


Trials Begin in Turkey for Academics for Peace

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by [Judith Butler and Başak Ertür](#) | 11 Dec 2017

International solidarity is crucial at this time when our colleagues are facing criminal trials.

On December 5, 2017, the trials began for those who signed the [Academics for Peace petition](#) in January 2016. Conducted by High Criminal Courts in Istanbul, these trials focus on a single individual at a time. Currently 148 trials are [scheduled through to May 2018](#), with new hearings expected to be announced in the coming weeks and months. But the indictment is the same for all of them. Each signatory is charged with “making propaganda for a terrorist organization” and if found guilty, each will face a prison sentence of up to seven and a half years.

In the petition entitled “We will not be a party to this crime,” the signatories—more than two thousand academics and researchers from Turkey or based in Turkish institutions, supported by several hundred international academics—sought a negotiated solution to the protracted military conflict between the Turkish state and the Kurdistan Workers’ Party (PKK). At a time of heavy clashes in the city centers and residential neighborhoods of Turkey’s Kurdish populated towns, the signatories wanted to interrupt the silence permeating the public sphere with this strongly-worded petition, objecting to the continuation of violence against the Kurdish people, calling for an end to the round-the-clock curfews that deprived the population of necessary provisions, and asking that the Turkish government resume talks with the PKK that the government itself had previously pursued and commenced.

The petition referenced violations of international law and basic democratic principles: the cessation of violence against innocent civilians, the protection of life, liberty, and security; the prohibition of torture and abuse explicitly prohibited by international covenants. It accused the government of “deliberate and planned massacre and deportation” in violation of Turkish and international law. Its demands were to lift the curfew, stop the violence, bring those responsible for committing violations of human rights to justice, provide compensation for those who have experienced harm as a consequence of these policies, and to permit the entry of independent national and international observers to the region to monitor human rights abuses and to be part of a negotiation that would lead to a peaceful resolution of the conflict that would include representation by the PKK.

Nearly 500 academics have already lost their positions by signing this petition. Many have been excluded from the labor market and some are now subject to travel bans or have had their passports revoked, preventing them from either working in Turkey or abroad. These reprisals have been facilitated by the extended state of emergency, declared in the aftermath of the failed coup attempt of July 15, 2016, following which at

least 50,000 public workers lost their jobs, 15 universities were closed, 150,000 people were removed from their official posts, and 50,000 jailed. Nearly 9,000 academics have lost their employment.

So what is the substance of these individual indictments? The public prosecutor's case is detailed in a "bill of indictment" that is used for all the signatories subject to criminal trials. The prosecutor accuses these academics and researchers of "making propaganda for a terrorist organization" under Article 7/2 of the Turkish Anti-Terror Act.¹ At once we can see that the call to cease violence and comply with international law is taken to be "propaganda" for the PKK. One might expect the indictment to be based on a careful reading of the actual petition. What is most strange is that the indictment, in fact, begins with the petition, citing it word for word, and then concludes, without any argument, that the petition is a declaration that supports the terrorist organization PKK, that the petition is nothing more than propaganda, that those who call for peace and the end to violence and deportation are actually supporting the PKK and constitute a group of propagandists whose sole purpose is to advance the interests of that organization. If one seeks to challenge this "reading" of the petition on the evidence of the text, one finds that to be hardly possible within the terms of the indictment. The petition calls on the state to resume negotiations to bring about a peaceful solution. This call is then spuriously taken to be unilateral support for the PKK.

One might generously try to reconstruct what has happened here as a profound misunderstanding, but it is, in fact, a willful distortion and reversal of the clear meaning of the petition. Indeed, the petition calls for a peaceful settlement, so it clearly does not affirm the violent aims and actions of any Kurdish group. The aim of the petition was to transform a violent conflict into a non-violent negotiation that could bring about peace. And yet that word, "peace" becomes code for "terrorism."

