of the reform laws.<sup>667</sup> As Müfit Yüksel, a writer, reminded the workshop participants, the law already underwent amendment in the late 1940s.<sup>668</sup> In addition, Hatemi offered a justification of amendments to be made with the use of the term "worship" rather than "dergah" (please see Chapter 1 for the explanation of this term),<sup>669</sup> which was abolished and forbidden by the law. The use of this law against Alevis also shows that the state sees the Alevi community as a tariqa and their historical places of worships as lodges, or dergah, which are compounds forbidden by the law, while also rejecting the traditional role of the place and describing the cem as a folk dance rather than a form of worship.

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<sup>666</sup> Subaşı, 4. *Alevi Çalıştayı Raporu*, 114.

<sup>667</sup> Turkish Constitution, art. 174.

<sup>668</sup> Subaşı, 7. *Alevi Çalıştayı Raporu*, 296-297.

<sup>669</sup> Subaşı, 7. *Alevi Çalıştayı Raporu*, 422.

Subaşı states the necessity of a serious amount of constitutional amendments in order to give these shrines to a community that does not have status as a legal entity.<sup>670</sup> However, as indicated in previous chapters, the legal entity status of religions and faiths is already promoted by legal instruments and by cases addressed by different judicial organs, such as the ECrtHR. In relation to this, one of the reasons for irresolution from the state's perspective is the absence of an answer to the question of whether Alevis or Bektashis should be recognized and made responsible for the historical monuments in question.<sup>671</sup> As indicated before, there may be differences between Alevism and Bektashism, but as a result of sociological and political factors, Bektashism has vanished within Alevism, other than the position of Bektashi sites as religious centers for Alevis even in the past. The decision to not reopen these lodges for worship with this claim regarding the differences between Alevism and Bektashism is not different from questioning a Sunni Islam community in which different groups, such as Hanafis and Shafis, attend a mosque together. Another problem here again is the search for answers in the current legal order, which challenges the current regime of international minority and cultural rights and human rights for the sake of the status quo. However, what is forgotten is that the international treaties indicated in this study as having been signed by the Turkish state are also a part of Turkish domestic law in accordance with the provisions of Article 90 of the Constitution, as indicated before.

The reporter for the "Alevi Opening," Necdet Subaşı, indicated that a re-evaluation of these reform laws, which were revolutionary in the establishment of the Republican state, and possible amendments of them cannot logically be expected.<sup>672</sup>

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<sup>670</sup> Necdet Subaşı, *Nihai Rapor* (Ankara: T.C. Başbakanlık), 111.

<sup>671</sup> Subaşı, *Nihai Rapor*, 112.

<sup>672</sup> Subaşı, *Nihai Rapor*, 110.

However, Turkey has experienced many amendments to the Constitution, which once would have been hard to believe. The difficulty of making fundamental amendments in Turkish domestic law for the satisfaction of the demands of the Alevi community cannot be used as an excuse if the amendments of Turkish domestic law passed since 2002 are considered.

The use of the issue of secularism against Alevis in today's Turkey is ironic when employed by those described by Alevis as people close to the current government. In today's Turkey, secularism is "passive secularism" in a religious state compared to the "assertive secularism" or "anti-religious secularism"<sup>673</sup> that was adopted by the early Republican elites. "Post-secularism" as a form of passive secularism and inclusion of religion in the public sphere<sup>674</sup> is what is being experienced in Turkish politics today with the increasing inclusion of religion into the political sphere, starting in the 1970s and 1980s. This cannot be denied as the increasing numbers of imam hatip schools and Koran courses, as well as the continuation of obligatory religious classes in spite of the decision of the ECtHR in the Eylem Zengin case and the strength of the generously financed Directorate of Religious Affairs, prove the current state of secularism in the country.<sup>675</sup>

According to Alevis, the majority of the participants, whether journalists or former state officers and parliamentarians from right-wing parties, were closely connected to

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<sup>673</sup> Jose Romanillos, Justin Beaumont, and Mustafa Şen, "State-Religion Relations and Welfare Regimes in Europe," in *Faith-Based Organizations and Exclusion in European Cities*, ed. Justin Beaumont and Paul Cloke (Bristol: Policy Press, 2012), 40.

<sup>674</sup> Romanillos, Beaumont, and Şen, "State-Religion Relations," 46.

<sup>675</sup> Mustafa Şen, "Transformation of Turkish Islamism and the Rise of the Justice and Development Party," *Turkish Studies* 11, no. 1 (2010): 66.

the current government.<sup>676</sup> In an interview held for this study, Subaşı argued against this point by saying that the reaction of Alevis to the invitation of ilahiyat academicians and experts was irrelevant; the involvement of those people in the workshops was important due to the institutional position of ilahiyat faculties with more resources and studies on Alevism, but Alevis believed that the rights of Alevis could not be discussed with “them” and that this inclusion of ilahiyat representatives was an effort at manipulation.<sup>677</sup> He also added that the participation of different groups of society for müzakere (negotiation) is necessary when you initiate such a political act; otherwise, the aim is not the approval of anyone, but simply to make them understand the situation.<sup>678</sup> The acceptance of the provision of the rights and satisfaction of the demands of a minority group in a country with many different linguistic, ethnic, and religious minorities and furthermore in a country that has been historically shaped by Turkism and Islam within the processes of nation-building is important for the elimination of prejudices among different communities and the avoidance of possible physical violence, which can be historically seen in the Turkish case with examples of violence against Alevis. However, as can be seen from the right to self-determination guaranteed by collective rights and human rights, not only minority groups but also even individuals have the right to self-determination. Therefore, using the term müzakere in this sense does not suit the nature of collective rights since it means a dialogue between two groups each attempting to convince the other of something in order to generate some gain at the end. As a religious minority, Alevis are empowered to take advantage of the rights provided by the international treaties signed by Turkey. Naturally, it cannot be

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<sup>676</sup> Pınar Ecevitoğlu and Ayhan Yalçınkaya, *Aleviler Artık Burada Oturmuyor: Alevi Çalıştayları Nihai Raporu Üstüne Bir Değerlendirme* (Ankara: Hacı Bektaş Veli Anadolu Kültür Vakfı, 2011), 131.

<sup>677</sup> Necdet Subaşı, personal interview, July 22, 2019.

<sup>678</sup> Necdet Subaşı, personal interview, July 22, 2019.

denied that one aspect of the Alevi revival of the past decades is a desire to draw attention to the problems faced by Alevis and create awareness of their presence and the inequalities that exist among different members of society. However, the duty of the state is to satisfy the demands of different groups in light of the relevant laws, including collective rights. Therefore, the term “dialogue” refers not to a unification or to the closure of a gap, but rather to a clear division or irremediable gap.<sup>679</sup> The belief of current state officials in these workshops regarding the solution of the issue with Sunnis is criticized since the transfer of the topic from a political to a societal level seems to ignore their simultaneous claims that the division between Alevis and Sunnis is based on religious and sociological differences.<sup>680</sup> Regarding the opposition to the museumification of the Madımak Hotel as requested by some Alevis, the workshops were also criticized for the profile of participants regarding this demand. In a report that evaluated the workshops, prepared by the Hacı Bektaş Veli Anatolian Culture Foundation, it is indicated that one of the NGOs from Sivas claimed that all the restaurants in Sivas would be closed if the one under the Madımak Hotel were to be closed.<sup>681</sup> In addition, the owner of the hotel noted the “brand value” of the hotel in sale advertisements when the hotel was put up for sale.<sup>682</sup>

Subaşı criticizes Alevis for questioning the situation after the workshops,<sup>683</sup> but as was mentioned, the failure of the “Alevi Opening” in the end regarding the absence of necessary amendments or the de jure non-recognition of the community was

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<sup>679</sup> Ecevitoglu and Yalçinkaya, *Aleviler Artık Burada Oturmuyor*, 17.

<sup>680</sup> Ecevitoglu and Yalçinkaya, *Aleviler Artık Burada Oturmuyor*, 23.

<sup>681</sup> Ecevitoglu and Yalçinkaya, *Aleviler Artık Burada Oturmuyor*, 28.

