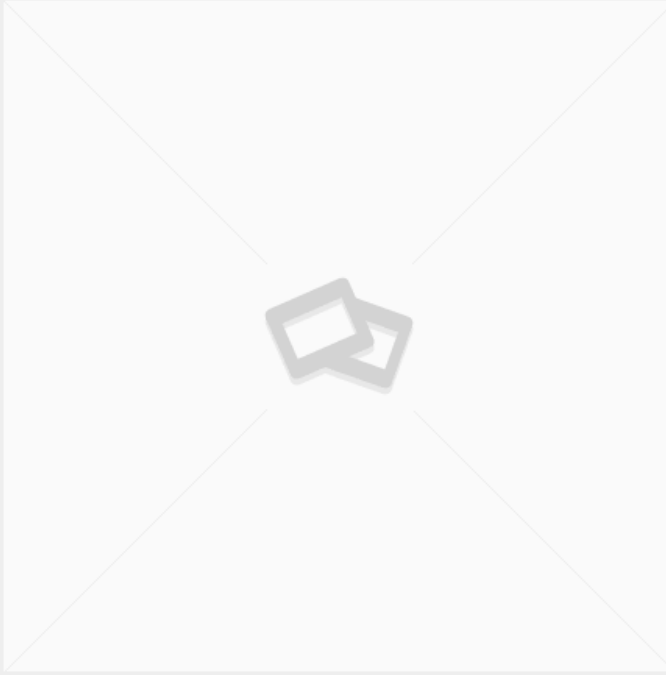


TURKISH JUDGE PUBLICLY CRITICIZES DENIAL OF ARMENIAN GENOCIDE

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By Harut Sassounian, Publisher The California Courier, 6 November 2008

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One such article appeared in the October 30 issue of the liberal newspaper *Taraf*. It was authored by a very unlikely writer -- Judge Faruk Ozsu from Odemish, near Izmir. This is probably the first time that a sitting Turkish judge publicly expresses such daring thoughts in violation of article 301 of the penal code. He criticizes and mocks the Turkish government's distorted version of the Armenian Genocide that has been fed to the public for decades.

Judge Ozsu asserts that Turkish denialists contradict themselves by first denying that anything happened in 1915 and then stating that those killings were committed "in defense of the homeland."

Referring to the three Turks, recently sentenced by a Swiss Court for denying the Armenian Genocide, Judge Ozsu writes that contrary to widespread Turkish misrepresentation Switzerland did not restrict freedom of expression, but in fact upheld human dignity. Moreover, he ridicules all those who claim that "from the point of view of freedom of expression, Turkey is more advanced than Switzerland" -- a statement he characterizes as a hilarious comedy! In his judgment, those toeing the official Turkish line on the Armenian Genocide are "blind patriots" who accuse of treason anyone expressing the slightest human sensibility on this subject.

Judge Ozsu describes himself as "a simple man who has not lost his conscience, despite his nationalistic education." He explains that since Switzerland has acknowledged 1915 as genocide, everyone in that country is obliged to obey the law of the land. He goes on to quote Elie Wiesel as saying that the denial of genocide is the continuation of genocide. That is why, the Judge writes, "it is mandatory that denial be deemed a crime."

The Honorable Judge further contends that the denial of genocide is unrelated to the scholarly investigation of facts. He condemns French historian Gilles Weinstein and Turkish Professor Baskin Oran for claiming that "there are no documents proving that the killings were committed according to a government plan, therefore it is not possible to qualify these events as genocide." In the Judge's view, those making such comments are simply trying to save their necks from "the claws of article 301."

In a direct reference to Dogu Perincek who was convicted by the Swiss Supreme Court last year for denying the Armenian Genocide, Judge Ozsu made the following observations:

-- "Perincek's association bears the name of Talaat Pasha who is viewed as a 'Turkish Hitler.'"

-- "Those who declare that the Armenian Genocide is 'an imperialist lie,' show no respect for the deaths of hundreds of thousands of people, but exclaim: 'Long live the Ittihadists; we were right and we can do the same thing now,' then the only person who will pay

attention to them is a Swiss judge.”

-- “Disputing the genocide, making racist statements, and praising the commission of a crime is now a legal issue in Switzerland, and not an attempt to seek the truth through scientific inquiry.”

To be sure, the Judge takes a dim view of his country’s educational system which keeps Turks in a state of ignorance about 1915, while people outside Turkey, who have not had a “Turkish education,” view things differently. Explaining that the term genocide was coined by a Polish-Jewish attorney named Raphael Lemkin in 1933, in the aftermath of the Armenian Genocide, and before the Holocaust had taken place, which means that “the Genocide Convention signed by Turkey was inspired by the Armenian Genocide.”

The Judge is particularly irate at the Turkish government’s insensitivity toward the mass killings of Armenians. He states: “The official Turkish position is that during the war Armenians from certain regions were temporarily sent to the Southern region and during that period about 300,000 Armenians perished due to different circumstances. Any Turk who has not been through ‘Turkish education’ and has kept his conscience intact, upon hearing the 300,000 figure, would say, ‘Oh My God’ and will start thinking about that number.”

Consequently, the Judge suggests that the first thing Turks should do is “to state that we feel terrible regarding these events.... Those who died at that time were not our enemies, but our citizens. Some of those who died were children. No one can speak of children as enemies.”

Judge Ozsu concludes: “The Swiss Court’s verdict is neither against democracy nor freedom of expression. Switzerland simply does not allow the events leading to the deaths of hundreds of thousands of people to be characterized by racist and insensitive words that insult people’s dignity. Switzerland simply does not allow that the victim be victimized for a second time!”

Given the Turkish government’s well-established record of punishing all factual references to the Armenian Genocide, we fear that this righteous judge may be dismissed from his job and even get imprisoned for simply telling the truth!

