TURKEY: NORMALIZING HATE

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Category: Opinions

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Turkish law professor Ayse Isil Karakas, both a judge and elected Deputy Head of the ECHR, said that among all member states, Turkey has ranked number one in the field of violations of free speech.

"619 lawsuits of freedom of expression were brought at the ECHR between 1959 and 2015," she said. " 258 of them -- almost half of them -- came from Turkey and most were convicted as violations of freedom of expression."

For a country that fancies itself a candidate for EU membership, that is quite a record. Actually, when it comes to deciding what thoughts are warmly tolerated and what thoughts are severely punished, Turkey is extraordinary. If the statement involves Jew-hating for instance, it is welcomed by many.

Seyfi Sahin, a columnist in the Islamist pro-government newspaper *Vahdet*, wrote on January 31:

"I believe that the gorillas and chimpanzees living in the forests in northern Africa today are cursed Jews. Those are mutated, perverted people.

"Believe me, this view is stronger and more scientific than the Darwin theory. We Muslims, and those who believe that, do not have the banks, the money, the organizational power in the world of science, or the propaganda power to scream those truths.

"But we have our wisdom, our faith and our Allah. *Alhamdulillah* (Praise be to Allah)."

In an attempt to back up his "views," Sahin mentioned that he is also a medical doctor, and quoted Koranic verses 2/65, 5/60 and 7/166. "Those verses are signs that monkeys descended from human beings," he said. "Allah always tells the truth."

Throughout his entire piece -- which has been widely "liked" and shared on social media -- he tried to "prove" his claim that monkeys come from Jews, and his newspaper saw no harm in publishing it. Yet, no one has yet brought him to account for his libelous insults. Who knows? He might even be given an award for this piece.

However, much of the Turkish public and the Turkish state are not so tolerant and welcoming when human rights issues -- especially Kurdish issues -- are discussed.

According to reports, two lawsuits were filed on January 3 against Sibel Ozbudun, an author and retired associate professor of anthropology known for her writings about minority rights. The indictment claims that through her social media posts, Ozbudun has committed the crime of "openly inciting people to commit an offense" and "making propaganda of the PKK." The lawsuits were filed after the police received an e-mail from someone denouncing Ozbudun for her posts.

One of the pieces of "evidence" of the prosecutors is a verse, popular in Turkey, shared by Ozbudun on her Facebook page: "I want the country be divided -- henchmen, sycophants and slimy ones to one side; honorable, dignified, laborious, patriotic people to the other."

On another occasion, on December 30, a Turkish instructor and a member of the Social Rights Association, Cise Atalay, during a lecture at Amasya University mentioned human rights abuses. A student called the police; Atalay was arrested for "terrorist propaganda" on the spot. Next, her home and office were searched.

The student who called the police is not alone. Turkish state authorities also regard requests for human rights as "terrorist propaganda" or "insulting the Turkish state." On January 7, an investigation was launched against the co-president of the Adana branch of the Human Rights Association (IHD), Ilhan Ongor, for violating Article 301 of the Turkish penal code, which makes it illegal "to insult Turkey, the Turkish nation, or Turkish government institutions."

On November 11, apparently, Ongor had issued a press release in which he said, "Today, in Silvan, a crime against humanity is being committed by the state. They are trying to make the massacres ordinary." He had been criticizing the recent military attacks against Kurds during a curfew imposed on the Kurdish district of Silvan.

The military attacks had caused starvation, civilian deaths and massive destruction. After his criminal investigation, Ongor said that "People's right to life is violated while the judiciary is trying to suppress human rights and defenders of freedom."

"Interestingly, they have launched an investigation against me in accordance with article 301 because I mentioned 'peace, brotherhood, and human rights' in my statement to the press. Hundreds of lawsuits have been brought against lawyers and members of opposition in Turkey because they talked about peace and brotherhood."

Starving or murdering civilians does not constitute a crime in Turkey, apparently, but speaking out about them does.

In Turkey, if someone utters the most vicious or threatening remarks about Armenians, Greeks, Jews, Christians, Kurds, Alevis or other members of a minority, he is never condemned by the state or held to account. But those who speak of human rights abuses, or criticize the state for its violent, repressive actions, will most probably be accused of violations.

After a group of Turkish soldiers and Kurdish PKK guerillas were killed in battle on September 8, the principal consultant of President Tayyip Erdogan and former Chairman of the Constitutional Commission of Turkey's Parliament, Burhan Kuzu, wrote in his Twitter account:

"So far, thousands of terrorists have been bumped off. This will continue. The corpses of the dead terrorists should definitely have autopsies. Many of them will be found to be uncircumcised. Wake up, my Kurdish brother, wake up now!"

Kuzu seems to be trying to legitimize the killings of PKK members because being uncircumcised implies being Christian or non-Muslim. He also seems to think that the PKK members are not Muslims, and that any non-Muslim deserves to be "bumped off."

Evidently jumping to conclusions about the possible political leanings of dead people based on their genitalia, and saying that because of their religious background they deserve to be killed, is perfectly acceptable in Turkey. What is more alarming is that Kuzu, who made these statements, is a constitutional law professor.