<sup>682</sup> Ecevitoglu and Yalçinkaya, *Aleviler Artık Burada Oturmuyor*, 28.

<sup>683</sup> Necdet Subaşı, personal interview, July 22, 2019.

inevitable; there was no other option than creating an image of policies that had failed in the application process. Therefore, it is not surprising that the workshops were seen by Alevis as yet another election investment<sup>684</sup> and an attempt to throw dust into the eyes of the EU. The fact that the workshops ended without solving any “problems of Alevis” perpetuates negative views of the “Alevi issue,” creating the image that steps are being taken by the government to help but the demands of the community are extremely utopic or are contradictory to the Constitution. In this regard, besides the provisions of international minority and cultural rights, which emphasize the rights of minority communities to access their tangible cultural heritage, which contributes to the spirit of their faith and their rituals, a change in the government’s perspective is also needed for the situation of Alevis in Turkey, with a formal shift away from the Sunni-centric marginalization of Alevis as a minority faith community.

#### **4.6. Alevi Demands and Alevi Advocacy: A Summary**

When the demands brought to public opinion are evaluated, it is seen that these demands are not different from the opportunities provided to Sunni Islam, mosques, and imams. Thus, the main problem is not the high number of demands of Alevis; rather, it is the inadequate laws and regulations that do not provide the same status to all belief systems and religions in the state, and the state’s discriminating attitude. When this is evaluated under Article 9 of the European Convention on Human Rights, the state has no responsibility to provide financial support to any religious community. The problem is that Sunni Islam, upon which nation-building has been based, has clear advantages, which makes statist Alevis question the inequality, asking why they should not also take financial support under Article 14 of the European Convention on Human Rights based on prohibition of discrimination, even

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<sup>684</sup> Ecevitoglu and Yalçinkaya, *Aleviler Artık Burada Oturmuyor*, 39.

though Alevis are known mostly as secularists, Kemalists, and nationalists in general.

Aside from freedom of religion and equality, the protection of historical heritage is also a problematic issue in Turkey. According to Graham, which heritage will be protected or not is determined through socio-political demands.<sup>685</sup> If there are no demands, there will be no rights. If Alevis reject the advantages of the international treaties signed by Turkey as rejecting their de facto numerical minority status, they may not move their revival any further ahead. However, it is understandable that Alevis are also afraid of the results of restorations and repairs conducted by governmental organs and institutions due to the reasons explained at length here. Still, they should be aware of the importance of cultural heritage rights, which give them the right to fight against violations of their historical structures. In this vein, it should be kept in mind that, besides the ECtHR, which Alevis have applied to so far, there is also a Human Rights Committee, which accepts individual applications, thanks to the 1966 Optional Protocol to the International Covenant on Civil and Political Rights, which was also signed by the Turkish state. The historical sites of Alevi and Bektashi worship should be considered for the good of the community rather than seeing these places as property to be owned by the state or an organization. Alevis should also focus on the protection of these places besides their ownership. The solution for satisfying results at the end of a restoration is not one type of ownership of the heritage, which is based on concepts of property ownership in the Turkish case, but rather mutually made decisions in keeping with the authentic features of the site with the cooperation of experts, dedes, states, and even individuals.

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<sup>685</sup> Aykan, "Kültürel Miras Hakkı," 232.

## **CHAPTER 5**

### **CONCLUSION**

While Alevis are not a minority according to the Treaty of Lausanne, which guaranteed the rights of recognized non-Muslim minorities within the borders of the Turkish Republic, they constitute a religious minority that does have minority status according to international legal instruments but does not have the status of a *de jure* minority in spite of being a *de facto* minority in Turkey today. The importance of these legal instruments for this population cannot be underestimated, due to not only their provision of minority rights today but also due to the international regime that they help create based on the rights of even individuals. Since the state does not recognize the community as a minority, Alevis are not under the application of the legal framework applied to the minorities of Turkey as indicated at Lausanne. In this vein, the constitutional amendments overseen by the AKP government during the EU negotiations that started in the early 2000s did not mention groups other than those minorities indicated in the Treaty of Lausanne.

Alevi organizations and institutions have succeeded in creating awareness regarding the demands of Alevis in spite of the absence of consensus among them. As a minority group and as a community that is not recognized by the state, Alevis have demands regarding the difficulties they face and the rights they have as citizens of the country based on the principle of equality. While well-known problems addressed often by Alevis include the status of *cemevis*, the payment of the electricity and water bills of lodges and *cemevis*, the status of *dedes*, freedom and equality, the obligatory school course on religion and ethics, the museumification of the Madımak Hotel, marginalization, and the role of the Directorate of Religious

Affairs, the focus of this study has been the historical monuments of the community that represent their tangible cultural heritage, the international treaties and the existing procedures in Turkish domestic law in relation to these monuments, and their status, protection, ownership, and other issues related to these historic structures. However, it was seen that due to the position of these cultural assets for the Alevi community in terms of their reflection of the community's spirituality and their meaning within this heterodox belief system, similarly to the importance of any cultural heritage for any community, the demands related to these structures closely overlap with the aforementioned more general Alevi demands that are widely known, which shows that cultural heritage has an important role in the self-realization of any belief system. As a result, the problem in the Turkish Alevi case is not only the continuation of the physical and architectural presence of Alevi monuments but also the shortcomings of restorations held by state organs and the spiritual distance of Alevis from their cultural assets such as that created by, for example, the legal procedures and permissions with which they must comply for the realization of their rituals and festivals, which weakens the spiritual bonds between the community and their monuments.

To find an answer to the core of the problem regarding the resolution of the issues that Alevis face and their demands, the political history of the country and current governmental policies and perspectives are significant. The nation-state perspective of the early Republican era was based on secularism, focusing on unionism, nationalism, and religious homogeneity for the creation of a collective identity with the continuation of the Ottoman millet system, which was not challenged until the 1980s. However, the synthesis of Turkishness and Islam that began appearing in the 1970s for the shaping of Turkish identity and culture, advocating that Islam is the most convenient religion for reflecting Turkish culture, has meant the dominance of

Islam over Turkishness<sup>686</sup> in the “holy articulation between Turkish Islamism and neoliberalism,”<sup>687</sup> which first entered Turkish politics with the Justice Party (Adalet Partisi). Following the closure of the Virtue Party (Fazilet Partisi), the Milli Görüş Hareketi (National Vision Movement) in 2001 and the appearance of the AKP and the Felicity Party (Saadet Partisi) resulted in the sole victory of the AKP in 2002 with a neoliberal, pro-Western, Islamist focus after years of coalition, but still secular, as opposed to other groups that were anti-Western and anti-secular.

It is important to note that in neoliberal economies, the intervention of the state in the public sphere regarding the imposition of ethics in the harshness of a neoliberal economy to protect the societal order is fairly common, as can be seen in Thatcher’s UK. However, this should not be confused with homo-Islamicus, which means the orientation of economic activity and wealth and economic development for the development of the community for God’s sake.<sup>688</sup> The appearance of MÜSİAD, the Independent Industrialists’ and Businessmen’s Association (Müstakil Sanayici ve İş Adamları Derneği), can be used to illustrate this.

The AKP is not the only government responsible for the ignorance of the rights of the Alevi community or their non-recognition. However, the differences among members of the society have received more attention under the AKP government, and support for the Directorate of Religious Affairs and the role of the Directorate in politics have drastically increased under AKP rule. Religious propaganda and the Islamic discourse of the party have been successfully used by the AKP, which the leading position of the party did not change in spite of the current economic

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<sup>686</sup> Şen, “Transformation of Turkish Islamism,” 61-62.

<sup>687</sup> Şen, “Transformation of Turkish Islamism,” 68.

<sup>688</sup> Şen, “Transformation of Turkish Islamism,” 74.

situation. It is also worth noting that anything contrary to AKP ideology or the party's authority, such as the military coup attempt of 2016, the Gezi riots, or the Ergenekon and Balyoz cases, have been publicly associated with Alevis.