The steps by which the public prosecutor distorts the petition seem to be these: (1) in calling for the cessation of violence against the Kurdish people the signatories are taking sides with the Kurds; (2) the Kurds are regarded as terrorists, so taking sides with them is to ally with terrorism; (3) the call for a peaceful solution involves negotiating with terrorists, and (4) a call for negotiation with terrorists constitutes propaganda for a terrorist organization. Thus, (5) a petition to cease violence and enter into negotiation to achieve peace and to comply with national and international laws protecting human rights is actually nothing more than propaganda for Kurdish violence. The current indictment against the signatories thus reverses the indictment of violence made against the state. It is the signatories who are considered to be breaking the law by "organizing defamation campaigns against the Republic of Turkey, its government, judiciary, army and security forces using press and media" It is the signatories who by carrying out their propaganda campaign "for the armed terrorist organization PKK ... legitimizes or promotes its methods including coercion, violence and threats." Suddenly, those who call for peace rather than violence, those who oppose massacres as crimes against humanity are themselves accused of advancing a violent agenda.

In fact, according to the indictment, it is not just that the petition “complements on a theoretical level, acts of violence perpetrated by the PKK,” but that it calls upon international norms and has been publicized throughout the world, exposing the Turkish government to accusations that it violates established human rights and international law. The use of media to circulate the claims of the petition internationally becomes an item in the indictment itself. In addition to worrying about steps taken to establish a politically independent Kurdistan, the state deeply fears that international public opinion has been shaped by the petition for peace—a problem if more states decide to recognize Kurdish rights of political self-determination. In fact, included in the language of the accusation is the following claim, one that claims access to the true motivation for the petition belied by its explicit language:

It is ‘understood’ that the real intention of the declaration is to forge public opinion to put an end to the operations that have been initiated by the security forces in the regions where the so-called declarations of ‘self-governance’ were made.

According to the indictment, the purpose of the operations was “to cleanse these regions of the terrorists and to ensure peace and prosperity for the residents of the region.” The indictment claims that the petition falsely represents the facts on the ground, contesting the claim that there were massacres, or that curfews led to perilous food shortages—facts corroborated by numerous independent organizations at the time, including Amnesty International and Human Rights Watch. In the indictment, the petition for peace is cast as “false news”—unsubstantiated and scurrilous accusation. So here the mirror continues to turn. When state violence is renamed as necessary security for the “residents” in Kurdish areas, and the appeal to international law to protect the lives of those very “residents” is dismissed as defamatory propaganda, then the battle over words and their truth intensifies. The proponents of the petition are accused of “spread[ing] false, baseless and malicious news through disinformation and information pollution, target[ing] the Republic of Turkey, its government, its army and security forces.” So this part of the “war” takes place in the media, which is why in the coming days and weeks, we will be subject to a set of show trials made for media consumption and circulation.

It is not just that a radical hermeneutics of suspicion has taken hold whereby the Turkish government can distrust and twist every word and sentence, but that the petition is taken to be a declaration of political war. For instance, is the invocation of the international framework of human rights not an assault on Turkish military autonomy and expansion? Is the call for peace not just another way of taking sides in a perpetual war, one which does not permit of an external perspective that would break the epistemic framework of war itself? If Kurds were involved in a negotiated settlement of the conflict, that implies Kurds can and do negotiate, and that they have claims that could be acknowledged and addressed through negotiation. The accusation of terrorism denies the possibility of any reasonable demands, and so becomes, in turn, the rationale for military action and domestic censorship. The call to include international observers to make sure human rights are honored and to participate in peace talks is taken to be an assault on the sovereignty of the Turkish nation—a “defamation” of the state. We may need to ask,

under what conditions do calls for independent international observers and for compliance with international norms and standards of human rights become interpreted as assaults on Turkish state sovereignty?

