



Social and ideological dimensions of the property issue in the Turkish Cypriot Community

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The present text analyzes the property issue as an aspect of the wider Cyprus problem, through the context of social and ideological perceptions within the Turkish Cypriot community. Until today, the property issue has been addressed mainly through the legal aspects that should govern its solution within the overall settlement of the Cyprus problem. It is also true that the property issue is one of the most complex elements of a prospective solution. This analysis therefore, aims at disclosing the difficulties and problems surrounding the property issue through the social mechanisms in the Turkish Cypriot community and not through “legalistic” definitions. Herein, the property question is treated as one of the core issues that founded the process of forming separate political and economic structures after the invasion of 1974. Emphasis is thus placed on the impact of this issue on the development of the community as well as the reactions and consequences on the perceptions of various parts of the Turkish Cypriot society in view of the developments in the Cyprus negotiation talks.

From optimism to political nightmares

In his article in *Halkın Sesi* newspaper on 2 August 1980, Fazıl Küçük, talking on the de facto situation created in the Turkish Cypriot community by the 1974 invasion, he noted the following: “The Turkish Cypriots were found covered in wealth. Such great wealth that was not given to any other community ever in history.”¹ With these words Küçük wanted to emphasize the denial of expectations cultivated in a large part of the Turkish Cypriot community about their life in the post 1974 period. Indeed, for many political and economic circles in the Turkish Cypriot community and

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¹ Fazıl Küçük, “Sayın Demirel’in Nasihati” [Mr Demirel’s advice], *Halkın Sesi*, 2 August 1980.

in Ankara, the effort of building a separate state, immediately after the invasion, seemed to have a serious possibility of success and sustainability. The moment of the military invasion, in the aforementioned framework, was, at the same time, the “zero point,” since an entirely new process of defining the social and economic structure of the community, within the new environment created by the war, would be initiated. The Turkish Minister of Agriculture, Korkut Özal, was meaningful when he stated that “the military operation ended. Now the economic and social operation starts.”² Optimism for the economic development of the occupied territories was such that in October 1974, Ziya Müezzinoğlu, then head of the “Cyprus Coordination Council” of the Turkish government, estimated that “the natural resources and facilities in this region indicate that in a very short time it will be self-sufficient.”³ As it becomes apparent, the main reason for the initial optimism about the economic future of the Turkish Cypriots related to the movable and immovable assets of the Greek Cypriots. The properties which the Greek Cypriot refugees were forced to leave behind formed one of the basic foundations for an entirely new Turkish Cypriot social, economic and political organization.

The property issue is admittedly a complex aspect of the Cyprus problem. The emerging difficulties however, cannot be exclusively explained by “technocratic details.” They originate by the fact that an entire social organization was founded on a “pending” issue. As in other examples of military takeover, in Cyprus, the “spoils of war” and their distribution became almost immediately the core aspect of a “new life” that had to be constructed. The Greek Cypriot properties gained a decisive (if not the most decisive) place in the everyday life of people. They were used to support the new divisionary political and economic structures, but also to reproduce the ideological forces that undertook to represent this “state” structure.⁴ In this manner, they greatly influenced the future of thousands of families while, in many cases they turned into “ghosts” that alienated the Turkish Cypriots from the new created reality. In one of his many literary texts, Özger Yaşın admits that “our lives passed through the abandoned furniture, as well as through the memories left behind by the Greek Cypriots.”⁵ Even today, under the dominant discourse produced by nationalist certainties, there lies a powerful part of the Turkish Cypriot collective consciousness that describes the property status of the community in a critical manner, using the term “looting” (*ganimet*).⁶

The property issue as a central artery of the state structure

During the armed conflict of 1974 and after the invasion, the relocation of Turkish Cypriot refugees who fled the southern regions of the island and were then granted Greek Cypriot properties, formed a dominant policy issue. Initially, this effort started without comprehensive planning. According to Turkish Cypriot data, by November 1974 around 20.000 Turkish Cypriots had already settled in the occupied territories under the supervision of the army and the collaboration of several organized

² “Askeri hareket bitti, ekonomik ve sosyal hareket başlıyor” [The military operation came to an end, economic and social operation is starting], *Zaman*, 26 August 1974.

