END SPEC

TURKEY

PEACE ON Trial

Edited by Jean Hillman
TURKEY: PEACE ON TRIAL
THE MILITARISATION OF TURKEY

Turkey’s strategic position

From the point of view of international politics, the most important thing about Turkey is where it is. It is in a position of vital strategic importance and great instability. Turkey is the only NATO power with a substantial land border with the Soviet Union. It is packed with vast amounts of US military and surveillance equipment. It is positioned on the edge of a frightening whirlpool of conflict, instability and open warfare in Iran, Iraq, Syria and the Lebanon. It is an area of vital oil wealth, of rebellious ethnic minorities (the Kurds), of ferocious struggle between the fractions of Islam, and an area in which Israeli and Arab conflicts regularly explode into bitter and protracted fighting. Third, to the West, Turkey faces a fellow NATO state, Greece, in a posture of unrelieved hostility. In this region NATO itself threatens to fly apart.

These geopolitical facts lead some NATO governments to assume that it is above all important that there should be in Turkey a strong, reliable, stable regime, dedicated to the pursuit of the Cold War and prepared to make its territory available without question to US military planning. All other considerations are put aside. Turkey’s economic and social development, its internal political arrangements, its record on human rights, are all to be judged solely in the light of how they fit in with Turkey’s strategic, geopolitical role. The Thatcher government is among those which see things in this way. Whereas other European governments (the French and the Danish) planned to take Turkey to the European Commission on Human Rights, the British government (along with the newly installed Christian Democrat government in West Germany and, of course, the Americans) argue in favour of restoring economic aid to Turkey despite the military
regime’s massive defiance of human rights commitments as laid down in its treaties with the Council of Europe, the EEC and NATO.

The September 1980 military coup in Turkey was designed to protect and preserve Turkey’s strategic role in the era of the new Cold War. It reinstates a situation in Turkey in which the military leaders are able to pursue these designs free of interference by public discussion and criticism. It is a situation with which Turkey is familiar. Turkey joined NATO with no public debate and since the 1950s has signed a series of bi-lateral, military agreements with the USA which are outside the NATO framework and which are kept secret. Turkey participated energetically in John Foster Dulles’ crusade against Arab and Iranian nationalism, creating an internal political climate in which anyone who dared to criticise, however mildly, this unwavering support for US foreign policy risked imprisonment for subversion. During the Korean war, there was no consultation with the National Assembly before 5,000 Turkish troops were despatched to join UN forces. Until the founding of the Turkish Peace Association in 1977, successive governments enforced an unwritten law effectively banning any peace movement. Since the coup, the people of Turkey are once again totally excluded from any discussion of their country’s slavish subordination to US policy. Some 11 new secret bi-lateral treaties have been signed between the Pentagon and Ankara. This is no doubt what Reagan had in mind when he declared that he expected the relations between the two countries to be ‘brought back to the period of the 1950s’.

Before the coup, Turkey already had the dubious distinction of being ranked fourth in the world in terms of the percentage of its gross national product spent on arms. With a conscript army of 600,000 Turkey still has the largest land force in NATO. As Christopher Hitchens reported in the New Statesman (11 August 1978) the Turkish army also controls an enormous slice of Turkish capital and business. ‘The bizarrely named Armed Forces Mutual Aid Fund has assets of £89 million (in 1977) and is the third largest conglomerate in the country. Large chunks of the Goodyear and International Harvester plants (and the country’s second
largest motorcar assembly plant, OYAK-Renault) for instance, belong to it. It is financed by a 10 per cent levy on the pay of 80,000 officers and extends through cement, property, petrol and vehicle manufacturing to provide considerable returns for the officer class.

For over 30 years Turkey has provided land, air and naval installations for NATO and US forces. Monitoring facilities in Turkey provide roughly one quarter of all hard US military intelligence on Soviet missile launches. According to official information some 1,500 US personnel were in charge of 29 military bases dotted across Turkey.

Since the coup all NATO and non-NATO bases in Turkey have been enlarged, re-equipped and up-graded. A coordinating and planning body (the High Level Group) was set up and is chaired by Richard Perle, the US Assistant Secretary of Defence for International Security Policy. The main aim of this body is to ‘provide for joint action in times of crisis’. Following hard on the heels of Weinberger’s 1981 visit, these developments signal a new role for Turkey in the ‘new international situation’ created by the Iranian revolution and events in Afghanistan. At a recent NATO seminar in Istanbul, American officials emphasised Turkey’s vital importance for the defence of the Gulf (the main source of the West’s oil supplies) and the major role expected from Turkey in ‘restoring stability’ in the event of a power vacuum in neighbouring Iran. Hence the allocation of US funds for bases in Eastern Turkey for the new US Rapid Deployment Force.

A more dangerous development from the European point of view is the inclusion of Turkey in US plans to encircle the Soviet Union with ‘nuclear deterrents’. In the late 70s Turkey was chosen as a site for the proposed neutron bomb. (This prompted the TPA’s most successful mass campaign.) It is expected that cruise and Pershing II missiles will be deployed in US bases in Turkey in due course. Despite mounting protests from the Congress over the Turkish government’s abysmal human rights record, the Reagan Administration is going ahead with its plans to up-grade the nuclear arsenals in Turkey. ‘German money is to be pumped into an American scheme for building outposts in Eastern Turkey from which the latest in US nuclear armament—the
B-52G bomber equipped with air-launched cruise missiles—can be fired at the Soviet Union’s soft underbelly’ (New Statesman 12 November 1982). Storage depots for US nuclear warheads have recently been constructed in Erzurum, a base for B-52s.

Equally important are recent US-backed plans to extend the armaments industry in Turkey, to provide the material basis for the country’s role as the US’s ‘deputy sheriff’ in the Middle East and the Balkans. Some $4 billion has been earmarked for the assembly of F-L6 and F-L8 fighter jets in Turkey. Added to this are plans for manufacturing tanks and landing craft. The militarisation of Turkish society in the current Cold War climate has inevitably encouraged tendencies towards an aggressive foreign policy based on a readiness to resort to force. Some hard right elements in the armed forces are reported to be considering whether the Iran-Iraq conflict can be exploited to regain the oil-rich Northern Iraqi provinces ceded by the Ottomans to the British at the end of the First World War, ‘thus ending the Turkish economy’s most serious weakness, and provide an answer (to the Kurdish question)’ (New Statesman 14 May 1982). The Turkish ‘Peace Keeping Force’ has been installed in Cyprus for seven years. The Turkish government has declared that any attempt by the Greek government to extend its territorial waters to 12 miles in the Aegean will be considered a causus belli. The Greek islands facing Turkey are bristling with weapons. 100,000 Turkish troops amassed on the Aegean coast protect the country’s western flank from its NATO partner. Turkey’s socialist neighbours are disturbed, to put it mildly, by the extent of the US nuclear build-up which is transforming this outpost of NATO into a springboard for nuclear attack.

In Turkey the very active and influential peace movement which watched these developments with alarm is now silenced. Their country is now the one place in Europe where the US can pursue its policy of nuclear rearmament without the inconvenience of massive public revulsion. In Spain and Greece social democratic governments are readjusting their relations with NATO. In Italy, West Germany and Britain vast numbers of people engage in ever louder protest at the
introduction of cruise and Pershing II. In Holland and Belgium governments have not yet finally agreed to accept the missiles. In Turkey US defence plans can be pursued without the interference of ‘democratic’ complaint. A motion passed at the CND Sheffield Conference noted that, ‘the repression of the peace movement in Turkey provides the USA with an enclave free from peace protests, enabling the USA to site nuclear weapons which may be rejected by the rest of Europe.’ Beneath the cruel farce of charging the elderly establishment figures of the TPA executive with ‘attempting to overthrow the State’, is a chilling reality—the nightmarish prospect of an unstable Turkey sparking off the Third, and final, World War.

Democracy swept away

In the relatively liberal decade before the 1980 coup, Turkish society developed social and political forms of democratic involvement through trade unions, women’s and youth organisations, the peace movement, and so on. These elements of democratic life have all been swept away by the new regime, in the most systematic wave of repression ever experienced in the modern history of the country. The 1961 Constitution has been abolished, political parties have been suppressed, trade unions and associations have been banned. 170,000 people were arrested, of whom some 30,000 are still in prison two-and-a-half years later. Amnesty International has documented 70 cases of prisoners tortured to death.

Attention in the West has focused on four trials in which the military authorities have been particularly blatant in their disregard of legal rights to which Turkey is committed by international treaties. The biggest of these is the trial of leaders of the DISK confederation of trade unions (Turkey’s second largest trade union confederation founded in the late 1960s). These union leaders, who were arrested immediately after the coup and who have certainly been tortured, are charged with attempting to overthrow the Constitution by force, a charge carrying the death penalty.
Second, there is the case of Mr Ahmet Isvan (whose wife is a defendant in the TPA trial). He was Social Democrat mayor of Istanbul and is accused of having rented municipal lorries to DISK for use in a political rally. This is a clear case of a trumped up charge being used as a weapon to punish and silence political opinions. He has also been tortured.

The third trial which has become a focus for attention in Europe, is the trial of the leaders of the Turkish Peace Association—the subject of this pamphlet. A fourth trial was more recently added to the list when military authorities arrested 18 writers charged with turning the Turkish Union of Writers into an ‘illegal’ organisation—identical with the charge against the TPA.

