

## MY DEFENSE

*The arts is defined as a tool for 'expression' from the time the first human communities existed, until today. Everything the human considers an issue becomes a topic in the arts in an aestheticised way. So if we want to protect our artist identity, we must be aware of the fact that it is the way of the arts to aestheticise the reality of this world. I am therefore performing a profession that, due to its means, may sometimes predict certain developments. It is also this profession that grants me the right to speak on past or current events. This right is not an entitlement due to a connection to any political opinion or ideology, but due to the basic principles of the arts itself. The artist is simultaneously an intellectual, who defends social values and contributes to these values with his production.*

*What allows the artist to survive is not populism, but this identity itself. Today, those who cheer to cheap slogans of primitive nationalism are giving up on the peace provided by the thousand-year legacy of the arts and sciences - just to feel that they are superior than others and to look down on intellectuals. Hence, I not only spare the expressions that led to the charges against me, but also try to protect the principles of the arts itself. What is agreed upon and even expected, from the artist, is to be up-to-date with current events and sensitive towards social issues. Therefore, I never felt remorse on being in the effort to satisfy this social expectation as an artist, not minding things presented or imposed on us by any kind of power.*

*Those who act in accordance with current conditions or depending on the current political power, I am sure are betraying the arts itself. The artist never makes propaganda, he builds artistic responsibility within himself with a humanitarian reflex - and that is precisely what I've done. The artist must develop an objective point of view from within the issues, not from the stance of politics or the perception of theoretical areas only. The artist defends only the human, its existence and dignity. People who develop themselves in artistic expression and sensitivity while producing artwork on literature and other arts must not be prosecuted due to the basic definitions and requirements of those fields.*

*Basic reflexes that need to be exhibited by humans everywhere, even in cases where they did not develop opportunities of expression outside of language and body or act with artistic concerns, constitutes the artist himself.*

*The artists must be expected not to ignore the hope and grief of humans, but to hear them, to own them, to somehow express them and to inspire people for new opportunities. Both the arts and artists can not be fit into an ideology and therefore cannot be prosecuted due to their work, simply because they are the conscience of societies. Those who aim to prosecute artists can have only one purpose: To silence artists and intellectuals. Political powers have tried to do this since the early days of history; whereas neither the artists remained silent, nor the society became monotypical. No political power that tried to engineer the society remained in power. However, the artists they tried to silence remain alive with their artwork, thousands of years later. The world becomes more beautiful with the contribution of those magnificent artwork, from those revealed through archaeological excavations until the artwork produced today. Thousands of intellectuals and artists are still alive through their artwork, Socrates even after drinking the Hemlock poison, Avicenna even after his exile, Nesimi after his skin was flayed, Bruno after the burning of the inquisition, and thousands of others whose names I can't mention here due to the high number of examples; giving the world and humanity life with their legacy. What about those who persecuted them? Even their names are unknown.*

*I have 24 albums and for the past 35 years, I am in the effort of living based on the facts I just summarized. I lived so that my name is not involved in the same sentence with words like money, fear, status or submission. I lived in order to make the grief of the society meaningful, and to fuel its sparkling hope. Opposition is in the nature of being an artist, with a fundamental duty to be the language of the oppressed and to create social sensitivity. To do whatever the political power likes is, as the phrase goes, being a court joker. Of course, good things made by the political power can also be appreciated - like the Resolution Process.*

*I am also the official Turkey Ambassador for Copenhagen-based Freemuse. I must indicate that this title is granted to artists in countries around the world, who live under pressure and censorship. As I faced investigations, concert bans and arrests in my own country during my 35 years as an artist, I was granted the Freemuse Award in 2010.*

*The thing that motivates me the most in terms of political effort and opinion is my possibility to contribute to peace. This possibility defines my interest in political matters. In a society where peace does not flourish, we unfortunately cannot talk about the economy, environmental issues, arts and culture as they should be. War takes away all of our energy, spreading into these areas as well. Consequently, it can't be expected that I can have an opinion or feeling that opposes peace - since it can neither correspond to my emotions, nor my rationality.*

*We will not deny the facts, just because the government's current policy on the Kurdish Question has changed after admitting only a few years ago that the conflict will not be resolved through war.*

