

PIRATED EDITION OF ETHNIC GROUPS IN THE REPUBLIC OF TURKEY

On 24.12.1992 two publishing houses in Istanbul, Ant Yayınları and Tüm Zaman Yayınları, wrote to the GEO-Center in Stuttgart, distributors for my book, announcing that they had already published a Turkish translation of it: they had omitted the maps and the geographical section (meaning the tables of geographical coordinates for villages), and had updated other parts. They requested a grant of the copyright. The GEO-Center passed their letter on to the publisher, Dr. Ludwig Reichert Verlag in Wiesbaden. Reichert then passed this letter on to me on 12.1.1993, and I immediately protested to the two firms by letter and fax, denying them permission to publish. Reichert also wrote to them to say their translation was illegal. I also wrote to ask the then Rector of Istanbul University, Prof. Demiroğlu, to intervene, as a courtesy from one university to another: this request was answered by the Vice-Rector, Prof. Tonguç, who offered no help. Dr Faruk Şen of the Zentrum für Türkeistudien also wrote to the publishing houses to protest, but without success.

Attempts to remonstrate with Cemal Şener, the proprietor of Ant Yayınları, by telephone were of no avail. It emerged that his wife was a lawyer, who evidently regarded his position as safe. The first printing of the illegal translation was 1500. He himself finally said "alırım, basırım, satırım: burası Türkiye".

The translation was advertised in *Gerçek* of 23.1.93, as *Türkiye'de Etnik Gruplar*, in my name. It even had an ISBN number. In February we were eventually sent a copy by the publishers, which turned out to be only a quarter of my original book, badly translated and with changes to the text. All the tables, which form the core of the book, were omitted, and most of the essays: it gave a very poor idea of the book, its seriousness, and its purpose. As, however, it sold for only DM 10, it was far more attractive to the Turkish readership than the original.

I obtained power of attorney from the University of Tübingen and from Reichert, and on 2.2.93 briefed a lawyer, Rafet Ataç, to take legal proceedings against the firms. The proprietor of Tüm Zaman Yayınları, Veli Yılmaz, died, so it was only Ant Yayınları that was subject to these proceedings.

In order to obtain an assessment of the damage to my reputation as an academic author, I had to provide two copies of the book, to be read by academically competent adjudicators, and I had to pay a deposit of DM 1784 to open proceedings. Ant Yayınları was represented by Bayan Şener in what, to us, seemed an astonishingly shameless way.

Three years later, on 13.2.95, we received confirmation from our lawyer that he had won the case, and that damages of TL 27.000.000 had been awarded - less than a tenth of what he had demanded. Some copies of the illegal translation were destroyed by the police, but in fact the book continued to be sold throughout Turkey without much concealment, and it still seems to be available.

We appealed against the damages, and were ultimately, on 26.5.95, awarded a total of TL 77.000.000 damages (*ca.* DM 3229), enough to pay for the legal action. I only lost about DM 150 on my deposit through depreciation of the TL. This was, apparently, the first successful court action taken from abroad against a pirated edition, so it was significant in legal history.

Finally, on 17.5.96 I wrote a letter to the then Prime Minister of Turkey, Mesut Yılmaz, drawing his attention to the unsatisfactory legal situation with regard to piracy of books in Turkey. I gave him the letter personally, in Bonn. It seems that some legislation is now at last ready, though it hardly addresses the problem with the required rigour.

Peter Alford Andrews, 23.7.2003