Whereas the Turkish government has got away with the arrest, torture and imprisonment of many thousands of unknown union members, students and other anonymous democrats without attracting too much high level complaint from Western governments, these trials of internationally known and respected figures are harder to conceal. They make it very difficult for the Turkish military leaders to convincingly present themselves as guardians of democracy. The whole world has witnessed some of the country’s most prominent and distinguished figures, among them diplomats, lawyers, parliamentarians, writers and scientists, paraded before military courts in convicts clothing, with shaven heads and branded as criminals. In the glare of this publicity, only the most cynical of Europe’s political leaders, Thatcher among them, could fail to raise a cry of protest.
In 1950 academics and intellectuals founded The Peace-lovers Society in an attempt to break through the secrecy which surrounds foreign and defence policy in Turkey. It was suppressed almost immediately. It was not until the founding of the Turkish Peace Association in April 1977 that there existed in Turkey an organisation committed to campaigning for peace and disarmament. The TPA was founded during a period in modern Turkish history which witnessed the most impressive democratisation of the country’s social and political life. Individual liberties and freedoms of association and assembly, enshrined in the liberal 1961 Constitution, were actually being exercised by large numbers of people. Great strides were made by the trade union movement and by women’s and youth organisations.

The TPA is a direct progeny of the Helsinki Conference and the spirit of detente endorsed by the Final Act. The initiative for a peace organisation was made in 1976 by the Istanbul Bar Association, one of the most prestigious institutions in the country. It was under the auspices of this organisation that a founding conference was held in April 1977. Three years and five months later, in September 1980, the Turkish Peace Association was crushed immediately following the military coup.

TPA activities were concentrated on three issues. First, it publicised and promoted the Helsinki Agreement. Secondly, the TPA campaigned for nuclear disarmament, and in particular against the proposal to site the neutron bomb, cruise and Pershing II missiles in NATO and US bases in Turkey. Third, the TPA brought to public attention the economically crippling arms race between Turkey and Greece and campaigned for a just and peaceful solution to conflicts in the Middle East.
THE AIMS OF THE TPA

The founding conference of the TPA declared its tasks as forming public opinion and initiating debate on the following basic principles adopted as its aims:

—The abolition of nuclear weapons and all weapons of mass destruction; a stop to the arms race, the dissolution of all military alliances; the removal from all countries of foreign bases and foreign troops.
—An end to resorting to force in international disputes and their resolution by negotiation.
—Peaceful co-existence between nations with different political systems; rejection of interference in the internal affairs of nations; respect for the independence and sovereignty of nations.
—The development of economic and cultural ties between nations within a framework of friendship and mutually beneficial co-operation.
—An immediate end to all forms of racism and colonialism.
—The re-allocation of the enormous funds reserved for armament to the eradication of disease and human misery.
—Respect for human rights; the possession and control by the people of their national resources and the freedom of the people to determine, according to forms chosen by themselves, social and economic reforms.
—The implementation of United Nations resolutions concerning matters of peace and security.

In the annual general meeting of the TPA convened between 3rd and 5th April 1980, the general secretary of the Association, Enis Coskun, further emphasised the following objectives:

—The endorsement of the ending of the Cold War, full support for the process of detente inaugurated by the Helsinki Final Act of 1975.
—Greater contribution to enforcing the possibilities of developing peace and security in the region.
—Greater effort to contribute to the movement for democracy encompassing all sections of society and solidarity with anti-fascist mobilisation of all democratic forces.

It will be seen that these aims corresponded both with the revival of peace movements throughout the world as well as the specific struggles within Turkey for peace and democracy.
The public response to the TPA was very large and enthusiastic. It gained the support of an impressive number of academic experts who served on its committees of inquiry on disarmament, economic and cultural cooperation in the Balkans, human rights, peace research, and so on. Moreover, very large numbers of people joined in its activities and attended its meetings. Within the first year of its existence the TPA:

- organised over 40 public meetings in the country’s major cities;
- published a monthly journal called *Peace News*;
- set up a large stand in the Izmir International Fair which was visited by over one million people;
- organised ten peace symposia;
- participated in a Conference on Human Rights jointly organised by UNESCO and the Turkish Ministry of Foreign Affairs;
- was officially received by Professor Gunduz Okcun, the new Foreign Minister appointed by the Ecevit administration following the collapse of the ultra right-wing National Front coalition;
- was officially delegated by the Ministry of Foreign Affairs, to represent Turkey in the Afro-Asian Solidarity Conference convened in Addis Ababa;
- sent two delegations abroad to attend international peace conferences.

Perhaps the most significant meeting attended by the TPA was the International Conference for Peace, Security and Cooperation in the Mediterranean held in Athens from 9-12 February 1978. The TPA participated with 53 delegates representing a broad spectrum of the country’s professional and mass organisations as well as including some of the country’s best known writers, artists, scientists and a former senator. The Turkish and Greek delegations to the Conference signed a joint declaration; for this act the Turkish military prosecutor after the coup demanded fifteen-year gaol sentences for the signatories on the grounds that the declaration ‘slanders the Turkish State’.
JOINT DECLARATION OF THE GREEK AND TURKISH DELEGATIONS TO THE MEDITERRANEAN CONFERENCE

Representatives of the peace forces of Turkey and Greece... share the opinion that the existing relations between the two countries give cause for grave concern for the peace loving peoples of Greece and Turkey... The known circles... employing chauvinist and militarist forces are creating problems between our countries; they provoke a permanent situation of tension; they are pushing our countries towards an accelerating arms race. This is a great threat for peace and security in our region which, at the same time, is devouring enormous resources of vital importance for the welfare and prosperity of both peoples... the peace forces (of Greece and Turkey) demand the implementation of the UN Resolutions on Cyprus providing respect for independence, sovereignty and the territorial integrity of the island and call for the immediate withdrawal of all foreign military forces and bases, as well as the implementation in the Aegean Sea of internationally accepted legal conventions.

12 February 1978

With the formation of the Social Democratic Ecevit administration in 1978, the TPA became one of the country's most respected pressure groups. The Ministry of Foreign Affairs started sending observers and representatives to many of the seminars and international symposia organised by the Association. TPA representatives were delegated by the new government to attend international conferences. Statements and declarations issued by TPA members found a ready response in the media. Their views were sought after each major world event or important foreign policy decisions.

In acknowledgement of these successes and to register the growing international reputation of the Turkish peace movement, half a dozen TPA members were included in an invitation extended to prominent Turks inviting them to
join the World Peace Council. Guided by the principle that ‘peace is one and indivisible and belongs to all’ the TPA sought to develop links with peace movements across the world. In all its international dealings the TPA maintained its independence and actively worked for the unity of the world peace movement.

In Turkey members of the TPA executive became honoured speakers at meetings of virtually every major democratic organisation in the country. By September 1980 over 50 mass organisations were represented on the General Council of the TPA. The TPA executive, arrested in February 1982, includes many prominent personalities and represents a wide spectrum of Turkish social, cultural and political life.
ARRESTED MEMBERS OF THE TPA EXECUTIVE

Mahmut Dikerdem
TPA President, a career diplomat for 40 years, with one half of this period as ambassador. Honorary Professor of International Relations, author of two works on the Third World. Aged 67.

Orhan Apaydin

Mrs Reha Isvan

Dr Erdal Atabek
President of the Turkish Medical Association. Executive member of the Balkan Medical Association. Consultant to the Ministry of Health. Member of staff, University of Istanbul Medical Faculty. Aged 52.

Ataol Behramoglu
Poet. General Secretary, Turkish Writers Union. Translator of works by Turgenev, Gorki and Pushkin. Editor of literary journals. Author of a dozen books of poetry. Recipient of this year’s Lotus Prize given by the Afro-Asian Writers Union. Aged 40.

Prof. Metin Ozek
Medical doctor and psychiatrist. Professor at the University of Istanbul Faculty of Medicine. Executive member of World Psychiatrists Association. Apart from scientific books, has contributed to UNICEF research on children’s books. Aged 52.

Prof. Melih Tumer
Dean of the Istanbul Faculty of Political Science. Doctorate from the Sorbonne. Director for International Harvester and Machinen Fabrik Augsburg-Nuremberg. Expert on business administration. Aged 58.

Nedim Tarhan
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<th>Name</th>
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<tbody>
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<td>Ismail Hakki Oztorun</td>
<td>Member of Parliament, Republican Peoples Party. Aged 37.</td>
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<td>Kemal Anadol</td>
<td>Member of Parliament, Republican Peoples Party. Former President of the RPP Youth Section. Aged 42.</td>
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<td>Mustafa Gazalci</td>
<td>Member of Parliament, Republican Peoples Party. Aged 37.</td>
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<td>Gencay Saylan</td>
<td>Senior Lecturer in Public Administration, Middle East Technical University, Ankara. Many publications on the structure of Turkish bureaucracy. Former General Secretary of Turkish University Teachers Association. National team volley ball coach. Aged 42.</td>
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<tr>
<td>Haluk Tosun</td>
<td>Doctorate from Imperial College, London. Head of Department of Electrical Engineering, Middle East Technical University, Ankara. Aged 34.</td>
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<td>Ali Sirmen</td>
<td>Foreign Affairs columnist in the prestigious daily newspaper <em>Cumhuriyet</em>. Member of a number of international journalists organisations. Author of books on Turkish and world affairs. Aged 42.</td>
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<tr>
<td>Huseyin Bas</td>
<td>Journalist, author, parliamentary candidate. Aged 54.</td>
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<td>Orhan Taylan</td>
<td>One of Turkey's foremost painters; has held exhibitions and received awards in Europe. Aged 41.</td>
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<td>Aykut Goker</td>
<td>President of the Turkish Engineers and Technicians union. Mechanical Engineer. Technical consultant, civil servant. Aged 35.</td>
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<td>Aybars Ungan</td>
<td>Electrical engineer. Consultant civil servant. Aged 42.</td>
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<tr>
<td>Sefik Asan</td>
<td>Educationalist, literature teacher, headmaster of Lycée Maltepe, Istanbul. Aged 41.</td>
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<tr>
<td>Tahsin Usluoglu</td>
<td>Graduate of Middle East Technical University. Planning expert. Aged 32.</td>
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THE DENIAL OF HUMAN RIGHTS IN THE TPA TRIAL

Very rarely can one find another indictment in the annals of jurisprudence wherein such grave charges are laid with such impunity on the basis of such flimsy and contentious evidence.

