

Turkey on Trial, Part 1

Editorial

New York Times

Dec 21, 2005

The trial of Orhan Pamuk, the best-selling Turkish novelist, had barely gotten under way in Istanbul the other day when the judge postponed the proceedings until Feb. 7. We can only hope that this delay signals that Turkish leaders are looking for a way to drop the charges against Mr. Pamuk, who is being prosecuted for "insulting Turkish identity."

In a newspaper interview last February, Mr. Pamuk referred to the Armenian genocide in 1915 during the Ottoman Empire and to the clashes between Turks and minority Kurds in Turkey since the 1980's. "One million Armenians and 30,000 Kurds were killed in these lands and nobody but me dares talk about it," Mr. Pamuk was quoted as saying. This was considered a crime punishable by up to three years in prison by some Turks, including some prosecutors.

The case against Mr. Pamuk - a short-list candidate for the Nobel Prize in Literature - has called into question Turkey's willingness to embrace European political values and, by extension, its readiness to join the European Union. Over the last few years, Prime Minister Recep Tayyip Erdogan and his governing party enacted a series of reforms that qualified Turkey - at last - to open official membership talks in October. Some of the reforms grant more freedom of expression. But the law still prohibits insults against the Turkish identity, the state and Turkey's founding father, Ataturk. The line between illegal insult and legal opinion is unclear.

As a result, dozens of people in Turkey face charges like those against Mr. Pamuk. Last month a Turkish book publisher said he faced prosecution for a book published in 1997 that included allegations of human rights violations by the security forces during fighting with Kurdish rebels in the 1990's.

In delaying the Pamuk trial, the judge has asked the Justice Ministry to rule on whether the case should go forward at all. The answer will say a lot about the current state of a nation that has long prized national unity above civil liberties. Many Turks oppose Mr. Pamuk's prosecution - and that of other less prominent people on similar charges. But obviously, some do not.

Dismissing the case against Mr. Pamuk and clarifying the law under which he has been charged are crucial steps Turkey must take to join the European Union. Even more important will be Turkey's progress in transforming its institutions to embody the country's new laws.