*Concerning the charges against me...*

*I do not feel remorse because I have praised those fighting against the most barbaric organization in the world. To me it is more conscientious and rational to question not the expression of the pain of victims of the tyranny by this barbaric organization called ISIS, but the opposite. Considering this incentive, I can very well declare my intention - for my artistic sensitivity on the people's pain is considered 'terrorist organization propaganda' in a rather ill-mannered way.*

*Your honour,*

*I am an artist who follows the Kobani process very closely. Even one of my latest albums has the name 'Kobani.' I was at the Suruç border region during the attacks of the terrorist organization that spreads terror and fear while destroying shared values of humanity and historical sites, ISIS, against Kobani. Not only mine but all the world's eyes and ears were with*

*Kobani during that time. Later I went to Kobani and witnessed the war in the zone for one week.*

*I have expressed things I've witnessed during this time, both in the national and the international media. You may wonder how I went to Kobani - it was completely in accordance with legislation, with the official permission of the Şanlıurfa Governor at that time.*

*Did those who prepared the indictment expect me to remain silent against the methods of ISIS to kidnap women and sell them in slave markets, behead those who don't belong to them, and forcefully take children to turn them into killers? YPG and YPJ were defending the people during that time against this army of barbarians, and I refuse to be charged due to my appreciation of their work.*

*I wasn't the one who hosted PYD leader Salih Muslim in Ankara, it was the government, before he was announced a 'terrorist' when the politics changed later on. Besides, I wish the government showed the will to continue these negotiations so that we wouldn't enter a period convict to war itself and its language. I am an artist, and I bear no obligation to think like political powers.*

*I am also charged to commemorate Aziz Güler, who lost his life while fighting against ISIS, on a social media post I made on November 22, 2015. Aziz was a citizen of the Republic of Turkey and he did not remain silent against barbarism. We have shared their pain with his family at his funeral. Does it not bother you that I am being prosecuted due to attending a funeral ceremony? Just as we showed the same common reaction when the funeral of Aysel Tuğluk's mother was attacked, attending a funeral ceremony must be handled within the same humanitarian frame. That is why, I am proud of commemorating Aziz Güler, once again!*

*Another post I've made regarding Abdullah Öcalan was made a topic that lead to the charges against me. I stated, "Worries on Öcalan, that is called 'my leader' by millions, must be eliminated. With the hope of an end to solitary confinement..." I don't remember exactly, but this was a time when hunger strikes have started in prisons to protest solitary confinement*

*conditions, so I have expressed my reaction as an artist against people dying in prisons. It is not correct and fair for my opinion, which must be evaluated within freedom of expression, to be considered a 'crime.'*

*If there were doubts on Öcalan being a leader, what did the government officials base their negotiations with him on Imrali Island during the Resolution Process? The government has negotiated with Öcalan as the representative of the Kurdish people. Furthermore, during that period, many AKP politicians made statements praising Öcalan - from Bülent Arınç to Beşir Atalay. Not to mention that I deemed the Resolution Process a positive move, and I hope that this process starts again. Some leaderships impose themselves upon the people, whereas some are created by the people. If the Resolution Process has truthfully concluded, would this country struggle with such issues? Would we experience a cursed process like the July 15th? Would we have experienced these dark times, where war, death, tears, and all other grief and malignity were revealed? Would forests, birds, insects and other wildlife be set on fire in Dersim and in many other places under the name of 'security'? Would we see people setting themselves on fire due to being unemployed? Would workers be arrested over saying, "Our salaries are not being paid, our blood is sucked dry, we work under terrible conditions"? Only a few days ago, Ismail Devrim has ended his life after not being able to afford pants for his son. This is not a suicide, this is a murder that these politics have led to. Such losses of life are results of the budget, that is dedicated to warfare, being spared from people. Would unemployment, inflation, price rises, crises and poverty be this widespread otherwise? You know very well that true wealth is democracy. Those who said, "We have put the Resolution Process aside," have become the cause for this bitter picture today. The prescription to exit this crisis lies in democracy and normalisation, once again. It does not add anything to this country to use the judiciary against the people of this society like the sword of Damocles and to act with the intoxication of the ambition to punish artists and intellectuals with lawsuits with ridiculous accusations. Be certain that foreign investments will not come to such a country, they would decrease - just as experienced in Turkey in the recent years. This currency crisis is already coming from this lack of production*