The increasing discourse among Alevis for their rights and equality after the intensification of Sunnism in the last 17 years<sup>689</sup> should not be dismissed as simply a reaction to the political discourse of the current government. The issue in Turkey currently is not the demands of Alevis or the impossibility of satisfying those demands, which can logically be satisfied when the provisions made to Sunni Islam in the country are considered. The issue, rather, is the decreasing interest of the state in Westernization, a human rights regime, and the rule of law. The state sees Alevis and their demands as results of internal and external provocations aiming at increased division within the Turkish state<sup>690</sup> rather than a community or a minority group to be recognized. The UN's Special Rapporteur has already stressed the significance of the elimination of Islam as a political tool and religious extremism, as well as the importance of the promotion of respect for all minority groups, the prevention of political manipulation of minority groups, and the increase of technical cooperation with the services of the UN High Commissioner for Human Rights for freedom of religion and belief in Turkey.<sup>691</sup> Today, the AKP can be considered as a conservative force rather than a conservative party.<sup>692</sup> In this vein, democracy in Turkey means receiving the majority of the ballots and ignoring the rest. The majoritarian approach of the state towards Alevis can even be seen in the approach adopted for the

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<sup>689</sup> Necdet Subaşı, personal interview, July 22, 2019.

<sup>690</sup> Ecevitoğlu and Yalçınkaya, *Aleviler Artık Burada Oturmuyor*, 22.

<sup>691</sup> Karimova and Deverell, *Occasional Paper No. 19*, 16-17.

<sup>692</sup> Polat, *Regime Change in Contemporary Turkey*, 66.

preservation of Alevi heritage, based on the museumification of cultural assets and attempts to reshape the identity of the community under Islam, without the recognition of their belief. According to Alevis, the aim behind this museumification of Alevi heritage and folklorization of Alevism is the extinction of its heterodoxy with non-recognition of its differences in terms of religion and culture. Furthermore, Alevis also face several difficulties when they take action for the preservation of their monuments that are not bound to the General Directorate of Foundations. To illustrate, Muharrem Ercan, the chairman of the Karacaahmet Sultan Association, indicated their dissatisfaction after the place was called a “freak” by Erdoğan,<sup>693</sup> adding that their request for permission to restore the place was postponed by Mustafa Kara, the Municipality Mayor of Üsküdar, who stated that the issue should be taken to Erdoğan since it was out of his own depth.<sup>694</sup> In such circumstances, when Turkish politicians refer to democracy or democratic “openings,” these terms will not be truly meaningful as long as the demands of Alevis are denied, the attitudes and perspectives of rulers remain static, and the necessary institutional, political, and legal arrangements in light of the international treaties on minority and cultural rights are not made. The absence of synchronicity between application and legislation, including the amendments and “openings” held in the phase of intense dialogue between the EU and Turkey in the 2000s, is proof of the quasi-justice existing in the country.

After the workshops of the “Alevi Opening” were held in 2009 and 2010, one of the claims of the state has been that the reopening of Alevi or Bektashi lodges would contradict Turkish law, including Law No. 677. The establishment of an institution

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<sup>693</sup> “Alevilerden Başbakan’a Tepki,” *Haberler.com*, August 6, 2012, <https://www.haberler.com/aleviler-den-basbakan-a-tepki-3842481-haberi/>.

<sup>694</sup> Nedim Şener, “Cemevini Güzelleştirme Projesi 3 Yıldır İzin Bekliyor,” *Posta*, August 10, 2012, <https://www.posta.com.tr/yazarlar/nedim-sener/cemevini-guzellestirme-projesi-3-yildir-izin-bekliyor-134541>.

for Alevis at state level or the representation of all the different schools of Islam in the Directorate of Religious Affairs, as requested by some—but not all, would arguably lead to the transformation of the institution into a Directorate of Sects and Cults, which is contradictory to the societal projects of the Republican system.<sup>695</sup> If the aim is to provide equality among different groups, then the solution should be the real application of secularism in a way including atheists or agnostics, who should not be paying any taxes used for religious services. However, opposed to statist Alevis expecting to receive the provisions administered for Sunni Islam in the country, there are also secular Alevis criticizing the extreme Islamic policies of the state and fighting for their historical monuments in the current situation by requesting the delivery of those monuments to the community and Alevi organizations. The state, in turn, criticizes the community for this absence of consensus and uses it as a reason for the non-recognition of the community. Additionally, Subaşı states that when the topic is delivering these sites of cultural heritage to the community in the current situation, it raises the question of “which organization? The CEM Foundation, Pir Sultan Abdal Culture Association, or Hünkar Hacı Bektaş Veli Foundation?”<sup>696</sup> Mosques as sites of worship in Turkey are not the property of Sunni Islam but are open to the community for religious rituals; therefore, the solution could be the regulation of the status of Alevi monuments rather than focusing on the definition of the community again as much as the tensions or perspective differences among Alevis or the integration of Bektashism and Alevism cannot be the reason for non-recognition. Sunnism as the dominant branch of religion in the country also has divisions within itself. Each person is born as a member of a particular society, family, culture, race, and religion, with the

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<sup>695</sup> Keskin, “Alevi-Bektaşilerin Diyanet İşleri Başkanlığı’nda,” 6.

<sup>696</sup> Necdet Subaşı, personal interview, July 22, 2019.

perspectives and values instilled by those groups.<sup>697</sup> However, in the process of “othering,” every individual of a group or a community is evaluated as if each is the same or reflects the same features and characters. Before Alevism is evaluated, Sunnism in Turkey should also be evaluated in terms of the transformation it underwent after the shift to a liberal economy. Thirdly, attempts are being made to mold Alevism into a particular shape within Islam, such as considering this heterodox faith according to the principles of Islam and claiming that mosques are the only acceptable centers of worship. Discourses about Alevism in politics without finding solutions for Alevi demands have only fueled more differentiation among the members or communities within society, which calls attention to the differences of the Alevi community and marginalizes them. Marginalization or othering means the banalization of identity, language, faith, and other kinds of differences and the eventual perception of these differences as natural, permanent, intrinsic differences with strict prejudices, hasty inferences, and extensive generalizations that ignore the appearance and construction of an identity at the end of particular societal and cultural processes and its validity.<sup>698</sup> The thick borders determined between “us” and “them” in the cultural arena in the comparison of differences to similarities are hard to demolish,<sup>699</sup> and the “Alevi Opening” was based on this dynamic. It created an arena in which two different groups faced each other and talked about their differences, where one of the parties had power over the other.

In contrast to the irresolution of the issue of satisfaction of Alevi demands in Turkish domestic law, the current international minority and cultural rights regime attempts to protect the social rights and cultural heritage of minorities, communities, and

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<sup>697</sup> Çobanoğlu and Demir, “Tunceli’de “Öteki” Olmak,” 519.

<sup>698</sup> Çobanoğlu and Demir, “Tunceli’de “Öteki” Olmak,” 509.

<sup>699</sup> Çobanoğlu and Demir, “Tunceli’de “Öteki” Olmak,” 509.

individuals. Instruments such as the ICCPR, ICESCR, and UNESCO Convention Concerning the Protection of the World Cultural and Natural Heritage have priority over Turkish domestic law as indicated by Article 90 of the Turkish Constitution. While arguments were made in the discussions held in the “Alevi Opening” workshops regarding the delivery of monuments and cultural assets to the community or to Alevi organizations that have status as legal entities, decisions have already been made by international judiciary organs in Europe showing that faiths and religions have status as legal entities. This study does not advocate whether they should remain under the state’s authority or be delivered to the community. However, these international treaties do promote the access of the community or individuals to their heritage and the role of the state in the realization of this goal as the main actor. In other words, these international instruments emphasize the role of the state in the protection of the rights of minority groups and the protection of their cultural heritage just as much as they give communities the right to speak, which is internal self-determination. The state is responsible for the determination and the protection of those monuments valued by Alevis without attempts to evaluate the value of the structure, unlike the current situation based on binding only some of the monuments to the General Directorate of Foundations. Therefore, neither the state nor Alevi organizations should focus on finding solutions to their demands in the current situation in the country. Instead, they should focus on secularism and the international minority and cultural rights regime. Even the Constitution refers to the role of the state for the provision of equality among citizens and their spiritual development, so the role of the state in cultural preservation cannot be fully eliminated. The historical monuments of Alevis and Bektashis as the historical centers of their worship and the provision of access of the community to their heritage are the responsibility of the state and the right of the community. As Subaşı indicates, the state represents the assurance of the legal order, but the state does not see Alevis as a community or a minority; therefore, what the state understands regarding the protection of Alevi cultural heritage or the opening of cultural heritage