Mahmut Dikerdem, President of the TPA, 17 August 1982

At the time of the coup the generals sought to minimise European criticism by declaring that they would be ‘even-handed’ in dealing with ‘terrorists who brought Turkey to the brink of civil war’, and that they would preserve civilian judiciary proceedings, only resorting to ‘state of emergency martial law procedures’ in cases involving armed political violence. These guarantees have proved worthless.

Some five months after the coup, in January 1981, the then Military Prosecutor General of the Istanbul Martial Law Command Colonel Suleyman Takkeci (variously referred in the British press as a ‘fascist sympathiser’, ‘hard-liner’ and ‘right-winger’ and who has since been moved to a ‘backroom job in Ankara’ because of his excesses) called for the arrest of all the officials of the TPA elected in the last AGM held in April 1980. This request was turned down by the Second Military Court of the Istanbul Martial Law Command on grounds of ‘insufficient evidence to warrant arrests’. Colonel Takkeci did not challenge this decision and thus technically forfeited the right to call for arrests on the same grounds. This procedure was however infringed when the prosecution renewed its demands some nine months later during October 1981. Once again, the higher military court ruled that since the ‘request was refused previously’ and that ‘no new evidence or strong indications that a crime has been committed can be established’, it refused to issue arrest warrants.

By this time, the TPA had been under investigation for over a year. All its files and documents were held by the martial law authorities. Since no evidence of illegality had been found in the files or in the public speeches and statements of the executive, the military prosecutor proceeded to
fabricate new evidence. First, he commissioned an ‘experts report’ from three right-wing academics in the Istanbul Law Faculty, claiming that the TPA was in breach of articles 141 and 142 of the Turkish Penal Code. The report based its case on a document which had not been discovered previously in the TPA’s files and which was, it was claimed, a letter from a member of the Turkish Communist Party in East Germany. The second piece of ‘new evidence’ was a confession allegedly made by a Turkish Communist stating that there were links between the TPA and the Communist Party. This ‘confession’ was withdrawn by the defendant in court. He claimed that it had been obtained as a result of police brutality and torture. According to the British press this person ‘was taken to a military hospital a week after his arrest. The authorities claimed he had jumped from a fourth floor window during an interrogation. After several further interrogation sessions he was again in hospital.’ He later walked into the court on crutches. This was the sum of the ‘new evidence’ brought forward by the prosecutor in his third attempt to have the TPA executive arrested. This time he was successful.

The prosecution’s methods of concocting ‘evidence’ have subsequently been revealed to be not only sinister, as in the above example, but also extremely stupid. The indictment bases its case on ‘concrete evidence’ of links between the TPA and ‘illegal political centres’. Listed as the ‘evidence’ for these links are ‘articles and publications sent by the Communist Party of the Soviet Union to the TPA’. It turns out that these consist of a statement by Brezhnev on world peace. This statement was in fact also sent to the Turkish Radio and Television Corporation and was broadcast in full nine months after the coup on 23 June 1981! A second such item of ‘evidence’ is described as ‘left-wing subversive literature. . . such as Lenin’s On Education and Pedagogy’. It is now established that this was part of a publication by the Soviet Academy of Sciences concerning peace education in the Soviet Union. Like the other items of ‘proof’, listed as ‘subversive periodicals published in Turkish abroad’, these publications were unsolicited and appeared through the mail. The latter two items were in fact published in 1981, i.e., twelve months after the TPA offices had been sealed by
martial law authorities and all possessions and documents confiscated! This is the ludicrous evidence presented by the prosecution for its charge that the TPA was conducting a 'coordinated conspiracy'.

The charge against the TPA is that it constituted an 'illegal organisation' which attempted 'to overthrow the established constitutional order', thereby infringing articles 141 and 142 of the Turkish Penal Code. These articles, which derive from Mussolini, were incorporated into Turkish law in 1926. They prohibit organisations which aim 'to establish the supremacy of one class over another class by force or in any way attempt to overthrow by force the economic and social order of the State'. They were amended in 1938 to include 'propaganda... against the principles of the State or to undermine national solidarity'. This amendment was directly related to securing a conviction against the poet Nazim Hikmet who had been court-martialed for what subsequently turned out to be fabricated charges of inciting naval cadets to mutiny. (More information about Hikmet is on page 00 of this pamphlet.)

After four amendments in as many decades, articles 141 and 142 have the kind of generality whereby any utterance or text which challenges government policy or which criticises any 'institution of the republic' can be deemed to be 'communist propaganda'. The undemocratic and catch-all nature of these articles have been repeatedly criticised by members of parliament, Constitutional Court judges and Bar Associations in Turkey as well as by Western European jurists.

The gist of the indictment is that the TPA executive have expressed views contrary to 'national interests' and 'national security'. It is alleged that the TPA worked 'in parallel' with an 'illegal political party' and thus became an instrument for the dissemination of 'subversion'. By calling for the implementation of UN Resolutions on Cyprus and thus the withdrawal of all foreign troops from the island, the TPA has damaged the 'international standing and integrity of the State'. Predictably, the main accusation is that the 'TPA has continually opposed the bi-lateral military treaties to which Turkey is a party, as well as the military bases founded
under the auspices of Turkey’s membership to NATO’.

The trial opened on 24 June 1982 in a converted basketball stadium, some four months after the arrests. The military judges, who have been changed *three times*, are appointed by the General Chief of Staff. The martial law court is being held under ‘war-time emergency conditions’ with their attendant restrictions on defence rights. (There is, of course, no jury.) The prisoners are allowed 20 minutes each week with their lawyers. They cannot speak with their lawyers during the sittings. Rows of armed guards separate the lawyers from the defendants. The lawyers are not allowed to confer with each other during the hearing. In the sixth session for example, five lawyers were manhandled and ejected from the courtroom for ‘conferring without permission’.

The *Guardian* correspondent noted that by late August ‘there have only been four hearings. . . Even by the snail’s pace of Turkish court procedures, this is most unusual.’ The END observer reported that ‘. . . it would appear that it is in the interest of the authorities to spin the proceedings out for as long as possible, until public attention is diverted from the issue.’ It has taken the court *five months* to read the indictment and cross-examine 19 defendants. Thus, contrary to the assurances given by the military administration to their Western allies, the TPA arrests and trial constitute a *prima facie* case of contravention of legality and human rights. The institution of arrest has been transformed in effect into punishment.

Both the Universal Declaration of Human Rights and the European Convention on Human Rights, which are endorsed by Turkey, clearly stipulate that, ‘No one shall be held guilty of any penal offence. . . which did not constitute a penal offence, under national or international law, at the time it was committed.’ Other clauses of international conventions of which Turkey is a co-signatory clearly indicate that individuals can only be brought to courts which are competent to try them. By charging the TPA executive retroactively and by invoking ‘war-time emergency conditions’ in a military tribunal, the Turkish government is in clear breach of its international undertakings.
NAZIM HIKMET

Celebrating the birthday of Nazim Hikmet is judged by the Turkish military authorities to be a crime, and figures as such in the indictment of the leaders of the TPA.

Nazim Hikmet (1902–63) was the greatest Turkish poet of modern times. He spent periods in prison in 1928 and 1933. In 1938 he was sentenced by military courts to 35 years, on a fabricated charge of inciting naval cadets to spread communism. The proceedings at his trial were so grotesque that they caused a wave of protest. In 1949 there was an unsuccessful international campaign for Hikmet’s release. He went on hunger strike in 1950 and was released in a general amnesty in 1951. He died in Moscow in 1963. His work is widely known in continental Europe where he is regarded as having the same stature as Neruda and Lorca. A small part of his work is available in English, in Selected Poems (1967, Cape), The Moscow Symphony (1970, André Deutsch) and in the magazine Arena (Sept/Oct 1950) from which the following poem is taken.
This life is not a joke
You must treat it as a serious thing,
As a squirrel does, if you like,
Without expecting a Beyond or a Hereafter—
Then you’ll have nothing else to do but live.

This life is not a joke
You must take it seriously,
Seriously enough to find yourself
Up against a wall, maybe, with your wrists bound,
Or in a white laboratory coat
And thick spectacles
About to die that other men may live
Men whose faces you have never even seen—
And you will die in the full consciousness
That there is nothing so fine, so sure as Life.

You must take it seriously
But serious up to the point where you start
Planting olives at three score years and ten
Not in the least because they will grow for your children
But simply because you don’t believe in death
And the root of your disbelief
Is the overriding preciousness of Life.
NOTES FROM A JOURNEY TO ISTANBUL

by Erik Stinus

It is the season when the streets of Istanbul smell strongly and sweetly of apricots. The main topic of conversation and in the news is the bankruptcy or fraud of a wealthy banker and his flight abroad.

