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The past twenty-four months of world history bear poignant witness to a growing humanitarian disaster that envelops much of the Middle East and the Latin West as ISIS tries to maintain its grip on parts of Iraq and Syria and confirms its commitment to human savagery. This disaster has affected Turkey, which, in turn, has affected Western Europe. Indeed, some analysts believe that Syrian refugees fleeing to Turkey and thence to Europe were a contributing factor in Britain's vote to leave the European Union. Concurrent with such events, the West has concluded the negotiation of an Iran nuclear deal, an agreement that corresponds with unmistakable evidence of a resurgence in Russian support for its long-time ally¹, Syrian President Bashar al-Assad. Taking full advantage of this situation, President al-Assad, who is also allied with Iran, has reportedly inflamed the refugee crisis in order to tighten his grip on power². Whilst bodies of toddlers wash up on Turkey's shores³, whilst civilians flee Aleppo with alacrity whenever a truce is struck, and whilst evidence emerges showing that ISIS fighters continue to use the Turkish border as a transit point out

¹ See e.g., Chairman Royce, *U. S. Policy After Russia's Escalation in Syria*, Hearing before the Committee on Foreign Affairs, House of Representatives, 114th Congress, First Session, November 4, 2015, at 2 (stating that while President Obama characterizes Russia's moves as a sign of weakness, it is Assad who is growing stronger).

² Sam Dagher, *Assad Inflames Refugee Crises*, *THE WALL STREET JOURNAL*, (Weekend), September 12-13, 2015.

³ See e.g., Lizzie Dearden, *Refugee crisis: Toddlers and children wash up dead on Turkish beaches after at least 39 drown in latest boat disaster*, *THE INDEPENDENT*, (30 January 2016), <http://www.independent.co.uk/news/world/europe/refugee-crisis-toddlers-and-children-wash-up-dead-on-turkish-beaches-after-at-least-39-drown-in-a6843691.html>

of the war-torn Middle East, the Turkish government, in an apparent effort to hedge its bets between Europe and the North Atlantic Treaty Organization (NATO), on one hand, and its Middle Eastern friends on the other, pauses to decide whether to fully invest the nation's political and ideological capital in the ongoing conflict with ISIS. At the same time, since this past summer's failed coup attempt, an event that has been followed by a string of bombings that have been punctuated by the assassination of the Russian ambassador⁴, Turkey has taken a distinctly authoritarian turn, one that places Christians and other minorities at risk of being falsely charged and imprisoned without trial⁵. Turkey and Turkish policies are once again at the centre of any attempt to understand the Middle East. This prompts historians and others to recall the Ottoman Empire, which has apparently provided fodder to prompt delusions of grandeur among Turkey's current leadership. Consequently, strategic analysts are forced to revisit the contemporary and ancient history of the land that gave birth to the Ottoman Empire.

The Centre for the Study of Law & Public Policy at Oxford (the Centre), in concert with others, has taken up this daunting effort. The Centre, which houses several scholars who have served as Visiting Fellows at the University of Oxford, was established in Great Britain, in order to : (1) provide research and examine the history, legal principles, and public policies that underlie the international rule of law, international law, international relations, global economics, the global provision of healthcare, and related subjects; (2) make recommendations on how to improve each of the aforementioned areas and to educate the public regarding them; (3) organise and sponsor forums where subject matter experts on the foregoing topics

⁴Tim Arango and Rick Gladstone, *Russian Ambassador to Turkey Is Assassinated in Ankara*, The New York Times, (19 December 2016), available at <http://www.nytimes.com/2016/12/19/world/europe/russia-ambassador-shot-ankara-turkey.html>.

⁵3 Jordan Sekulow, ACLJ.org, (14 December 2016) available at <http://aclj.org/persecuted-church/american-pastor-andrew-brunson-wrongfully-imprisoned-in-turkey>.

may gather to discuss ways to improve the laws and public policies applicable to each subject area; and (4) draft and produce books, notes, papers, pamphlets, and the like to capture the suggestions for improvement and to disseminate them for consideration by governments, academics, public interest groups, and others.

Responding to the events in the Middle East, the Centre hereby issues the papers presented during the Centre's inaugural Spring 2015 *Persecution, Peace, and Reconciliation Symposium* in this volume. This Symposium, which took place at Harris Manchester College of the University of Oxford, assembled a number of religious, policy, and legal experts to present various papers that considered the nation of Turkey: its history, its future, its insularity and its relationship with a number of countries that have important national interest in the near East. During a three-day period, the participants partook in a vigorous discussion that touched on Iran, Israel, Greece, Egypt, Cyprus, China, and the United States. Additional presentations focused on Turkey's relationship with Hamas as well as its fraught relationship with its non-Muslim population, the role of religion in Turkey as well as the politics of Turkey during the Holocaust. The Symposium brought together a diverse group of individuals representing more than eleven languages including a member of the Turkish Parliament, a member of the British House of Lords, a representative of the Ecumenical Patriarch of the Greek Orthodox Church, a legal and policy expert from the People's Republic of China, Visiting Fellows from the University of Oxford, individuals who have practiced law before the United States Supreme Court, the European Court of Human Rights and the International Criminal Court, and Oxford University graduate students in politics.