In 1996, at Turkey's parliament, the interior minister at the time, Meral Aksener, and a current MP from the Nationalist Movement Party (MHP), said that the leader of the PKK (Kurdistan Workers' Party), Abdullah Ocalan, was "Armenian semen." She then clarified the remark by saying, "I did not refer to the Armenians living in Turkey. I referred to the Armenian race in general."

Humiliating statements about non-Turkish or non-Muslim people are common and popular, even among political circles, but if one makes critical statements about the state policies, one might be prosecuted, or end up in prison -- due to the vagueness of Turkey's "terrorism" laws.

Because of several articles in the Turkish penal code, many individuals face prosecution as if they

were actually fighting the government as "members" of the armed Kurdish PKK, and are often sentenced accordingly.

Many peaceful demonstrators have also faced prosecution for exercising their right of freedom of expression, if they shout slogans, hold up banners, or make statements to the press.

The latest victims are the peace activists who demanded an end to the recent military siege in Turkey's Kurdistan. On December 27, activists from western Turkey started a journey towards Diyarbakir in an attempt to oppose the military siege and civilian deaths in the region. Calling their action "We are walking towards peace," they arrived in Diyarbakir on December 31 -- to be attacked by the police. Four were injured and twenty-four were taken into custody, accused of "carrying out acts on behalf of a terrorist organization."

The state tradition of violating the freedom of expression goes back to the foundation of the Turkish republic in 1923. The new regime established by the Republican People's Party (CHP) -- with its laws and "independence tribunals" -- totally crushed any kind of political opposition and freedom of opinion.

The 1925 Law on the Maintenance of Order gave the government that founded the Turkish republic extraordinary authority through which it could suppress all kinds of opposition and ban any group or publication it viewed as threatening its authority.

In 1926, all major national newspapers except *Cumhuriyet* and the official Ankara daily, *Hakimiyet-i Milliye* were closed.

In another autocratic policy, the "independence tribunals" were founded in 1920 -- and functioned periodically until 1929 -- to prosecute the dissidents of the government and hand down swift capital punishment for them.

"The members of the independence tribunals were chosen from the parliament," wrote the historian Ayse Hur.

"But those members -- except for the prosecutors -- were not jurists. On the doors of the tribunals were written 'Independence tribunals are afraid of Allah only' and they were not responsible for their rulings but all of the civilian and military bureaucrats were responsible for the executions of punishments without delay.

"No evidence was needed to give rulings. It was very rare that the defendants had lawyers. There was neither time for that nor lawyers courageous enough. The rulings were given in accordance with the personal convictions of judges and those who were tried did not have a right of appeal. The punishments (and hangings) were carried out right away. The rulings were given and executed so swiftly that sometimes the wrong people were hanged instead of real defendants."

"By the time the independence tribunals were disbanded two years later," wrote professor Michael

M. Gunter, "more than 7400 Kurds had been arrested, 660 had been executed, hundreds of villages had been destroyed, and thousands of other Kurds had been killed or exiled."

The tribunals were legally closed down in 1929, but the laws concerning independence tribunals remained in force until 1949. They continued functioning as the nightmare of the opponents of the regime until the end of the one-party regime of the Republican People's Party (CHP) in 1950.

Sadly, the new Turkish regime founded in 1923 did not aim to foster a culture of free opinions and free debate. And the rest of Turkey's history has mostly been about repeated violations of freedom of expression. Almost all opinions that are different from the state's official ideology are targeted, criminalized and repressed.

Turkey has pursued discriminatory and violent policies towards minority groups, but discussing those policies often constitutes a crime.

Omer Asan, a Turkish author and publisher, was accused by Turkish courts of "spreading separatist propaganda" through "Pontus, Pontic Culture," a book he wrote. The title means "sea" in Greek, and is a historical Greek designation for the territory located in the eastern Black Sea region of Turkey. The inhabitants of Pontus were some of the very first converts to Christianity. From 1914 to 1923, out of approximate 700,000 Pontic Greek Christians, as many as 350,000 were killed by Muslim Turks in a genocidal campaign. Almost all the rest were driven out of their homes during the forced population exchange between Greece and Turkey.

That act marked the end of one of the ancient Greek civilizations in Asia Minor. The ancient region known as Pontus has been almost totally Turkified and Islamized up until today.

The book was, among other things, the subject of a television program in which a theology professor accused Asan of "being a traitor friendly to Greece" and of "wanting to reintroduce Orthodox Christianity to a Muslim region."

In January 2002, the National Security Court ordered the seizure of the book.

In March, 2002 the State Security Court brought criminal proceedings against Asan. He was charged with disseminating separatist propaganda by asserting that there were still some communities influenced by Pontic Greek culture in the province of Asan's hometown, Trabzon, and the surrounding area.

In 2007, the European Court of Human Rights convicted Turkey of violating Asan's right to free speech.

Why is Turkey disturbed by critical thoughts, questions and books, but not by those who call Armenians "sperm," Jews "monkeys" or who talk about the private parts of dead Kurds? Insulting non-Turkish and non-Muslim people has almost become a social tradition in Turkey. Prejudice and hate speech have become normalized.