On Thursday the 24th of June the twenty-six imprisoned members of the Peace Committee appear before a military tribunal in a barracks area on the western edge of Istanbul. Strict security measures have been taken around the gym, now turned into a court. The daylong session occupied itself with the identification of the prisoners and a rather clumsy recitation of a small part of the indictment. In addition, the spokesman for the counsel for the defence, Burhan Apaydin, a brother to Orhan Apaydin, delivered an angry protest against a newspaper interview given the day before by the military prosecutor Colonel Takkeci, as well as a demand that the accused be set free for the duration of the trial. This was immediately rejected, the protest was apparently entered into the books by a female secretary who sat behind a typewriter on a platform just below the presiding judge.

The indictment maintains that trade unions, peace movements and the like are the inventions of Lenin. Besides speaking and writing on the necessity of disarmament and even against the deployment of atomic weapons in their country, thereby demonstrating their collusion with the Communist Party (the Communist Party of Turkey has been prohibited for almost two generations), the accused have among other things supported the right of the Turkish Kurds to their own language and institutions and expressed themselves on the question of reconciliation with Greece and the recall of Turkish troops from Cyprus.

The three officers who for the occasion have donned the
black cape of justice over their uniforms can hardly have any doubt about the seriousness of the charges. The fact that the Peace Committee celebrated the birthday of the Turkish Communist poet Nazim Hikmet, but not the anniversary of the saintly poet Mevlana, is a point of grave issue. The prosecutor portrays Hikmet as the Turkish writer who lived in the Soviet Union and constantly wrote against his own fatherland. He fails to mention that Hikmet was repeatedly put before courts like this one and accused on account of his poems and opinions, earning himself sentences of more than thirty years. When one of the accused is questioned as to his parents’ names he answers: father’s name—Nazim, mother’s name—Hikmet. Careful smiles among the listening public and in the press gallery. The secretary rattles the information down on the judge’s orders.

The prisoners are placed on benches behind bars and soldiers with helmets and white gloves stand everywhere. Despite the sombre atmosphere the relatives of the prisoners could be pleased that they appear to be in good spirits (‘apparently stronger than we are’ remarked the wife of the painter Orhan Taylan), and that they, as an elderly Turkish journalist whispered to me, were able to stand up without the assistance of soldiers on the entrance of their judges.

In the homes of the accused life goes on. The children have summer holidays, the older ones are awaiting the results of the examinations, all are busy putting on their finest clothes in the bedroom, the youngest girl is having her hair braided, their uncle is coming shortly to take them to town to a puppet show. The mother shops hurriedly in the neighbourhood, cuts up the vegetables, makes slightly absent-minded plans for the evening meal, offers mulberries, apricots and peaches to the guests. Tidies up, reads, writes letters, prepares the work of many days to come.

The sound of laughter and song as the children return and tell all about Punch. A woman cleaning the staircase is invited in to a cup of coffee and a cigarette. Until yesterday her son and his comrades were on hunger strike in prison. The dead were quietly driven away in the night, she says. Her son has been in prison for a year now, still without trial. Her other son completed his studies last year but is unemployed. Now
she has to go to the theatre to enquire about the dates of the entrance examination to the Opera School; her daughter of fourteen wants to be a singer. She can neither read or write herself. If I was nineteen, she sighs, if only I was nineteen... and she ties the scarf tightly about her chin, says goodbye in the doorway and goes down the stairs.

On the wall hangs a portrait of Ataol Behramoglu drawn by his friend Orhan Taylan in prison.

On the 29th of June the prosecutor succeeds in completing his recitation of the indictment. According to articles 141 and 142 of the penal code which apply to acts against the established order and which are usually interpreted in accordance with the needs of the powerful, the accused can be sentenced to between eight and thirty years in gaol. The next hearing takes place on Tuesday the 27th of July with a new batch of judges. Here it was announced under protest from the counsel for the defence that ‘in order to avoid unnecessary costs in connection with the trial... the prisoners would not be cross-examined within the courtroom’. This has not yet actually been put into practice but the protest was overruled.

On the 17th of August the trial is resumed and seems to be going to last until the referendum on the military government’s new constitution in November. The defence is of the opinion that the generals, by these means, seek to ensure that none of the accused will be able to participate in a debate which scarcely can be repressed completely.

In the meantime the President of the Peace Association, Mahmut Dikerdem, has fallen seriously ill. The authorities refused him medical care but after approaches to the junta leader Kenan Evren by, among others, the Council of Europe, Dikerdem was transferred to a military hospital. His defence lawyer wished to demand his release but Dikerdem has declined release on grounds of health. The demand for release, he says, must apply to all members of the Peace Committee, none of whom have committed any crime.

... From the balcony we can see ships from all over the world glide past each other on the Bosphoros. There have
been no collisions since the new regulation keeping all traffic to the right, or so I am told here in a sunset over Istanbul.

Translation: Patrick Mac Manus

Erik Stinus is a prominent Danish poet and peace activist.
END OBSERVERS REPORT ON THE TRIAL OF THE TURKISH PEACE ASSOCIATION

This is a shortened version of a report written for END and the Committee for the Defence of the Turkish Peace Association by two English barristers, Lesley Orme and Nicholas Blake, who visited Istanbul from 23–30 July 1982.

During our visit we spoke to various lawyers, relatives, the Information Secretary at the British Consulate, the Captain responsible for civilian liaison at the Martial Law Court, and a Turkish journalist. We attended the headquarters of the Martial Law Commander at the Selanye Barracks in Istanbul, in an attempt to obtain permission to visit the prisoners, but were unsuccessful. We were similarly unable to meet the prosecutor in charge of the trial, as he did not attend the hearing on 27 July. The restrictions of Turkish law forbidding the passing of information to foreigners, prevent us identifying those to whom we talked.

Background to the trial

It takes an extraordinary state of affairs for any country to bring criminal charges against a former ambassador, the President of its most prestigious Bar Association, the President of its Medical Association and a host of other distinguished academics, writers and members of Parliament. It is more extraordinary still when the allegation, for which the prosecutor is demanding prison terms of up to 30 years, consists solely in membership of a peace association, founded in 1977 in accordance with Turkish law, and every one of whose objects is in accordance with the founding documents of the United Nations.

The essential allegations of the prosecutor are that the members of the TPA used their constitutional freedom to
express opinions and associate in a manner that weakens the resistance of the Turkish state to communism. A call for the removal of the American bases and nuclear missiles from Turkey and withdrawal from NATO is seen as direct support for the Soviet Union, and therefore a grave crime threatening the existence of the Turkish state. Again, calls for an end to exploitation and support for a radical trade union movement are deemed to be contraventions of those provisions of the Penal Code which prevent the establishment of hegemony of one class over another. Under Turkey’s peculiar historical and geographical circumstances, a politically conscious pacifism itself, the prosecution contends, is illegal.

**Links between the TPA trial and the trial of DISK**

Two months before the arrest of the TPA defendants the trial of the leaders of the DISK confederation of radical trade unions had begun. There are important connections and similarities between the two trials, although the TPA trial is perhaps the more outstanding example of an attempt to outlaw ‘opinion’.

At the time of the dissolution on 12 September 1980, the DISK confederation had achieved a membership of some 600,000 workers since its foundation in the late 1960s. It was thus Turkey’s second largest confederation, next to TURK/IS which it was rapidly rivalling in terms of membership and influence. DISK had a class-conscious ideology and certainly regarded the legitimate function of a trade union to extend to broader considerations than the negotiation of wages. It also agitated for the improvement of social conditions; it organised May Day marches; published trade union papers and built holiday camps and seaside resorts; many of its affiliates provided health and pension schemes; when its dynamic founding General Secretary was murdered by fascist gunmen in 1980, DISK organised a mass demonstration against terrorism. All these activities are deemed by the military to be in excess of the proper function of trade unions, and consequently form part of the indictment in the Istanbul Martial Law Courts against the 90 or so trade
union leaders. The prosecutor is asking for the death penalty against those leaders under the provisions of the Penal Code which prohibit *inter alia* conspiracy to usurp the function of a national assembly, and intending by propaganda or action to bring about the hegemony of one class over another. There are no allegations of terrorist activities by DISK; it is essentially the class-conscious ideology that is on trial.

The indictment against the TPA defendants includes the allegation of being in solidarity with DISK. The solidarity includes mutual telegrams of support and mutual attendances at conferences and public meetings. Apaydin in particular was a guest of honour at some DISK conventions, when he called for the repeal of Articles 141 and 142 of the Turkish Penal Code which was modelled on Mussolini’s Fascist Code. It is under these Articles that both lawyer and client are now being charged.

Until the arrest of the TPA defendants it was with the DISK trial that European human rights organisations were primarily concerned. There was some difference of opinion between the various foreign ministers and the Council of Europe whether to report Turkey to the European Commission of Human Rights. Some of the European governments have now done this unilaterally. The pressure on the government to adopt this course has increased since the arrest of the TPA defendants. A committee of the European Parliament voted in March to recommend that the Council of Ministers take action against Turkey with particular reference to the DISK and TPA trials.