³ Abdi İpekçi, “Yılbaşından sonra 5 yıllık bir kalkınma planı uygulanacak” [From the first day of the year a five year economic development plan will be implemented], *Milliyet*, 14 October 1974.

⁴ Özkan Yıkıcı, “20 Temmuz sonrası Kuzey Kıbrıs Ekonomisinin kısa gelişimi” [The development of Northern Cyprus’ economy in short], *Ortam*, 20 July 2012.

⁵ Özger Yaşın, *Girne’den yol bağladık* [We have connected the road from Kyrenia], (İstanbul: İtimat Kitabevi, 1976), 415.

⁶ Yael Navaro-Yashin, *The Make-Believe Space. Affective Geography in a Postwar Polity*, (Durham and London: Duke University Press 2012), 155.

groups and local authorities.⁷ The first attempt to overcome the chaotic situation came four months after the invasion. In November 1974, the “Turkish Cypriot Administration” of the time tried to organize the distribution of Greek Cypriot properties, as well as to prevent the increase of looting phenomena, which had become more frequent. In September 1975, another effort was made to normalize the situation, with the approval of the “Law for Allocation and Investment in Properties of Foreigners.”⁸ According to its provisions, all Greek Cypriot refugees’ properties passed under the control and management of the so-called Council of Ministers. At the same time, a “Re-settlement Ministry” was created with the authority to complete the relocation of Turkish Cypriot refugees, as well as to organize the allocation of Greek Cypriot properties to the first settlers that had began to arrive from Turkey.

The first, very specific, legislation that attempted to comprehensively settle the distribution of property was adopted in 1977. The “Settlement, Land Distribution and Equivalent Property Law” created two main policy axes on the property issue for the Turkish Cypriot leadership at the time. The first pillar pertained to the fact that the Turkish Cypriots refugees were forced to renounce any rights they had on the properties they left behind in the southern areas. The second pillar involved the “nationalization” of all Greek Cypriot properties and the effort to ensure for every Turkish Cypriot a property of equal value to the one they left behind.⁹ Of course this was not possible, especially considering the network of clientele relations that existed and the activation of this network with a view of spreading the power of Denktaş and the National Unity Party. It is no accident that the majority of Greek Cypriot properties had not been distributed until the parliamentary elections in 1976. However, the overall philosophy of this legislation reflected, to a great extent, the position of the Turkish Cypriot leader for a “global exchange” of properties between the two communities.¹⁰

Questioning the “property” foundation of the ideology of partition

The position of a “global exchange” of properties expressed in the aforementioned law of the “Turkish Cypriot Federal State” in 1977, formed part of a wider ideological approach of the status quo created after the invasion. The 1974 founding ideology revolved around the so called “zero point.” The invasion marked a completely new start, which sought to force the Turkish Cypriots to forget everything they left behind. Their properties, even their social relations with the Greek Cypriots; all should be “locked” within a historical parenthesis.¹¹ The new situation, both on the ground and in the collective consciousness of the community, had to endorse this new beginning. Thus, the concept of “return” was completely delegitimized in the public sphere constructed by the Denktaşian rule. The return of properties, the return to a common space with the Greek Cypriots, the return to inter-communal relations, all formed some sort of “national treason.”

⁷ “20 bin göçmen soydaşımız iskan edildiler” [20 thousand displaced kinsmen have been resettled], *Zaman*, 20 November 1974.

⁸ Ayla Gürel, “Displacement in Cyprus, consequences of civil and military strife: Turkish Cypriot Legal Framework,” PRIO, 2012, 22.

⁹ Gürel, “Displacement in Cyprus,” 23.

¹⁰ Hakkı Atun, “Kıbrıs’ta göçmenlerin iskanı” [The resettlement of displaced in Cyprus], in *Proceedings of the 6th International Congress on Cyprus Studies*, ed. Ülker Vancı Osam, (Famagusta: Eastern Mediterranean University Press, 2007), 390.