The indictment does not provide a direct answer here but the rationale had previously been articulated by President Recep Tayyip Erdoğan in one of his public attacks on the signatories. Erdoğan formulated this call as the product of a “mandatist” or colonialist mentality, interpreting the petitioners’ reference to the international as a call for interventionism. This misrepresentation has a significant persuasive and affective force in a world where international norms of human rights have indeed been mobilized for interventionist aims, often with catastrophic consequences. It has further purchase in a context where Turkey’s long history of desire for and rejection by Europe, and the protracted EU accession process with its various injustices have created widespread resentment over the past few decades, an affect that now easily lends itself to populist rhetoric and agendas. The petition’s invocation of the international, however, is not interventionist: Insofar as international human rights norms are invested with the utopian hopes of historical and contemporary struggles for human dignity worldwide, the invocation of these norms in response to state violence serve as a critical reclamation of the basic moral principles from which they are derived.

The criminal prosecutions against signatories of the Academics for Peace petition are the latest episode in a vindictive campaign which has had devastating effects on individual academics, institutional cultures, and the very promise of the university as a site of free inquiry and expression in Turkey. Instead of building an immediate and strong institutional opposition to forestall these effects, Turkey’s research councils and university administrations have become complicit, actively targeting academics and researchers through dismissals, disciplinary investigations, forced resignations and preventive suspensions.

This is why Academics for Peace have recently called for a targeted boycott of the Turkish research councils and complicit universities that have actively persecuted the petition’s signatories. The boycott aims to exercise pressure to reverse all of the dismissals and to bring to a halt the persecution of academics so that once again universities in Turkey have the potential to thrive as sites of open inquiry and critical debate on matters of public concern, free of censorship, retaliation, imprisonment, and exile. These are the aims of both academic freedom and freedom of expression, both of which are necessary for vibrant universities in democratic societies and have sadly become the enemies feared and punished by the Turkish state.

International solidarity is once again crucial at this time when our colleagues in Turkey are facing criminal trials. It can take the form of supporting dismissed scholars financially, and calling on professional organizations and higher education institutions at both the national and international level to undersign and heed our colleagues’ call for international pressure, whether through a targeted boycott or a different campaign. It remains imperative to keep a close eye on the proceedings and, despite the risk to those involved, to call for lawyers’ associations and human rights and international educational organizations to sponsor delegations to Turkey to participate in trial observations over the

next several months so that we may know how these proceedings go and what steps to take to defend our colleagues who suffer state retaliation for expressing their dissenting view and their wish for peace

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2 Comments

1. Kameron Howard Geil on 11 December 2017 at 2:07 pm

We in Britain did not allow international observers into Northern Ireland as it was dismissed in the same way Turkey dismissed this idea as a breach of sovereignty. Also people who openly supported calls for reconciliation with the terrorist IRA were often brought to court and or monitored closely under the anti terrorist laws – even children at school drawing the Irish flag were routinely punished.

Let's be frank and honest the PKK and Feto are terrorists with considerable support from the German state from where many terrorist groups are freely operating with impunity against many Muslim majority states under the freedom of expression.

Turkey has a legitimate right to raise this issue and protect all its citizens like any other democracy around the World and is doing so within the law – the other side has access to lawyers and can openly express their views so long as it's within the law – you can be locked up in the U.K. for openly expressing verbal support for a terrorist group indirectly or directly so Turkey is operating with much more leniency than many so called western democracies some wrecits illegal for a women to dress how she wants – were us democracy and law in France or Belgium??

[Reply](#)

2. Theophile Cottonier on 11 December 2017 at 9:07 pm

So you haven't understood a thing to the carefully written article by the authors. Turkey do not and can not "protect " its citizens by pursuing 1128 academics for signing a petition allegedly for "terrorist propaganda". And it is certainly not doing it "within the law" since , as pointed out rightly by the authors

" ... the petition calls for a peaceful settlement, so it clearly does not affirm the violent aims and actions of any Kurdish group. The aim of the petition was to transform a violent conflict into a non-violent negotiation that could bring about peace. And yet that word, "peace" becomes code for "terrorism."

Peace be with you !

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