



TURKEY: FREEDOM OF SPEECH AGAIN AN ISSUE

Nicholas Birch: 2/01/08

Turkey's troubled record on freedom of expression is again in the spotlight following the convictions of several Turks, including a prominent academic, for insulting the memory of Mustafa Kemal Ataturk, the founder of the modern Turkish state.

In the most prominent case, a Turkish court gave a 15-month suspended sentence on January 28 to Atilla Yayla, who became the target of a media-led hate campaign after he questioned the ubiquity of images of Ataturk during a speech given in November 2006.

In an interview from the United Kingdom, where he is now on sabbatical, Yayla declined to comment on his conviction. "All I will say is that without freedom of expression, Turkey cannot call itself a civilized country," he said. "If Turks want their country to progress, they must defend the right to speak out."

The day after Yayla's sentence was announced, two students in the northern Turkish city of Samsun received similar suspended 15-month sentences. Their crime was sticking flyers advertising the play, *The Vagina Monologues*, over a poster of Ataturk at a local university campus.

On January 30, the news website Today's Zaman published comments attributed to a European Union Commission representative indicative of Brussels' profound displeasure with the verdict against Yayla. Turkey's bid to join the EU has met with second-guessing in recent months on the part of some influential member states, namely France. The convictions would do nothing to bolster Turkey's accession chances, the EU official suggested. "This illustrates the need for Turkey to bring freedom of expression in line with European standards," said the EU official, speaking to Today's Zaman on condition of anonymity.

Yayla was prosecuted under Article 301, which limits free speech by criminalizing insults to "Turkishness." Other intellectuals prosecuted in recent years under the Article 301 include Nobel Prize winning novelist Orhan Pamuk and Hrant Dink, an Armenian-Turkish journalist who was assassinated last January. [For background see the Eurasia Insight archive].

Article 301 has also figured in many lower-profile cases. In 2007, for example, authorities in the resort town of Bodrum opened an investigation into a 17-year old girl who doodled a clown's hat on the picture of Ataturk in her school history book. The

headmaster let the girl off after she apologized. But some parents of her classmates complained to the local deputy-governor, who ordered the opening of criminal proceedings. In another 2007 case, a local politician was arrested and charged after a military officer spotted him chewing gum while laying a wreath in front of an Ataturk statue on Republic Day.

Some analysts say that veneration for Ataturk is perhaps stronger now in Turkey than at any time since the founder's death in 1938. "The cult of Ataturk used to be organized by the state," says Ahmet Insel, a liberal-minded political scientist. "Now, it has become a social phenomenon. Standing up for Ataturk comforts people in their sense of being good, upright citizens."

Public reverence for Ataturk took off in the 1990s, which was generally a period of growing fears about political Islam and angst generated by a brutal war against Kurdish separatists in the southeast. Ataturk's legacy received even more attention following the 2002 elections, when a party rooted in political Islam took control of the government and reawakened secularist fears about the country's future direction. When 10 million Turks visited Ataturk's mausoleum in central Ankara in 2006, it was an all-time record. Last year, 15 million people made the trip.

Turkan Saylan, one of the organizers of last year's huge secularist march, said that Turks "love and respect Ataturk as the British love and respect their Queen."

Turkey's best-known producer of the statues and busts of Ataturk, many of which grace town squares and public buildings throughout Turkey, is the sculptor Necati Inci. Despite his professional connection to Ataturk, he is skeptical about the recent trend. "Ataturk has become an excuse for the incompetence of secularist politicians," he said. "These people stick pictures of him up, as though that is enough to endow them with his qualities. It isn't."

Sitting in a cluttered office at the heart of the foundry he runs in the southern outskirts of Istanbul, Inci describes plans he has to persuade the Turkish army to donate him land so that he can erect a 70-meter-high statue of Ataturk. "Think of it: the Statue of Liberty is only 46 meters high," he says. "I've dreamed of this since I started making statues 40 years ago. Once I've done it I can retire."

Somewhat surprisingly, Inci then goes on to admit reservations about what he calls the "idolization" of Turkey's founder. "If you stick statues of the man everywhere, of course he's going to be idolized," he says.

Editor's Note: Nicolas Birch specializes in Turkey, Iran and the Middle East.