

The Perihan Magden case, by Alev Adil

Literature matters in Turkey – *really* matters, always has. It's a dishonourable national tradition. Just about every Turkish writer with an international reputation has been persecuted by the state from Nazim Hikmet, Turkey's greatest poet who died in exile in Moscow, to Orhan Pamuk. Even the Prime Minister, Recep Tayyip Erdogan, did time for misquoting poetry. So perhaps it's unsurprising that Perihan Magden, a talented writer and controversial columnist, is to be prosecuted too. Magden's latest novel *2 Girls*, a best seller in Turkey, has been published in the UK to critical acclaim. A screen adaptation of the novel directed by Turner Prize nominee Kutlug Ataman premiered at the London Film Festival last autumn. Writers like Pamuk and Magden are Turkey's most convincing ambassadors in the country's bid to join the EU, not because they peddle any particular political agenda but because they articulate the complex and compelling hybridity of modern Turkey and earn themselves a place in the contemporary European literary canon. Whilst many Western commentators write Turkey off as an unchanging permanently undemocratic 'backward' state they miss the extraordinary cultural and political changes taking place in Turkey now. You'd think Pamuk and Magden would be lauded and garlanded for providing a fresh vision of Turkey in the face of Orientalist myopia. Instead, Turkey seems intent on prosecuting her brightest and best writers.

Perihan Magden will stand trial on June the 7th charged with "alienating the people from military service" for her column "Conscientious Objection is a Human Right" in "Yeni Aktuel" in December 2005. She drew attention to the case of Mehmet Tarhan, a conscientious objector imprisoned for refusing military service. Magden suggested that a modern country with ambitions to enter the European Union should uphold the human rights of conscientious objectors and provide non-violent options such as community service. For this she faces 3 years imprisonment. But then, as she wrote in the article "This is a very sensitive subject, because every subject relating to the Military is very sensitive. Very, very sensitive, in this country. When it's anything to do with the army : any suggestion/ any criticism/ why's it like this/ why's it like that, you're always in the wrong, you're an elephant in a china shop."

Perihan isn't alone. Around 60 writers, publishers and journalists have been before the courts in Turkey in the past year, many charged under Article 301 of the Penal Code which states that "a person who explicitly insults being a Turk, the Republic or Turkish Grand National Assembly, shall be imposed a penalty of imprisonment for a term of six months to three years". Recent cases include Hrant Dink, the editor of the Armenian-Turkish language weekly *Agos*; publishers Ragıp Zarakolu and Fatih Tas, and the journalists Ismet Berkan, Murat Belge, Haluk Sahin, Hasan Cemal and Erol Katircioglu. The Penal Code was amended in 2005 in an attempt to remove human rights anomalies from Turkish law as part of the process that the government hopes will lead to Turkey's acceptance into the European Union. But the European Union's Enlargement Commissioner, Olli Rehn, has said that such trials have cast a shadow over Turkey's application. Perhaps that's just what Magden's prosecutors want.

As well as the power struggle at the top between Erdogan's government and the military, especially as the hawkish General Büyükanit becomes the new Chief of the General Staff, there are shifts and clashes in the wider culture too. Turks are in the process of asking themselves just who they are. Competing discourses of global capitalism, minority rights, feminism, Islam, secularism, socialism, consumerism, flashy fascism (the mafia chic of the TV series *Valley of the Wolves* has been hugely popular) and multiculturalism all clamour and compete now that Kemalism is no longer dominant. Turkish identity is in a fertile flux as it redefines itself in the 21st century. Turkey's democratic future, as much as its aspirations for accession to Europe are at stake. Perihan Magden is a feisty and courageous woman. She's a playful writer, but that doesn't mean she isn't serious. When it comes to freedom of expression there's everything to play for in Turkey today, but the stakes are high and the game is a dangerous one. Without international pressure Magden could face 3 years in prison.