The prosecution of the TPA

We have not seen a full translation of the indictment, but we have had translated the full decision of the court in March 1982. From this decision it appears that the gravamen of the accusations against the TPA may be summarised as follows: (i) Sending a delegation to attend the anniversary of the October Revolution in Bulgaria. (ii) Receiving a letter of solidarity from the Turkish Communist Party (the TPA denied that such a letter was found in their files). (iii) Express-
ing themselves to be in solidarity with DISK. (iv) Attending a World Peace Council conference in Athens which called for the removal of Turkish troops from Cyprus. (v) 'In a conference in London in solidarity with Cyprus... interpreted the action realised by the Turkish Army solely to establish peace, as an alien intervention prepared by American imperialism.' (vi) Opposing Turkish membership of NATO and bi-lateral agreements with the USA. (vii) Having pamphlets stating 'a world without exploitation and (with) peace has ceased to be an abstract wish or utopia and has become a banner symbolising the historic mission of the working class'. (viii) Being in possession of a report stating that the USSR is a 'bastion of world peace'. (ix) Calling for the repeal of Articles 141 and 142 of the Turkish Penal Code. (x) In a meeting commemorating the birthday of a pacifist poet, the judgment notes that members of the audience shouted, 'All peoples are brothers', and 'End national oppression in the East'. Further 'Long live Soviet Union'-type of slogans were shouted. (xi) The closure of the TPA headquarters was strongly condemned by the Turkish Communist Party radio. (xii) 'Thus,' the judgment concludes, 'all these, and other different and new evidence after the first demands for arrests, as well as the fact that some of the accused are abroad, indicates strong ground that the accused have committed the crimes attributed to them.'

The proceedings on 27 July 1982

The TPA trial was held in the Ataturk Ogrenici Sitesi, a basketball court in a students' complex in the suburb of Topkapi, some miles from the centre of Istanbul. A marquee had been erected at the entrance to the complex which was manned by military personnel for the processing of lawyers, relatives, the press, foreign consular officials and observers like ourselves. Once our identities had been checked and a body search conducted, we had no difficulty in being allowed through.

After waiting some 40 minutes outside on a well-worn piece of lawn, the army bus carrying the defendants arrived,
flanked by two army lorries full of accompanying troops. The 21 defendants looked smart in jackets and ties, in marked contrast to the legal personnel, who wore casual clothes under their simple black robes; the judges, indeed, were both dressed in T-shirts, and put on their robes in front of the assembled multitudes.

The scene inside the basketball court was a somewhat unusual setting for a judicial proceedings, in the spectators’ gallery, ranked above the well of the court, were seated the families and friends of the accused, including several small children. The visiting delegations were also seated in this area, but kept apart from the relatives, by a line of three military police standing in the aisles.

Below us the basketball court itself, where, enclosed within crash barriers, sat the defendants. Four were absent, through ill health including TPA President Mahmut Dikerdem. The defendants’ arena was divided into three aisles, so was the upstairs public gallery. In each aisle stood three military policemen, young boys who appeared to have been conscripted from Turkey’s vast Asiatic peasantry. They maintained a stiff posture throughout the day, with their white gloves, lanyards, holsters, helmets and khaki uniforms. This guard was changed at regular intervals. They performed no apparent security function, but seemed to serve as some metaphor for the determination and resolution of the army; the stiff backbone of the nation when confronted with the squabbling subversives of the civilians on trial.

The chief judge commenced the session by setting out the five matters for the decision of the court that day. These were: (i) Whether to continue with the basketball court as the place of trial or transfer proceedings across the Bosphoros to the Selinaye Barracks, which was nearer where the defendants were imprisoned. (ii) Whether the defendants should be tried in alphabetical order or in the order set out in the indictment. (iii) Whether they should be released on bail, and the judge specifically invited renewed submissions to this effect which was to cruelly raise the hopes of the families. (iv) Whether the proceedings should be taped or typewritten, which was of significance since the procedure is that every submission addressed to the court is laboriously
repeated by the judge to the stenographer, who takes it down on a manual typewriter. (v) Whether the indictment should be severed at this stage and each individual examined by him or herself. A new military rule no. 2657 provided for this. This issue was related to the first, as the grounds for such severance were overcrowding in the case of mass trials.

The defendants were then invited to address the court on these issues. They spoke in turn, the lawyers and former MPs amongst them speaking the longest and marshalling the arguments. The defendants were all adamant that they should be tried together and were opposed to alphabetical listing. All wanted release on bail except for the former Republican Party MP Tarhan. The burden of his submission was that he did not accept the legality of the detention and therefore to apply for bail at all would be to accept the jurisdiction of the court.

When Orhan Apaydin came to address the court, he took up a position before the lectern in front of the court. As leader of the Istanbul Bar Association he made a lengthy and authoritative submission. He dealt with the new rule no. 2657, stating that it was brought in to deal with the 2,000-3,000 outstanding cases, where there were not enough large places for mass trials to take place. By the standards of some of these cases (there are some 500 defendants in the National Action Party trial) this was a small case, with some 26 defendants in prison; for this reason the rule was inapplicable.

Turning to the wider issues raised by the trial, Apaydin observed that Turkey herself could be brought to trial as a member of the Council of Europe. He made reference to Article 6 of the Charter as a basic constitutional right which could not be ignored, and the right of a defendant to defend himself in a free and unbiased court. He said that for months he was unable to know what he was accused of. The indictment had been prepared three months after his detention. The TPA, he informed the court, had been formed to promote peace in the world, and hundreds and thousands of people were working for peace in all kinds of social systems and there were many peace committees. There was no provision for arresting people for their aims rather than
their acts.

The lengthy submissions by the defence, and the long adjournment that followed, raised an atmosphere of considerable hope among relatives and lawyers. Two hours went by. Then, late in the day, about 6.45 p.m. the court was called to order again. The judge read out the decision. The positions on place of trial, tape recording and separate trials were all reserved, the same system as had been adopted in the past would continue but the matter could be reviewed in the future. The list of the defendants would be as in the indictment and not, as the prosecutor had asked, in alphabetical order. Bail was refused to all defendants with no reasons given. A new date was set for the hearing. The summary denial of bail was very disappointing to the relatives after such a lengthy hearing, and after such hopes had been raised. The defendants lined up outside the court to await the van which would return them to the prison. They were separated from their relatives by a cordon of military. The families tried to pass cigarettes to them, but were forbidden. Just then the small daughter of the poet Vehramoglu, General Secretary of the Writers Union, ran between the soldiers’ legs and jumped into her father’s arms before she could be stopped. Her name was Baris, which means ‘Peace’. The ranks of the soldiers broke and there was embracing all round allowed by the military. Peace had at least won this round.

Freedoms of expression and association denied

We are not competent to form any opinion of the reasons behind the TPA prosecution and do not attempt to do so now. We are awaiting a full translation of the indictment, but even then it is difficult to ascertain how far Turkish criminal procedure, particularly martial law procedure, allows a challenge to the facts. As we understand it, the trial is likely to consist of the interrogation of the accused and the calling of witnesses by the accused, if permitted by the courts. There appears to be no obligation on the prosecution to submit its witnesses to cross-examination.
The defence submissions are therefore likely to be what inferences can legitimately be made from the possession, for example, of pro-Soviet literature. It seems fairly likely that any peace association trying to foster good relations with its neighbours in the Warsaw Pact is likely to include members who are positively friendly to these countries as well as those who simply do not want to go to war with them. It seems that the leaders of the Peace Association are deemed to be implicated in the political aspirations of any of its members, and thus the prosecution is able to confuse pro-Soviet views with anti-nuclear ones.

At its very highest, the worst allegation made by the prosecutor is that the TPA is an attempt to circumvent the proscription of the Communist Party in Turkish law. Even if that were the issue, it would seem difficult to reconcile such a proscription and such an allegation with the freedoms of expression and association guaranteed by the European Convention.

There are substantial grounds to consider, however, that under the guise of anti-communism and anti-terrorism, the military are taking the opportunity to remove from circulation some of their most distinguished critics. It has been stressed to us, that the prevailing ideology of the TPA defendants, was that of Mr Ecevit’s Republican Party.

The next hearing

The next hearing was set for 17 August, at the same location. It is to be hoped that on this occasion the trial proper will commence. The medical condition of Mr Dikerdem gives cause for concern. The continuing detention of Apaydin deprives the DISK defendants of their leading advocate. Mrs Isvan, the sole woman defendant, is kept in a women’s prison, with right-wing detainees and other ordinary criminals, in contra-distinction from the male defendants, who are all together. For these reasons, as well as the inevitable strain upon the relatives, it is to be hoped that the trial will proceed swiftly from now onwards. By Turkish standards, the trial has commenced reasonably promptly,
and this may be a response to international criticism. On the other hand, it would appear that it is in the interests of the authorities to spin the proceedings out for as long as possible, until public attention is diverted from the issue. Certainly, we understand that the Turkish Government intends to make no prompt response to the inquiries of the European Commission to allegations of contravention of the European Convention on Human Rights.
TPA LEADERS DEFIANT IN COURT

The speeches of the TPA leaders in court have been remarkable for their courageous and forthright condemnation of the military authorities who sit in judgment over them, and for the pride with which they declare their commitment to peace. Even after many months in prison they remain defiant and uncowed. They proclaim their right and their duty to campaign for disarmament. We can give here only short extracts from their impressive testimony for peace.

