

# PEN NORWAY

PEN Norway interview with imprisoned  
Gezi defendant Tayfun Kahraman:

**“This is a revenge trial, not a normal legal process”**



Tayfun Kahraman  
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Gezi Davası

## “This is a revenge trial, not a normal legal process”

*PEN Norway followed all the hearings of the Gezi trial, in which 16 defendants, including Tayfun Kahraman were tried for “seeking to overthrow the government by force and violence”.*

*On April 25, 2022, Tayfun Kahraman and the other defendants present at the hearing were sentenced to 18 years imprisonment and arrested in the courtroom. Already under pre-trial detention, Osman Kavala was sentenced to aggravated life imprisonment. PEN Norway was a first-hand witness to this shocking abuse of the judicial system and is currently conducting a series of interviews with every single imprisoned Gezi defendant.*

### **First, can we ask about your prison conditions? How are you? How is your health?**

Conditions in the prison are not easy to deal with but we are striving to improve them anyway. And by improve, I mean we are making the best effort to improve the conditions of this place with the tools that are available to us here. Despite all these problems and even though we are under isolation here, we continue to stay strong and firm with the awareness that we are being held here unlawfully. Me and my cellmates Hakan and Can are very well, we are in good health. As I am an MS patient, I must be under constant medical control. These conditions have been met so far and I am under regular medical control.

### **“I knew that these trials would not end”**

#### **We know that you were acquitted earlier in this trial. Can you tell us how it feels to be faced with a retrial after an acquittal?**

Even after the decision of non-prosecution about me was announced in 2013 and my acquittal in 2020, I knew that these trials would not end, and that the government would always persist with them. Actually, I knew that they would mete out punishments on April 25 but I did not anticipate that they would issue arrest warrants. I realized that the government would not give up until it got the judgment that it wanted from these trials and until its aim to defame the Gezi Resistance through the judiciary yielded some results. That is why I was not taken aback by the continuous trials and retrials. Because this is a revenge trial, not a normal legal process.

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**In one of your defence statements you made the following remarks: For 5 years, I worked at the Ministry of Culture as a Culture and Tourism Specialist. After Gezi Park, I found myself at odds with the Ministry and they displaced me to Gaziantep province. I was temporarily assigned to Gaziantep for a month.” We want to ask a question related with those remarks. Gezi Trial provides a striking example of the problem of overlong trial periods in Turkey. What was the impact -on your personal and professional life- of such overlong trial periods, of this judgment and your current situation?**

The overlong trial process you mentioned affected both me and my family. I had to leave my position at the Ministry because of the assignment. Then I was recruited as a lecturer by the Department of City and Regional Planning of the Mimar Sinan Fine Arts University, which had a more liberal environment. After the Gezi Resistance, however, my spouse was laid off from the university department where she had become an assistant lecturer as soon as she got her doctorate. For seven years, all her job applications were consistently rejected by the universities because she was my spouse, and I was on trial in the Gezi Case. Even if the heads of departments agreed to recruit her, she was vetoed by the higher managements of the universities. Since the beginning of our marriage in 2014, the negative effects of lawsuits and trials loomed large on our family life.

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**In April 2022, together with Can Atalay and Mücella Yapıcı you submitted a very striking joint statement to the Court. You said “we reject this case” and added “we shall see the days when those who ruthlessly caused these deaths and injuries are brought to justice.” Do you believe that the fair trial will be restored in Turkey one day?**

**“The judiciary has always been a problematic field in Turkey”**

The judiciary has always been a problematic field in Turkey and it has always been under the (sometimes weak, sometimes strong) influence of governments. But especially after the constitutional amendment in 2011, we encountered unlawful trials, which were unprecedented even during the periods of military coups. Following the Fetullah Gülen supporters’ plots and then the conspiracy cases of the government, a large part of the public in Turkey now believes and sees that the trials are not fair. Of course, a fair trial is possible, but for this the Turkish judicial system, which is being destroyed more and more every day, and the way it functions need to be re-established so that it can hand out real justice.

**What do you think are the most absurd and unacceptable points of this trial?**

The most absurd aspect of the case was that our defence statements were not heard, the evidence and witnesses were not allowed to be discussed, and the panel of judges hurried to hand down the judgment communicated to them. The panel observed all the baseless and unsubstantiated claims of the prosecution, which functioned like a government commissioner, whereas it refused our requests to discuss the evidence and to consult the witnesses on these issues. And as the sole reason for their unlawful refusal of these legitimate requests, the panel offered baseless, off-the-peg arguments that our requests were aimed at prolonging the proceedings. So from its beginning to the end, the trial was an absurd comedy.