sites for usage in this sense is museumification, ruining the spirituality of these places and ensuring the secularization of the place.<sup>700</sup> Here it must be stressed again that the treaties signed by the state are also a part of the legal framework of the country; however, the workshop resulted in criticism of the process due to the securitization of Alevism in the state rather than recognition of the community.<sup>701</sup> In other words, the profile of those invited to the workshops showed that attempts were being made to have Alevism described by ilahiyat experts and shaped based on certain criteria while denying the differences of the community to provide equality among different members of society. The approach towards the demands of Alevis should be based on the principle of equal citizenship if there is a group of people coming together under the roof of a particular association and necessitates the satisfaction of the demands if they require public funding or services.<sup>702</sup> Internal self-determination here can also be called democracy.<sup>703</sup> If it is to be claimed that Turkey is a democratic country, this issue has to be resolved. Alevism should not be considered as a threat to the state. On the contrary, recognition of the communities existing in the society and the proper implementation of collective rights will strengthen the unity and the loyalty or devotion of these communities to the state; in other words, the provision and application of international treaties based on cultural and minority rights is not a zero-sum game between a community and the state. Therefore, national identity politics should be rearranged for a citizenship model absorbing cultural, ethnic, linguistic, and religious differences for the continuity of

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<sup>700</sup> Necdet Subaşı, personal interview, July 22, 2019.

<sup>701</sup> Ecevitoğlu and Yalçınkaya, *Aleviler Artık Burada Oturmuyor*, 41.

<sup>702</sup> Besim Can Zırh, “Yerelden merkeze Erdoğan iktidarının 10. yılında Türkiye’de cemevleri sorunu,” *Birikim* 284 (December 2012): 48-55.

<sup>703</sup> Cardenas and Canas, “Limits of Self-Determination,” 115.

unification in the country if this is the main aim rather than provoking stratification and marginalization.

Subaşı also compares museumized sites to those in the hands of the community, which have retained more spirit but are in need of architectural interventions for physical or structural problems and require preparation or appropriation to deal with high numbers of visitors or electricity expenses.<sup>704</sup> As Subaşı also indicates, the main question is to whom these monuments are open, rather than who is the owner.<sup>705</sup> This is exactly the aim of these international instruments in giving responsibility to the state for continuous provision of state budget for the protection of such heritage. This is not only about the division of responsibility for such cultural assets between the community and state; it is also about the quality of the applications being performed for these monuments in the end in terms of the evaluation of architectural or history experts who can offer opinions in the absence of written literature. The dangers represented by the Ilisu Dam Project for Hasankeyf or the increasing number of hotels in Cappadocia can be further referred to here as signifying the responsibility of individuals in cases where the community of the heritage in question has vanished from the pages of history. While international treaties keep the state responsible for the protection of the cultural heritage of minorities, it does not leave the community completely passive. In this study, it has been seen that both Alevi monuments in the hands of Alevi associations and those that have been restored by state organs are in danger of the loss of their authenticity. Therefore, as suggested by the international regime for the protection of cultural heritage, the best results can be obtained with the cooperative introduction of different actors, such as dedes, organizations, and state organs based on experts on the belief system and specifically on Alevi monuments, into the decision-making process. However, what Alevis request from

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<sup>704</sup> Necdet Subaşı, personal interview, July 22, 2019.

<sup>705</sup> Necdet Subaşı, personal interview, July 22, 2019.

the state is not simply the protection of their beliefs but rather the elimination of existing obstacles for the protection of their cultural heritage.<sup>706</sup> The fact that Alevis are trying to find solutions within the current situation can be seen as an illustration of learned helplessness. However, Alevis also have the right to hold their rituals in historical structures, similarly to the fact that the Blue Mosque in İstanbul is one of the most popular destinations for tourists but its historical value does not prevent its status as a site for active worship.

The increasing multiculturalism of the 1990s brought about legal steps taken in many European countries, which can be seen in the establishment of Alevi organizations being welcomed in European states. While general Alevi/Bektashi associations and foundations are not allowed to include the words “Alevi” or “Bektashi” in their titles and so are established as protection institutions for specific cultural sites in Turkey, the Alevi Cultural Centre and Cemevi of England was established in London in 1993. In spite of the lack of a common policy in the EU regarding minorities and their cultural rights, several countries have successfully adopted such policies in their constitutions or legal instruments. In this vein, in many European countries, Alevis are recognized as a separate religious community from Muslims without being required to describe themselves. According to leftist liberals in Europe, recognition promotes extreme submission to religion, which contradicts with secularism in the EU;<sup>707</sup> however, these are mainly countries that have brought “citizenship” to another level, unlike in Turkey, where it is still based on religious homogeneity, which is aimed to be created with the ignorance of different communities. The role of the national identity based on religion during the Turkish War of Independence cannot be denied, but nation-states today must expand their horizons and implement the necessary legal, economic, and societal amendments in different areas including

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<sup>706</sup> Ecevitoglu and Yalçinkaya, *Aleviler Artık Burada Oturmuyor*, 62.

<sup>707</sup> Özyürek, “Light of the Alevi Fire,” 234.

minority and cultural rights for the equality of individuals and the assurance of democracy. It should be kept in mind that the loyalty of citizens to a country cannot be realized with coercion, but rather with freedom, rights, and welfare provided by the state.

In conclusion, Alevism is a belief system, but at the same time it is also a way of living. A definition of Alevism as simply a “sect” or a “lifestyle” is not enough to fully explain it. The demands of Alevis are a problematic issue in terms of both national and local politics; however, it must be understood that the realization of unity among people by accepting their differences and the preservation of those differences is necessary in today’s world. Therefore, studies based on Alevism should not be considered as a focus on a specific faith to cause marginalization in society but rather a focus on a minority in a society in order to bring a different perspective to Alevi studies for the true solution of the problems. A traditional Alevi may only expect the satisfaction of demands as a result of equality, from the ECHR and its guarantee of freedom of religion, but this study has shown that there are minority and cultural rights in the current international regime that may be pursued by the community as a legal basis for the advocacy of their demands. The ICCPR, ICESCR, and UNESCO Convention Concerning the Protection of the World Cultural and Natural Heritage, as described in this study as a part of Turkish law thanks to Article 90 of the Constitution, create the sub-collectivity and the transnational protection of the rights of not only collective communities but also individuals in light of tolerance, peace, and respect for all cultures and religions. As has been mentioned here, minority issues have been among the most argued topics during negotiation processes between the EU and Turkey. Aside from the question of Turkish membership in the EU, the implementation of these international treaties signed by Turkey is significant if the aim is the unity of the nation. The aim of this study is not to contribute to the isolation or marginalization of any group or community; this study has aimed to call attention to the fact that, under clearly stated

international law, equality is the right of each individual. However, it is also clear that the Sunni-centric Turkish state is currently not responsive to the community even though the satisfaction of these demands of the Alevi community is not impossible under the international treaties to which Turkey is a party. What Alevis can do in this regard is focus on their historical monuments, which are solid, tangible assets of the heritage of the community that can still be preserved for the next generations. The need for architectural and legal experts—specifically experts in these fields on Alevism—and their demands and rights and their cultural heritage cannot be denied, as can be seen from the current situation facing not only Alevi monuments but also other historical structures poorly restored by state organs with tenders and the number of related cases brought to the judiciary in regard to ownership.