MAHMUT DIKERDEM*

Those before you in the dock have served the Turkish state with distinction for a total of 406 years. The prosecutor however asks for gaol sentences totalling 500 years. The persons before you do not even share the same political convictions. . . . There can be no freedom or guarantee of human rights in a society where the kind of outlook prevailing in the indictment were to dominate political life. . . . The underlying intention of this indictment is to deter Turkish intellectuals from espousing the cause of peace and nuclear disarmament by making examples of us and attempting to teach us a lesson for exercising our democratic rights. I can think of no worse damage to our country’s standing and image abroad. . . . Those who are in favour of a just and enduring peace are conscious of the fact that disarmament cannot be achieved under conditions of a ‘balance of terror’ between military blocs. . . . It is perfectly true that as the Peace Association we oppose all military pacts and support their mutually agreed disbandment. . . . As in the case of the famous scientist who was brought before a medieval tribunal

*Mahmut Dikerdem’s long statement, “In Defence of Peace”, is published in full by the Campaign for the Defence of the Turkish Peace Association (Amsterdam, 1982) and is available from 32 Ickburgh Rd., London E.5.
for claiming that the world revolved around the sun, only to persist, 'But it does move', please do not force us to exclaim 'But the peoples of the world do want peace!'

Mrs REHA ISVAN

The prosecutor has implied that some sinister directive made us form and lead a peace movement in Turkey. This is far from the truth. Peace concerns all human beings. Besides, as a woman I have given birth to life; as a teacher, I have nurtured new generations of human beings; and as an agriculturalist, I love nature and want to enrich it. Wars destroy all that is cherished in culture and nature. I do not want my life's work to be destroyed by war. This is why I am proud to be a founding member of the Peace Association, and this is why I oppose war and take my place on the side of peace...

... The indictment accuses us of "championing peace and democracy". This is true and we are proud of it. The Peace Association did not conduct a single activity which was not out in the open. Our Association was founded with the official permission of the State and was continually monitored by the appropriate State officials. All our proposed meetings, congresses and visits were first cleared with the authorities. From the day of our founding to the day of the coup when the Association was banned, not a single investigation or prosecution was launched against any one of our members or the Association as such.

How can activities which were not regarded as crimes prior to 12 September be conceived as crimes now? If the intention was to keep silent in those days so as to spring this trap on us, then this attitude will result in the loss of faith of all citizens in the continuity of the rule of law and the integrity of the State. If we are an 'illegal' organisation, why were we allowed to continue our activities and why did the authorities turn a blind eye to us? Besides, from 1978 onwards virtually all our activities were carried out under the gaze not only of the State but of martial law authorities as well. In all this time, there was not the slightest hint that we might be considered to be an 'illegal' organisation...
There is not a single shred of material evidence in this indictment. Allow me to declare to you that I firmly believe in a political order based on respect for human rights and liberties and a State founded on the principles of social justice. This is in the preamble of our 1961 Constitution. I categorically reject and oppose any form of dictatorship, repression and the use of violence. So does the Peace Association. I hope that the universal principles of justice will prevail and that our total innocence will be established...

Mrs. Reha Isvan addressing the military tribunal.

... Yes, I was amongst the founders of the Peace Association. This is because I believe that peace is the foremost question facing humanity today. In fact, any person who is conscious of the world we live in, who has some awareness of history, who can grasp the future of humanity, is bound to embrace the cause of peace. We founded the Peace Association in the wake of the Helsinki Final Accord which was received with jubilation across the world and which was also endorsed by the Turkish government. The Helsinki Agreement set out to link the desire to break out of inter-
national tension and crisis with the growing adoption by all peoples of the world of the need for peace. And for the first time the task of establishing and protecting world peace went beyond high state officials and devolved to non-governmental organisations formed by ordinary people. We volunteered to serve world peace. As I read in my prison cell about the huge international dimensions attained by the peace movement, I am even more honoured to have participated in the foundation of our Association and to have been in its executive until our activities were banned.

Mr ORHAN APAYDIN

There is no question of the Peace Association being in favour of the United States or the Soviets. We are only in favour of peace, democracy and human rights; we are for human values and decency. In this dock, we are engaged in a struggle for the realisation of these principles.

. . . The real reason why I am before you is because I have disturbed and indeed incurred the wrath of certain circles with my activities in defence of our 1961 Constitution, our democracy and my attempts to ensure that human rights did not remain on paper and became a reality in our country. The wave of terror preceding the coup was aimed at destroying our constitutional order. I took part in the struggle against this terror to the best of my ability. I was a target for terrorists and my life was in constant jeopardy for years. However, today, I am being tried for attempting to install an authoritarian and totalitarian regime instead of a Western-type democracy. I have no doubt that this trial will find its place in history. At this stage, I cannot hold myself back from this insight: it is a tragic paradox that the President of the Istanbul Bar Association who prior to the coup was included in the death-lists of terrorists because of his defence of the democratic constitutional order should now find himself being subjected to such accusations. . .

. . . It is the honour-bound duty of scientists, jurists, or plain citizens—regardless of whatever world-view they subscribe to—to alert public opinion to the dangers of nuclear
war. The idea which led to the founding of the Peace Association is a necessary consequence of the obligations of being a thinking person.

... It is impossible for the Turkish people to remain unconcerned in the face of the threat of nuclear war. Every thinking person is entitled to consider the extent of the destruction which can be caused as a result of Turkey's military commitments in NATO. We lived through these dangers during the Cuban missile crisis when we were in the front line of the nuclear holocaust. A Rand Corporation report published at the time indicates that at least 7.5 million Turks could have perished during such a confrontation. I believe that peace and security are complementary concepts. Of course we are entitled to hold public debates on whether Turkey's security lies with NATO or not.

... I am honoured and privileged to acclaim that I was the person who organised the initial meeting which resulted in the foundation of this Association. I can tell you that no political organisation, not even the most authoritarian governments, could ever dare to 'influence' or 'control' the Istanbul Bar Association. I want to repeat this once again before your tribunal and before world opinion at large. The Istanbul Bar Association, of which I have been the President for the last six years, has an unblemished history spanning 104 years in which it has maintained the highest principles of integrity. I therefore return the accusations of 'forming an illegal organisation' and 'subversion' with my profound regret and revulsion to whence these emanated from.

Dr ERDAL ATABEK

All human beings can be tried before three kinds of tribunal. Firstly, and above all, they are answerable to their own conscience. I am at peace with myself. I am convinced that not only in the activities mentioned here, but at no stage in my life and career have I committed a crime. Secondly, I am here before you. You have the right to decide. Whatever the accusations, justice will be on the side of those who believe in truth. Lastly, people are judged by history. But history is not
a tribune only of the accused, it passes judgments on all...

... It is not only an insult to us but to all world peoples and nations to assert that a single country or a centre is behind those who talk of peace, all the peace meetings in the world, the million people assembled in New York, the millions of signatures collected in Japan, and the millions gathering and marching in the great cities of Europe. Nobody has the right to claim that the universal desire for peace can be detached from humanity as a whole and made into a sinister tactic of one state or political system...

For medical doctors like me who have taken the Hippocratic oath and pledged themselves to save people from disease and disablement, to protect human health and well-being from the moment of birth onwards, support for peace is a professional duty. We must not forget for one moment that if we do not leave our children a legacy of peace, they shall inherit death, various forms of cancer from radioactivity, genetic mutations and an army of cripples. Even at present, given the levels of radiation and radioactivity generated by nuclear tests, it is not too difficult to predict higher incidences of leukaemia and hereditary diseases. It is clear that a nuclear war will be the end of humanity. Life is being threatened. People everywhere do not want to live under constant danger. Peace is no longer a symbolic dream but a realistic and universal demand...

I have never joined a political party in my life. I have always held independent political views. Personally, as well as for my country, I have always valued true independence. This is why I regard the allegations of belonging to 'front organisations' or 'acting according to directives of a political party' or 'aiding and abetting the intentions of a foreign power' not only unjust and unfounded but equally as an insult to my life's work and proven commitments.

Our Peace Association has never been a 'front organisation'. The fact that representatives of different organisations came together to form the executive is simply due to the exigency of carrying out peace work amongst the different sections of our society. Besides, the very condition that people from different sections of society, from different political persuasions can come together in this way is surely...
the best means of guaranteeing that the peace movement is not monopolised by narrow, sectarian interests. This is why all the activities of our Association attempted to draw in as many people as possible and our meetings were opened to non-members as well. . .

What am I accused of? Of speaking in the Annual General Meeting of the Confederation of Progressive Trade Unions of Turkey, in the AGM of the Metalworkers Union, and in the AGMs of our Association. What did I say in these meetings that gives so much offence? I spoke of democracy, of escalating terror, of the importance of finding solutions to peoples’ housing and nutritional problems, I warned people of the dangers to their health. For example, I asked the trade unionists to oppose conditions which result in work accidents, to demand milk for their growing children and an income to ensure a sufficient intake of animal proteins. These are the realities of our country. We have one of the lowest per capita rates of animal protein intake in the whole world. At the height of industrial unrest in our country more days were lost from industrial accidents than strikes. How can these statements be regarded as a crime, as ‘actions’ designed to ‘establish the supremacy of one class over another’? In what way do any of my speeches given and received in the protocol of such AGMs constitute an offence under articles 141 and 142 of the Penal Code? Yes, throughout my life I have opposed imperialism, chauvinism and fascism, as I did in those speeches. The Turkish Republic was forged in a struggle against foreign invaders. And from the day of its foundation it has rejected fascism and given no credence to chauvinism. Is it a crime to criticise these afflictions of civilisation? I submit that the said speeches for which I am being tried should be considered as defence evidence.

