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INFORMATION BULLETIN

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TÜRKİYE EKONOMİK VE TOPLUMSAL TARİH VAKFI

MEMBERS OF THE CC OF SOCIALIST WORKERS' PARTY OF TURKEY TRIED FOR MESSAGE OF CONGRATULATION SENT TO THE CC OF CPSU ON THE ANNIVERSARY OF THE OCTOBER REVOLUTION.

The trial of the members of the CC of SWPT has started in the 5th Criminal Court of İstanbul on 13 September 1978. There was a large crowd of listeners present in the court room. The press was also present.

CC members of SWPT are accused, under the Article 142 of the Turkish Penal Code, of "praising communism" because they sent a message of congratulation to the Central Committe of the Communist Party of Soviet Union on the 60th anniversary of the Great October Revolution.

Ahmet Kaçmaz, President of the Party, was amongst the CC members present in the first hearing of the case. A large group of barristers, well known in the leftist movement, undertook the defence of the leading members of the SWPT. Executive Committe and High Diciplinary Board of the Union of Turkish Bar Associations, as well as İstanbul and Ankara Bar Associations and Association Of Progressist Jurists were represented among those defending SWPT.

During the hearing the defending lawyers pointed out that political parties and their activities conducted through their responsible executive bodies are under the specific protection of the Constitution and the constitution expressly lays down that the political parties can only be tried by the Supreme Constitutional Court. The defending lawyers therefore demanded that since the CC of SWPT, that is to say the supreme executive body of the party, is charged in this case, the court should first decide whetner it is within its jurisdiction or not to go on with the trial.

The court decided to go on with the trial and proceeded with the case. Ahmet Kâçmaz, the President, and the other members of CC answered the charge by stating that it was the natural and established practice to send messages of congratulation in the form in which theirs was sent. After this the lawyers objected to the accusing "expert". The objection was taken into consideration and the case was adjourned.

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After the hearing,Ahmet Kaçmaz, President of SWPT, said this:
"Article 141 and 142 of the Turkish Penal Code, taken over in 1936 from the fascist Italian Code, have for years and especially during the 12 March period caused innumerable revolutionary and progressist writers and thinkers to be thrown to jail and be sentenced to long years of imprisonment. That these anti-democratic articles should be used against political parties -and in practice it is the socialist parties that are proceeded against under these articles- is a great drawback for democracy in our cuntry. But what is more, these articles are made use of in order to persecute and exert unconstitutional pressure upon political organizations. This is something that all democrats should resolutely come out against. The situation is extremely clear and simple. That the direction of a party should be subjected to such a treatment simply because it has conducted such a most ordinary political activity as sending a message is something that can not and should not be tolerated."

Ahmet Kaçmaz continued thus: "In our endavours to fight with such practices we are doing our best. And we are sure that as we go on to do our part in this struggle in a decided manner, all these who are for democracy will also join with their contributions. In any case, consideration shown by Turkish Labour Party and the help accorded by the honorable barristers who have taken on the defence of our members is an indication that we are not alons in this endavour. If during the period in front of us the great importance of this case from the point of view of democracy in Turkey can be shown to still wider sections of democratic public oppinion and the active reaction of all those defending democracy be directed against such practices, obviously an important successwill have been achieved in the sutrugge for democracy.

" I would also like to add that the distinauished lawyers who have taken part in defending leading members of our Party are people who have actively contributed to the struggle for democracy in Turkey. Thay are known as leftists in the public oppinion and belong to different political lines. The reason for this is the fact that in Turkey the socialist movement is divided and scattered.

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"This situation is a an important source of weakness for anti-fascist struggle in our country. It is responsible, to an important extent, for the fact that while fascism is getting more and more agressive every day, the anti-fascist forces in society still fail to come together and join forces.

"Despite this, several lawyers, who belong to different movements and fail to establish even a simple dialog between themselves on other issues, have managed to come together in our case because the anti-democratic nature of the legal proceedings against our Party concerns democracy and those who are on the side of democracy. We wish that this unity and solidarity shown on the occasion of helping our Party will be repeated in all fields of struggle for democracy."

Ahmet Kaçmaz, President of SWPT, finally said: "The support of all the forces of democracy and progress in the world in our fight for the abolition of the articles 141 and 142 of the Turkish Penal Code adds to our enthusiasm and firmness. These articles are an important element of oppression in Turkey. There is no doubt that such oppressive practices directed against socialist parties injure democracy. To oppose such practices has therefore been the traditional line of all democrats in every country all over the world. And more particularly, such acts of solidarty on the part of communist and workers' parties, who stand in the forefront of the fight for progress, is part of the glorious tradition of the proletarian internationalism. Our Party is fully convinced that in the face of this threat it will have the support and solidarity of all democratic forces -and particularly of fraternal parties- in the world."

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