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## APPENDIX A. TURKISH SUMMARY / TÜRKE ÖZET

Uluslararası hukukun yeni gelişen alanlarından birisi olarak, uluslararası kültürel hukuk veya uluslararası kültürel miras hukuku ayrı bir yasal kategori olarak, sadece toplumun etnik, dilsel ve dinsel azınlık grupları ve hatta bireylerin sahip olduğu kültürel haklar bağlamınca önem kazanmıştır. Bununla alakalı olarak, azınlıkların içinde buldukları devletler tarafından, kültürel hakları oluşturan sözleşmelere taraf olması durumunda doğan hakları vardır. Türkiye'nin hiç de azımsanamayacak bir oranla, yaklaşık %20lik bir kesimini teşkil ettiği tahmin edilen ve 500 yıllık bir geçmişi olan, ancak resmi olarak ve yasal çerçevede tanınmayan, buna rağmen fiili olarak dini bir azınlık olduğu yadsınamayacak olan Alevilerin de, Türkiye'nin taraf olduğu uluslararası kültürel haklar üzerine sözleşmeler açısından değerlendirilmesi Alevi toplumunun, özellikle 1980lerden sonra dile getirmeye başladığı taleplerine ve kültürel miraslarının korunabilmesi açısından gereklidir. Bu kültürel miraslar bir topluluğun somut eserleri veya ritüeller gibi soyut kültürel mirasını kapsar. Beklenebileceği üzere, Anadolu'daki köklü tarihi ile eski Türkmen boylarının Orta Asya'dan Anadolu'ya geliş sürecinde farklı kültürlerin İslam ile bağdaşması sonucu ortaya çıkan bir inanç olarak Alevilik ve Anadolu'daki Sufi tarikat yapılanmalarından biri olan Bektaşiliğin de, zamanının şehirlerinde kurulmuş olan toplu ibadet alanı olan ve Nevşehir'de yer alan Hacı Bektaş Dergâhı'nın serçeşme olarak görüldüğü düzen içinde Hacı Bektaş'a bağlı dervişler tarafından Anadolu'dan Balkanlara kurulmuş birçok tekke vardır, ve Aleviler bu tekkelerin günümüze ulaşmış olan dergah, tekke ve türbelere ve korunmalarına dair çeşitli taleplerde bulunmaktadır.

Bu çalışma, somut kültürel mirası teşkil eden yüzyıllar önce Anadolu ve Balkanlarda inşa edilmiş olan ve şuan Türkiye Cumhuriyeti Alevi/Bektaş dergâh, tekke ve türbeleri üzerine bir envanter listesi sunarak, Türkiye'nin taraf olduğu uluslararası

sözleşmelerden 2003 yılından beri taraf olduğu, 1966 tarihli Birleşmiş Milletler Medeni ve Siyasi Haklar Uluslararası Sözleşmesi ve Birleşmiş Milletler Ekonomik, Sosyal ve Kültürel Haklar Uluslararası Sözleşmesi'nin yanısıra, 1983 yılından beri taraf olduğu UNESCO Dünya Kültürel ve Doğal Mirasının Korunmasına İlişkin Sözleşmesi'ni esas alarak Alevi kültürel mirasının Türkiye'de korunması ve Alevilerin tarihi mekanlarına dair taleplerinin karşılanmasına ve bu Alevi kültürel mirasının korunmasına katkıda bulunmayı amaçlamaktadır.

Bu tür yapıların ve anıtların korunması, yönetimi ve kullanımı ile ilgili olarak uluslararası hukukta azınlıkların haklarını, yerli halkların haklarını ve kültürel ve tarihi eserlerin korunmasını düzenleyen ve Türkiye'yi bağlayıcı olan birçok uluslararası sözleşmelerden birisi 1966 tarihli Birleşmiş Milletler Medeni ve Siyasi Haklar Uluslararası Sözleşmesi'dir. Bu sözleşmenin 1. maddesi, ekonomik, sosyal ve kültürel gelişimlerinin izlenmesi için tüm halkların “kendi kaderini tayin etme” hakkını belirler. Ayrıca bu sözleşme devletin bunun sağlanması için, toplumların önündeki engellerin kaldırılması açısından sorumluluğuna da atıfta bulunur. Burada kendi kaderini tayin etmekten sadece bir grubun milli bir bağımsızlığı anlaşılmalıdır. Burada söz konusu, bir ülke içerisindeki bir zümrenin kendisini ilgilendiren her türlü ekonomik, sosyal ve kültürel alandaki kararların alınması sürecinde söz sahibi olmasıdır. Sözleşmenin 27. Maddesi, bu sözleşmede sağlanan hakların aynı zamanda ülke azınlıkları tarafından da sağlanması gerekliliğine vurgu yapar, ve bu madde Türkiye'nin 2003 senesinde sözleşmeye taraf oluşu esnasında en çekindiği maddelerden biri olmuştur. Bilindiği üzere Türkiye, birçok etnik, dinsel ve dilsel azınlık içeren bir ülkedir. Bu sözleşme bağlamında anlaşılabilir ki, yerel hukuktaki düzenlemeler bağlamında, müze statüsü ile Kültür Bakanlığı'na, vakıf statüsü ile Vakıflar Genel Müdürlüğü'ne bağlı olan, Aleviler açısından kutsal bulunan bu mekanlar ve bu mekanlara bağlı olarak her türlü restorasyon, yönetim ve kullanım konusunda Aleviler söz sahibi olma hakkına sahiptir.

Medeni ve Siyasi Haklar Uluslararası Sözleşmesi'nin 28. maddesi, üye devletlerin vatandaşlarından seçilen 18 üyeden oluşan bir İnsan Hakları Komitesinin kuruluşunu ve varlığını belirtir. Sözleşme, devletlerin Komite'ye başvuru yapmasına izin verirken, devletler tarafından vatandaşların taleplerine karşılık verilmediği durumlar için sözleşmeye eklenen ve Türkiye'nin taraf olduğu Kişisel Ve Siyasal Haklar Uluslararası Sözleşmesine Ek Seçmeli Protokol sayesinde üye devletlerden bireysel başvurular da kabul edilmektedir. Bu, Aleviler açısından değerlendirildiğinde, Alevi bireyler ve dernekler, federasyonlar ve vakıflar gibi Alevi örgütleri, kültürel miraslarını korumak için karşılaştıkları engellerin giderilmesi için Komiteye başvuruda bulunabilirler. Böyle bir başvuru durumunda, Komite durumun düzeltilmesi için Türk otoriteri ile irtibata geçecektir. Daha sonra, altı ay içerisinde, durumun nasıl değiştiği veya durumun nasıl tadil edilmediği ve yasallaştırıldığı veya gerekçelendirildiği hakkında Komitenin bilgilendirilmesi devletin sorumluluğu altındadır. Bu komite bir diğer deyişle Alevi taleplerinin karşılanması açısından, Aleviler için sorunlarını taşıdıkları Avrupa İnsan Hakları Mahkemesi'ne bir alternatiftir.

Bilindiği üzere Aleviler, cemevlerinin Türk iç hukuku neshinde ibadethane statüsüne sahip olmaması sebebiyle ve tarihi mekanlarının, 1925'te kabul edilen ve Devrim Kanunlarından olan 677 sayılı Tekke Ve Zaviyelerle Türbelerin Seddine Ve Türbedarlıklar İle Bir Takım Unvanların Men Ve İlgasına Dair Kanun ile kutsal mekanlarının kapatılmasının bir sonucu olarak, bugün cem ritüellerini kendileri tarafından finanse edilerek inşa edilmiş ve Aleviler tarafından kurulmuş olan dernek ve vakıflar altında kurulan cemevlerinde sürdürmektedirler. Birleşmiş Milletler Ekonomik, Sosyal ve Kültürel Haklar Uluslararası Sözleşmesi de, Türkiye'yi bağlayan bir diğer sözleşme olarak, "herkesin kültürel yaşamda yer alma hakkını" ifade eden 15 inci madde bakımından önemlidir. İfade edildiği gibi, bugün bu kuruluşlar altında süren ibadetlere devlet müdahalesi bulunmamaktadır. Ancak, Sünni İslam üzerine yoğunlaşan devlet politikaları ve Diyanet İşleri Başkanlığı'nın

