

Turkish courts impose ban on YouTube

Kerem Kaya
6 August 2008

On May 5, all access to the popular video-sharing web site YouTube was banned in Turkey. YouTube was banned in connection with a video that allegedly insulted Mustafa Kemal Atatürk, the founder of modern Turkey. The ban continues up until today and is the longest ban of a web site in the history of Turkey.

The decision to ban YouTube came with a frenzy of court rulings, first by the Ankara 11th Magistrates Court on April 24, then by the Ankara 5th Magistrates Court on April 30 and then by the Ankara 1st Magistrates Court on May 5. The last court ratified a ban that had already been implemented. Anyone trying to access www.youtube.com is greeted with the message “Access to this site is banned by the Telecommunications Ministry,” citing the last two court decisions 599 and 402, respectively. Investigating media public prosecutor Nadi Turkaslan said that the ban will continue until YouTube removes the videos named in the court cases from all its international servers and establishes a branch in Turkey to answer to the local authorities.

This is not the first time YouTube access has been banned by Turkish authorities. The first ban was in March 2007. It was lifted within two days. A second ban was temporarily enforced in January 2008.

Insulting the figure of Ataturk was used as a justification for all three bans, although different laws were used on each occasion. This shows that in Turkey there is a vast legal arsenal of restrictive laws and measures available to enforce censorship. The first ban in 2007 was based on Article 301 of the Turkish penal code, the notorious article used to attack the Nobel Prize-winning writer Orhan Pamuk in 2005 for “insulting Turkishness” (see “Trampling on free speech continues”). Later that year, the government passed Law 5651, aimed at “regulating web sites,” i.e., enforcing anti-democratic restrictions and bans. For example, Article 8 of this law calls for content to be blocked if it violates a 1951 law on “crimes against Atatürk.”

The initial “insult” to Atatürk was a response by a YouTube user to a badly edited homophobic video

declaring that homosexuality began in Greece and that all Greek men are gay. Soon after, another video appeared purporting that Atatürk was gay. This poor-quality and chauvinistic exchange was then picked by the liberal Dogan Media Group on March 5, 2007. Its *Milliyet* newspaper headlined, *Impudence in YouTube*. The newspaper called for an e-mail campaign against YouTube and claimed 160,000 protest e-mails had already been registered. This campaign continued until the issue was taken up by Turkish public prosecutors. On March 7, access to YouTube was banned for two days until the videos were removed. The videos keep reappearing, and the ban was extended up to the present day.

YouTube is not the only popular web site under attack. It is only the highest-profile case. Sites such as Wordpress, Geocities, and Alibaba are also regularly banned. Indeed, it is clear that there is a frenzy of banning web sites at the moment. There are about 900 courts able to ban web sites based on individual complaints, and it is possible to obtain a ban from multiple courts. This means the duration of the ban can be extended using another court. Also, the courts are under no obligation to inform the web sites concerned before or after their decision. The web sites learn that they were banned after their users start complaining of lack of access. This adds to the delay in removing a ban.

The web site turk.internet.com, which represents IT professionals in Turkey, says that Turk Telecom, currently the main provider of international Internet access and hence the implementer of any ban, reported 153 bans in 2005, 886 in 2006, 549 in 2007 and around 420 for the first half of 2008. (Some of those bans, especially at the peak in 2006, are attributable to a campaign by MÜ-YAP, a copyright protection agency representing the Turkish music industry, as well as to a late-2006 government campaign against child pornography. But the general increase in the trend is unmistakable.)

In its 2008 report about Turkey, Amnesty International

notes in its synopsis: “In the wake of increased political uncertainty and army interventions, nationalist sentiment and violence increased. Freedom of expression continued to be restricted.”

The censorship of YouTube in Turkey is an attack on the right to free information and must be rigorously opposed. There is a direct connection between the attempts by the Turkish authorities to restrict access to the Internet and the growing political crisis in the country. Unemployment is growing rapidly in Turkey and has recently surpassed the levels seen in the devastating crisis of 2001. Young workers are disproportionately hit by unemployment. At the same time, inflation is now in the double digits.

These economic hardships are taking their toll on the working class and igniting widespread struggles, and YouTube is being widely used to broadcast these struggles.

The latest ban on Internet sites came just a few days after the brutal suppression of May Day demonstrations by the Turkish riot police in Istanbul. Videos of this assault were instantly submitted to YouTube. It is worth noting that on YouTube, unlike on TV channels, content remains accessible indefinitely.

Against a background of restrictive media and television outlets in Turkey, most of which are notorious for their nationalism and chauvinism, it is not surprising that a turn to the Internet and YouTube has grown significantly in the last few years, particularly amongst the youth.

According to eBay research in early 2008, Internet use has increased from around 12 million users in 2006 (20 percent penetration) to around 26 million in 2007 (37 percent penetration), ranking 11th in the world (14th for penetration). Nearly 20 million of these users are between 16 and 34 years of age. Turkey now also ranks fourth in active FaceBook users in the world, a popular social networking web site. YouTube itself ranks fifth within popular web sites in Turkey, trailing only the likes of google.com.tr and google.com.

These statistics do not include the use of Internet cafes, which offer shared access.

In the current political climate, neither the government of the Islamist AKP (Justice and Development Party) nor the Kemalist opposition has raised any objections to the ban on YouTube. Indeed, the Zaman newspaper, which is known for its close links to the AKP, campaigned in October 2007 for the removal from YouTube of videos that allegedly broadcast PKK (Kurdish Workers Party) propaganda.

The ban is also supported by the main opposition party, the Kemalist CHP (Republican People’s Party), which has recently supported the legal campaign to shut down the democratically elected AKP and to ban 70 leading members from politics for five years, including Prime Minister Recep Tayyip Erdogan. The ban on YouTube is also supported by the pro-Kemalist-Maoist Worker’s Party, which joined in the chorus of condemnation of the web site from the outset.

While the AKP government and the Kemalist opposition are involved in their own fractious struggle over the distribution of influence and posts for their respective supporters, both sides are united when it comes to the suppression of basic democratic rights, including unrestricted access to the Internet.

The Turkish courts and government are not the only authorities to be increasingly alarmed by the democratic potential of the Internet as a source of news and information. Governments around the world are increasingly nervous about a medium that cannot easily be placed under the dictates of big capital. This leads them to look for ways to control this medium.

As an international, democratic and mass medium, the development of the Internet is incompatible with the existing superstructure of competing nation states and privately owned ISPs and telecom companies. It is only within a framework of rational economic planning on a global scale that humanity can utilise such technology to its fullest potential. This, in turn, is only possible through the establishment of a politically independent movement of the working class based on a genuinely internationalist and socialist programme.



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