**For us, you are member of a group that has become the symbol of democracy and human rights in broader sense in Turkey. You stood up for the right to assembly and demonstration, freedom of thought and expression, democracy and the right to peaceful demonstration. How do you explain the government's fear of these basic human rights and freedoms? Or let's put it this way, why do you think fundamental rights and freedoms are under constant attack in Turkey?**

The government believes that fundamental human rights and freedoms, and even the exercise of the constitutionally enshrined rights are a threat to its own existence in Turkey. The government is aware that its legitimacy will be undermined if workers, students, political parties, and all dissenting citizens take to the streets to speak out about the contradictions, mistakes and unlawfulness of the government. The government secures its own political unity by oppressing those demands and those who voice them. This oppression is perpetuated sometimes through threats, police violence and unlawful decisions made by the judiciary, which in turn strikes fear into the society and renders invisible the claims for further rights.

**Your defence attorneys set a unique example of a legal defence under very difficult conditions. Are you proud of your legal defence team?**

It is not easy at all to defend in this case, to be a lawyer. Our lawyer friends have knowingly put themselves through a baptism of fire. This was not a single-front defence put up against the ruling power but included the genuine defence of the greatest resistance of Turkey. Our lawyer friends performed wonderfully in both. For this reason, history will record these honourable and brave lawyers as the pride of the country. Of course, I am proud of these people, who are both my lawyers and my friends.

**“The right to the city is like a cry and a demand”**

**The public knows you as an urban planner, but you are an academic who holds a PhD in the field of political science as well. This intersection brings to mind the right to the city. What is the right to the city and why is it a fundamental right? Can you please briefly explain this?**

Let's start with the question of what the right to the city is not. The right to the city is not only the right to participate in decision-making processes and to use public spaces. The right to the city is to be a shareholder in all the benefits produced by the social life in the city; it is the right to live together on the basis of social, spatial and economic commons. As H. Lefebvre, who introduced the concept of the right to the city to the literature, said, “the right to the city is like a cry and a demand.” The right to the city is a new field of urban politics that is based on rights and that gives the people have a say so as to ensure social justice in the cities and ensure everyone's access to the city.

**We have been informed that you have the right to get books in prison. What books are you reading right now? And what are the books you are planning to read in the future?**

Yes, the only upside of being locked up here is the opportunity to read as much as we could not do outside. I read 5-6 books a week



Illustration: Murat Başol

## **The Gezi Resistance was the embodiment of a persistent venture for unity**

**Are you still proud of the Gezi resistance? What message would you like to send to the world about the Gezi resistance, this trial and judgment?**

Of course, I am proud of the Gezi Resistance and the fact that I was there. Not only me, but millions of people in Turkey are proud of their resistance, which is rare in the history of the world.

The history of the world has recorded and will continue to record many rights- and freedoms-based resistances such as the Gezi Resistance. There were similar popular movements before the Gezi Resistance and there will be after as the peoples' world-historical pursuit of their rights will continue and expand. The Gezi Resistance was the embodiment of a persistent venture for unity, and we are going to build a better world and prevent the government from shattering this unity once this demand for unity spreads across the peoples of the world. If there is a price to be paid for this, we are ready to pay it. I am sure millions of people worldwide stand with us in this struggle and they want to unite.

“ As I always tell them, they should always be brave in defending their cities, professions, human rights and freedoms. Because for a better world, we need urban planners and young colleagues who stand by the urban rights and life itself. ”

and keep my 10 books quota by changing those books every week. In terms of accessing books, we are very lucky to have our attorneys and the people of Gezi (both the people we know and don't know) who mail us books. We read both the books they have authored or chosen to send and the books we asked from our attorneys. I am currently re-reading David Harvey's *The Limits to Capital*, this time by working on its Turkish translation, taking notes and spreading it over a long period of time. Simultaneously, I keep reading literary works. Today I began reading Robert Charles Wilson's *Spin* trilogy. I will then continue with what my friends mailed me and recommended. At the same time I will start reading the Zoning Legislation in order to conduct my planned studies.

**What else can international non-governmental organizations do to support you?**

International NGOs can take a closer look at our country and try to understand what is going on in Turkey. It is important that in the international arena they give voice to us and others who fight against unlawfulness and expose those unlawful acts everywhere. There are projects undertaken to do so and we would like to thank all the institutions that have supported us so far. But we expect them to make the unlawfulness in Turkey more visible in the international arena and to explain the Gezi Resistance to the peoples of the world.

**If you could send a message to your students about all what is happening, what would it be?**

In the defence statement I gave to the court, I said the following: “How could you expect my students to be brave at the very beginning of their professional lives as they witness their professors who protect the city and their profession having to make such a defence?” As I always tell them, they should always be brave in defending their cities, professions, human rights and freedoms. Because for a better world, we need urban planners and young colleagues who stand by the urban rights and life itself. We will have healthier, safer and more sharing cities when they relentlessly put into practice the professional ethics and principles that we have learned and advanced together. ■