*and lawfulness. Nobody would invest their money in a place where there is no law.*

*I am also charged due to congratulating the representative office of Rojava Democratic Autonomous Administration in Norway's capital, Oslo. Let us refresh our memories: This was a time when PYD Co-Chair Salih Muslim was visiting Ankara, hosted by government officials. Therefore, I've found this structuring of the Syrian people, who formed an alliance against terrorist organization ISIS, 'positive' and expressed this opinion of mine on the Internet. I do not feel remorse in congratulating the alliance of people who defend their land in the midst of a disproportionate war. On the other hand, I was invited to Oslo at that time as well but could not go due to conflicts in my schedule. If the Prosecutor considers my congratulation and good wishes illegal, I wonder if he would also claim life imprisonment against me in case I went to Oslo to sing at that meeting? I also wish that that representative office was opened not only in Oslo but in Ankara as well. What would be the damage in negotiating with the Kurds and building cultural and economical bridges between Rojava and Turkey? Would the economic issues today be experienced? Not to mention, is it rational to continue with this policy while millions of relatives of the Kurds there reside in our country? The policy, instead of that which would strengthen historical connections with negotiations with the local people, has failed today. The damage has been made on hundreds of lives and to the wealth of this country. I hope one day, these wrongs will be amended.*

*Who is in fact being prosecuted is not myself and I am well aware of that. Kobani and Rojava is being prosecuted under my identity; everyone and all kinds of action taking the stance of social peace is being prosecuted through my prosecution. The judiciary is imposing charges in accordance with government policies, attempting to decide accordingly.*

*As a result, I am on the opinion that the indictment prepared against me lacks objective legal basis and that it is based entirely on penalisation.*

*The charges imposed on me lack evidence, are prejudicial, directly based on interpretation and has the mentality that approaches Kurds in a hostile way. These charges imposed on me are unfair to the Kurdish and Turkish people, who lived together in brotherhood for thousands of years, and possess the quality to fuel the discrimination between the people of this land.*

*On behalf of the ancient cultures of Anatolia, I think we must abstain from expressions and claims that would plant seeds of discrimination between people who have been living together for thousands of years.*

*Hannah Arendt states that the denial of history starts after the World Wars, and the reason for that is the dominant world of politics. This tradition persists today through the bending of historical facts or current developments. Hence, we see that governments are frequently not telling us the truth on who is at war due to which reason, with what stance. No citizen, especially artists, must oblige with this malicious tradition.*

*When you hand them the microphone, no citizen would talk about a deep trust towards government members or politicians. Government officials are now considered those who distract people's attention towards less important issues, trying to trick them into believing non-facts. Of course, when the matter is the rights of other people, we can not abstain from some parts of society to be infected with the 'childhood' illness. However, we will not think that the executives and officials who lie even when the matter is regarding playing areas for children or for three cents of price increase will tell the truth on bigger matters like war. Whatever I've done, I've done through my artist sensitivity instead of unquestioning trust towards the arguments made by the powers, and I do not feel remorse in doing so.*

*That is why I don't accept the charges imposed against me. When the principles of law and justice are considered, it will eventually be seen that all the accusations against me are political.*

*The connection between the artist and freedom is greatly appreciated all around the world on top of general freedom of thought. I am an artist who prioritizes the benefits of society and I consider this sensitivity while expressing my opinions.*

*Voltaire's famous quote, which most of us now know by heart, must be applied: "I don't agree with what you say but I will defend to the death your right to say it." There is a second option, though - to take Hitler as reference, who said, "It is not the truth that matters, but victory."*

*We might have been the unlucky ones for some time, but these dark times will never be persistent. I am determined to live these times not through remaining silent but through speaking whatever I believe in, even louder. No imprisonment sentence or death threat could reciprocate that.*

*I am sure that this lawsuit must be abated in order to protect both the law and freedom of expression. I therefore end my defense with the belief that there are still courts remaining to protect the law, acting with justice and conscience.*

*Ferhat Tunç*

*September 25, 2018*

*(İstanbul Çağlayan Courthouse - 36th Assize Court)*