

# Court Drops Charges Against Author for 'Insulting' Turkey

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ISTANBUL, Jan. 23 - An Istanbul court dropped charges against the novelist [Orhan Pamuk](#) today, ending a trial that put [Turkey](#) at odds with the European Union over the issue of freedom of speech.

Mr. Pamuk, whose works have been translated into dozens of languages, spoke in a newspaper interview about the mass killings of Armenians by the Ottoman Empire in 1915, and also of the deaths of Kurds in Turkish operations in the 1980's against a separatist group. He was then prosecuted for "insulting Turkish identity."

While historians widely agree that the 1915 massacres constituted genocide, the subject remains taboo in Turkey.

The court had asked the government to rule on whether to proceed with the case. On Sunday, the Justice Ministry told the court to make the decision, citing changes made to the penal code last year. Today the court dropped the charges.

The ruling was immediately welcomed by the European legislators. But the novelist's lawyer, Haluk Inanici, chided the court for framing its decision in bureaucratic terms rather than addressing the issue of freedom of expression.

"The court dropped the charges not because the trial violated the freedom of speech," Mr. Inanici said, but because "there was a missing approval by the Justice Ministry to proceed with the trial."

Mr. Pamuk was facing a sentence of up to three years in jail if he was convicted of insulting the Turkish identity during the interview he gave to *Das Magazine*, a Swiss publication, in 2005.

Mr. Pamuk's high profile in Europe and elsewhere prompted widespread opposition to his prosecution, an advantage that many intellectuals who face similar charges do not have, said Vecdi Sayar, general secretary of International PEN, a worldwide association of writers. Mr. Pamuk's novels include "My Name Is Red," "The Black Book" and "Snow."

PEN says that about 70 intellectuals have been charged under Article 301 of the revised penal code, which calls for punishment for public comments that "denigrate Turkishness, the government, the army and the memory of the founder of modern Turkey, Mustafa Kemal Ataturk."

"There are many people abroad who fail to see beyond Orhan Pamuk's trial," Mr. Sayar said. "Saving a writer like Orhan Pamuk from prosecution may stand as a symbolic example on its own. But it is not an overall resolution for other intellectuals and writers that still face similar charges in Turkey."

The governing Justice and Development Party, which worked to align Turkish laws with European standards before the European Union membership talks began last October, tried to appear impartial in handling Mr. Pamuk's case. But many senior government officials interpreted the heavy international criticism as an interference in the national judiciary system.

Mr. Sayar said the government feared losing the support of nationalist constituents who opposed Mr. Pamuk's comments.

Televised pictures from Mr. Pamuk's first hearing in December showed armored police officers trying to save the 53-year-old novelist from a barrage of eggs, and protesters who jumped on his vehicle punching the windshield.

"The Justice Ministry could have dropped the charges before the local court and spoken clearly about the necessities of freedom of speech," Mr. Sayar said. "But in fear of annoying the nationalist circles, they did not."