ALI TAYGUN

. . . An underlying accusation of the indictment is ‘what have professors, scientists, artists, writers and so on got to do with the peace movement’? It is as if all of us were
'ordered' to join the Peace Association by some sinister centre. Yes, not only was I actually given 'directives' but was actually 'ordered' to join the Peace Association by someone. Her name is Ceren. She is eight-and-a-half years old. She goes to primary school. I joined the Peace Association because of her. I became a member to ensure that neither she nor her friends would ever experience war and devastation. I joined so that she and her friends would be able to watch the war scenes, genocides and massacres which we encounter each day on our television screens with the same amazement as when we watch a documentary on cannibalism.

I do not want children to experience the horrors of the anxiety of war. This is why I am in the service of peace. I am an artist. And like all those who have been oppressed and kicked about, I came to this world not to destroy it but to change it, and add to it and to help create. I believe in humanity, in the Turkish people and in truth. I am on the side of the creator not the destroyer. This is all I intended.

HALUK TOSUN

In the struggle for peace scientists have to be particularly active. Since the Second World War the status of scientists has changed radically. They are no longer the blinkered functionaries carrying out orders from on high; they are producers of ideas who are aware of their responsibilities and therefore want a say in how their findings are put to use. It is possible that you are hearing the thoughts of an academic scientist on questions of world peace for the first time in your life. I wish this discussion could have been held under different circumstances. You have asked me why I, as a scientist with all the academic resources available to me to carry out peaceful research, felt the need to join the Peace Association. My answer is both simple and obvious: I am in the Peace Association precisely because it is my duty as a scientist to follow Albert Einstein who said: 'As long as people do not declare war on war, nothing will abolish war. I am not only a believer in peace, I am a peace fighter.'
Geo-politics places us in the position of an advanced post and flank of Western defence. Indeed, this location means that our territory is first in line for the deployment of all theatre and tactical nuclear weapons, including the neutron bomb. The theory of ‘limited nuclear response’ espoused by the current US administration is of vital concern to the Turkish people. In an article he wrote in 1973, Sulzberger, the New York Times writer known to have access to the State Department, claimed somewhat irresponsibly that his Turkish friends were pleased that Turkey would be one of the first areas for the deployment of the neutron bomb. In this respect, the idea of ‘limited nuclear war’, which originated during the Carter administration before gaining such wide currency under the present Reagan administration, is of far greater importance for those living in Turkey than in other countries of the globe.

These are some of the reasons why I participated in the foundation of the Peace Association. Under these conditions, I am more than ever convinced that joining the peace movement is not only a duty to humanity but, for Turks, it is an essential part of genuine patriotism. History will record 1982 as the year when the world peace movement reached a new pinnacle. And in 1982, only in a single country in the entire world, in Turkey, has the peace movement been put on trial. The indictment denies the Turkish people rights and liberties which are common currency in all other countries of the NATO alliance. This indictment asserts that the freedom to express our views about war and peace should be withheld from us.
A TRAVESTY OF JUSTICE

Eleven months after the arrests of the TPA leaders in February 1982, the trial is still proceeding at a snail’s pace in a way deliberately calculated to humiliate and punish the defendants, and with total lack of concern for their health or for normal forms of legal process.

At the end of July 1982, the END observers to the trial remarked that ‘the medical condition of Mr Dikerdem gives cause for concern’. The President of the TPA was due to have a biopsy performed on the day of his arrest. This was delayed for over five months and his condition deteriorated. Despite the pain caused by cancer of the prostate, Mr Dikerdem stood in the dock for eleven hours on four occasions to deliver his testimony and face cross-examination. He underwent major surgery at the end of September. Throughout November permission from the martial law authorities to receive a scanner test at a civilian hospital was not forthcoming and three appointments had to be cancelled.

At the beginning of November, in a ceremony held in Lisbon, the former President of Portugal Marshal Costa Gomes presented the Salvador Allende gold medal for peace and democracy, awarded to Mahmut Dikerdem, to a TPA delegation.

In the opening session of the TPA trial on 24 June 1982, 95 lawyers were present and 1,500 lawyers belonging to Bar Associations all over Turkey indicated that they were ready to take up defence. This gesture, made at considerable risk to personal safety, was intended as a collective tribute to Mr Orhan Apaydin, President of the Istanbul Bar Association, the oldest, largest and most prestigious association of jurists in the country.

In the fifth session of the trial held at the end of August (note that the TPA executive had been in gaol now for some six months) the defence team expressed ‘astonishment
and horror' at the way the trial was being conducted and argued that the presiding judge's attitude was an indication that 'the case has already been pre-judged and that the military tribunal is not independent'. The lawyer petitioned for a new panel of judges of proven integrity. The motion of 'no confidence' passed by the lawyers was based on the following legal arguments: (i) The judges had assumed the functions of the prosecutor by sanctioning the collection of further evidence against the defendants while excluding documents presented by the lawyers; (ii) Captain Atilla Ulku is a known sympathiser of the Nationalist Action Party (the neo-fascist political cum para-military organisation disbanded after the coup) and previously volunteered to serve in the controversial State Security Courts before these were ruled out by the country's Constitutional Court prior to the coup.

At the next session, the presiding judge Captain Atilla Ulku declared that since the martial law court was held under 'war-time emergency conditions' the defence request would be rejected. The brother of Orhan Apaydin, Mr Burhan Apaydin, also a veteran lawyer and human rights campaigner, is under indictment for a press statement and faces 18 years in gaol if convicted. Two other defence lawyers, Professor Cetin Ozek (brother of Professor Metin Ozek) and O.I. Kok are also charged with 'insulting the judge'. Defendants Ali Sirmen and Ataol Behramoglu face similar charges.

As the months pass the bizarre ramifications of the proceedings and the absurd legal entanglements of the defendants and their lawyers have grown into a monstrous web of repression. The military judges are inventive in devising ways of ensuring that justice will not be done. On 9 October the Turkish daily Milliyet reported that the Istanbul Martial Law Command had ordered the launching of a second inquiry, this to involve the investigation of 160 members of the TPA. Former regional officials and members have reported to the authorities for interrogation. These include Mrs Gulcin Cayligil, who is a leading defence lawyer in the TPA trial. Meanwhile, the General Secretary of the Turkish Writers Union, the poet Ataol Behramoglu, who was recently awarded the Lotus Prize of the Afro-Asian Writers
Union, and Mr Orhan Apaydin, who are, of course, among the arrested TPA leaders, were taken to a military barracks and interrogated in connection with the prosecution of the Writers Union.

On 5 November, two days before the constitutional referendum and presidential election (with a single candidate, General Evren), the TPA detainees were removed from the special detention unit of the Istanbul 2nd Armoured Division HQ where they had been held since their arrest, and transferred to Istanbul’s Bayrampasa prison which holds convicted criminals. According to a Guardian report on 13 November 1982:

Newspapers meanwhile carried sardonic headlines below photographs of the latest session of the controversial Peace Association trial. . . Turkey’s prison code allows prisoners to keep their own clothing even in cases involving terrorism. . . (but on arrival at the prison the defendants) were forced to put on convicts’ clothing and had their heads shaved. They were then dispersed in pairs to cells containing up to 100 convicts.

On 21 November 1982 the New York Times reported:

Defence lawyers took part in a temporary walkout to protest the treatment of their clients as ‘common criminals’ . . . There was widespread shock when pictures of prisoners were published in newspapers around the country . . . Burhan Apaydin . . . sent a telegram to the Minister of Justice, saying, ‘These people are not terrorists; they are men of science, law and the arts’ . . .

Having been subjected to this unprecedented humiliation and intimidation, Mr Orhan Apaydin, who has only one functioning kidney, a heart condition and an ulcer, collapsed and had to be rushed to hospital. The average age of the TPA detainees is around 50.

More recently, the military authorities have ordered the Istanbul and Ankara Bar Associations to postpone elections of their officers. As the Guardian of 25 November 1982 noted, ‘The main target of the orders (given by telephone) appears to be the president of the Istanbul Bar Association,
Mr Orhan Apaydin, a human rights campaigner.

The treatment of the TPA prisoners and the authorities’ unabashed intervention in the affairs of the country’s jurists are further indication of the infringement of human rights and the due processes of law under the current regime. This hardening of attitudes is a calculated snub to international criticism of the TPA trial especially in Western Europe. It is also the authorities’ response to the collective and principled stance taken by the defendants following President Dikerdem’s defence testimony in the trial in which he attacked, and defied the mentality behind an indictment which has put peace on trial.
On 7 November a referendum resulted in a vote for the adoption of a new constitution and the installation of General Evren as President of Turkey. Because of the conditions in which it was held, with no opposition activity permitted, much scepticism as to the validity of this referendum was voiced in the press in the West. It was depicted, in a leader in the London Times (9 November 1982), as tainted with illegitimacy. The Financial Times (25 October 1982) commented: 'By stipulating that a vote for the constitution means a vote for him to become president for seven years, (General Evren) has turned the referendum on the constitution into an instrument to perpetuate his personal power.' According to military authorities the referendum resulted in a 91 per cent vote in favour of the new constitution.

The new constitution is an extraordinary document. It gives the president unprecedented powers including the authority to appoint the prime minister and the chief of staff, to dissolve parliament, to appoint top judges, control key appointments in the civil service and the universities and to appoint the head of the country’s radio and television. Life-long immunity from prosecution has been
granted to all the generals who participated in the coup. They will now be coopted onto non-elected bodies such as the State Council, the High Arbitration Board for Labour, the Higher Education Board, the State Inspectorate, and so on. They will effectively control legislation and in any case the president has powers to block or veto legislation. This will result in a rubber-stamp parliament dominated by a military-civilian executive which will ‘shut Turkey society firmly inside a cage of tight bureaucratic controls’ (Guardian 3 November).