kurulduğu günlerdeki laikliğin güçlendirilmesi amacıyla din işlerini devlet eli altında ve kontrolünde tutmak iken, zaman içerisinde dinî konulara Sunni İslam'ı temel olarak devlet eliyle belirli bir İslami düzeni destekleyen kurum halini alması ve günümüzde yüksek meblağlar ile devlet bütçesinden desteklenmesi, ülkenin bir vatandaşı olan ve bu bağlamda askerlik görevini gerçekleştiren, vergisini ödeyen gelenekçi Alevileri finansal destek görememeleri konusunda rahatsız ettiği gibi, daha laiklik temelli düşünen ve mevcut sistemi daha geniş kapsamda inceleyen Aleviler açısından da kendi kutsal alanlarına devlet kurumları ile sözleşme yapılarak Karacaahmet Sultan Dergahı ile Şahkulu Sultan Dergahı'nın yüksek meblağlarda kira ödemesi örneklerinden de tahmin edilebileceği üzere rahatsız etmektedir. Kiralama ve finansal olarak tarihi mekanların değerlendirilmesi, 2008 tarihli Vakıf Kültür Varlıklarının Restorasyon veya Onarım Karşılığı Kiraya Verilmesi İşlemlerinin Usul ve Esasları Hakkında Yönetmelik ile de düzenlenmiştir. Yani bu demektir ki, Alevilerin Vakıflar Genel Müdürlüğü'ne bağlı olan ve tarihi mekanlarında ibadet yapabilmeleri için belli bir finansal güce sahip olan ve bu amaçla vakıflaşabilme amacı güden bireylere sahip olması zorunluluğu vardır. Bu vakıfların yerine getirmesi gereken ve sahip olmaları gereken özellikler de 5737 sayılı Vakıflar Kanunu ve 2008 tarihli Vakıflar Yönetmeliği ile düzenlenmektedir. Hatta Aleviler açısından en önemli olan müze statüsündeki Hacı Bektaş Dergahı'nda ibadet veya bir etkinlik gerçekleştirmeleri ancak ve ancak otoritelerin onayına bağlıdır.

1972 tarihli ve Türkiye'nin taraf olduğu sözleşmelerden biri olan UNESCO Dünya Kültürel ve Doğal Mirasın Korunmasına İlişkin Sözleşme, toplumların karar alma süreçlerine katılımını desteklemeye çalışmaktadır. Bu sözleşmenin ışığında, tarihi Alevi mekanlarının toplum hayatına ve özellikle de Türkiye'deki Alevilerin hayatlarına işlevsel entegrasyonu sağlanabilir. Kısaca, bu uluslararası sözleşme, Alevi grupları ve sivil toplum kuruluşları için belirli Alevi yapılarına ilişkin erişilebilir bir hedef belirlemektedir. Alevilerin bu konuda yapması gereken, bu tür

kapsamaya uygun alanların belirlenmesi, tanımlanması ve bu sitelerin Türk devleti tarafından dünya kültürel mirası listesine uygun olarak teklif edilmesini sağlamaktır. Buradaki temel soru, Türk devletinin amacının bu anıtların korunması olup olmadığıdır. Çünkü, kültürel mirasın Dünya Miras Listesine eklenmesi ancak devletin rızası ile mümkündür. Bunun dışında, Türk devleti sözleşmeye taraf olduğu için, mirasın korunması ciddiyle takip edilirken, Türkiye'nin amaç kültürel mirasın korunması olduğunda diğer devlet taraflarca finansal olarak desteklenmesi de sözleşme maddelerince garanti altına alınmıştır.

Avrupa Birliği; insan hakları ve hukukun üstünlüğünün teşviki konularına da önem veren bölgesel bir ekonomik entegrasyon örgütüdür. Türkiye ile olan müzakereler günümüzde, ülkenin demokrasi, insan hakları ve özgürlükleri ile hukukun üstünlüğü anlamında sorgulanması dolayısıyla askıya alınmış olsa da, AB standartları hâlâ göz önünde bulundurmaya değerdir. Blinmektedir ki, Avrupa Komisyonu tarafından hazırlanan raporlarda en çok bahsedilen konulardan bazıları Alevilerin özellikle Avrupa İnsan Hakları Mahkemesi'ne götürdüğü davaları ile dikkat çektiği din kültürü ve ahlak bilgisi dersinin zorunluluğu, cemevleri statüsü ve Aleviliğin tanımlanma gibi girişimlere girmeden Türk hükümeti tarafından tanınması konuları ve bu konudaki taleplere devletten yanıt verilmesidir. İsviçre, Danimarka, Almanya ve sayısız birçok Avrupa ülkesi Alevileri tanımlamadan tanımış ve ibadetlerinin ve kültürlerinin devamı için gerekli ortamı sağlamışken, Türkiye'de Alevi sorunlarına sadece seçim kampanyalarında yer verilmekte ve 2009 ile 2011 yılları arasında gerçekleştirilen Alevi Açılımında da görüldüğü üzere, talepler karşılıksız bırakılmaktadır.

Azınlık ve kültürel haklar, Avrupa Birliği içerisinde ülkeden ülkeye yasal düzenlemeler ve uygulamalar açısından farklılıklar göstermekte ancak birlik içerisindeki ekonomik entegrasyon haricinde vatandaşların haklarına dair süpranasyonallaşmanın bir sonucu olarak, azınlıklara gerekli hakların sağlanması

sadece üye ülkelerden değil, aday ülkelerden de beklenmektedir. Özellikle, 2005 yılında Portekiz’de imzalanan ve Faro Sözleşmesi olarak da bilinen Avrupa Konseyi Toplum için Kültürel Mirasın Değeri Çerçeve Sözleşmesi belirtilmeye değerdir. Fransa ve Türkiye tarafından imzalanmamış olan bu sözleşme, kültürel mirasa erişim hakkına yeni bir boyut kazandırır. “Toplumun kültürel yaşama özgürce katılmak” hakkını belirten ve insan haklarına getirdiği yeni bakış açısına rağmen, üye devletlerin yalnızca 10u tarafından onaylanmış ve 2011’de yürürlüğe girebilmiştir. Bu sözleşme ayrıca Medeni ve Siyasi Haklar Uluslararası Sözleşmesi ile Ekonomik, Sosyal ve Kültürel Haklar Uluslararası Sözleşmesi’ne atıfta bulunmaktadır. Ayrıca kültürel mirasın korunmasını amaçlayan her devletin, kültürel mirasın nasıl korunacağından ziyade neden korunması gerektiğini açıklayan içeriğiyle konunun önemini izah eder. Faro Sözleşmesi’nin 1. maddesinde belirtildiği gibi, sözleşmenin kaygısı “barışçıl ve demokratik bir toplumun inşasında kültürel mirasın rolü” dür. Bu, azınlık hakları ile kültürel miras ve erişim arasındaki ilişkiyle açıkça bağdaştırılabilir. Bu bağlamda, Aleviler, tarihi olarak ibadethane rolündeki ve toplu ibadetlerdeki ruhani rolü yadsınamaz olan mekanları ile etkileşime girme hakkına sahiptirler. Faro Sözleşmesinin 4. maddesi hem bireylere hem de gruplara kültürel mirastan yararlanma, katkıda bulunma ve bunları kullanma hakkını sağlar. Sözleşmenin 11. maddesi de, taraf devletlerin, mirasın korunmasını amaçlayan STK’ları teşvik etmedeki rolüne atıfta bulunur. Böyle bir durumda tarihi mekanlarını korumak üzere kurulmuş olan Alevi dernek ve vakıflarının finansal olarak desteklenmesi işten bile değildir.

Görüldüğü üzere, uluslararası hukuk bağlamında, azınlıkların kültürel mirasları açısından büyük önem arz eden tarihi mekanları ve hatta bu mekanlar üzerine alınacak kararlar dahi, azınlık toplumundan ayrı olarak düşünülemez. Bu sebeple, bugün Türkiye sınırları içerisinde kalan bu tarihi mekanların onarımı, kullanımı ve yönetimine dair her türlü düzenleme için, yerel Türk hukukunu ve prosedürlerinin değerlendirilmesi, ülkedeki mevcut durumu ve özellikle Alevi topluluğu tarafından

değer verilen Alevi/Bektaşî kültürel alanlarının, anıtlarının ve varlıklarının korunmasına ilişkin talepleri ve devletin bu taleplere yanıtızsızlığının nedenini anlamak açısından önemlidir. Ancak burada unutulmaması gereken en önemli nokta, Türkiye Cumhuriyeti Anayasası'nın 90. maddesine göre, Türk hükümeti tarafından imzalanmış uluslararası sözleşmeler ve maddeleri Türk hukukunun bir parçası kabul edildiği gibi, bu sözleşmelerin herhangi bir maddesinin iç hukuk ve mevzuat ile çatışması durumunda uluslararası sözleşmeler geçerlilik üstünlüğüne sahiptir.