What makes this hate speech even more disturbing is that these people -- Armenians, Greeks, Assyrians, and Jews, among others -- are the indigenous peoples of Anatolia, Mesopotamia and Thrace, where they have lived for millennia. Today, as a result of Turkey's massacres, pogroms and deportations, they have been turned into tiny communities.

After committing crimes against these native people, Turkey not only denies the realities of this history, but insults and threatens the remaining members of those groups. It also represses whoever would like to discuss these issues. The only people who seem to enjoy "freedom" completely are those engaging in hate speech.

Citizens of other countries who live in Turkey are also exposed to prohibitions on free speech.

Norma Cox, an American academic who worked as a lecturer at Turkish universities during the 1980s, was deported and banned from re-entering Turkey by order of the Turkish Ministry of the Interior in 1986, 1989 and 1996. She has been unable to return to Turkey ever since.

The Ministry of the Interior claimed that Cox had been expelled and banned because of her separatist activities against national security, "namely statements she had made about Turks assimilating Kurds and Armenians, and Turks forcing Armenians out of the country and committing genocide."

Cox's application to the European Court of Human Rights (ECHR) said: "Expressing opinions on Kurdish and Armenian issues at a university, where freedom of expression should be unlimited, could not be used as a justification for any sanctions, such as the ban on her re-entry into Turkey."

In 2010, the ECHR convicted Turkey of violating Cox's freedom of expression.

While hate speech and racism are warmly tolerated and even promoted by state authorities, free debate on Turkey's social and political issues such as the Kurdish question and the PKK, Armenian genocide, history of Anatolian and Pontic Greeks, and the Christian roots of Anatolia, among others, are criminalized.

Turkey thereby systematically violates Turkish citizens' freedom of information or right to know, a right recognized by the United Nations.

The researcher Lisa Reppell, who analyzed Turkey's cases in the ECHR, wrote:

"The category in which Turkey stands out most significantly is freedom of expression. ... Though by number of incidences, freedom of expression judgments are a smaller percentage of Turkey's judgments, violations of this category are much more common in Turkey than in any other member state. Out of a total of 544 judgments handed down by the Court between 1959 and 2013, 41 percent of all freedom of expression violations have come from cases against Turkey."

Turkey is a mental prison. In Turkey, knowledge of history and respect for human rights are neither valued nor popular; hatred, bans and discrimination are.

Despite Turkey's unchanging pattern of violating freedom of expression, the country was officially recognized as a candidate for full membership of the European Union in 1999, and is a part of the "Western Europe" branch of the Western European and Others Group (WEOG) at the United Nations.

For decades, Europe has treated Turkey almost as if Turkey were a part of Europe. Turkey, however, has never behaved like a modern European state or even a state that truly aspires to be one.

Perhaps Turkish authorities in charge of the country's tourism affairs should prepare more truthful videos or posters. They might say: "Come to Turkey, where Asking for Peace is a Crime., but Asking for Uncircumcised People To Be Killed Is Normal."

Or: "Watch your books and remarks! We Are So Sensitive That Even the Mention of Greeks and Christians Offends Us."

Another poster could say, "In This Country, Recognizing the Armenian Genocide Is a Crime but Calling Someone "Armenian Sperm" is Just Fine. Welcome to Turkey!"

Uzay Bulut, born and raised a Muslim, is a Turkish journalist based in Ankara.

1. "Armenian semen" is one of the most popular swear words in Turkey, often used for Kurds, as well. Kurds, or Kurds who request national rights, are "accused" of being Armenian. Many people in Turkey, including military personnel openly refer to Kurds or Kurdish activists as "Armenians," "dirty Armenians," "Armenian bastards," "Armenian sperm" or "Armenian semen."

2. For more details, see: "Protesting as a Terrorist Offense" The Arbitrary Use of Terrorism Laws to Prosecute and Incarcerate Demonstrators in Turkey," by Human Rights Watch, November 1, 2010.

3."The History of Turkey", by Douglas Arthur Howard, Greenwood Publishing Group, 2001.

4. "The A to Z of the Kurds", by Michael M. Gunter, Scarecrow Press, 2009.

5. For details about Asan's case at ECHR, please see: European Court of Human Rights, 840; 27.11.2007 Asan V. Turkey.

6. Cox's application to the ECHR also said:

"he Ministry's allegations against her had not been proved. Even assuming that she had said those things at the university, she had remained within the permissible limits of criticism. Furthermore, she had never been prosecuted for having expressed those opinions. The action taken against her by the Ministry had therefore been devoid of any legal basis."

For details about Cox's case at ECHR, see "Case of Cox v. Turkey", Application no. 2933/03, 20 May 2010

7. In 1987, Turkey's application to accede to the European Economic Community, the predecessor of the European Union (EU), was made. Since 1963, Turkey has been an associate member. Turkey

became a member of the Council of Europe in 1949; the Organization for Economic Co-operation and Development (OECD) in 1961; and the Organization for Security and Co-operation in Europe (OSCE) in 1973. It was an associate member of the Western European Union from 1992 to its end in 2011. It also signed a Customs Union agreement with the EU in 1995.