¹¹ Niyazi Kızılyürek, *Milliyetçilik Kısırcığında Kıbrıs* [Cyprus in the Clamp of Nationalism], (İstanbul: İletişim Yayınları, 2002), 293.

However, it was precisely the combination of this ideological construction with the reality on the ground which, from the beginning, started to operate in reverse and created the first centrifugal opposing forces. The size of Turkish Cypriot relocation and the timeframe needed to complete this operation, caused deep rifts in the social and economic structure of the community.¹² On one hand the appearance of basic needs such as housing, and the efforts to satisfy this need through foreign property, and on the other the clientele network which was prevalent at the time, began to alienate a large part of the community from this new reality. Mehmet Yaşın, one of the poets of the “1974 generation” wrote a few years after the war: “We were given our new home along with its carcasses. We were like bears that found a cave for winter hibernation [...]”¹³ The “carcasses,” i.e., the buried memories of the Greek Cypriot owner, form a reminder of the loot of the war and reproduce the alienation of the Turkish Cypriots. At the same time, however, as becomes evident from the literature of the time,¹⁴ these memories became a strong criticism of the new environment they were found in, where nothing was actually “theirs.”

The economy of the “spoils of war” and the new policies

Another important aspect which questioned the viability of the “state” building process, and which created additional prospects of a strengthened opposition, was the real estate market itself. The prolonged pending of the Cyprus problem generally destabilized the economy of the occupied areas and shaped the prices of the real estate under the heavy shadow of courts and legal problems.¹⁵ In the following years, the appearance and outcome of the Loizidou case¹⁶ came to confirm the Turkish Cypriot poet who referred to the “carcasses” that accompanied the “new homes.” Ankara appeared willing on one hand to undertake a large part of the compensations, but the concerns of both the investors and of the construction sector businessmen reached their peak. The initial impact of the Loizidou case in the Turkish Cypriot context was the emergence of a new collective consciousness: the partitionist state of affairs was neither of Turkish Cypriot origin, nor a sustainable one. In this way, the property issue turned into one of the more definitive aspects that formed the foundation upon which the most massive reaction of the Turkish Cypriots was built through the platform “This country is ours.”

However, the failure of the 2004 referendum was ultimately crucial to the development of new dynamics in the property issue itself. From 2004 onwards, a significant change in the property relations within the Turkish Cypriot community has been recorded, in such a way that new economic and political interests were created. A Turkish Cypriot journalist, Hasan Kahvecioğlu, reported quite eloquently that after the referendums a “second round of looting”¹⁷ started. The increase in land

¹² Kızılyürek, *Milliyetçilik Kışkacında*, 292.

¹³ Cemay Onalt Müezzın, “Bir ‘74 Kuşağı’ Şiiri: Sığınaktan Çıkınca” [A poem of the ‘74 Generation: Getting out of the Shelter], *Yeni Düzen Gaile*, 24 January 2016, <http://www.yeniduzen.com/Ekler/gaile/354/360> [accessed 30 January 2016].

¹⁴ See for example: Mehmet Yashın (ed.), *Step-Mothertongue: From Nationalism to Multiculturalism Literatures of Cyprus, Greece and Turkey* (London: Middlesex University Press, 2000).

¹⁵ Tufan Erhürman, “Kıbrıs Türk Siyasi Hayatını Sarsan On Yıl: 2000-2010” [The ten years that shocked the Turkish Cypriot political life: 2000-2010], *Birikim*, 258 (2010), 57–65 (59-60).

¹⁶ Since the 1990s hundreds of property-related cases have been piling before the ECHR. Most of these were Greek Cypriot applications against Turkey. In its judgements so far on several of these cases, the ECHR has ruled that the dispossessed persons remain the owners of the property they left in the north and that their property rights are being violated. *Loizidou v. Turkey* was the first and most important of these cases with its outcome setting the case-law for subsequent applications. ECHR Judgment: *Loizidou v. Turkey* (Merits and Just Satisfaction), 1996.