This volume contains seven articles which deal with Turkey. The first article authored by Dr Jay Sekulow is entitled *Turkey-Israel Relations*. Dr Sekulow, building on his experience as a member of the Summer Research Institute at Oxford, litigation experience as

Chief Counsel at the American Center for Law & Justice (ACLJ) and the European Centre for Law & Justice (ECLJ), highlights the fact that the relationship between Turkey and Israel is unique in the Muslim world. This world has become more fraught because, as Alan Dershowitz shows, the “greatest danger the world faces in the twenty-first century is an Iranian nuclear arsenal,” and this danger may be intensified by virtue of the recently concluded Iran nuclear deal⁶. On the other hand, while most Muslim-majority nations have declined to recognise Israel, Turkey was the first Muslim-majority nation to do so. Dr Sekulow examines the secular roots of modern Turkey, the shifting sympathies of Turkish leaders under the guidance of a number of Islamist theorists, and the current status of the Turkey-Israel relationship under the direction of the leader of the Justice and Development Party (AKP), Recep Tayyip Erdoğan. Emerging as a continuation of the Welfare Party, the AKP’s platform was rife with promises to re-orient toward the West, to respect a secular Republic, and to depart from political Islam in favour of a secular, conservative democracy. At the same time, many saw the issue of Turkish-Israeli relations as a benchmark for measuring the sincerity of the AKP’s promise to instantiate a secular, Western-oriented government. At the present time, relations between Turkey and Israel show that Turkey’s stance regarding Israel reflects a complex mix of religious ideology and political expediency that appears to include a burgeoning relationship with terrorist groups like Hamas. Hence, as this article suggests, the most optimistic forecasts are likely to suggest that this state-to-state relationship is likely to remain fragile.

The second paper in this volume is entitled *The Mavi Marmara Trial: Politicising the Turkish Justice System*. The paper offers a window into the increasingly politicised Turkish Justice System. Robert Ash, a senior lawyer with both the ACLJ and ECLJ, military expert, student of international affairs and a Founding Fellow of the Centre, clarifies

⁶ ALAN DERSHOWITZ, *THE CASE AGAINST THE IRAN DEAL: HOW CAN WE STOP IRAN FROM GETTING NUKES?* 3 (2015).

the facts arising about of the 31 May 2010 clash between Israeli forces and vessels of the Free Gaza Flotilla. The Mavi Marmara, a Comoros-flagged vessel led by a Turkish Master with a Turkish crew, sought to breach the Israeli naval blockade of the Gaza Strip. The ensuing melee resulted in the deaths of nine passengers and serious injury to other passengers as well as Israeli commandos. This event became the opening act of a criminal inquiry that resulted in the attempt by the Turkish government to try Israeli military officers for acts that it would excuse with respect to its own public servants. Mr Ash shows that the Mavi Marmara trial, representing the misapplication of Turkish criminal and procedure law, is a political show trial that neither comports with the minimal requirements for a fair trial nor seeks to ascertain the truth and do justice. This trial, which violates the Law of Armed Conflict, is part of a Turkish effort to impose Turkey's view of applicable law on Israel. Beyond the trial's political motivation, it makes a mockery of the rule of law and has turned the Turkish judicial system into an object of ridicule.

The third paper considers the politics of Turkey during the Holocaust. Authored by Stuart Roth, who is Senior Counsel with both the ACLJ and the ECLJ, and a Senior Fellow of the Centre, the paper, *The Politics of Turkey During the Holocaust*, takes as its point of departure the systematic destruction of European Jewry during the Holocaust. The methodological murder of six million Jews was perpetrated not only by the Germans, but with the collaboration of numerous countries that served as direct or indirect accomplices to genocide. Turkey, by way of contrast with England, the United States, and others, played a crucial role in rescuing Jews through the efforts of its embassies and served as an uneasy escape route to Palestine due to its geographic proximity. To be sure, Turkish efforts do not represent a coherent organised government effort to rescue or repatriate Jews; but, nonetheless, the humanitarian efforts of individual diplomats in saving Jews needs to be acknowledged. Providing background on the

history of the Jews in the Ottoman Empire, Turkey's turn toward "Turkification" and the adverse effects of this effort on Jews, Turkey's invitation to Jewish scholars from Germany and Austria during World War II, and the effects of German anti-Semitism in Turkey, Mr Roth shows that Turkey's efforts, whilst not heroic, stand in stark contrast with American Anti-Semitism and Britain's policy aimed at appeasing the Arab population in Palestine. Despite Turkey's efforts, it is clear that Turkey could have done more.