Alevilerin talepleri ile alakalı olarak iç hukuka dair bahsedilmesi gereken bir çok kanun, düzenleme, kanun hükmünde kararname ve yönetmelik vardır. Türkiye Cumhuriyeti Anayasası; devleti, bireylerin maddi ve manevi varlığının gelişmesi için gerekli koşulları sağlamak üzere görevli kılar. Ancak ülkedeki durum değerlendirildiğinde görülmektedir ki, Aleviler kendi kültürlerinin devalılığı açısından zorluklarla karşılaşmaktadırlar. Türk Medeni Kanunu, Türkiye'deki Alevi vakıflarının statüsünü değerlendirmek açısından önem teşkil etmektedir. Avrupa'da ve Avrupa İnsan Hakları Mahkemesi'nce alınmış bir çok kararca, din ve inançların kendi tüzel kişiliklerine sahip olduğu kabul görülürken, Aleviliğin Türk devleti tarafından tanınmıyor olması, her türlü yasal ve prosedürel konuyu ve cemevleri açılmasını, tarihi mekanlarının korunması adına açılmış ve Türk Medeni Kanunu'na tüzel kişilik olarak görülen vakıflar ile yürütmeleri ile sonuçlanmaktadır.

1983 tarihli ve 2863 sayılı Kültür ve Tabiat Varlıklarına İlişkin Kanun, kültürel ve doğal varlıkların kazanılması ve korunması, bu konuda yapılacak işlem ve faaliyetlerin düzenlenmesi ve uygulamaya dair kararları düzenleyen hükümler içermesi açısından önemlidir. Ancak, kültürel ve doğal varlıkların sürdürülebilirlik ilkelerini, korumanın amaçlarını, stratejik ilkeleri ve korumaya karar, uygulama ve bu süreçlere farklı kesimlerin katılımını ve restorasyondan sorumlu diğer kurum ve şirketlerin sahip olması gereken kriterlere dair konuları öngörmesi gerekse de, ayrıntılı bilgi sağlama açısından yeterli görülmemektedir. Bu kanunun 3. maddesinde

belirtildiği üzere, “Kültür varlıkları” belirli bir tarihi döneme ait bilim, kültür, din ve güzel sanatlarla alakalı olarak sosyal yaşama konu olmuş kültürel açıdan özgün değer taşıyan taşınmaz varlıklar olduğundan, Alevi tarihi mekanları hiç şüphesiz koruma altına alınması gereken mekanlardır. Ancak 677 Sayılı kanunun uygulanması sonrası devlet kurumlarına bazı dergah, tekke ve türbelerin bağlanmasına karşıt olarak, ulaşımı zor olan bölgelerde bu mekanlar son türbedarların elinde kalmıştır. Hatta, ulaşımı kolay bölgelerde dahi bugün sadece cemaatin çabaları ile varlığını devam ettiren ve finansal sorun yaşayan birçok tarihi mekân bulunması, uygulamadaki tutarsızlığı göstermektedir. Bu duruma karşı olarak, UNESCO Dünya Kültürel ve Doğal Mirasın Korunmasına İlişkin Sözleşme de ne kadar kültürel mirasa dair bir tanımlama yapsa da, bu mirasın belirlenmesi konusunda bireylerin ve toplumların söz sahibi olmasından bahseder. Başka bir deyişle, bir mirasın belirlenmesi, birey ve toplumların bu mekana veya tarihi esere verdiği değerle ölçülmektedir.

677 sayılı Tekke Ve Zaviyelerle Türbelerin Seddine Ve Türbedarlıklar ile Bir Takım Ünvanların Men Ve İlgasına Dair Kanun, tekke; dergah ve türbelerin kapatılması ile sonuçlanmış, ancak kanunda 1950 yılında yapılan bir değişiklikle, manevi olarak değeri olan Türk figürlerine ait mekan ve türbeler, müze statüsü ile yeniden açılmıştır. Alevilerin, Alevi Açılımı altında düzenlenen çalıştaylarda da belirttiği üzere, bu mekanların gerçek sahiplerine, yani mevcut düzen içerisinde bir çözüm olarak Alevi dernek ve vakıflarına, kira bedeli olmaksızın teslim edilmesini talep etmektedirler. Bu talebe karşılık olarak açılımda da görülmektedir ki, Devrim Kanunu statüsü dolayısıyla 677 Sayılı Kanun’un sorgulanmasının söz konusu dahi olamayacağına dair bir görüş devlet tarafından sunulmaktadır. Bu noktada, Aleviler içersinide tarihi mekanlardan ziyade, cemevlerinin mevcut durumunda düzenleme bekleyen kesim ise, bu kanunda “cemevi” sözcüğünün geçmemesine vurgu yapmaktadır.

633 sayılı Diyanet İşleri Başkanlığı Kuruluş ve Görevleri Hakkında Kanun, Sünni ibadethanelerini Diyanet İşleri Başkanlığı yetkisi altına alırken, 6446 Elektrik Piyasası Kanunu, ibadet yerlerinin elektrik giderlerinin ödenmesine ilişkin düzenlemeleri belirleyen maddeleri nedeniyle önem arz etmektedir. Geçici Madde 6'nın 3. paragrafı, halka açık olan ve girişin ücretsiz olduğu ibadet yerlerinin aydınlatılması için yapılan harcamaların, Diyanet İşleri Başkanlığı bütçesinden yapılan ödenekle karşılanacağını belirtir. Ayrıca, 2002 yılında ilan edilen bir bakanlar kurulu kararıyla; camiler, mescitler, kiliseler ve sinagoglar dahil ibadet yerleri elektrik faturalarından muaf tutulmuştur. Alevilere göre, cemevilerin ibadet yeri olduğu konusunda hiçbir şüphe yoktur. Türk hukuk kaynaklarında "ibadet" ibaresi kullanılırken, ibadet yerinin tam olarak ne olduğuna dair, bu yerlerin bir dinin gerekliliklerini yerine getirdiğinin göstergesi dışında bir tanım yoktur. 1985 tarihli Camilerin Bakım, Onarım, Temizlik ve Çevre Tanzimi Yönetmeliği'nin de amacı; camilerin, mescitlerin ve özellikle bunlardan tarihi olanlarının, bakım, onarım, temizlik, çevresel tasarım ve güvenlik hizmetleri ile ilgili ilke ve görevleri düzenlemek ve koordine etmektir. Buna karşılık olarak, Aleviler tarafından kendi mekanları için çok fazla şekilde dile getirdiği elektrik ve su faturalarının karşılanması hususu bahsetmeye değerdir.