¹⁷ Hasan Kahvecioğlu, “2. Ganimet Dönemi ve Müteahhitler...” [The 2nd looting period and the constructors ...],

value, the high growth of the construction sector, the emergence of many new real estate companies, formed part of a new reality that created a new elite, which was powerful enough to influence political decisions. According to data of the period, the construction sector in 2004 accounted for 4.3% of the Gross Domestic Product (GDP) with a total value of 107 million TL while four years later, in 2008, it accounted for 7.1% of GDP, with a value of 362 million TL; it was the year when the “TRNC” reached a new record in iron and cement imports with a value reaching \$100 million.¹⁸ At the same, an investigation of the bank-lending sector reveals that a large part of the community was directly or indirectly involved in a new cycle of distribution and profitability from properties.

Within this framework, Ankara decided to create the “property committee” in 2005. It began its operation in 2006 operating as some sort of court whose decisions leaned more on granting compensations to Greek Cypriot owners. The prevailing reasoning at the time was to modernize the position of a “global exchange” in the new situation created by the failure of the referenda. Upon this premise, mechanisms had to be developed in order to further alienate the two communities from their properties in a context of “normalizing a definitive deadlock” immediately after the referenda. The pursued normalization started to pay off, perhaps not to the extent that the Turkish government had anticipated. As it is known, ten years after the operation of the committee, up to the beginning of 2016, 6250 applications had been submitted, 730 cases were settled and the amount of compensation granted reached almost 220 million Sterling Pounds.¹⁹

The problems that appeared along the way, as well as the financial part of the compensation, led Ankara to some new strategic planning. Since 2009, the Turkish government has begun to work on specific projects, which involved the prospect of the Turkish Cypriots themselves repaying the compensation. Based on these plans, the Turkish banking sector would give loans to Turkish Cypriot users of the property so as to pay the compensation and then the current user would turn into a kind of tenant until the full repayment of the loan. An additional aspect of the above reasoning would be the prospect of buying off “clean properties.” This involved properties whose Greek Cypriot owner estranged him/herself permanently from his/her property after the compensation, rendered them “pure” of legal problems that could thus be a source of new investments of the Turkish private sector in the occupied areas.²⁰ However, although Ankara never abandoned this plan, the Turkish Cypriot reactions led to the freezing of this bill.

Skepticism about the solution of the property issue

Unquestionably, the shift of the political economy of the property issue after 2004 affected drastically the approach of part of the Turkish Cypriot community regarding the settlement of the issue. The transformation of the material reality and the shift of ownership relations produced a kind of skepticism; a development that puts further pressure on the Turkish Cypriot leader. In the current context, an important conclusion is extracted from the reactions on the property issue; namely, the

Gazete360, 3 March 2014, http://www.gazete360.com/Yazarlar/hasan-kahvecioglu/2-ganimet-donemi-ve-muteahhitler/1778?fb_comment_id=512805778832332_2692812 [accessed 13 October 2016].

¹⁸ Kahvecioğlu, “2. Ganimet Dönemi.”

¹⁹ “A land of 16.5 km² belonging to Greek Cypriots has come into Turkish possession since 2006,” *Cypriot Puzzle*, 7 January 2016, <http://www.thecypriotpuzzle.org/12918-2/> [accessed 13 January 2016].

²⁰ Nezire Gürkan, “Şahsi takas kapıda... Bedeli ağır olacak” [Individual exchanges at the door...The price will be heavy], *Gazete360*, 8 July 2015, <http://www.gazete360.com/Yazarlar/nezire-gurkan/sahsi-takas-kapida-bedeli-agir-olacak/2487> [accessed 13 October 2016].

recording of new priorities for a part of the Turkish Cypriots in relation to the total settlement of the Cyprus issue. If, for instance, political equality and equal sharing of sovereignty were key concerns of the community up to the late 1990s, it now seems that these issues are accompanied by the concern of a new round of population movements. Of course, the question remains whether this shift in the hierarchy of the community concerns is circumstantial or permanent. As a result of the way the negotiation talks and the separate chapters are structured, it appears that the views regarding the social dimensions of the property issue among the Turkish Cypriots will be fully expressed if and when a comprehensive solution plan is presented before them.