The fourth paper in this volume is authored by David Benjamin, a lawyer who serves Of Counsel to the ACLJ. The paper, *Turkey's Support for Hamas: A Bridge Too Far*, shows that Turkey has become an operational base for Hamas. Despite Hamas' preference for an Arab country as its base, placing its base in Turkey provides a challenge to Turkey's relationship with both Israel and the United States. It may also weaken Turkey's credibility in confronting terror threats from the Islamic State of Iraq and al-Sham (ISIS) as well its ongoing confrontation with terror threats surfacing within its Kurdish population. Nonetheless, many commentators suggest that Turkey has a "model partnership" with the U.S. along with long-standing ties with the European Union. Turkey is also a long-standing member of NATO (since 1952). Still, if Turkey wants to remain a bridge between the Middle East and the West, it must acknowledge that allowing Hamas to operate a terror base on its soil is a "bridge too far".

Nathaniel Bennett, Research Associate of the Centre and Director of Government Affairs for the ACLJ, authored the fifth paper, which concentrates on the relationship between Turkey and the United States. The paper is entitled *Turkey and the United States : Friends or Foes?* Mr Bennett demonstrates that the United States has long viewed its alliance with Turkey as one of strategic importance both economically and symbolically. Turkey has served as a bridge between the East and West, but signs of strain—if not fracture—emerge as Turkey's leaders increasingly identify themselves as Islamic rather

than secular. The seeds of conflict are spreading as Turkey deals with the deepening refugee crisis that has led the European community to essentially pay Turkey to maintain and sustain refugees who are a collateral consequence of the ongoing conflict in Syria. Such consequences, in combination with Turkey's undulating relationship with Israel, represent a stark challenge to U. S.-Turkey relations. Additional challenges to this relationship issue forth from Iran, the leading state sponsor of terror. This is so because Iran harbours ambitions of becoming the leading power in the Islamic world, a perspective that directly challenges the ambitions of President Erdoğan that are made tangible by his thirst for power and his willingness to discount democratic norms. In addition, if Turkey's leadership implements its preference for Islamic authoritarianism rather than the rule of law, conflicts between Turkey and the U.S. are likely to remain front and centre for quite some time.

Marshall Goldman, Senior Research Associate of the Centre and Senior Associate Counsel at the ACLJ, has written the sixth paper in this volume, which is entitled *Turkey, Cyprus, and the Turkish Republic of Northern Cyprus*. He examines the vexed relationship between Turkey, Cyprus, and the Turkish Republic of Northern Cyprus. Turkey, Greece, and Cyprus have faced the challenges arising out of a civil war as both Turkey and Greece have vied for influence and control. Emerging out of the most recent conflict is the question of whether the Turkish Republic of Northern Cyprus has ever achieved the status of statehood within the parameters of international law. This question obviously implicates the fall of the Ottoman Empire following World War I and the severely contested Treaty of Sèvres of 1920. Because Turkey never ratified the Treaty of Sèvres, it was replaced in 1923 by the Treaty of Lausanne, which many Turks saw as a great victory that delineated the boundaries of the modern state of Turkey. Following World War II, the Cyprus question intensified because of Greece's effort to end British rule and unify the island with

the Greek mainland. After many decades of conflict and in response to Greek attempts to incorporate Cyprus into Greece, Turkish Cypriot leaders issued a unilateral declaration of independence as they established the Turkish Republic of Northern Cyprus (TRNC). This declaration prompts persistent questions about the status of the TRNC within the bounds of international law.

The seventh and final paper, *L'Église Catholique et l'Anatolie* (*The Catholic Church and Anatolia*) is authored by Grégor Puppinck, Andreea Popescu & Christophe Foltzenlogel [hereinafter, Puppinck], all of whom are affiliated with the ECLJ. Grégor Puppinck is an internationally known author with expertise in the arena of religious liberty. Puppinck's article, *The Catholic Church and Anatolia*, explores the special relationship between the Catholic Church and Anatolia, which can be explained by the common and turbulent history of these two entities. Rome and Constantinople were two capitals of the Roman Empire. Nonetheless, Anatolia has gradually moved away from Rome although the Catholic Church has strengthened its authority from the tomb of St. Peter. Wars, religious quarrels and invasions have created a difficult and unstable relationship. However, efforts have been made to re-establish a closer union with the Orthodox churches, but no attempt has succeeded in completely healing the rifts. Relations between Catholic Rome and Anatolia remain under stress as Turkey continues to retain its undeniably important international role because of its location and power. Turkey's exercise of unbridled power has also led to much suffering for Catholics, who are still subject to local power without the possibility of a real "appeal to the Pope". Beyond the situation of Christians and Catholics in Anatolia, relations between Rome and Anatolia still largely determine the relationship between Turkey and Europe. The political process of re-Islamisation of Turkey and its current neo-Ottoman discourse tends to give fundamental importance to the religious dimension of the relationship between Turkey and Europe.