2004 yılında yayınlanan 5225 Sayılı Kültür Yatırımları ve Girişimlerini Teşvik Kanunu'nun kapsamı, ülkenin kültürel varlıklarının canlı tutulmasını ve ülke ekonomisine katkı sağlayan bir faktör olarak değerlendirilmesini sağlamak, bireylerin ve toplumun kültürel ihtiyaçlarını karşılamak, kültürel mirasın korunmasını sağlamak, etkileşime açılması ve kültürel oluşumun bir unsuru haline getirmektir. Yasanın 4. maddesi, Kültür ve Tabiat Varlıklarını Koruma Kanunu kapsamında taşınmaz kültürel varlıklarının kullanılmasını teşvik eder. Ancak belirtildiği üzere, tarihi camilerin turistik amaçları dışında ibadet için kullanıma açık olmasına karşıt olarak, Alevi tarihi ibadethaneleri bu statüde değildir. Tarihi mekanların, topluma açık ve amacına uygun olarak kullanımının uluslararası

sözleşmeler ile teşvik edilmesine rağmen, Türkiye’de “koruma”dan anlaşılan daha çok bir alanın müzeleştirilmesidir. Bu bağlamda, 2007 tarihli Vakıflar Genel Müdürlüğü Müzeler Yönetmeliği, Alevi kültürel varlıklarının mevcut durumunun açıklığa kavuşturulması açısından önemlidir. Daha önce bahsedildiği üzere, Aleviler tarafından önem verilen tarihi mekanların bazıları Vakıflar Genel Müdürlüğü’ne bağlı iken, bazıları Alevi derneklerinin kontrolündedir. Bazı Alevi kuruluşları kamera sistemi ve güvenlik görevlilerine dair ücretleri kendi bütçeleri ile karşılayabilirken, yeterli finansal güce sahip olmayan dernek ve türbedarların sorumluluğunda kalan tarihi mekanlar, define avı ve soygun riskine maruz kalmaktadırlar. Burada husus, bir yerin müzeleştirilmesi değil, ancak bahsi geçen UNESCO Sözleşmesi’nin de belirttiği gibi tarihi mirasın belirleyicisi konumunda toplumun söz konusu olması gerekliliğidir.

2863 sayılı Kültür ve Tabiat Varlıklarını Koruma Kanunu'nda belirtilen kültürel varlıkların restorasyonunda, fiziki veya yapısal iyileştirmelerde uygulanacak usul ve esaslar, 2013 tarihli Kültür Varlıkları İhale Yönetmeliği ile düzenlenmiştir. Ancak Türkiye’de görülmektedir ki, ihale yöntemi ile restorasyonların tarihi mekanların kendine has özelliklerine dair gerekli bilgi birikimi olmayan şirketlere bırakılması ciddi şekilde hatalı sonuçlara sebep olmaktadır. Hatta Aleviler, çoğu zaman bu restorasyonları devletin kendilerini asimile etmek amaçlı olarak kullandığını düşünmektedir.

Bu çalışma, sadece mevcut düzendeki Alevi tarihi yapılarının yasal statüsünü ele almakla kalmayarak, Alevilerin kültürel miras olarak önem arz eden yapılarına dair taleplerini, en çok değer verilen ve bugün Türkiye Cumhuriyeti sınırları içerisinde yer alan dergah, tekke ve türbelerinden oluşan bir envanter listesi ile de katkıda bulunmayı amaçlamıştır. Bu listede mekanlara dair talepleri açısından ele alınan mekanlar; Seyit Cemal Sultan Türbesi olarak da bilinen Çakırlar Tekkesi, Merzifon Piri Baba Türbesi Hüseyin Gazi Türbesi, Hasan Dede Türbesi, Şah Kalender Türbesi,

Abdal Musa Türbesi, Osmancık Koyunbaba Türbesi, Hıdır Abdal Dergahı, Sücaeddin Veli Külliyesi, Seyit Veli Baba Sultan Türbesi, Karacaahmet Sultan Dergahı, Şahkulu Sultan Dergahı, Hamza Baba Türbesi, Hacı Bektaş Veli Dergahı, Ali Baba Sultan Vakfı, Hubyar Sultan Dede Türbesi, Keçeci Baba Türbesi ve Ağuışen Türbesi'dir. Bu mekanların birbirinden farklı talepleri ve ihtiyaları bulunsa da, genel manada altyapıya dair ihtiyalar ve bunun finanse edilmesi, restorasyonların mekanın tarihi olarak kendine has özelliklerine, detaylarına ve materyallerine uygun olmayan şekillerde gerçekleştirilmesi, bazı mekanlarda güvenlik sağlamak için kullanılacak finansal gücün bulunmaması, mekanların statüsü ve müzeleştirme, mekanı ilgilendiren kararların alınıml süreçlerinde söz sahibi olamama, Alevi köylerine cami inşaaası ve hatta bazı Alevi tarihi mekanlarına imam dahi atanması ve bu mekanların ibadetlerine kapalı olması sorunlardan sadece bazılarıdır. Bu sorunların çözümlerine dair, devletten Sunni İslam'a sağlanan finansal destek gibi kendileri içinde sağlanması ve devlet nezdinde bir Alevi yapılanmasının sağlanması gerekliliğine vurgu yapan Alevilere karşıml, devletin tamamıyla dini konulardan uzaklaşması gerektiğini ve bu mekanların gerçek sahibi olarak Alevilere teslim edilmesiyle, Alevi toplumunun desteğı ile ibadethanelerinin devamlılığının sağlanabilmesi gerektiğini savunan laiklik savunucusu Aleviler de mevcuttur.

Özetlemek gerekirse, Türk devleti tarafınca taraf olunan, azınlık ve kültürel haklarına dair düzenlemeleri amaçlayan uluslararası sözleşmeler, Alevilerin taleplerine yanıt verebilirken bu mekanların daha erimli sonuçlarla korunmasına olanak sağlamaktadır. Ancak Türk iç hukuku ve mevzuata baktığımızda ise, bu sözleşmelerin hükümlerine karşıtlık oluşturan durumlar söz konusudur. Gerekli yasal düzenlemelerin haricinde, Türkiye'de mevcut durum ile ilgili bir başka konu da Osmanlı'nın özellikle Tanzimat sonrası oluşturduğu ulus inşaaası ve millet sistemi, Türkiye Cumhuriyeti'nin kuruluş evresinde de benimsenmiş, millet içi bütünlük sağlanması amacı ile, azınlık olarak sadece Müslüman olmayan ve hakları Lozan Anlaşması ile garanti altına alınmış Rumlar, Yahudiler ve Ermenileri varsayılmıştır.

AKP döneminde, Avrupa Birliđi ile müzakerelerin başlaması sonucu olarak Türk hukuku birçok düzenlemeye maruz kalsa da, azınlık talepleri devlet tarafından karşılanamamış, ve ilerleyen zamanda AKP ülkedeki demokrasi ve yargı bağımsızlığı konusundaki zayıflamalar ve daha otoriter bir yapıya geçmesi konularında eleştirilmiş, hatta müzakereler Avrupa Birliđi tarafından askıya alınmıştır. Bunlarla alakalı olarak, Türk devleti, imzaladığı uluslararası sözleşmeler dahilinde yeni düzenlemeler yaparak ve Alevileri tanıyarak, vatandaşlık kavramını farklı bir boyuta taşımak ve vatandaşlar arası eşitliği sağlamak ile yükümlülüklerini yerine getirmelidir.

## APPENDIX B: TEZ İZİN FORMU/ THESIS PERMISSION FORM

### ENSTİTÜ / INSTITUTE

Fen Bilimleri Enstitüsü / Graduate School of Natural and Applied Sciences

Sosyal Bilimler Enstitüsü / Graduate School of Social Sciences

Uygulamalı Matematik Enstitüsü / Graduate School of Applied Mathematics

Enformatik Enstitüsü / Graduate School of Informatics

Deniz Bilimleri Enstitüsü / Graduate School of Marine Sciences

### YAZARIN / AUTHOR

Soyadı / Surname : Kulak

Adı / Name : Özge

Bölümü / Department: Avrupa Çalışmaları Yüksek Lisans Programı

**TEZİN ADI / TITLE OF THE THESIS (İngilizce / English)** : Protection of Historical and Cultural Artifacts of Minorities under International Law: The Case of Turkey's Alevi Cultural Heritage

**TEZİN TÜRÜ / DEGREE:** Yüksek Lisans / Master

Doktora / PhD

1. Tezin tamamı dünya çapında erişime açılacaktır. / Release the entire work immediately for access worldwide.

2. Tez iki yıl süreyle erişime kapalı olacaktır. / Secure the entire work for patent and/or proprietary purposes for a period of **two years**. \*

3. Tez altı ay süreyle erişime kapalı olacaktır. / Secure the entire work for period of **six months**. \*

\* Enstitü Yönetim Kurulu kararının basılı kopyası tezle birlikte kütüphaneye teslim edilecektir.

A copy of the decision of the Institute Administrative Committee will be delivered to the library together with the printed thesis.

Yazarın imzası / Signature .....

Tarih / Date: 11.09.2019