Individual liberties, freedom of the press, trade union rights and the democratic rights to assembly and association have all been disposed of. The ‘Mussolini Laws’ mentioned above have been incorporated almost verbatim into a section of the constitution which, rubbing salt into the grievous wounds inflicted on Turkish democracy, is entitled ‘Fundamental Rights and Duties’. The constitution specifies that trade unions will not ‘engage in politics’, that lock-out is a constitutional right, that strikes will be permitted if these do not contravene ‘good will or the public interest’ or result in the ‘destruction of national wealth’.

Any association (including trade unions and peace organisations) deemed to be engaging in politics can be suspended indefinitely without a court order at the instigation of a local civil servant or law enforcement officer. A law which prohibits a peace association from engaging in politics is in effect a law which makes campaigning for peace illegal. A peace association would not be permitted to call for the abolition of Turkey’s military pacts, for disarmament, for reductions in the defence budget. It would not be permitted to call for mass demonstrations to publicise its demands. Any such acts would be deemed to contravene the ‘security and integrity of the State’. Mass mobilisation for peace now comes under the heading of ‘subversive insurrection against the integrity of the state’. Criticism of government defence strategy or foreign policy, or of individual statements of state functionaries, is now regarded as criminal activity.

The mentality and values on which the indictment of the TPA was based, and which give rise to the prosecution demand for thirty-year sentences for the TPA executive, are
now codified and institutionalised as the law of the land. The 'geo-political constraints' to Western-type pluralist democracy in Turkey lead to the denial of the right to organise and mobilise for peace. *Turkey is the only member of the NATO alliance in which the peace movement has in effect been criminalised.*
STOP-PRESS: THE TPA EXECUTIVE RELEASED ON BAIL

As we go to press we hear the extremely good news that the President of the TPA and his executive have been released on bail, after ten months in prison. Confirming this unexpected turn of events, Mehmet Ali Dikerdem, the son of the TPA President and secretary of the Campaign for the defence of the TPA said:

Due to mounting international pressure, my father and his 23 colleagues were released from gaol on 17th and 24th December respectively. The four Social Democratic MPs also involved in the TPA trial were released ten days later by the Ankara Martial Law authorities who were trying them separately.

At long last, the military tribunal conceded that ‘no grounds remained for continued detention’ of the TPA accused. The trial however continues: the executive still face 30-year sentences if convicted. More disturbingly, a few days after their release, new arrest warrants were issued against Ataol Behramoglu the General Secretary of the Turkish Writers Union, Mr Sefik Asan and Mr Ali Taylan. Such cat-and-mouse games are unnecessary as well as being cruel.

On 6th January, on my father’s 67th birthday, the last of the interrogations were completed. It has taken the military court almost eight months to complete the first stage of the trial. Now that he can finally receive cancer treatment in a civilian hospital, I hope that my father makes a speedy recovery after his ten month ordeal.

I wish to thank the hundreds of people involved with the END for all they have done during these sad and trying months. Their cards and messages of support were of tremendous importance in conveying this simple but profoundly important message: ‘You are not alone, we care for you’.

In the next stage of the trial, the military court will consider the ‘evidence’ presented by the prosecution. Meanwhile, proceedings against 160 members of the TPA continue in Ankara, Istanbul and Izmir. Writers, poets and playwrights with both TPA and Writers Union memberships are in a particularly difficult situation.
END SUPPORT FOR THE TPA

END has been actively involved in the international campaign to secure the release of the TPA executive. The TPA arrests and trial raised two interlinked issues. First, repression of the peace movement in a member state of the Council of Europe, and second, the related issue of human rights at the periphery of Europe. The plight of the TPA was taken up during the END Supporters’ Conference held on 16 May 1982 in the GLC County Hall. Remembering the early days of the TPA campaign, Mehmet Ali Dikerdem says, ‘I will never forget the understanding and support shown on that day by E.P. Thompson, Jane Dibblin, Stuart Holland MP and Dan Smith’. The Conference decided to ask for the help of END and CND activists for publicising the arrests.

Soon after this, END financed a briefing paper called the *Turkish Military Junta Turns its Guns on the Peace Movement* which was widely distributed during the mammoth peace rally in Hyde Park on 6th June. This publication became one of the main sources of information on the TPA trial throughout Europe. Mehmet Ali adds, ‘6th June was a vindication of what the TPA sought to achieve in Turkey as well. What made the day doubly special to us was E.P. Thompson’s full and eloquent defence of the Turkish peace movement before that magnificent gathering.’ The TPA issue was raised a month later in the Brussels Convention. ‘There we reached a European audience’ says Mehmet Ali and recalls the solidarity extended by Ken Coates, ‘the marvellous’ Luciana Castellina, Marten van Traa and Lord Brockway. ‘Another very important outcome of the Brussels Convention was the articles in the END journal and *Peace News* which opened the way for grassroots support both in the UK and abroad, not to mention the informal contacts during the conference.’

END also participated in a press conference organised in
the House of Commons and chaired by Stuart Holland to mark the opening of the TPA trial. Mehmet Ali claims that one of the most important acts of support concerns the END observers sent to the trial. He also emphasises that the recent releases do not in any way mean acquittal and that European peace movements should continue to monitor events as closely as possible.

Mehmet Ali however is quick to add: 'Without the grassroots support, the campaign would have not been nearly so effective. Literally hundreds of letters poured in to the dark, damp cells where the detainees were kept. Imagine the comforting effect of people sharing your concerns about peace and disarmament from thousands of miles away. Special mention must be made of the Glasgow CND group who kept at it for months and boosted morale during the most difficult days. Mention should also be made of the fantastic people in Exeter who raised a petition to the Foreign Office containing hundreds of signatures, of the groups in Bridgend, Telford, Halifax and Hackney who mobilised a veritable avalanche of letters, petitions and statements. . . Of individuals who were so disturbed by what they read in Peace News and the Guardian that they got into touch with us through END. Of END and CND groups up and down the country, particularly the London END groups, who petitioned the authorities and continually kept up the pressure. . . The list is endless. But one thing which struck me most and deeply moved me was the basic humanity and decency of all these good people quite independent of political or other considerations. I think that this is a wonderful trait in British culture, something which was also so movingly demonstrated in Greenham Common.'
What is END?

END means European Nuclear Disarmament. It works together with CND and other grass-roots campaigning groups in Europe, both East and West, toward a single objective... a nuclear free Europe.

The campaign works for disarmament both through unilateral initiatives and international co-operation. Its supporters work for nuclear-free zones in towns, regions and nations. And to unite people striving for disarmament, peace groups, and nuclear free zone groups twinning with like-minded campaigns in Europe and America.

The eventual aim is a treaty banning all so-called European theatre weapons (including those in Western Russia and on American submarines), together with a guarantee not to use nuclear weapons against any part of the political territory of Europe.

Since its beginning, support for the idea of END and nuclear disarmament throughout Europe has been growing rapidly. In the last few years, millions of people have taken to the streets of major cities throughout the world to show their concerted opposition to the plans to deploy cruise and Pershing II missiles and the neutron bomb in Western Europe and the build-up of SS20s in Eastern Europe.

Underneath this massive protest is a structure of European support for peace initiatives that is making its weight felt in both the Pentagon and the Kremlin.

Nuclear disarmament groups have formed in most western European countries, each growing as it sees fit each in contact with similar groups in other countries. We are now receiving news of the exciting spread of independent peace groups in eastern Europe. All this together with the amazing growth of the peace movement in the US, Japan and the Pacific, means we are part of the biggest mass movement in modern history.

In appealing to fellow Europeans, we are not turning our backs on the world. In working for the peace of Europe we are working for the peace of the world. Twice in this century Europe has disgraced its claims to civilisation by engendering world war. This time we must repay our debts to the world by engendering peace.
Joint END/Merlin pamphlets

The new Hungarian peace movement
One of the main movers of the new autonomous Hungarian peace movement, Ferenc Köszegi, outlines the fascinating growth of cells of peace activists in schools and universities. With an introduction by E.P. Thompson, this exciting publication describes in detail the ideas behind this important phenomenon and its struggle to avoid co-option by the state, official peace council and dissidents, and remain a mass movement. Also included is E.P. Thompson’s lecture given in Budapest on ‘The normalisation of Europe’.

ISBN 0850362946  price: 90p

Moscow independent peace group
Since the news hit the western press that a peace group independent of the official peace committee had been formed, END has received many inquiries for more information on that group. We now have first hand accounts from Jean Stead (Assistant Editor of The Guardian) and END supporter Danielle Grünberg who were on the Scandinavian women’s march and visited the group while passing through Moscow. The pamphlet also presents additional documents and invites debate from the peace movement.

ISBN 0850362954  price: 75p

Comiso
As part of the militarisation of NATO’s southern flank, the small Sicilian town of Comiso is threatened with a cruise missile base in December ‘83. But over half the adult population of Sicily have pledged themselves against it and the island is now the focus for the European peace movement. Ben Thompson examines the background of Italian politics and gives a first-hand account of the Sicilian struggle.

ISBN 0850362962  price: 60p

Turkey
Jailing the leaders of Turkey’s peace movement is just part of the military regime’s campaign to suppress all opposition. Representatives of END have been to Turkey to monitor the drawn-out trial of the peace association, who are receiving support from peace groups all over Europe. In this pamphlet Mehmet Ali Dikerdem and John Mepham look at the history and work of the Turkish Peace Association and analyse why a state based terror wins Western approval.

ISBN 0850362970  price: 90p